

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 2 July, 1986.

Time — 2:00 p.m.

**OPENING PRAYER by Madam Speaker.**

**MADAM SPEAKER, Hon. M. Phillips:** Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

### MINISTERIAL STATEMENTS AND TABLING OF REPORTS

**MADAM SPEAKER:** The Honourable Minister of Employment Services.

**HON. L. EVANS:** Madam Speaker, it's my pleasure to table the Annual Report of the Workplace Innovation Centre for the fiscal year ended March 31, 1986.

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

**HON. J. PLOHMAN:** Yes, Madam Speaker, I have a statement.

I am pleased to announce today that we have just received word from Lloyds of London that the efforts of the Government of Manitoba, with assistance from Transport Canada, have resulted in an amended "Churchill Clause" regarding hull insurance premiums. The London underwriters have ratified a new Churchill Clause, effective immediately, to include many of the suggestions made during our meetings with them including:

1. A specific window for the ice-free season dating from August 15 and extending to October 15. It is anticipated that this "open window," with low insurance premiums, will allow Churchill to achieve the desired state of parity, regarding insurance, with other trading ports;
2. A reduction in additional premiums to a flat 15 percent of the annual premium during the ice-free "window" period, from the previous 30 percent for ice-strengthened ships, and as high as 50 percent for conventional ships. This will cut the applicable insurance premium for a voyage to Churchill at least in half and make it comparable with other ports where additional premiums apply. It is anticipated that these insurance reductions will act as an impetus to increasing commodity movements from Churchill;
3. A specific requirement for compliance with NORDREG advice by all vessels navigating to and from the Port of Churchill to ensure the safest passage for those vessels traversing the Churchill route;
4. For those sailings preceding or surpassing the "window" dates, insurance will be allocated, by underwriters, on a "case-by-

case" basis with no arbitrary cutoff dates, and instead of the flat additional premium regardless of the risks involved, as was previously the case.

I am pleased to state that this amended Churchill Clause has major implications, not only to those vessels utilizing the port, but to the people of Churchill themselves. This achievement, I believe, not only recognizes and establishes Churchill as a safe port, but is indicative of this government's commitment to developing both Churchill and Canada's North. This achievement marks not the final step but rather the beginning of our efforts to realize the true potential of Churchill and our Canadian North.

The new Churchill Clause will also serve to complement projects initiated under the Churchill Sub-Agreement, Madam Speaker. These projects include the development of a prototype grain car designed with northern rail conditions in mind, and the establishment of a hydro line from Gillam to Churchill. This line will provide benefits to Manitobans in terms of service and will also provide an advantage in the form of energy cost savings at Churchill. Other projects on stream for Churchill are dredging of the harbour and construction of a tugboat for use at the port.

It is particularly pleasing to me to see that the Manitoba Government's vision for Churchill is now being witnessed by all Manitobans in substantive terms. These rewards, Madam Speaker, and recognition of Manitoba efforts also serve as a testimony to the continued promotion and development of the Port of Churchill. Our government is committed to that development and we intend to continue the path towards the establishment of a major role for Churchill in Canada's port system.

**MADAM SPEAKER:** The Honourable Member for Pembina.

**MR. D. ORCHARD:** Thank you, Madam Speaker.

I would suggest that today's announcement is one of an ongoing series of developments over the past number of years for the Port of Churchill which will and should bode well for future use in the Port of Churchill for grain shipments out and possibly even for other commodity shipments in.

It's interesting to note, Madam Speaker, that the open window extension by Lloyds of London, in terms of their insurance rate, gives us now a three-month — if my numbers are correct — open shipping season whereby the insurance premiums will be somewhat more moderate than what they were in the past. I think it's fair to say that the initial test that a longer season was available in the Port in Churchill came about in 1979 when the MV Arctic Canadian reinforced hull ship was in after the proposed closing date and picked up its cargo and navigated the straits without any difficulty after the official closing date of the shipping season and provided that kind of proof that an extended season was indeed available.

It's also interesting to note that if one were to check the archives of the Hudson's Bay Company, you will find that wooden sailing ships, as long ago as 250 years in our history, used the port facilities at the mouth of the Nelson River for almost a five-and-one-half month period during those early fur-trading days. It would seem to me that although memories may not — most memories don't remember that, but some of my colleagues have indicated they remember it well, Madam Speaker.

But, Madam Speaker, that historical fact always led credibility to the argument that Churchill indeed could have a much extended season, although the insurance premiums were used as a reason for not extending the season. It wasn't the major impediment to a greater use of the Port of Churchill, and certainly the reduction in premiums will assist in defraying that argument against the use of Churchill as a shipping port, but more important to the future of Churchill are the federal-backed initiatives of dredging to extend the draft line of ships coming into use the facility, so larger ships can take cargo there more times of the year; indeed, the provision of a new tugboat; and indeed provision of the hydro-electric line are probably more important single factors that have been achieved in cooperation and dedication from the Federal Government, which has seen Churchill as a port of opportunity in Northern Manitoba.

I think that certainly credit is to be given to the lowering of the insurance premiums, but it is but one piece of a puzzle in the ongoing negotiations to make Churchill a viable port which all levels of government, including the Local Government of Churchill, have been involved in; certainly the Federal Government has been extremely involved in providing funds to make Churchill a longer season, more viable port. We will certainly support, on this side of the House, efforts, as we always have, in cooperation with the Federal Government, to make sure that they put Churchill down as one of their priority ports, as they did in 1979 and will work with this government in achieving further gains for the Port of Churchill to give it a solid future in grain shipping from the Prairies, Madam Speaker.

Thank you.

**MADAM SPEAKER:** The Honourable Minister of Cultural Affairs.

**HON. J. WASYLICIA-LEIS:** Madam Speaker, I'm pleased to table the Annual Report for the Manitoba Women's Directorate for the year 1985-86.

**MADAM SPEAKER:** Notices of Motion . . .  
Introduction of Bills . . .

### ORAL QUESTIONS

#### **Versatile Farm Equipment Company - John Deere's withdrawal to purchase**

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

**MR. G. FILMON:** Thank you, Madam Speaker. My question is for the Premier.

I wonder if the Provincial Government has been informed, directly by the company, of the very disturbing news of John Deere's withdrawal from the deal with respect to the purchase of Versatile Corporation.

**MADAM SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Madam Speaker, we have been advised by Versatile insofar as the present situation is concerned: the request for a reasonable period of time to obtain a buyer on the part of Versatile; the notification on the part of John Deere; and the desire on the part of the Versatile to complete the transaction after a search is undertaken; and also hoping to restore interest on the part of John Deere if, in fact, a search is unsuccessful.

**MR. G. FILMON:** Has the Premier had any direct communication, other than the letter that he tabled last week with the John Deere Company, in respect to this disturbing news of their withdrawal from the deal?

**HON. H. PAWLEY:** Madam Speaker, I have no response from John Deere pursuant to the letter that was forwarded to them, or the telex, on Thursday of last week, and neither has the Minister of Industry and Technology received a response. I forwarded a further telex to the Prime Minister dated June 27 of this year asking a further effort on the part of the Prime Minister in respect to this serious matter.

**MR. G. FILMON:** I wonder if the Premier will attempt to set up a meeting to meet personally with the officials of John Deere to attempt to persuade them to continue in their efforts to purchase Versatile.

I might indicate that, on a non-partisan basis, I would be happy to lend whatever support I could on behalf of my colleagues, many of whom represent the farm community and, indeed, the constituency in which Versatile is located.

**HON. H. PAWLEY:** Madam Speaker, I certainly am prepared to take any suggestions under consideration, including the one by the Leader of the Opposition.

I would, as well, like to receive a response from the Prime Minister in respect to specific requests that I made to him on Friday as to efforts that could be taken by the Federal Government in an effort to ensure, Madam Speaker, that every effort be undertaken, both provincially and federally, to permit the transaction to be completed. I'll take the suggestion under advisement, though, as I think it is a constructive one.

#### **Versatile Farm Equipment Company - layoffs**

**MR. G. FILMON:** Madam Speaker, I'd point out that in the past the Premier has travelled to the United States with respect to the hog issue and with respect to nuclear waste, and I would think that in Manitoba's interests that this would be a very key issue, given the potential loss of 1,200 jobs.

On that particular matter, I might ask the Premier whether or not Versatile has officially notified the province with respect to the potential layoff which, as

I understand, by July 21 will result in a total closure of the plant?

**HON. H. PAWLEY:** Madam Speaker, I indicate I would take the suggestion under consideration, because I do believe that insofar as the Garrison issue, when the Minister responsible for Labour undertook the effort to ensure there would be a joint representation, it was worthwhile, and I think that joint effort helped considerably. I would want to, of course, consult with Versatile to ensure that, in their view, this would be constructive considering the circumstances.

**MR. G. FILMON:** I wonder if the Premier can indicate whether or not the government has been informed about the layoff which, as I understand it, will result in almost a total closure of the plant as of July 21.

### **Versatile Farm Equipment Company - alternate purchasers**

**MADAM SPEAKER:** The Honourable Minister of Industry, Trade and Technology.

**HON. V. SCHROEDER:** Thank you, Madam Speaker. We have been informed — I should tell the Leader of the Opposition that the problem with the sale, of course, is not John Deere; the problem with the sale is the U.S. Justice Department which has issued a ruling requiring Versatile to find a different purchaser. What they have not done is set a specific time-line, but past practice has indicated that is 90 days.

The discussions going on right now, and the reason why it was so crucial, and the reason why we asked the Government of Canada to become involved, and our ambassador, again, in Washington last week to become involved again was that we wanted to have the Justice Department rule that June 30 would be the reasonable date to have done the search, and in that event the sale would have proceeded.

The terms of the agreement were that if the sale was not consummated by June 30, there would be no agreement. The arrangement now, as Versatile has indicated to us, and I believe to the public, is that they will proceed to look for buyers. They have hired a merchant banking firm to look throughout the world for purchasers, but at the same time they are attempting to get a definition from the U.S. Justice Department of the time required — and they are hoping to keep that at a very short period. Once that time period is over is the time when one can deal with John Deere, up until that point, John Deere is, by legal definition, out of it because the agreement has expired, No. 1; and, No. 2, Versatile has been instructed by the Justice Department to find another purchaser, and that's what they are attempting to do right now.

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

**MR. G. FILMON:** Madam Speaker, I wonder if the Premier has offered, on behalf of the government, to be involved with Versatile in their search for any alternate purchasers.

**MADAM SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Madam Speaker, on Friday I had several discussions with Mr. Soubry of Versatile and offered to Mr. Soubry any assistance that could be provided by the Government of the Province of Manitoba in any area that could help the completion of the sale.

**MR. G. FILMON:** Madam Speaker, given that many of the parts and other aspects of the manufacture of Versatile equipment also originate in Manitoba, does the province have an estimate as to how many spinoff or related jobs are tied into the Versatile closure?

**MADAM SPEAKER:** The Honourable Minister of Industry, Trade and Technology.

**HON. V. SCHROEDER:** It's our information that up to 600-700 people will be affected by the notice by midsummer.

### **Versatile Farm Equipment Company - labour agreement**

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

**MR. G. FILMON:** Madam Speaker, given that den Oudsten, the Dutch firm that is supposed to be purchasing Flyer, is wanting to renegotiate the labour agreement with respect to Flyer, is there any indication on the part of John Deere that there is a concern on their part to renegotiate the labour agreement at Versatile?

**HON. V. SCHROEDER:** None whatsoever, Madam Speaker.

### **University of Manitoba - effect of cutbacks**

**MADAM SPEAKER:** The Honourable Member for Fort Garry.

**MR. C. BIRT:** Thank you, Madam Speaker. My question is to the Minister of Education.

Given the fact that there has been a shortfall in funding to the University of Manitoba, and it's been reported that there has been a series of cutbacks in both staff and in the courses being offered for the upcoming fall season, could the Minister advise us the number of staff that will be laid off and the number of programs or courses that would be discontinued at the university?

**MADAM SPEAKER:** The Honourable Minister of Business Development.

**HON. M. HEMPHILL:** Madam Speaker, I don't have the exact details of the information that the member is requesting here with me, but I will get them for him, and respond as soon as possible.

**MR. C. BIRT:** As the Acting Minister is taking that question as notice, perhaps she could take the following as notice as well.

Could she advise the House, as it relates to the Faculty of Science and any other faculties, the number of departments that will be closed, and the number of any labs or ancillary work that also would have to be terminated because of the shortfall in funding?

**HON. M. HEMPHILL:** Yes, Madam Speaker, I will.

**MR. C. BIRT:** Would the Minister also take under advisement and advise the House whether she, in her acting capacity, or the Minister of Education, will be meeting with the University of Manitoba to see what steps can be taken to remedy their problems?

**HON. M. HEMPHILL:** Yes, Madam Speaker, I think the Minister of Education has indicated in this House, on a number of occasions, that he's prepared to meet with any groups or organizations, university or school boards, that are having difficulties or want to discuss educational matters with him. So I'm sure, in this case, that if they request a meeting, he would be willing to meet with them too.

At the same time, I recall some discussion by him, in terms of recognizing that the universities themselves make their budget decisions, make their program decisions, are given an overall budget allocation by the government, and recognizing what that amount of money is going to be, have to make some priority decisions about what programs they will keep and what will go.

I do believe that in a previous question, just last week, he indicated he had some concerns about some of the decisions that were being made and was attempting to set up a meeting with the University of Manitoba to discuss them.

### **Manitoba Development Centre - Physical Activities Building contract deadline**

**MADAM SPEAKER:** The Honourable Member for Portage la Prairie.

**MR. E. CONNERY:** Thank you, Madam Speaker, to the Minister of Community Services.

During the Community Services Estimates, the Minister said that the 2.7 Activities Building would be ready for sometime in mid-1987. I know that tenders have been issued. When is the deadline for signing a contract for the construction of that facility?

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

**HON. M. SMITH:** Madam Speaker, the management of the building construction and the tendering process is under Government Services. However, I can undertake to get that information, but I think it's more appropriately directed to the Minister of Government Services.

**MR. E. CONNERY:** It is my information, Madam Speaker, that the deadline was June 30.

**MADAM SPEAKER:** Question?

**MR. E. CONNERY:** Yes. Is this true; was the deadline June 30 for the issuing of a contract for the building of that facility?

**MADAM SPEAKER:** The Honourable Minister of Government Services.

**HON. J. PLOHMAN:** Madam Speaker, I believe that it is currently in its final approval stages and it will be issued very shortly. I'm not certain that I can confirm that date. It's possible, very often, that extensions are negotiated or included, if that date was indeed firm, but I will check that, Madam Speaker.

**MADAM SPEAKER:** The Honourable Member for Portage la Prairie.

**MR. E. CONNERY:** Yes, Madam Speaker, is there a danger now that because the government has been dragging their feet and proceeding at the speed that they are, will they guarantee that the facility will be ready by mid-summer of 1987?

**HON. J. PLOHMAN:** Madam Speaker, there has been no dragging of feet by the government. The government has been moving expeditiously on this matter and we will continue to do so. As far as the commitment on the date, again I would have to determine whether there are any unforeseen eventualities that have come up in the negotiations for the final tendering. If there was some additional work that had to be included, after the tender was put out, this sometimes leads to some unforeseen delays, but we would make every effort to complete the project as scheduled.

### **Anstett, Andy - attendance at municipal meetings**

**MADAM SPEAKER:** The Honourable Member for Springfield.

**MR. G. ROCH:** Thank you, Madam Speaker. My question is to the Minister of Municipal Affairs — and I'll heed a little advice you sent me there a week ago.

Could the Minister tell the House, when the defeated former Minister of Municipal Affairs became overnight a so-called consultant and was hired by his former colleagues to write a so-called report on municipal infrastructures in Manitoba — I believe that's what it's being called officially anyways — at a cost to the taxpayers of Manitoba of \$55,000 plus expenses, I was wondering, Madam Speaker, could the Minister tell the House, do the terms of reference of his so-called contract include attending district meetings of the Union of Manitoba Municipalities?

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

**HON. J. BUCKLASCHUK:** Yes, I'm very pleased indeed that we have a person of the competency of Mr. Anstett to help develop the fund for rural development. Mr. Anstett is free to attend any meetings whatsoever to meet with people who are in a position to provide him

with some idea of the needs of rural Manitoba and, indeed, I'm pleased that he's been able to attend some of these meetings.

**MADAM SPEAKER:** Order please, order please. Order please.

I think the honourable member's so-called question, we should listen to the so-called answer.

The Honourable Member for Springfield.

**MR. G. ROCH:** Well, then, Madam Speaker, one can assume that he is being reimbursed . . .

**MADAM SPEAKER:** Question.

**MR. G. ROCH:** Yes, yes. He's being reimbursed for his mileage and expenses by the taxpayers. Why then is it that the only UMM meeting that he attended happened to be the one held in the eastern district? Is it because the constituency of Springfield is located there?

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

**MADAM SPEAKER:** Order please, order please.  
The Honourable Minister of Municipal Affairs.

**HON. J. BUCKLASCHUK:** I'm disappointed to see that the Opposition's research hasn't improved over the previous years. In fact, Mr. Anstett also attended the meeting at Arborg, and he may have attended other meetings as well; so, clearly, Lac du Bonnet was not the only district meeting that he attended.

**MADAM SPEAKER:** The Honourable Member for Springfield with a final supplementary.

**MR. G. ROCH:** Well, it's a new question to the First Minister.

Given the fact that his position of \$55,000 a year plus expenses seems to be adding more in a phony public campaign for re-election . . .

**MADAM SPEAKER:** Question.

**MR. G. ROCH:** Well, this is a new question; I'm giving a preamble.

To me it was blatantly obvious at that meeting, and as he practically controlled . . .

**MADAM SPEAKER:** Order, order please.  
Does the honourable member have a question?

**MR. G. ROCH:** Yes, I do.

**MADAM SPEAKER:** Question period is a time to ask questions, not deliver information.

**MR. G. ROCH:** Okay then, Madam Speaker.  
My question is then will other candidates in Springfield, indeed in Manitoba, also be paid 55,000 a year plus expenses to campaign for re-election?

**MADAM SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Madam Speaker, just as I have made no criticism of the appointment of the Federal

Government of the defeated Conservative candidate in Lac du Bonnet, Mr. Darren Praznik, to work on behalf of the Minister of Health and Social Services in the Province of Manitoba, I am surprised that the Honourable Member for Springfield would make criticism of as talented and able an individual as Mr. Anstett to carry on work on behalf of the Provincial Government. If he wants to talk about defeated candidates, he can talk as well about the defeated Conservative candidate in Lac du Bonnet.

**MR. G. ROCH:** To the First Minister. There's a different level of government involved here. Aren't you aware of it? He may not be aware.

Will the First Minister give an answer to my question, yes or no?

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

**MADAM SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Would the honourable member mind repeating his question. I have difficulty in hearing the honourable member.

**MR. G. ROCH:** There seems to be trouble in memories across the floor over there in many cases.

I was wondering if the other candidates in Springfield and, indeed, in other places in Manitoba would also be paid \$55,000 a year plus expenses to campaign for re-election or election, whatever the case may be.

**HON. H. PAWLEY:** Madam Speaker, I don't know how many other defeated Conservative candidates throughout the province may also be appointed to high ranking positions in respect to the federal Civil Service. If they are able and if they are qualified, I would hope some of them would be appointed just as, Madam Speaker, we intend to appoint qualified people to work for this government.

### University of Manitoba - Women faculty member cuts

**MADAM SPEAKER:** The Honourable Member for River Heights.

**MRS. S. CARSTAIRS:** Thank you, Madam Speaker. My question is to the Minister responsible for the Status of Women.

In the 50 positions that will be cut at the University of Manitoba that we know of to date, many of them will be women, is her department taking an interest in preserving affirmative action at the university with regard to a lack of cutting of women in these faculty positions?

**MADAM SPEAKER:** Could the honourable member please rephrase her question to make sure that it's within the administrative responsibility of the Minister?

**MRS. S. CARSTAIRS:** Thank you, Madam Speaker.  
The faculty cuts at the University of Manitoba will involve a great number of women. As it is one of her

mandates to be concerned about affirmative action programs for women, I'm therefore concerned that she indicate whether her department will be taking an interest.

Will the ministry responsible for the Status of Women involve themselves in discussions with the University of Manitoba in order to protect women's positions at that university?

**MADAM SPEAKER:** The Honourable Minister responsible for the Status of Women.

**HON. J. WASYLYCIA-LEIS:** Thank you, Madam Speaker.

As my colleague, the Minister of Education, indicated on Thursday, June 26, this government is concerned about any cutbacks that single out women's studies. We will be trying to ascertain the exact nature of the cuts at the University of Manitoba, sitting down and discussing with representatives of the university, and looking very seriously at their proposal for the women's chair for the two universities.

**MRS. S. CARSTAIRS:** Madam Speaker, the question wasn't about women's studies. I repeat the question. There are a number of faculties, including arts, science and engineering, that are cutting.

Will the Minister involve herself in discussions to make sure that those faculty members who are women are protected?

**MADAM SPEAKER:** Order please.  
The Honourable Minister of Education.

**HON. J. STORIE:** Thank you, Madam Speaker.

The Member for River Heights, I think bases her question on two assumptions that are not quite accurate. The first is, Madam Speaker, that the University of Manitoba is an autonomous body. They received some 3 percent operating funding. They are making those decisions in terms of the courses, the sections of courses, which are to be amalgamated or whatever on their own.

They are also, Madam Speaker, as is the Member for River Heights, committed to affirmative action. I'm sure that any decisions that come about, and I should indicate that there have been very few final determinations made with respect to courses or positions, when they make those decisions, I am sure that they will also be taking the majority of point of view that affirmative action is something that is a commitment of the government and the universities and I believe our community as a whole. I'm sure they'll be taking that into consideration before they make any final decision as to staffing and whom, if anyone, is to lose their position.

**MRS. S. CARSTAIRS:** It's a new question to the Minister responsible for the Status of Women.

In the Province of Ontario specific funding has been provided to the universities through the ministry responsible for the Status of Women. Will, in fact, her ministry be considering such funding in order to maintain a high level of women faculty members at the University of Manitoba?

**HON. J. WASYLYCIA-LEIS:** Thank you, Madam Speaker.

I will be working very closely with the Minister of Education to ascertain the exact nature of the cuts at the university.

As Minister responsible for the Status of Women, I would be concerned about any cutbacks that have a negative and adverse effect on women in any of the faculties at the university, and I will be working very closely with my colleagues to do whatever is possible to ensure that those programs can be maintained so that we advance our goal of ensuring that women enter occupations of a wide variety, and that we improve in the direction of affirmative action and equality generally.

### Sunday -closing laws

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

**MR. G. MERCIER:** Madam Speaker, I have a question for the Attorney-General.

Could the Attorney-General indicate whether it is his intention, or the policy of his department, to continue to prosecute all violations of the Sunday closing laws?

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

**HON. R. PENNER:** Yes, Madam Speaker, I have taken the position, as the House may recall, that our Sunday laws, that is, all of those except those that were encompassed in The Lord's Day Act, are valid. Those that are in The Retail Selling Act and in The Employment Standards Act are valid in my view and, until proven otherwise, we will continue to prosecute within the parameters of those statutes.

**MR. G. MERCIER:** Madam Speaker, a supplementary question.

Can the Attorney-General indicate whether he is considering or studying any changes in The Retail and Business Holiday Closing Act?

**HON. R. PENNER:** Madam Speaker, that would not fall primarily within my jurisdiction. There are studies under way looking at employment standards generally, and presumably some of those questions may be viewed at that time, but there is no specific study under way of the hours of closing; nor is there any intention of initiating a special study of that kind.

### Manitoba Hydro - answers to questions in committee

**MADAM SPEAKER:** The Honourable Member for Lakeside.

**MR. H. ENNS:** Thank you, Madam Speaker. I direct a question to the Minister of Energy and Mines.

During the committee hearings dealing with the Annual Report of Manitoba Hydro, the Minister and Hydro officials undertook a number of questions from myself, and other members of the Opposition, as notice. While we have received some responses, there are still

a number of outstanding questions that we asked at that time.

I wonder if the Minister would be good enough to have Manitoba Hydro and/or his office try to furnish the Opposition with those answers.

**MADAM SPEAKER:** The Honourable Minister of Energy and Mines.

**HON. V. SCHROEDER:** I thank the member for that question. We are working on it, we would like to get all of those questions answered as quickly as possible. I don't have a date yet, but I am planning to meet with Hydro people again later this week and hopefully we can get them all resolved.

**MR. H. ENNS:** Madam Speaker, I appreciate the Minister's response.

I would draw his attention to a particular series of questions asked by my colleague, the Member for Morris, and I would ask that that information, as well, be furnished to members of the Opposition.

**HON. V. SCHROEDER:** Yes, Madam Speaker, we will try to get that information as well.

### Strawberries

**MADAM SPEAKER:** The Honourable Member for Lac du Bonnet.

**MR. C. BAKER:** Thank you, Madam Speaker. I have a question for the Minister of Agriculture.

In light of the fact that the strawberry season is upon us, can the Minister assure this House and Manitobans that eating strawberries out of hand poses no significant health threat?

**MADAM SPEAKER:** The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Madam Speaker, I am sure that all Manitobans, including, I am sure, members of this Assembly, would want to avail themselves of the many sites that we have in Manitoba on a U-pick venture. Indeed, I hope that the Leader of the Opposition, as he did last year, avails himself of the U-pick operations.

There should be no danger for Manitobans to pick and eat a little bit and enjoy the succulent produce of Manitoba that Manitoba agriculturalists, Manitoba farmers, are indeed prepared to produce, some of the finest quality produce anywhere in the world, Madam Speaker. As well, it should be noted that the normal spraying does not occur in the time frame of picking; it occurs far before in terms of the insect control that has to be undertaken and after the picking season is over. So it should be safe for all Manitobans to enjoy.

### Villa Rosa Home inmate - attempted escape and safety of baby

**MADAM SPEAKER:** The Honourable Member for Kirkfield Park.

**MRS. G. HAMMOND:** My question is to the Minister of Community Services.

A young mother tried to escape from the Villa Rosa Home for Pregnant Women with her three-month-old baby which she was reported to have grabbed by the scruff of the neck.

In light of the fact that she threatened the house mother with a beer bottle, and her lawyer said when she starts drinking she goes beserk, can the Minister tell the House if the baby is still in the mother's care?

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

**HON. M. SMITH:** I'll take that question as notice, Madam Speaker.

**MRS. G. HAMMOND:** To the same Minister. I wonder, when she is taking it as notice, will she also report to the House what steps have been taken to assure the baby's safety for the future.

**HON. M. SMITH:** Yes, Madam Speaker, although I would like to point out that that particular establishment does not come directly under our department. We would require reporting by the staff in charge to our department or to the police or to an appropriate medical authority. That would be the normal way that we would get a problem like that referred.

### Urban Affairs - outstanding debt of Minister

**MRS. G. HAMMOND:** I have a new question, Madam Speaker, to the Premier.

In light of the fact that the Minister of Urban Affairs conveniently forgot that he had an outstanding debt of \$1,064.38, including interest, will the Premier ask his Minister of Urban Affairs to find out what the collector's costs are, and instruct his Minister to reimburse the government so that ordinary taxpayers aren't paying for his loss of memory?

**MADAM SPEAKER:** Order please, order please.

The Honourable Member for Kirkfield Park has another question?

**MRS. G. HAMMOND:** I was just wondering, Madam Speaker, if the Premier had heard the question and if he would like it repeated.

**MADAM SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Madam Speaker, I would like to say a few words in response and point out to the members of this House how fortunate we are as a government to have one of the capacity of the Member for Concordia who was elected with a large majority in the last election, received a wide endorsement of his constituents, probably even a better percentage than the Honourable Member for Kirkfield Park by way of endorsement; one that is serving in the ministry of Urban Affairs, as Minister, in a way that I think we can be justifiably proud of, and I am sure has many, many, many more years of service to the Province of Manitoba to serve the people in an outstanding manner.

### Pay equity - cost to Crown agencies

**MADAM SPEAKER:** The Honourable Member for Brandon West.

**MR. J. McCRAE:** Madam Speaker, I have a question for the Minister of Labour.

Now that the government and the Manitoba Government Employees' Association have agreed on a pay equity formula in the Civil Service, which agreement I hope will be tabled soon, and in view of the fact that employees at universities, colleges, major hospitals and Crown corporations start negotiating similar agreements with their employers in October, could the Minister tell us what will be the cost, in these Crown agencies, for pay equity, and who will pay the cost?

**MADAM SPEAKER:** The Honourable Minister of Labour.

**HON. A. MACKLING:** First of all, Madam Speaker, I would like to point out that I believe it will be possible during the course of the Estimates to provide an interim report as to the operations of pay equity. It is not required under the act that there be a report immediately; however, I expect we will be in a position, even though we've only been in operation for a relatively short period of time, to show a major accomplishment has taken place, and the announcement that was made last week confirms that fact.

In respect to cost, one has to look at the cost to women in society for the injustice that they have suffered for hundreds of years in society, and the price that we pay, or the cost all-tolled, when measured in perspective to our total budget, is a very small one, Madam Speaker, and it is expected that, again, the same quantification would apply. It will probably amount to 1 percent of payroll, overall in those agencies. That may or may not be the case, depending on the particular type of agency. The precise figures have not been determined, as they have not been determined for the Civil Service itself, except that experience elsewhere indicates that 4 percent to 5 percent of payroll would be sufficient. I think in Minnesota the expectation was that it was going to be 4 percent to 5 percent, it was something less than 4 percent has been their experience. Certainly I think the women of Manitoba don't reflect on the dollars concerned in the short term, they're looking at those gains from the long-term position.

**MADAM SPEAKER:** The Honourable Member for Brandon West.

**MR. J. McCRAE:** I'll give the Minister an opportunity to answer the second part of the question, who pays the cost?

**HON. A. MACKLING:** Madam Speaker, instead of the women of Manitoba and the women of Canada suffering the burden alone, now there will be equity and we will all pay fair wages to all people including women.

### Pay equity - local gov't and school board levels

**MR. J. McCRAE:** Madam Speaker, on a supplementary question.

Have negotiations begun with school board and local governments respecting a time frame for implementing pay equity at those levels in line with the commitment made by the Minister last year at about this time; and while he's answering that would he tell us who pays these costs?

**HON. A. MACKLING:** The answer to the first part of the question is, no; however, that will be proceeding. There is no tight time frame on that, we will be entering into discussions with school boards and municipalities in the very near future. In respect to cost again, I remind the member that he should, like all other Manitobans, welcome the opportunity for greater justice in society, and we should all share in the benefits and rewards of working in this society, and women should not continue to be singled out to be paid less than men where that isn't a part of the job activity at all.

**MR. J. McCRAE:** Madam Speaker, I rise to ask a new question of the Minister of Labour which I hope he will not deliberately misunderstand.

Madam Speaker, in view of private sector opposition in Manitoba to imposed pay equity; and in view of negative reports coming from Minnesota respecting pay equity there, which is supposed to be the model for the Manitoba program; and in view of the fact that Minnesota legislators would not imagine imposing pay equity on the private sector, does the government still intend to proceed with its election promise to appoint a committee to look into implementing pay equity in the private sector?

**HON. A. MACKLING:** I don't have any difficulty, Madam Speaker, in understanding where the Honourable Member for Brandon West comes from. He has earlier referred to pay equity as a buzz word, and I would like to put on the record the fact, Madam Speaker, that the Leader of the Opposition has shown some recognition and shown some formal understanding of the question, because he counted himself very forthrightly in favour of the legislation that was passed in the last Session. When it comes to the question of how the private sector will be involved in the development of pay equity, those policy considerations, those programs will be announced in due course.

### University of Manitoba - funding to

**MADAM SPEAKER:** The Honourable Member for River Heights.

**MRS. S. CARSTAIRS:** Thank you, Madam Speaker.

My question is to the Minister of Education. Last Thursday the Minister of Education stated that our universities received 3.8 percent funding; today he said the University of Manitoba received 3.0 percent; the Faculty Association at the University of Manitoba says they received 2.76 percent. What is the correct figure?

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**MADAM SPEAKER:** The Honourable Minister of Education.

**HON. J. STORIE:** Madam Speaker, I would have to check Hansard, but I believe I said that the universities received, overall, 3.8 percent funding; and that they received almost 3 percent in operating.

### **University of Manitoba - effect of cutbacks**

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

**MR. G. FILMON:** Yes, Madam Speaker, a further question to the Minister of Education.

Has he been informed of concerns about the potential loss of accreditation in the Engineering Faculty as a result of a \$300,000 cutback that they will be receiving in next year's operating budget?

**MADAM SPEAKER:** The Honourable Minister of Education.

**HON. J. STORIE:** Madam Speaker, I remind the honourable member of two things: No. 1, that threat has actually been there before, and it is a perceived one at this point; and the second point, and I've made this on numerous occasions, is that this Minister, this government, did not make those decisions. Those decisions were made by the Board of Governors and the administration at the University of Manitoba. Mr. Naimark is well paid to make those decisions. His administration, I believe, is perfectly familiar with the consequences of making those decisions.

The best I can promise to do is to review with the administration, at some point, the implications, and if there is something that we can do within the capability of the government, then we would certainly do those things.

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

### **ORDERS OF THE DAY HOUSE BUSINESS**

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

**HON. J. COWAN:** Yes, Madam Speaker First on a matter of House Business, I would like to indicate that after discussions with the Opposition House Leader we have agreed that Manitoba Mineral Resources and Manitoba Oil and Gas will be reviewed by the Standing Committee on Economic Development on July 8, and July 10 if a second day is required. If that second day is not required, the Report of the Manitoba Telephone System will be reviewed by the appropriate standing committee.

Also, on this Friday, we will be calling bills first, and then proceeding into Interim Supply, instead of the regular course of the Estimates.

As for today's business, Madam Speaker, I would ask that you call the Third Reading of Bill No. 2, followed by Second Reading of Bill No. 28, and then please follow the Debate on Second Readings, the Adjourned Debate as listed on Pages 2 and 3 of the Order Paper, in the order in which they are listed.

### **THIRD READING**

#### **BILL NO. 2 — THE REAL PROPERTY ACT (AIR RIGHTS); LA LOI SUR LES BIENS RÉELS (DROITS AÉRIENS)**

**BILL NO. 2**, by leave, was read a third time and passed.

### **SECOND READING**

#### **BILL NO. 28 — THE NORTHERN AFFAIRS ACT; LA LOI SUR LES AFFAIRES DU NORD**

**HON. H. HARAPIAK** presented, by leave, Bill No. 28, An Act to amend The Northern Affairs Act; Loi modifiant la Loi sur les Affaires du Nord, for Second Reading.

**MOTION presented.**

**MADAM SPEAKER:** The Honourable Minister of Northern Affairs.

**HON. H. HARAPIAK:** Madam Speaker, the amendment to Bill No. 28 to amend The Northern Affairs Act is coming forward to meet two areas of concern by the communities following the responsibilities of Northern Affairs.

The first amendment was one related to term of elected offices. As it presently stands, councillors are elected for a two-year term. The people involved in Northern Affairs communities feel that is not long enough a term to become totally familiar and to become contributing members as elected members for Northern Affairs communities.

I would like to tell the House that it now comes into the same length of term as under The Municipal Act. Under The Municipal Act the terms are three years, so with this amendment it comes under the same length of term, for three years as well.

One of the other areas of concern by the members of the communities is that they're never able to deal with their own budgets, because if they're only in there for a two-year term, they're inheriting a budget that was set by the previous council and in the following year they are defeated so the newly elected members are dealing with the budget that has been submitted by the previous council. So if there's a three-year term, that gets them a longer period of time to address some of the capital projects that are being brought forward in the communities.

The other area of concern was that the community committees were not part of the election process. Even though the community committees were now having their people elected under The Northern Affairs Act, they were not covered by The Northern Affairs Act; they were just being brought along when the other elections were present. So the proposed amendment also brings the local committees under The Elections Act. Really, what we're doing is legalizing a practice that has been in existence for a few years because the committees were presently being elected under the same process as the community council. They'll now be bound by the same act.

One thing I would like to bring forward, Madam Speaker, is the fact that these changes were brought

forward because of the initiative taken by the community councils themselves, the community committees. It is not a change that was brought out because of the initiative of the Minister of Northern Affairs or members of the staff, these changes were initiated by the community councils themselves. They saw where there was a need to change the length of the term to three years; and again the communities that did not come under community councils, they felt that they should be coming under The Northern Affairs Act.

So with these changes, I'm sure that they are going to be well accepted by the communities and I hope that the changes are supported by the Opposition Critic as well. I've given the Opposition Critic a copy of my speaking notes so I'm sure that he will be supporting them.

There's also one other minor change; that is the changing from the imperial measurements to metric measurements. Those are the only other changes that were required under the changing of The Northern Affairs Act.

Thank you, Madam Speaker.

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

**MR. D. BLAKE:** If the Minister would answer a question for clarification on his remarks.

**HON. H. HARAPIAK:** Yes.

**MR. D. BLAKE:** Thank you, Madam Speaker.

Now that the community councils are now being brought under the same act as municipal officials are governed by, will they be governed by the same conflict-of-interest guidelines as they are now applied to the municipal officials?

**HON. H. HARAPIAK:** That has not been taken into consideration but I'm sure that should be extended to apply to the members of the community councils as well.

**MR. D. BLAKE:** I wonder if the Minister might communicate that to the community councils, so that they're aware of the conflict-of-interest guidelines and have them report back to him before he proceeds with the bill.

**HON. H. HARAPIAK:** Yes, Madam Speaker, we continuously are in contact with NACC who have also been helpful in making these amendments to the act. So we'll be in touch with NACC and also with the communities themselves and their representatives and see that they are made familiar with the act and bring that forward before we have the final passing of the act.

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

**MR. L. DERKACH:** Thank you, Madam Speaker.

I move, seconded by the Member for Minnedosa, that debate on this bill be adjourned.

**MOTION presented and carried.**

**MADAM SPEAKER:** Bill No. 3, standing in the name of the Honourable Member for La Verendrye.

**MR. H. PANKRATZ:** Stand.

## ADJOURNED DEBATE ON SECOND READING

### BILL NO. 4 — THE FAMILY FARM PROTECTION ACT; LOI SUR LA PROTECTION DES EXPLOITATIONS AGRICOLES FAMILIALES

**MADAM SPEAKER:** Bill No. 4, standing in the name of the Honourable Member for Virden.

**MR. G. FINDLAY:** Thank you, Madam Speaker.

I would like to take this opportunity to speak to this bill, Bill No. 4, The Family Farm Protection Act, as introduced some days ago by the Minister of Agriculture. I want to spend some time speaking to this bill, as will other members on this side of the House, because this bill will have a long-term impact on the agricultural community of this province not only for a year or two, but for many years if it is enacted.

We, on this side of the House, certainly are very much in favour of protecting the family farm and supporting the family farm by any process possible, by any legislation that can be brought in. The family farm, as I know it and as every rural member on this side knows it, is what built rural Manitoba. Not only did it build rural Manitoba, it built the Manitoba society as a whole. It is the backbone of the Manitoba agricultural economy and is responsible for the economic stability of the total economy of Manitoba. Furthermore, it is responsible for 20 to 25 percent of the jobs that Manitobans enjoy. Therefore, we will definitely do everything possible to maintain the rural farm community as healthy and as viable a state as possible.

To analyze Bill No. 4, I would like to review some of the economic situations that farmers are facing. Certainly these are hard and difficult times, economically, for all farmers. Some have experienced more severe conditions than others because of different climatic conditions in different parts of the province; some have had personal problems that are more severe than others in terms of handling of finances; but certainly the hardest hit group of people in our farm community are our young farmers, those who started farming in the late Seventies and early Eighties, the middle-aged farmer who decided to expand during this late-seventy and early-eighty period; and the father-and-son situations which are probably the most grievous situations that we can come across, situations where the father decided that the son should start farming; the son wanted to start farming and the father used his collateral to help the son buy a piece of land. Then things didn't materialize as they thought they should.

Many of these people entered farming and expanded during what were determined as high-inflationary periods, high-interest periods, at a time when outlooks and forecasts, by all professionals, by all academics,

and all farmers themselves, were nothing but bright and optimistic. They bought land and equipment that they felt, at that time, could be paid for based on projections into the future.

But what did happen? There's been a reduction in the inflation rate; declining land values; more moderate but traditionally high interest rates; and declining export value of grain.

These once sound investments have become nightmarish financial burdens. The farm problem is not, in general, one of bad financial management. It's not one of poor agronomic practices. The problem, the real problem at the farm level, is a cost-price squeeze for all farmers, whereby the total cost of producing an acre of crop is more than the average gross returns coming in.

Any government solution must target this problem head on, cannot come up with a solution that doesn't hit the problem head on. The problem, I would like to repeat, is low gross income relative to the cost of production.

The most severe situation, as I have already indicated, is being faced by our young farmers who, by and large, are well-trained, Madam Speaker. They are the farmers of the future, they are rural citizens of the future, the citizens upon which our rural communities will be built.

These people have been caught up in circumstances that are beyond their control, but over the last two or three years, many have made efforts to remedy their financial problems. Some have worked out debt restructuring plans with their creditors; sometimes they've used a third party mediator to work out these agreements; some have sold off some of their assets to reduce or eliminate their debt; some have reduced their standard of living in order to save the farm; some have taken part-time jobs, sometimes it's the wife that takes the part-time job, or full-time job, to supplement the farm income; still others have not been able to find these remedies to resolve their financial problems.

There have been various analyses done of the farm financial situation and I would like to go over four of them to set the stage for further discussion.

FCC, the Farm Credit Corporation, did a study about six months ago and reported some 3,600 Manitoba farms in severe financial difficulty; another 1,900 in less severe financial difficulty; around 25 percent of our farms in some kind of financial problem. In discussing this around the farm community, it's difficult to determine that the number in severe difficulty is really that high. The credit institutions in this province have also done an analysis and claim 4 percent to 5 percent in severe financial difficulty.

If we look at the statistics of the number of farm bankruptcies, it works out to around 62 to 69 per year since 1982, an average of about five a month. If you look at the number of commercial farms, some 15,000, it represents a half of 1 percent of our farms are going bankrupt each year.

If you look at the number of business bankruptcies, running around 300 per year, some people say maybe our farm community is doing a real good job of adjusting to the economic circumstances and finding ways to cope by themselves. But the other thing we'll have to keep in mind is that for every farm that declares bankruptcy, at least five voluntarily leave the system. They wind it up, they've had enough, they get out with some degree of pride left in them.

As the Minister of Agriculture said in his opening remarks, we can't save them all, but we've got to decide who we can save and by what mechanism we can save them.

The Minister of Agriculture produced a White Paper some number of months ago on the farm financial crisis and held a round of farmer meetings in December, January and February of this past winter. The Minister claims that through completion of questionnaires at these meetings, and I quote, "By far the vast majority of respondents supported the legislative options, which were: formulation of farm financial mediation; moratorium legislation; and contract adjustment legislation.

I, Madam Speaker, attended one of these meetings. The Minister spoke — well, he started 20 minutes late in speaking — he spoke for most of the allotted time, there was very little time allowed for discussion. The Minister, in his speech, did not analyze the negative potential impact of legislation that involved contract adjustment or moratoriums. The audience was not a full cross-section of the total farm community and many farmers did not fill out the questionnaire because they did not believe in the severe legislative options that the Minister was supporting that day.

In short, the legislative options which were presented by the Minister at those meetings were presented as a magic wand, that if we have this legislation, everything will be made right; it will correct all the problems and all the debt will go away. Therefore, I say that most farmers filled out that questionnaire without a fair analysis of what the impact of the legislation might be and what effect it might have on the farm community 2, 5, and 10 years down the road.

Now, if we look at the credit needs of all Manitoba farmers, and I've talked to a number of people about this, and where we sort of come to an agreement is that around 45 percent of our farmers in Manitoba either utilize no credit or do not need to use any credit in their farming operation. They're the very fortunate group. They're the group that have been good farmers and have been able to manage their affairs so that they're in that position. Unfortunately, they tend to be the older group of farmers.

There's around 55 percent then using credit, and about 5 percent, possibly 5 percent of the total farmers are in some degree of relatively severe financial difficulty, and maybe 1 percent or 2 percent are going to fail. That leaves about 50 percent of our farmers utilizing credit, having to utilize credit as part of their operating costs and will be affected by this legislation.

The objective of The Family Farm Protection Act is to, and I quote, "To afford protection to farmers against unwarranted loss of their farming operations during periods of difficult economic circumstances. It consists of three parts: The Peer Advisory Committee and Panels; secondly, the Judicial Mediation Process; and thirdly, the Moratorium on Realization Proceedings."

(Mr. Deputy Speaker, C. Santos, in the Chair.)

After considerable analysis of the total impact of the act on the complete farm community, it is our intention to, No. 1, support the Peer Advisory Committee and Panels; No. 2, to support the mediation process if several amendments are made to that process; and No. 3, not to support the moratorium powers of this bill.

The peer advisory process has been in place in the province since 1982 but it has only handled 22 cases to date, and only about half of those cases are still farming. In 1985, only nine cases came before the Peer Advisory Panels. In most cases, farmers came to this peer advisory group when it was already too late; in other words, there was really nothing to salvage in the farm operation. Had they come for peer advisory assistance one or two years sooner there may have been something left that could have been constructively saved, either through financial management changes or agronomic practice changes that could have resulted in survival of that farm.

It is clear that the peer advisory process needs to be much more widely publicized and promoted so that it can do a better job of serving the needs of those that are facing financial trouble in the not too distant future.

As far as I can analyze, the credit institutions in this province, the credit unions, banks, have worked out agreements with a number of farmers who have reached positions where their credit line is now in question as to whether they can carry the debt load any further. They analyze financial viability; they analyze management capability; and they'll analyze the honesty of the client over the years.

These reviews have gone on over the last two, three, four years, with ever increasing numbers of clients, and arrangements have been arrived at which allow those producers to stay farming. They have done such things as set aside interest payments, set aside debt, enter into Small Business Development Bonds, or even take a certain degree of loss and try to restructure the operation.

There seems to be, in general discussion, I would say, there's at least 400 of those agreements that have been arrived at in the Province of Manitoba in the last two to three years.

The mediation process needs to be structured to assure that every farmer has access to third-party analysis of a situation. As I said earlier, some farmers have used that mediator process already in their private discussions with their creditors and arrived at reasonable solutions.

This mediation process can be very valuable when lines of communication and trust have broken down between the farmer and creditor. It also affords all farmers equal access to find fair and equitable arrangements and agreements.

In this bill the knowledge and ability to resolve financial disputes lies definitely with the mediation board — that's the most powerful part of the bill — and the panels it puts in place need to be able to carry out their duties in this respect.

A judge or the courts should not be involved in the process because any decisions the judge is going to bring down are going to have to basically follow in line with what the mediation board works out with the creditor and the farmer.

The whole process of the mediation board, the panels and coming up with an agreement, needs to have some more defined period of time, in other words, a sunset clause, so that the process will not go on forever.

The mediation board process should be structured so that a creditor who wants to commence realization process against a farmer, he must apply to the mediation

board, not to the judge nor to the court, but apply directly to the mediation board for leave to carry on such proceedings.

The board should then meet with the farmer and creditor to decide within 15 days whether (1) to grant the leave because the case is so hopeless that no amount of further mediation will resolve it; or (2) submit the case to a mediation panel for analysis and report.

The panel then should report back to the board within 45 days with an analysis of the situation. They should recommend some course of action. The board then must meet with the farmer and creditor within a 30-day period and work out an agreement or an arrangement which is to be binding on all parties.

The board should be responsible for protecting against the asset values during that period of time, in other words, guard against loss of assets. It should deal with all cases of default on agreements after they are struck; and it should at no time be allowed to extend the review and analysis process for more than an additional 30 days.

So we are saying that the whole process of mediation and solution should take no more than 15 plus 45 plus 30 days, which is a 60-day period with no more than 30 days allowed for extensions; so a 90-day period for total resolution of the situation.

As we look at the Peer Advisory Committee and panels and the mediation board and its panels, really they are going to be serving the same need in the farm community and there is probably no need for both sets of committees and panels, that one should do the total job.

As far as the moratorium aspect of the bill, the implementation of such a moratorium is completely unnecessary because the province at this time has legal jurisdiction to do it only on land, and it offers no more protection to the farmer than the mediation process because the creditor can still apply to the court for leave and continue the realization proceedings against those farmers considered to be in a hopeless situation.

Overall, as presently written, Bill 4 has numerous shortcomings and long-term negative implications for the farm community, and I have already mentioned, especially the judicial and moratorium aspects of the bill.

No. 1, it offers no solution to the cost-price squeeze of the young and financially hard-pressed farmers, and that's the heart of the problem. If you can't address the problem head on, don't bother with a solution that's not going to serve the need.

Whether a farmer is going through the judicial mediation process or the moratorium, his basic problem still exists. The capital debt is still there in place, the interest is still accumulating on his debt, and \$6.5 million is a very insignificant amount to allow those farmers in that problem situation to do anything toward restructuring their debt; their problem is still there.

I would determine that if you are going to realistically affect those farmers that have management capability to get them out of the debt load that they're in — and let's face it, the marketplace is not going to do it for the next two or three years — you are probably going to need to put at least \$200 million into farm aid in that direction to have any meaningful impact.

Secondly, the occupation of farming is definitely a way of life, first and foremost in the eyes of those in

the industry. It's success has been based on pride. The pride of ownership, land and equipment and livestock; the pride of seeing a good crop or a good animal growing and maturing; and generally the pride of accomplishment; that's what farming is all about.

The implementation of a moratorium or a judicial process to save a farm in the long term is going to make farmers look like wards of society, and certainly is going to destroy his or her pride in his occupation. In the long term, moratoriums, once in place, will be politically almost impossible to remove. I say, without doubt, once they're in there I don't know how any government can remove them because the debt is still there and you are going to drop some guys over the edge of the cliff when you lift it. — (Interjection) — So the debt is still there, how is he going to pay it if he doesn't have some realistic method of getting it out?

In the long term, if farmers become a ward of the state, or protected by the state, the pride of motivation will leave the industry and the occupation will be just another job.

Many farmers have a lot of difficulty in their operations because of a lack of education and skills and Bill 4 does nothing to address that shortcoming.

No. 4, many farmers have become fed up with the hard work and little or no chance of being able to work themselves out of their financial burdens. Bill 4 offers no help for those that want to gracefully exit the business, retire early, or get some form of retraining so they can enter some other form of occupation.

**A MEMBER:** You haven't read the bill on it.

**MR. G. FINDLAY:** We've read it over and over.

No. 5, under Bill 4, the options of the judge are to grant; (b) to dismiss an application; or (c) the judge may "issue such other order as a judge considers appropriate." This gives the judge the power to order contract adjustment or demand debt write down or demand interest forgiveness.

This option, together with the power of a moratorium, will seriously affect the ability of the farmers to obtain credit in the future from the credit unions and from all other financial institutions.

This government, if they cause this to happen, I don't know how they are going to legislate that lenders must borrow money to the farm community. If we look at Saskatchewan, what they brought in, the experience of their Farm Land Security Act since December of '84, several comments can be made.

There has been in that province an increase of the cost of credit to all farmers of anywhere from one-quarter to one-half to 1 percent over what it was in 1984. If you take that projection into Manitoba and say that all credit will increase by a half percent to all farmers because of this bill to offset the risk element, it will cost Manitoba farmers an additional \$6 million for credit costs each year, and if you take that and divide it over all the acres in Manitoba, some 13 million acres, it works out to around 50 cents an acre is the tariff of this bill on all the cultivated acres in Manitoba.

Furthermore, in Saskatchewan, the bill has caused a reduction in the supply of money available to the farm community. From 1984 to 1986 the amount of money available has declined by some 15 percent to

20 percent. So there is somebody out there that hasn't got the credit that they needed to run their farm operations.

It has caused an increase in collateral needed to obtain a loan. For land mortgages, in 1984 Saskatchewan farmers were able to obtain 75 percent of the appraised value of the land for mortgages, now the lending rate is 60 to 65 and, in some cases lower, of the appraised value is what they can get as a mortgage. So the amount of credit available has certainly decreased.

Furthermore, in Saskatchewan, the credit institutions are now saying well, if there's a moratorium in place we will not go the extra mile with that farm operation anymore, we will start to wind them up a year or two sooner or maybe three years sooner than we would normally.

The sixth area I would like to comment on is the time allotted to various actions under the judicial mediation and moratorium sections of Bill 4. They are far too long and, together with the recesses that the judge can bring in place, it will allow the process involving any farmer to drag out for many months and maybe even years. This will certainly not be any help to the farmer. He won't know how to operate his farm during this period of time and I ask, where is he going to get the credit to run his farm while he's trying to hang onto it? There's no question that this bill needs a sunset clause in it.

I have discussed the need and the impact of this type of moratorium legislation with many farmers since January, when the discussion started in the rural community. Their comments then and now are still the same, now that the bill is in front of us, and I would like to just go over a few of them with you.

Those that must borrow money, and I said before, it's around 55 percent of our farmers, believe without a doubt that it will cost them more money for that credit. Those that are in the bottom 25 percent feel that they will have more difficulty in obtaining credit, period, and some of them that had credit extended to them this spring, with a number of qualifications, believe that come the spring of 1987, if this bill is in place, will have very severe difficulty in getting their credit.

They also believe that some lenders will leave the agricultural field and they certainly fear that the credit unions will withdraw from agricultural lending. Everybody knows that less competitors in any market will increase the credit cost of money. — (Interjection) — It's nonsense, that's right.

Everyone out there is facing some degree of financial difficulty and those who have made the financial adjustments at the farm level to reduce their debt by altering their farming methods and taking lower standards of living, feel that if they have been able to make those accommodations, why should they be discriminated against?

Another area that people have commented on is that legislation like this will create a lot of hard feelings between various farmers, between those who have made alterations to their farm operation to reduce debt, those who have worked their debt off over the years, they say why should my neighbour have the opportunity to take advantage of legislation that will bail him out of his debt without having to work his way out of it?

Many people, in the 1930's, as the Minister mentions, many of them say we remember back to the debt

adjustment legislation of the 1930's and there's still hard feelings between family members about how some people took advantage of that and others had too much pride to do it. Pride still exists in the farm community.

Another comment that comes forward quite often is that the problem of the 4.5 percent to 5 percent are very real. There is no doubt that they're real and they should be addressed head on by government, and head on means financial help to the young farmer, to the farmer who expanded at a period of time when it seemed viable and turned out not to be as viable as it needs to be at this point in time. He needs some degree of grant money, maybe, loan guarantees, some sort of ability to set aside his debt. I say the mediation board process can arrive at those solutions if the farmer cannot work it out by himself with the credit institutions.

They go on and say that these problems that exist for a few should not be put on the back of all farmers in rural Manitoba. The full financial burden of the legislation is placed on the backs of those farmers who have good credit standings. It's placed on the back of the credit unions. It's placed on the back of the banks. Many farmers feel that this will either break the credit unions or force the credit unions to withdraw from agricultural lending. It certainly will force some credit unions to request government assistance in the long run.

The government presently is giving the credit unions support to the tune of some \$29 million and if the credit unions are forced to forgive debt to the farm community, or are not able to collect debt because of the write-down provisions that the judge imposes or the moratorium is put in place for a number of years, what will the credit unions do to remain financially viable? They will have to come back to government again for more grants, more forgiveness of debt. Then people have said to me, well, why let the credit unions fail and then come to the government for help? Why not use the money up-front right now to hit the problem head on and help those farmers who are in trouble?

Nobody believes that Bill 4 will seriously hurt the banks. If they have any financial problems, they'll just pull out of the province and operate in those provinces where they have less stringent controls put on them. Certainly everybody fears the consequences of having some creditors leave the agricultural field because of the lack of competition.

In summary, we support the peer advisory committee and panels and the strengthening of their objective to serve the farm community. We support the establishment of the mediation board and panels, without the involvement of a judge and court, and with well-defined time frames for action. As I said earlier, when this is done, the mediation process and the peer advisory committees basically become one and the same and probably the mediation board should be the total focus, and if they believe that a farmer who comes before them doesn't need to have an arrangement arrived at, he just needs some consulting, then they'll direct him in the direction of the particular professional help available in the Department of Agriculture. Therefore, the mediation board is the focus, the centre of the entire bill, and it can do the job by itself through the kind of people that could be appointed to that board.

We oppose the Lieutenant-Government-in-Council having the power to, and I quote, ". . . at any time and from time to time, declare a moratorium . . ."

The way this bill is presently drafted, for 50 percent of the farmers who use credit to operate their farms every year, at least half of them, in other words, 25 percent of the total farms, will have very severe difficulty in obtaining credit. Some of them had trouble this past spring because of the threat of this legislation, and certainly a lot more will have a lot more trouble in 1987 and beyond.

The government cannot force lenders to lend to the farm community and this 20 percent or 25 percent are going to have severe difficulty next spring to obtain any kind of credit to put their crop in. If the government says, well, we'll come in and pick up the void, I believe it will cost the government some \$300 million to \$400 million in new money to offset the hurt of this bill, if it's enacted the way it is presently written.

We recommend that the government help the young farmer, and those farmers in severe financial difficulty because of situations beyond their control, by targeting aid directly to them, and do not put in place a piece of legislation that will hurt the farm community for many years to come.

The federal Bill C-117, the Farm Debt Review Act, which received Third Reading last Thursday, comes an awful lot closer to serving the entire real needs of the farm community in this financial area. Bill C-117 covers all property, and this government wants land, equipment, and livestock covered. This bill presently, legally, Bill 4, can cover only land, so why not go with the federal legislation, which can cover all property.

Furthermore, becoming part of the federal bill, having all 10 provinces involved, this can form part of a national agricultural strategy so that all farmers are treated equally right across the country.

Therefore, Mr. Deputy Speaker, I strongly urge that this government withdraw Bill 4 and work with the Federal Government to implement Bill C-117 for the farmers of Manitoba. Use the \$50 million in reallocation money and retraining to help those farmers who want to go in that direction. Use some provincial money and target it towards those young farmers and those in severe difficulty that warrant special help in terms of grants or loan guarantees, and if the federal Bill C-117 is enacted in other provinces, and Bill 4 is enacted in the Province of Manitoba, we could well see a situation where Manitoba becomes an island where credit institutions start to pull out and credit becomes more difficult to get here and a lot more expensive for our farm community.

This is clearly a situation we do not want to have happen. This bill will clearly hurt more farmers than it will help and as I've indicated through the course of my discussion, we're trying to help 5 percent; we'll hurt 25 percent. I don't think it's fair and just and I request the Minister to withdraw this bill and implement Bill C-117, or work with the Federal Government to implement Bill C-117 in the Province of Manitoba.

Thank you, Mr. Deputy Speaker.

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

**MR. C. MANNES:** Mr. Deputy Speaker, I move, seconded by the Member for Lakeside, that debate be adjourned.

**MOTION presented and carried.**

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

**MR. G. MERCIER:** Mr. Deputy Speaker, would you stand the remaining bills, please?

**MADAM SPEAKER:** The Honourable Minister of Labour.

**HON. A. MACKLING:** Madam Speaker, I move, seconded by the Honourable Minister of Tourism, 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 presented and carried** and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty with the Honourable Member for Burrows in the Chair for the Department of Municipal Affairs; and the Honourable Member for Kildonan for the Department of Community Services.

## CONCURRENT COMMITTEES OF SUPPLY SUPPLY - COMMUNITY SERVICES

**MR. CHAIRMAN, M. Dolin:** Committee, come to order. We are on Page 34, Resolution No. 32, Item 4.(b) Child and Family Support — the Member for Pembina.

**MR. D. ORCHARD:** Mr. Chairman, Friday afternoon we curtailed a rather interesting discussion in which we were into the Levels I, II and III's of child abuse investigation. The Minister indicated that the Level I files — if I get the terminology correct here — are still maintained in the department as closed files and that basically the individual who may have been accused and subsequent investigation would indicate there was no basis for the accusations. That file is still kept by the department and the individual does not have access to it to see what has been said about himself or herself.

I guess since this is under review, as the Minister indicated, could I ask the Minister if she thinks that those two restrictions (1) that the file is closed and maintained, and (2) inaccessible to the individual, if she considers that a fair way to proceed in these Level I cases?

**MR. CHAIRMAN:** The Honourable Minister.

**HON. M. SMITH:** Again, I guess with all issues of this sort, what we are responsible for is trying to balance the rights of one person versus another. We have involvement with the judicial system as well as with our own Child and Family Services. In this case the files surrounding child abuse are termed "Protection Files" which are significantly different from our ordinary Child and Family Services files. They're available by special means to the court. There is very restricted access and there are different access rights attached to them.

Again, my expertise is not in negotiating the degrees of rights in these cases. That's why we have asked for a review by experts to give us the best advice possible because we would like to give as much access as we possibly can, at the same time, respecting some of the

limitations because we're involved with the protection process.

I guess the answer is, I think, we're doing as well as we can with our current state of expertise. We've asked for a thorough review. We will take its recommendations very much to heart, and if we can fine-tune the system and maximize access we will, but I suspect we'll end up with a situation where not all the files will be fully open to the accused. On the other hand, they are protected in terms of who else has access as well.

**MR. D. ORCHARD:** Mr. Chairman, one does not have to be an expert in cases of child abuse to have an opinion, and I suggest that the Minister's opinion, the Minister responsible for this department, her opinion should be very valuable in this review. We're not talking about being an expert in reviewing individual cases of child abuse because, theoretically, by the time you get to a Level I file, "experts" have already investigated the situation, determined there was no wrongdoing but, yet, the Minister's own system within the department denies access by the accused and maintains the file in a closed state.

One does not have to be an expert in child abuse to ask yourself whether that is within what one would call the broad area of civil liberties. I have a great deal of concern with those kinds of files remaining within the purview of the Department of Community Services when there has been no substantiation of the charges and, particularly, I have concerns about it when the individual so accused does not have access to see what's on the file. Why would you have not have a system in place where those files are destroyed so that there is no record, because you've already indicated that the Level I, there's no substance to the allegations. We're not talking child abuse here. That's already been determined by the experts. What we're determining here is whether the Minister believes those files had any necessity and any need to be maintained in a closed fashion.

**HON. M. SMITH:** I think again the question is not quite as confined to our department or as simple as the member suggests. An agency must have some record that they have, in fact, investigated a case. Now, we've indicated we're taking a close look at it from all angles. What files are kept within our department's purview and what ones, in a sense, are part of the justice system because they are protection files and the police have some say as to who can see what files.

I would lean as far as I could in the area of civil rights consistent with our obligation to protect children. Again, when we get the report of the committee, I certainly will take the member's concerns very much to heart and, as I say, I'll lean as far that way as I can, consistent with the protection of children. We're in an evolving area and I don't think any of us feel that the lines we draw are firm forever. We're trying to make the best judgment we can in the light of current knowledge.

**MR. D. ORCHARD:** Mr. Chairman, I appreciate that the Minister is very cautious on this issue, but I do not think that this is — the Level I files, and we'll maybe get to Level II later on — but the Level I files that the

Minister, if I understood her answer from last Friday, don't involve the legal system because there is no substantiation of charges. The legal system is not an excuse on which the Minister can hang her hat, on these files. The record of investigation — well, I mean, that's pretty thin gruel, I think, also, to hang your hat on, to maintain this file in a closed position.

It is particularly troublesome to me in that you don't allow the individual so accused to see his file, or her file, whatever the case may be. That just doesn't make sense, to have a system in place that would allow that, because the legality is not involved, because the charges weren't substantiated.

What we have is a situation here where the files are maintained in a closed position; presumably it's some sort of a record of investigation. Well, I'm not sure I could accept that. Certainly the Minister has not indicated any compelling reason why one should even accept that argument, that it's there as a record of investigation.

But give her a little credit and say that, okay, that is a reason to maintain a closed file. Why, then, would you deny the accused access to the file so they see what's on it?

**HON. M. SMITH:** Again, if we're talking about the Level I, they don't get on the registry; they only remain in the Child and Family Services system. They only remain there for a period of time, after which they're destroyed. There's a time frame within which they're kept.

Now, the reason for which they're kept is, should there be a recurrence, there is a little more evidence to go on, a little more possibility of pattern. If the person has been wrongly accused and there's never any reason to reopen the file, no second accusation, there would never, in a sense, I don't think any abuse can be made of it.

The so-called accused would be informed of what an accusation was. They might not be informed as to who alleged. I'm not sure of the fine points there.

It's because they fall in the category of protection files, and because they're used to enforce the law, the practice has been that if they're open, all the lawyers of clients could see the files and this would give an unfair advantage to a client's lawyer. Police normally do not allow clients to see files.

Now, again, I think all keeping of files, personal files, should be under review. I think we've indicated we're doing that. In the past, we've often found that the failure to keep back records has made it difficult. A child's symptom or evidence of abuse, or allegation, is often treated in isolation, whereas sometimes we need to establish pattern over time in order to substantiate.

We feel at this point in our understanding of the abuse phenomenon that it's wiser to follow this procedure. It was debated last year when this particular confidentiality aspect went into the act and agreed to at that time. As I say, it's under ongoing review and we'll certainly take the member's comments into account.

**MR. D. ORCHARD:** What's the time period in which these files on Level I are kept in a closed position before they're destroyed? How long before they're destroyed?

**HON. M. SMITH:** Yes, the whole question of retirement schedules, I think, is a government-wide concern that

we've been addressing, but there is not a complete process. Most are retired after seven years. We will get the precise information on protection but, to the best of our knowledge at the moment, there's not a retirement schedule on what are designated protection files, but we'll get more precise information for the member.

**MR. D. ORCHARD:** Mr. Chairman, I don't want to nitpick this minister because she's obviously got advice. The answer she gave me a little while about files being retired was obviously given to her by staff. But either you destroy the files, as you said five minutes ago, or you don't. I would appreciate having that information at some point in time before the committee finishes with this subject.

Secondly, Mr. Chairman, the Minister indicates that the files are kept there in case of future investigation. Now, I'm not an expert at law, but it would seem to me that there is tantamount in that statement a presumption of guilt.

You know, once again, I'm not certain of the law, but I think that if there was a circumstance where an individual was accused and charges were pending but the charges were dropped, or he was found not guilty of those charges in a court of law and a few years later a similar offence was again brought to bear on this individual, that in a court of law the admissibility of the first charge would be disallowed in a court of law because he was proven innocent of that.

Yet you have a system here where you're maintaining records because you may need them for future investigation, which to me is a presumption of guilt that not even the highest courts of this land have. I appreciate that this system is new and I appreciate that the Minister wants to protect the children, and that's a goal that all of us have, but you cannot, I believe, have a system in place where you deny access to the accused of the file that's written up by presumably experts within your department who investigate it, keep that file for an indeterminate number of years in a closed position just in case there's another accusation made and you might need to rejuvenate the file. That's presumption of guilt, Madam Minister. I don't think that the rights of Canadians and Manitobans are at all protected under this kind of a circumstance.

I'm talking of a very serious circumstance because I'd been into one of these circumstances where the individual that was accused, a young girl, when she found out what she was accused of and the parents tried to find out what the investigation said and there was no further charges — I don't know whether it was a Level I or a Level II case because I couldn't even find that out for the family — but the child has that file maintained and she contemplated suicide because that blemish was hanging over her head. Now surely, Madam Minister, you can't say that this system for the protection of children is going to allow that presumption of guilt to hang over one's head for the rest of their lives or for seven years or whatever the case may be in a Level I investigation. Your system is not correct.

I suggest, Madam Minister, that what the department needs . . .

**MR. CHAIRMAN:** I'd suggest to the member that he please direct his remarks through the Chair.

**MR. D. ORCHARD:** Through you, Mr. Chairman, to you, Madam Minister. I would hope that you would take some ministerial responsibility in this and not simply fend it off that experts are taking a look at this and use some common sense and tell them that this system needs to be reviewed, because you can't keep on maintaining a presumption of guilt to accused Manitobans.

This legislation — and I'm probably going to make the Minister very angry here — but this kind of legislation could be used in personal grudges between individuals because the way the legislation is struck the moment an accusation is made, it must be followed through. There can be no substance whatsoever; it can be a bizarre sort of a grudge by someone who knows your law; and they can report someone in this committee room of suspected child abuse. It must be investigated and that person will have a file, closed, but there for future reference on a presumption of guilt. Now surely the Minister can't say that that is legitimate in the operation of this registry in this system. Particularly the Minister can't say that is justifiable when the accused individual cannot even have access to his Level I file to see what the charges were, who investigated, and who made the accusations if they are totally false.

That is the system that is in place right now and I could, Mr. Chairman, report you. You would be investigated and you would be on file with absolutely no substance just because I happen to disagree with a ruling you made in committee where I addressed my remarks to the Chair only, and not to the Minister directly. That's what's in place.

I don't think that it's a good system. I think that it's the kind of a system where the Minister — who over the past number of months appears to have been getting some questionable advice from some of her senior staff people — needs to take some initiative and show some leadership and tell that committee what she thinks is proper in terms of maintenance of closed files in Level I reported cases of child abuse. This is an instance where some leadership from the Minister is needed.

To date, I haven't heard the Minister say anything except it's developing and that we want to protect the children. Well, all of us want to do that but there are certain constraints in this free society of ours where you can't impinge upon a person's civil liberties in doing that. I think your system currently impinges upon those civil liberties of individuals who are accused wrongly and have neither access to their file — and the file continues to exist for an indeterminate period of time under, as I say, a presumption of guilt in case further investigation is needed.

So will the Minister show some leadership and give that committee some direction on the Level I?

**HON. M. SMITH:** The area of child protection is admittedly a very difficult area. It's also an area where, in the past, children were not protected; we had no systems in place. What we're building is a system that gives adequate protection to children. We do bump into the civil liberties issue of individuals alleged to be at fault and I have said that all along. I have said what we are looking at is the best fine-tuning and that's what we will continue to look at.

We know that there is a possibility of frivolous accusation. We also know there's the possibility of unsubstantiated accusations where it's helpful to know at a later date that that earlier situation existed. The difficulty is in anyone being able to differentiate which is which. The process of justice and protection doesn't give 100 percent knowledge or insight to anyone. That's why we've asked it to be looked at from every angle.

Anyone who's written any report for me in the past knows that I don't take recommendations without question or without variation on many occasions. I think it would be foolhardy of me to leap into the fray and say "do it this way; my way or no way" prior to having had that analysis. I'm not prepared to do that. I think we've got in process the best we can do at the moment with a review, and we'll certainly be fine-tuning the system as much as we possibly can.

**MR. D. ORCHARD:** Mr. Chairman, then the Minister is satisfied with the current situation where files, which were unsubstantiated, not frivolous, but unsubstantiated, are maintained for future reference, she's satisfied with giving to these experts in the field, under this legislation, powers at law which we don't even have in our legal system, an example I used earlier of a person accused and found not guilty, no lawyer can admit that as evidence for proof of future charges. The Minister is satisfied that her system confers that kind of power that not even the court have.

**HON. M. SMITH:** Mr. Chairman, all I can say is that as knowledge in the area of child abuse has developed, the only way that we have been able to make headway are by the people, whether they be medical or in Child and Family, or on the police side, keeping records of their experience, analyzing it so as to arrive at a better way of handling situations. Any social service worker will keep records of the cases they've handled. There are safeguards as to who has access to those records, but good practice means that you are trying to look at things that develop over time. If there is no fault or risky situation, the probability of that coming to the surface again is very, very slight.

If there should be a number of false allegations, I think anyone in the social work field would look at the pattern of people making the allegations. But to say that we shouldn't have records for a period of time, I think, is jumping to conclusions. Perhaps down the road, when we're more adept at handling these cases, perhaps if there are clear patterns that emerge over and over again, and not a lot of variations, wiser people than us will be able to arrive at an even better balance between the civil liberties issue and the child protection.

I think that we are doing a conscientious job at the moment to find the best balance and I certainly intend to continue doing that.

**MR. D. ORCHARD:** Mr. Chairman, would the Minister consider it fair for the accused to have access to a Level I file?

**HON. M. SMITH:** You know, I've said I'm going to review the issues in a coherent way, in a rational way. There will be a report on the Abuse Registry. I'll take into

account the points the member has made. I don't think there are simple yes/no answers to the questions he's posing. I think that for the moment we can agree to differ on the issue, but I appreciate his concern and I think that it's a real concern that deserves attention.

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

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

**MRS. G. HAMMOND:** Mr. Chairman, I have a question to the Minister and it's dealing with the teacher that was charged in Ste. Rose. It's not actually dealing with the case. It's the group that's mentioned in the paper, called SCAN, the child protection group.

Does this type of a group have any official status? Are they funded in any way, or is it just a group that is formed in the community, or does the Minister even know?

**HON. M. SMITH:** The group called SCAN is the name of our multi-disciplinary teams, made up of doctors, police, and social workers. They exist by virtue of the guidelines that the four departments endorsed.

Each has a separate role. It is the Attorney-General's Department that will take a case to court, and then it becomes a matter for the judicial system as to the disposition.

The group is not specifically funded, other than doctors may be on salary or on a fee base. Police and social workers, of course, are under salary to their respective employers, but part of their work is to work in this multi-disciplinary team.

**MRS. G. HAMMOND:** Has the Minister read the report that was in the Free Press about this particular issue?

**HON. M. SMITH:** No, I don't have it to hand. My staff have given me a rough outline of the case where there were many counts and it was taken to court and apparently the charges were dismissed by the judge. It now is a matter for the Attorney-General to review and determine whether any further action should be taken.

**MRS. G. HAMMOND:** I'm not quite as concerned about the actual case and how it ended. What I am concerned about is what was reported in the press. One instance here, this group was chastised by the Attorney-General's office for their interference. I'd like a comment on that, and also, is it possible that — and I understand these groups are probably doing the best they can — but is it possible that they are putting more pressure, as is indicated in this article, on the prosecuting authorities without the evidence at hand? Has the department looked into this particular case?

**HON. M. SMITH:** We're not aware of any chastisement by the Attorney-General's Department. As to whether they put more pressure, I presume, because of their different roles in child protection, that each group brings a different perspective and a different type of expertise. Now, the medical people, obviously, see a certain type of evidence. The police elicit another, and the social workers would have yet another perspective on it.

Going to court is never a 100 percent secure situation. I presume that people take the action that they deem is appropriate and where they assess the probabilities, but it's in that range. There's not certainty of evidence. You also have to deal with different court interpretations, different judges and their view of the situation.

**MRS. G. HAMMOND:** This is the last question.

I wonder if the Minister's staff would just take a look at this particular incident and see if there has been anything that may be, should be corrected in the procedure that was handled in this one so that it maybe doesn't happen again, or maybe they were just quite right with the way they proceeded, I don't know, but I would like to find out.

**HON. M. SMITH:** Yes, by all means.

**MR. CHAIRMAN:** The Member for River Heights.

**MRS. S. CARSTAIRS:** Thank you, Mr. Chairman.

In reviewing the annual reports of the agencies, particularly the ones in the Winnipeg area because I haven't got the ones in from the other areas as yet, I am amazed at the lack of service data which is available. Is that information available? I mean, do we know — I assume somebody knows — exactly how many children are going through each of these agencies and for what reason they're going through the agency?

**HON. M. SMITH:** The reason we've started on a quite extensive program of computerization at the provincial level is so we can have a quick and standardized and complete reading on our stats partly for monitoring and partly for future planning. It's all depended on manual systems in the past, so the moving into a new era is taking some time.

One thing, of course, that's occurring with the new Winnipeg agencies is that they're taking a much wider variety of cases because they're in the preventive support area as well as in the mandated service area.

**MRS. S. CARSTAIRS:** Mr. Chairman, I'm not going to suggest that the Minister give us all that data. What I am going to suggest, however, is that perhaps she could look into asking the agencies when they're preparing their annual reports to, in fact, include a greater statistical analysis than we get at the present time.

**HON. M. SMITH:** That's a good point. We look for improvement in that area all over because it's a vital tool for monitoring and planning with community-based agencies.

**MRS. S. CARSTAIRS:** The other thing that I must admit hit me rather radically while going through them this weekend was that there didn't seem to be any uniformity in budgeting procedures. They all had different categorizations and one assumes they're running generally the same kind of operations. First of all, one would think that was very expensive in that they're not using a simplified, unified system, but it also makes it very difficult to evaluate each agency and the strength and weaknesses of that agency.

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**HON. M. SMITH:** In fact, they are required to follow a standard budget process, certainly, in their relationship with us. Now, whether they choose to display it somewhat differently in their annual reports, as I say, with community-based service delivery, we're trying to encourage some diversity and relevance to the local community and I agree that budget display shouldn't be one of the areas where we expect wide diversity, but certainly, in our relationship with them we have a standard format.

We also did put in a consultant to fine-tune our case identification, our classification of cases and management review to see that, I guess, standard numbers were being used and that management techniques that might show up well in some areas, not so well in others, that comparison could be used to assist agencies that were having a more difficult time. Again, the agency workloads are quite different from area to area and you do find the ones that have a large number of acute cases have to focus there.

Other areas that have fewer of those but are more into the preventive workload, will tend to develop a different pattern of service. So, there is diversity based on their need, but there's also a sense of priority that I think is there as well.

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

**MR. A. BROWN:** Thank you, Mr. Chairman.

Last year, when we were on the Estimates, group home location was a big item of concern and this forced the City Council to take action ruling that homes must be a certain distance from each other in order to prevent over-concentration of group homes in any one area within the city. This was pertaining especially to the area of Wolseley. Can the Minister tell me how many new group homes came up within the last year, if any, and whether there still is the problem of location of group homes?

**HON. M. SMITH:** To our knowledge, there was only one new one opened last year and it was not in an area of previous concentration.

Our goal is to try to have the group home service in the same region as the youngster lives in, to have minimal intervention in their life, and to promote as close ties as possible to their own community.

**MR. A. BROWN:** Would that then be the reason why we have such a concentration of these in the Wolseley area, these group homes?

**HON. M. SMITH:** The member asked me about the previous year's experience. The desire to zone and avoid concentration is because of many years during which the homes opened where individual sponsors could find suitable sized homes at minimal cost. The fact that it happened to be not inner city and not suburban areas, is not surprising because that's where the larger relatively inexpensive homes were. However, we don't think that is a desirable pattern for the future. It loads up the schools, community centres, everywhere if they concentrate too heavily in one area. So we're in a sense trying to remedy a situation that's developed over time.

**MR. A. BROWN:** I asked the Minister one other question and I have not received an answer to this. I believe that she did say that she was going to try to get back to me and this was the fact that I was told that to process a Native child, that the cost was 300 percent higher than to process a non-Native child. When we take a look at the Child and Family Services, at the grants and the increase in grants, certainly then, we must question why we do have this huge increase.

I wonder if the Minister can tell me now why these huge increases, whether they are justified, and what is the comparison between a non-Native child being processed through the system and a Native child.

**MR. CHAIRMAN:** I believe if the member remembers correctly and checks Hansard, the Minister did respond to that question earlier when he asked it, and if you would check Hansard, there is a response. My recollection was there is no attributable significant cost difference whatsoever in processing any type of child, but I would suggest that's in Hansard, so you could check that — if the Minister wants to answer that.

**HON. M. SMITH:** In one sentence, there are more services being given to Native families and children than were before. There were almost no preventive support services given under the old system. More of them are being given by Native staff — not mandated agencies but family agencies like Ma Mawi. There is no breakdown of cost per child such as the member alleged; I don't know where he has acquired that information.

**MR. A. BROWN:** Well, someone obviously must have done some work on this and taken it per child care among the Native centres as opposed to the non-Native in order to come up with that type of figure. I would appreciate if the Minister would watch that area to a certain extent because when you see the type of increases, quite frankly, that have been occurring within the last couple of years, then a person must become somewhat concerned.

**HON. M. SMITH:** If the need is there, that's where it's given. We came from a time when service to Native children and families was on a life-and-death basis; it wasn't as well developed as for the rest of the community. We're trying to bring it up to where it's on a par so that those children and families get a fighting chance to make their way.

There are associated problems, of course, of unemployment, housing, job skills and so on which require other departments and other groups in society to take action. But I think the direction we're going is to try to give equitable service where there is need to all children and families.

**MR. CHAIRMAN:** 4.(b)1—pass; 4.(b)2—pass; 4.(b)3—pass; 4.(b)4—pass. -

4.(c) Seven Oaks Youth Centre — the Member from Rhineland.

**MR. A. BROWN:** I would like the Minister to give me some kind of summary as to exactly what the purposes of Seven Oaks Youth Centre are. In my mind I'm not

quite sure that I understand really, what purpose Seven Oaks is supposed to serve. If she could give us some sort of opening statement, I would appreciate that.

**HON. M. SMITH:** This is a centre that provides short-term care and shelter for youth who require a secure setting as distinct from a more open placement. It's a reception and shelter facility for children in care who require a secure environment for their own protection. It accommodates up to 45 children for short-term care and assessment. It's received a one-staff year increase to allow for vacation relief for facility staff. It has held up to 60; it's averaged 45 over the year.

**MR. A. BROWN:** How many staff positions do we have over there at the present time?

**HON. M. SMITH:** Forty-eight.

**MR. A. BROWN:** Could I have a breakdown on these 48 as to how many of these would be administrative staff and how many would be field staff, so to speak?

**HON. M. SMITH:** One superintendent, 1 deputy, 1 coordinator, 6 in charge — the supervisor of this shift, 21 counsellors, 1 nurse, 8 support people and 9 replacement personnel.

**MR. A. BROWN:** What is the present occupancy of the Seven Oaks Youth Centre?

**HON. M. SMITH:** I mentioned that it's averaged 45 but it's gone up as high as 60 and at this current season it's running between 55 and 60.

**MR. A. BROWN:** Did you decrease the beds at all in this item from two years ago, let's say?

**HON. M. SMITH:** No.

**MR. A. BROWN:** That's all the questions I have on that item.

**MR. CHAIRMAN:** The Member for River Heights.

**MRS. S. CARSTAIRS:** Yes, Mr. Chairman, there are a number of children who the option is that they are not put in the Youth Centre and in fact they are not put anywhere. They are put into their own care, if you will, for a period of time.

On what is that kind of decision made, whether they go to Seven Oaks or whether they are in fact considered capable of functioning because they are, to use one of your own phrases, street wise?

**HON. M. SMITH:** Yes, first I would like to differentiate between the Youth Centre and Seven Oaks. The Youth Centre operates under the correctional system and that is where a youngster has been accused of breaking the law, and that operates under The Young Offenders Act. Seven Oaks Centre is under the Child and Family Service side, and that is where a youngster is deemed in need of protection.

The decision as to whether they are put there or on their own recognizance or with a friend or whatever is

based on both the police and agency's referral. The factors they take into account, again, the police because they may be involved in the protection of a youngster, a case where there is not a breaking of a law but where there is some other concern, the factors that would be considered would be the age; whether there is an alternative place to stay; whether the youngster is acting out and therefore a danger to themselves or possibly suicidal, so a danger to others or to themselves; the degree of disturbance which, of course, would be related; the parental attitude at the time of the decision; and the past behavioural pattern of that particular youngster.

**MR. CHAIRMAN:** The time for Private Members' Hour has arrived, it is 4:30 p.m.  
Committee rise.

## SUPPLY - MUNICIPAL AFFAIRS

**MR. CHAIRMAN, C. Santos:** Committee, please come to order. This section of the Committee of Supply has been dealing with the Estimates of the Department of Municipal Affairs. We are now on Item No. 4.(a), Municipal Assessments, Salaries; 4.(b), Other Expenditures.

The Member for Arthur.

**MR. J. DOWNEY:** Mr. Chairman, I would have thought the Minister would have had a fairly extensive statement to make at the beginning of this section. He has gone throughout the province this last week-and-a-half, two weeks, leaving everybody with the opinion that the assessment review and change is well under way, makes reference to the Weir Committee which was carried out and brought down in about 1981 or '82. We were expecting certain announcements to come from the Minister dealing with the whole question of assessment.

As well, Mr. Chairman, when we look at the Estimates, there appears as if there is going to be less activity than last year when it comes to the amount of money that is put in place to carry out any assessment changes. He has reduced the amount of dollars in Other Expenditures from \$612,700 to \$553,400 this year. So one cannot expect a lot of action, I would think, from the Minister. There are numerous cases and concerns being brought forward to the different members of our side dealing with the inequities in the assessment.

And I guess probably the first one that I would like to deal with is the hearings that took place dealing with some of the Almasippi sands in the Lansdowne Municipality where there was a mistake in the classification of land, and the decision to maintain or to uphold the current assessment is one which I would ask of the Minister to investigate and review personally.

When one looks at the going cash rent in some of the Almasippi sands in the Gladstone area of \$15 an acre, from a range of \$8 an acre to probably the high of \$15 an acre, ranging with a lot of them in the \$13 to \$7 an acre; and then when one turns to the assessment review page where they've increased the assessed value of the property some 72 percent to 75 percent, I think is a little bit unreasonable.

I would ask if the Minister would personally take a look at this. Here we are — this is the soil type and

texture. Almasippi, very fine sand, it was an old base index. The rate per acre was \$40.20, and it's now gone up to \$69.30, or an increase of 72 percent. We have seen a high of a 172 percent increase on some Almasippi loam, very fine sand, which went from \$16 an acre to \$44 an acre, which was 172. Here is even a greater one of 242 percent increase in an assessment; 242 percent, is the top and a low of 71 percent increase. I would think that the Minister would want to personally take a look at the concerns brought forward to the Appeal Board . . .

**MR. D. BLAKE:** The chairman of the board doesn't know what a hectare is.

**MR. J. DOWNEY:** Well, that's the other point I want to raise. When one looks at the presiding acting chairman of the meeting, one would question — no, not questioning the person himself, but probably the background to have a clear understanding of the type of soil on which he is dealing with.

My colleague from Minnedosa just indicated he didn't know what a hectare of land was. One would certainly expect that if he didn't know what a hectare of land was, he wouldn't have any idea what the classification of the different soils were.

There are many, many areas of concern. My colleague from La Verendrye the other day made brief mention of it, some major inequities that are in place. I think the greatest fear of the farm community, and that is that when they are talking about tax assessment and tax change, that they are going to end up with a continuation of high taxation and highly assessed farm lands and an addition of taxes on all outbuildings and farm buildings.

Well, that is not my position to stand here and support that kind of move. I would like to put on the record some of the discussions, and I think some of the things that would be workable, and maybe the Minister would comment, and I would ask for his comments, as to what action and what he perceives to have taken place.

There are some concerns that if, in fact, there was an imposition of taxes and all farm buildings were assessed, that it would in fact discourage upgrading and development of the rural community, and I agree with that assessment. Particularly where people would build a machine shed or some investment that would create employment and add value to that property, then in fact that, if it were directly related to the cost of taxation and the assessment on that farm property, then there would be a reluctance to do it.

I will tell you why, Mr. Chairman, because the farm community have been treated unfairly in the imposition of school taxes and taxes on their farm properties. That's why I think that it goes right back to the basis, Mr. Chairman, of fairness and equitability; that's the question.

If you start assessing farm buildings and imposing taxes on farm buildings without removing some of the other taxes off the farm land, then it won't wash. You can't burden the farm community with any more. What better time would it have been to have the debate on Bill 4? We now have the government introducing Bill 4 to bring in debt moratorium legislation because of a very tough time in farm incomes and high costs. What

a very opportune time to talk about the assessment on farm land and the taxation on farm land.

Is this Minister going to stand in his place and support the Minister of Agriculture on his bill to introduce debt moratorium when in fact there are direct ways he could take action as a Cabinet Minister in relieving some of the burden of taxes and some of the assessments on some of these farm lands?

But I guess the main thing, Mr. Chairman, is I would like the Minister to stand and say where he's at with the upgrading of the whole tax assessment question flowing from the Weir Report, flowing through the former Minister of Municipal Affairs who was there for almost four years — well, the Member for Ste. Rose had the portfolio for two or three . . .

**A MEMBER:** Two.

**MR. J. DOWNEY:** For two. Then there was the Member for Springfield who was going around the province in a great storm and is now hired by the taxpayers at some \$55,000-a-year plus all the expenses. Where are we at in the total question of assessment?

Is the Minister sympathetic to the concerns of the farm community when it deals with assessing and taxation of farm buildings? Will we see, under this Minister of Municipal Affairs' term of office, a taxation on all farm buildings in the province?

**MR. CHAIRMAN:** The Honourable Minister.

**HON. J. BUCKLASCHUK:** On the matter of the Municipal Board decision on the land in the Rural Municipality of Langford, I've discussed this at some length with the Member for Ste. Rose, and I have given him a commitment that I'd sit down with him and with staff and we would go through this decision in its entirety and take a look at the concerns that have been expressed. I'll schedule that as soon as I possibly can.

On the matter of assessment reform — the Member for Arthur was at Kenton — that is basically the same speech that I gave at the six meetings that I did attend indicating that we are moving along in an orderly manner as expeditiously as possible, analyzing or evaluating information that is being provided to us that will enable us to make the kind of decisions that will provide for more equitable means of taxation. No decisions have been made at this point because we've only recently received the information that we required from the city, although I believe we've had the provincial information for some time.

Insofar as the question about the taxation of farm residences or farm buildings, there's been no announcement made, no decision has been made. Again, until we have full information on a province-wide basis, at which time we will take a look at the situation.

I can give one commitment, that certainly taxes will not be any greater, and it would be my hope that we can move away from imposing education taxes on farm land, in keeping with some of the recommendations of the Nicholls Report, as fast as we can. These decisions will be made as soon as we can make them.

**MR. J. DOWNEY:** Mr. Chairman, I'd like to know what kind of information the Minister has gathered; what

type of information has he gathered and what decisions is he working toward? He, as a Minister, has to have some direction. I'm sure the department, the staff, have to have some indication at this time whether they will be moving to the implementation of taxation, because I know there's been an assessment on the majority of farm properties and the buildings. In fact, I'll ask the question, have all buildings throughout the province in Manitoba — all rural buildings, all farm buildings — been assessed by his department?

**HON. J. BUCKLASCHUK:** Yes, in response to the question from the Member for Arthur, I'm advised that all rural buildings were assessed as of November of 1985.

The other question was, what other information do we need? Well, as the member recalls from the Weir Committee Report, there was a recommendation that properties be classified into a number of classifications; we have taken property and broken it down into nine different classes with information that we have available through the provincial department, and information provided through the City Assessors Department. We will now be able to take a look at a total assessment by class, province-wide, which will then enable us to take a look at the matter of portioning.

I'm told that the information that is now available to us will enable us to calculate the new equalized assessments and measure the relationships between one municipality and another. We now have the information on education taxes. We'll be able to take that information and calculate the distribution of these taxes on the basis of the new assessment that the city will bring in later this year.

There is a constant effort to gather and analyse all the information that is being provided. When staff have had the opportunity to do that, they will then put us in a position where we can make some decisions.

**MR. J. DOWNEY:** Mr. Chairman, one has to ask the question why, if there isn't some future commitment or some future idea of imposition of taxes on farm buildings, why are we now sitting with all farm buildings assessed? The next step is to proceed with some form of taxation on them. Is that the reason, or why have we now got a total building assessment in the province?

I have another question and concern. I mentioned it the other day when he talked about the book that he's going to be working from for both the urban and rural centres and be working from the same base. He talks about 9 classes. I would hope that there is some consideration or some variance allowable in there that, if you are looking at property that has a heavy traffic flow in, say, a high population/high density area where there's a better exposure to business clientele, that there's some variance allowable there so that people who are sitting someplace in a less populated area of the province wouldn't be hit with the same assessed level as those people who are in a higher density area where, in fact, there could have an impact on the value of their property. I think that the whole question of fairness has to apply. Some of the numbers and figures that we have available to us is that, at this particular point, we're still seeing a lot more taxes coming toward education from rural Manitoba than we see from some

of the urban properties. There's certainly a need for some adjustments in those areas.

I ask the Minister, for what particular purpose has the assessment of all farm buildings been carried out if it is not to continue on to, at some point, impose a tax on those buildings?

**HON. J. BUCKLASCHUK:** I'm surprised that the member for Arthur has raised that question because he knows full well that it's a requirement of The Assessment Act that buildings be assessed, and this has been carried on for the last 20 or possibly 30 years or so. It's certainly not something new.

He's raised the issue of a fair assessment. There's no question that every effort will be made to carry out a fair assessment. For example, if there's a Chicken Delight in Deloraine, and we have a Chicken Delight on the main street in Portage la Prairie, although the buildings may be equivalent, the assessed values will be related to the market value of the building. A building where you have higher traffic and better location will then have a higher assessment. I feel confident that what will evolve from this whole practice will be a fair process than what exists at the present time.

**MR. J. DOWNEY:** Well, I beg to differ with the Minister, Mr. Chairman. I would like to know when the assessment of farm buildings started to take place. I'm sure that it didn't take place — (Interjection) — yes, when was the last assessment of farm buildings? I'm sure that it hasn't been 20 years ago that has in fact taken place.

I'd just ask the Minister, what is his intention? He is the elected representative for the constituency of Gimli. He carries the title of Minister of Municipal Affairs. He is accountable to the Legislature and to this committee to answer questions. I ask what his policy is — before there is any imposition of taxation on farm buildings and outbuildings in Manitoba, which he hasn't said he's not going to do. He's leaving a whole lot of nebulous things on the records. The speeches that he gave to all the Union of Municipalities district meetings weren't very clear. They said it was moving ahead; it's advancing; it's developing. Well, so is a thunderstorm moving ahead, advancing, developing. But in those thunder storms, there is lightning sometimes, Mr. Chairman, and it strikes; sometimes it hurts when it strikes.

That's the kind of concern that we have dealing with the municipal assessment and his whole handling of it. I don't think there's much lightning in him, Mr. Chairman, but I think maybe there could be some sharp shots coming out of the legislation or the policy. We want to know; we have a responsibility to our constituents.

There are many municipal councillors that are waiting for some definitive answers. I know he wasn't hit very hard at the municipal meetings. He wasn't pressed very hard. Well, we're going to press him here. — (Interjection) — That's right. My colleague from Morris says they're kind people. They are. The best kind of people are on local government districts and municipalities. Some of the best people take on those jobs and do an excellent job, and they are kind.

Mr. Chairman, we're kind, too, but we're not quite as kind as those individuals and we would like some

answers. We would like to know, does the Minister have a time frame to move forward with some of the recommendations of the Weir Committee? Does he have a time frame as far as the removal of education taxes from farm land before there's an imposition or a change? Does he have a time frame that he can give us today, Mr. Chairman, so we know that a year down the road, that he says, yes, that he'll have pressure put on his Cabinet colleagues where there will be, as the Conservatives proposed in the last election, a percentage, or all of the education taxes taken off of farm land?

Has he got a time frame in his mind because, Mr. Chairman, we all know what happens to Ministers who don't proceed, and proceed in a way which is in the best interests of his constituents. He's, Mr. Chairman, got that responsibility.

Does he have a time frame? I'll ask him the direct question. Does he have a time frame to have the education taxes removed from farm land, the introduction of some major assessment changes which, in fact, he says he now has the information on and will be proceeding on?

**HON. J. BUCKLASCHUK:** That question had been raised at some of the meetings and I don't think the councillors were being unnecessarily charitable. Sure, they're fine people. I think they also have confidence that we have indicated we are moving towards assessment reform and they have confidence in our government to keep our word and bring about a more equitable, a more understandable form of assessment.

The question raised about removal of education taxes, I should remind the members opposite that it was also part of our program. I think the wording was slightly different but certainly there was a commitment to take some of the taxes off farm property. We will move on that as soon as the province can find the funds to do that.

In terms of implementation of tax reform, I've said it publicly at a number of meetings, the Weir Committee recommended — I think they had a time frame of 1988, 1989. Everything that is being done in the department is consistent with the time frame that was established in that report and I would hope that somewhere in those years, 1988, 1989, we'll be able to implement major aspects of assessment reform.

**MR. J. DOWNEY:** Mr. Chairman, assessment reform is a very broad terminology. He says 1988-89 is when he hopes that some of the major tax reforms — what is one? Can he give us one example of tax reform that he's looking at, that we're going to be looking at the imposition of by 1988? One area, one area of tax reform? Just one simple, plain example.

It's an area that's very, very confusing. Not many people understand it. I sure admit that I don't have a clear understanding of it. I would have hoped that I would have been updated during these Estimates but I'm not getting much assistance from the Minister, him being of school teacher background and me being of a student nature. You've got an excellent opportunity to practise your profession because probably it won't be too long in the future until you're going to need it again, Mr. Chairman, I would think. So it would be a

golden opportunity for him to retrain and to do some of that kind of thing that he'll have to return to.

Mr. Chairman, I ask, through you to the Minister, give us one example of the type of major tax reform that he plans to be working on. At the same time, how can he prepare to do all this work when, in fact, he's seen a reduction in the budget of his department dealing with the tax assessment?

He's talking about major reform, working on all this information. He's doing it with less money, yet there's a major initiation coming forward. I ask him, what is one specific example and how does he plan to do it with less money?

One would think that they're just going to keep rambling along with the inequities that are in the system and not dealing with it in the way in which a lot of people who are hard-pressed because of the inequities, Mr. Chairman, are wanting to know.

So I ask him, give us a specific example of some of the major reform that he's talking about.

**HON. J. BUCKLASCHUK:** The member has heard me reference the classification of property, the nine distinct classes that have been determined, the 500,000 or 600,000 rural entries that have now been placed into one or the other of these nine classes.

When that information, when we've had an opportunity to sit down and look at that information, we will then be able to determine what portion of the tax burden a specific class of property will have to bear. In other words, if we're looking at residential property, and I'm talking about a classification province-wide, what portion of the total tax burden, let's say, would residences have to bear. That we will have by 1988 or 1989. That's one specific.

**MR. J. DOWNEY:** I'm still not — maybe he could give us an example of another area, Mr. Chairman, to help us along this way of better informing us. What are some of the other ways? He's now talking about a classification of nine in determining who best can carry the burden of taxation. That's what he's talking about. Has he, to this point, made any determinations in that regard? Has he made any determination in regard to who best can carry the tax load, in making sure that it's fair and equitable.

**HON. J. BUCKLASCHUK:** It would be nice to be in a position to make those kinds of responsible decisions. No, we are not, because we have just received information from the City of Winnipeg a matter of a month ago. Until such time as we know what the total assessment is in each of the nine classes, on a province-wide basis, we are not in a position to be able to determine what the apportioning will be.

**MR. J. DOWNEY:** When does the Minister expect to have that complete package of information?

**HON. J. BUCKLASCHUK:** I would hope that the information will be analyzed or evaluated within the next two to three months, so sometime later on this year, we'll be in a position to make a responsible decision on a matter of apportioning.

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

**MR. C. MANNES:** Mr. Chairman, I would like to know whether there is a time frame that has been developed within the department, whether a critical path has been developed at all within the department with respect to the timing? Can the Minister indicate, say '88-89, is the period of time at which all the measurable factors will be known and, at which time the government will put some value, subjective or otherwise, on these nine factors? Can the Minister tell me whether there is some critical time path that exists within the department, given the fact now that he is the third Minister that's been involved in this process, a critical time path that maybe he can share with members of the House?

Mr. Chairman, I've been here now for five years. I've heard the term "assessment reform." I've seen it, I guess, occur on my own farm; our municipality has gone through reassessment, and I've seen the buildings that I'd never knew before that were assessed. They've gone through that process, and that's what I see. I'm aware of the argument of apportioning, but beyond that, quite frankly, Mr. Chairman, five years later, I don't know where this whole process is leading. I know that the former Minister put out some glossy pamphlets in which he tried to educate, I guess, people like myself.

Nevertheless, I honestly believe today that 99 percent of Manitobans don't know where it is it's going. I fail to understand, using the Minister's logic, why it is that he has to wait for all the quantifiable material and data associated with those nine classifications, because that will be a political decision as to what weights they are ultimately given. I would like to know why they can't be ranked today, if he agrees with the nine classes as they now stand? It seems to me that what he's saying, no, I want to see what total assessments they have, and then I'll play around with the figures, then of course, he's introducing pure politics to them. What he's saying is, we'll make the judgment of the fairness of the weights to put on the classifications after we do our computer runs to see who and how they will . . .

Of course, Mr. Chairman, that's completely opposed to the pure objective, scientific way of trying to come to a basic understanding of what's fair. Surely, the Minister knows today, under his nine classifications, which should bear a larger portion of the total assessment configuration throughout the Province of Manitoba. I guess I'm asking the Minister for a number of things. I'm asking him firstly to indicate whether there is some critical time path within his department; secondly, I'm asking whether or not, under those nine classifications, whether he can share with members opposite the global figures under each of those classifications as they become available; and thirdly, can he tell us how it is the Cabinet are going to come to these obviously subjective weights associated with these nine classifications.

**HON. J. BUCKLASCHUK:** Okay, just in response to the question about a critical time path, as I've indicated, it is certainly my hope that we will be in a position to implement assessment reform within a couple of years, '88 or '89. I don't know what kind of problems that are ahead of us. As I indicated before, we all admit that there are some real inequities out there, I don't think anybody denies that, now to what extent or to what degree do these inequities exist? The only way

we can find out is when we have up-to-date, I stress up-to-date, assessment information, when we have as accurate and as complete information as is possible. That's what staff have been trying to amass over the past number of years. That information is, I believe, now available, they will be putting it together. We'll then be in a position to make some decisions later on this year as to the matter of apportioning. Certainly, it's a political decision.

We find out that today residences are paying 25 percent of the taxes, and we feel that is too high or too low, then you vary that percentage, but until such time as we have that information, we can't make any kind of decisions. It is a time-consuming process.

**MR. C. MANNES:** Well, Mr. Chairman, the Minister has answered part of the question, I suppose. What I will then ask him next is where, or will there be an opportunity for municipal officials, indeed all affected landowners, property owners in the Province of Manitoba, to read a government White Paper on this issue? If that's not included within this time frame, whereby the Minister is going to lay before us what their subjective estimates will be of the weighing factors placed against the classification and, quite obviously, then they're going to add another year or another two years to the process.

Quite frankly, Mr. Chairman, I don't believe the Minister when he says that this will be in '88 or '89. I guess I honestly believe that this government has no intention of dealing with it within the next four years. Now, that's my belief. Certainly, they're not going to deal with them within a year-and-a-half or two years of an election. I mean, they know it and we know it. So, I guess I want to know whether or not, using the Minister's estimate of '88-89, that there will be given to the public of Manitoba a detailed White Paper with respect to the government's views on these matters with all the material that the Minister says that his department has been busy gathering and collating over the last two or three years, the summation of which will be included within that report.

**HON. J. BUCKLASCHUK:** I haven't, to be honest with you, really given that much thought as to whether a White Paper will be prepared, but what I have said at all the public meetings, and I shall quote because it's most relevant. It says, "When I've had an opportunity to study the information being assembled, and there has been an opportunity for discussion with the department assessment staff involved in a development of the classification apportioning, I will be in a position to provide more detail. Obviously, at that point, we will meet with municipal officials to discuss the various aspects of classification apportioning." I certainly would hope that would take place before the next round of district meetings that I hope to be attending next spring. I feel quite confident we'll be in a position to at least discuss our efforts at assessment reform, bring the municipal officials, whether it be at the district level or whether it be through the executives, bring them up to date sometime during the forthcoming winter.

In terms of the public, well we do have a bit of a budget, I think, this year for some further public education. I disagree with the comment made about

99 percent of the people don't understand assessment. It is a difficult area, there's no question about that, but I do think that the brochures that were put out did help, to some degree, in developing an understanding of what the problem is, but there has to be considerably more work done in that area and we will continue in our efforts at public education, to develop an understanding and to keep people up to date on what is happening within a department in this area.

**MR. C. MANNES:** Mr. Chairman, I would then appeal to the Minister to have his assessment staff sometime this month — if the Minister would host a meeting within the Legislature and have his assessment staff come before members of the Legislature and give to us the detail associated with specifically what they are doing at this point in time. Estimates may not be the proper time to do it.

We did this a month ago, Mr. Chairman, with respect to Bill C96 in the transfer of payments question between Ottawa and Manitoba. That was an opportunity where members had to see first-hand some of the background and some of the discussion associated with that particular piece of legislation.

I think if the Minister was wise, he would share today specifically all the information that his department has collected with respect to the classification; that he would hold a meeting with members in Opposition and indeed his own members once every three months to tell us how the process is proceeding.

From year to year, Mr. Chairman, it seems like too little has occurred. There's been too little progress. When the Minister talks about hopefully being able to meet with municipal officials before a year, I say then it's time that members of the Legislature were taken into greater confidence with respect to the process under way, to the specific collection of the details showing us what global figures have been collected under the nine classifications and such that we can then be part of this process because right now, in spite of what the Minister has said trying to reassure municipal officials and therefore trying to reassure us; quite frankly we don't know enough. I think that the Minister very quickly could alleviate some of our concerns in this matter if he would allow for a meeting to come about whereby his officials could show us first-hand — first of all in a very general sense what they're trying to do and specifically, where they are in that whole process, in a detailed fashion.

**HON. J. BUCKLASCHUK:** I thank the Member for Morris for that suggestion. In fact, I had been giving some thought as to how to have all members of the House, who are interested in this area, briefed on what has been accomplished thus far by the department and I'd be most pleased to arrange a meeting for those members of the House who are interested in learning about assessment reform, for a technical briefing.

I don't see any problem at all. I'm sure the department is quite willing to share what information we have gathered up to this date. As I indicated, there are still many steps to go before tax reform can be implemented.

**MR. C. MANNES:** Mr. Chairman, the Minister before indicated that the Nicholls Report recommended that

education tax be removed from farms. I had asked whether that's the department's interpretation; did they receive that interpretation from Dr. Nicholls or did Dr. Nicholls say that the term "education tax" should be removed?

In questioning from me, Dr. Nicholls said he didn't want to pass judgment whether or not a tax was collected from the land base in a fashion similar to what it is today, being called education tax. All he indicated in his report was that if a tax was collected in the fashion it is today, it would not be called education tax.

So I would ask for further clarification from the Minister on that point.

**HON. J. BUCKLASCHUK:** The reference I made to Dr. Nicholl's report is simply something that hasn't come through the department. My understanding was that he had recommended that the province move toward 90 percent of funding of education costs from the consolidated revenue.

That is a position that I can personally support but as I indicated, the province would have some difficulties in doing that at this time. Hopefully the province will move towards that. If that is to take place then clearly, there will be less reliance on property taxation for the support of education costs. That would obviously mean less reliance on farm land as property that is taxed for providing revenue for education costs.

**MR. C. MANNES:** As I suspected, Mr. Chairman, the Minister doesn't have any understanding of Education finance because he can say that the province would go to 90 percent funding and that's true and we've given our basic support to that, too. But the Minister doesn't realize that even though it's at 80 percent today, a full 50 percent of that is taken through now this new GSE.

So any Government of the Day who wants to say they want to go to 90 percent funding, that doesn't prevent them from raising it to 60 percent; the GSE . . . so his 90 percent argument holds no water.

I could say that our party wanted 100 percent to come out of general revenue and still 70 percent of it being collected through the GSE on property. Let the Minister realize that the answer he gave to me is totally erroneous.

**HON. J. BUCKLASCHUK:** I would suggest that, rather than being erroneous, I didn't make myself too clear. I'd say that there is an understanding that taxation on farm land, for the purposes of raising revenue for education costs, presents a burden to the farm community. It would be my hope that we could, in time, move away from taxing farm land for those purposes. I think that we are generally in agreement as to the end result; but it's a matter of timing.

**MR. CHAIRMAN:** The Member for La Verendrye.

**MR. H. PANKRATZ:** Thank you, Mr. Chairman.

To the Minister — I'd like to ask him the same question basically that I asked him on June 5 in question period. If a community gets reassessed and it's a part of a school division, will you use those figures in

calculating the next year's assessment or the next year's mill rate? Will that assessment be used for the following year to calculate your taxes if it's a part of — what I'm trying to say is — there are about four or five different municipalities in one school division and if one gets reassessed, will you then use those new reassessed figures or will you still calculate it on the old figures?

**HON. J. BUCKLASCHUK:** Yes, I had the answer for this question for some time but I knew this question would come up during the Estimates review. I'd like to assure the member that Bill 105 has frozen equalized assessment. As a result, even when reassessment presently occurs, the apportionment of school costs is applied on the basis of the balanced assessment reflected by the frozen equalized assessment. The only change would be where you have new construction or demolitions; there'd be a slight variance but otherwise we deal with the frozen equalized assessment.

**MR. H. PANKRATZ:** Thank you, Mr. Minister.

I want to ask you, though, could you inform us as to what these nine categories will be; what will you be calling them? Would you be able to give us those nine categories, getting now back to the assessment . . .

**HON. J. BUCKLASCHUK:** These may not be the designations that will be used eventually, but for the time being, we're using the following nine classifications: single-family residential; multi-family residential; agricultural; commercial; industrial; institutional; statutory, and this, I'm advised, includes railways, pipelines, and so on; recreational; and utilities, which would be your hydro, telephone. Those should be the nine classifications.

**MR. H. PANKRATZ:** If I recall correctly, you indicated that the assessment on the agricultural basis had been done already a number of years. Is that right? I'm referring to the overall assessment of land and buildings, actually all of these nine categories.

**HON. J. BUCKLASCHUK:** Yes, I'm advised that assessment has been completed for residences, farm outbuildings, land. As of November 1985, that's been completed.

**MR. H. PANKRATZ:** Mr. Minister, would you be willing to give us that information, as to what the total of the land would be, what the total of the buildings, residential, those breakdowns would be in figures, in numbers?

**HON. J. BUCKLASCHUK:** Yes, I'd be pleased to provide the information at the time of the technical briefing that was proposed previously.

**MR. CHAIRMAN:** The hour being 4:30 p.m., it's time for Private Members' Hour.

Committee rise.

Call in the Speaker.

### IN SESSION

Madam Speaker, the Committee of Supply has considered certain resolutions, directed me to report progress and asks leave to sit again.

**MADAM SPEAKER:** The Honourable Member for Burrows.

**MR. C. SANTOS:** Madam Speaker, I move, seconded by the Member for Inkster, that the Report of the Committee be received.

**MOTION presented and carried.**

### PRIVATE MEMBERS' BUSINESS

#### PROPOSED RESOLUTIONS

#### RES. NO. 13 — AMNESTY INTERNATIONAL

**MADAM SPEAKER:** On the proposed motion of the Honourable Member for Thompson.

**MR. S. ASHTON:** Madam Speaker, I move, seconded by the Member for Inkster, that

WHEREAS torture is a fundamental violation of human rights, condemned by the General Assembly of the United Nations in the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment which was adopted on December 10, 1984; and

WHEREAS one-third of the world's governments have used or tolerated torture in the 1980's and torture occurs in every region of the world regardless of ideological boundaries; and

WHEREAS Canada signed the Convention on August 23, 1985 but has not yet ratified it; and

WHEREAS the Convention will come into force when it has been ratified by twenty countries; and

WHEREAS Amnesty International, a human rights organization awarded the Nobel Peace Prize in 1977, has undertaken a Campaign for the abolition of Torture.

THEREFORE BE IT RESOLVED that the Legislative Assembly urge the Government of Canada to ratify without delay, the United Nations Convention Against Torture; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba also proclaim its support for Amnesty International's campaign against torture wherever it occurs.

**MOTION presented.**

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

**MR. S. ASHTON:** Thank you, Madam Speaker.

I am pleased to be able to bring forward this resolution today. Those of us who were in the House last year will recall that I introduced a similar resolution in regard to the campaign against torture internationally and Amnesty International's own efforts in that campaign.

This year's resolution addresses much of the same subject material, Madam Speaker, but is perhaps a little more specific and relates specifically to the ratification of the Convention, which I outlined in the resolution.

Basically, Madam Speaker, the problem that we are faced with in regard to torture in the world at the present

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time is that it's pretty prevalent. As I outlined in the resolution, approximately one-third of the world's countries have practised torture and other human rights violations and, in fact, perhaps as much as half of the population of the world is subject to what I would call perhaps one of the most fundamental affronts to human dignity that exists, Madam Speaker. So it's a pretty prevalent problem.

Just to give you some idea of those countries, I'd like to outline some of the countries cited by Amnesty International in 1985, countries where members of Amnesty International wrote letter indicating concern about specific human rights violations including, of course, torture, Madam Speaker. It gives you just some idea of how widespread the problem is.

The countries, Madam Speaker, are Brunei, Bulgaria, the People's Republic of the Congo, Cuba, German Democratic Republic, Guatemala, Jordan, Kenya, Republic of Korea, Laos, Libya, Morocco, Nigeria, Pakistan, Paraguay, Peru, Rumania, Somalia, Taiwan, Turkey, the USSR, Vietnam, the Yemen, Yugoslavia, and Zaire.

As you can see, Madam Speaker, those are a pretty broad spectrum in terms of countries. There are various different political systems in place in those countries, and they're from every continent, and have perhaps espoused every possible ideology, Madam Speaker. They all have one thing in common and that is some fundamental violations of human rights.

The question is what do we do about those violations of human rights? Well, Madam Speaker, there has been a statement of international opinion on this particular subject matter. There have been various conventions, Madam Speaker, that have been passed, various declarations condemning torture.

I'd just like to outline some of them because I think they're historically significant in looking at the step that is being proposed now with the United Nations declaration. It goes back, Madam Speaker, to the 1948 Universal Declaration of Human Rights passed by the United Nations. There was the Geneva Convention of 1949, Article 3 of which prohibits cruel treatment and torture of persons taking no active part in hostilities, in reference to war, Madam Speaker. There are also provisions in the Third Geneva Convention related to outrages upon personal dignity and, in particular, humiliating and degrading treatment.

There were similar statements, Madam Speaker, in the International Covenant on Civil and Political Rights in 1966, the European Convention for the Protection of Human Rights and Fundamental Freedoms in 1950, the American Convention on Human Rights of 1969, the African Charter on Human and People's Rights adopted in 1981.

In 1984, the United Nations passed the condemnation that we are referring to today, Madam Speaker. It is something that will come into force if 20 countries ratify that convention. That is part of the subject matter of my presentation today, Madam Speaker, to join together as members of the Legislature because I surely feel this is one area that we can all agree on and urge the Federal Government to be one of those countries, hopefully more than 20, but certainly one of the 20 required to ratify that particular convention.

But that's only part of it, Madam Speaker. I think we have to go beyond that. We have to go beyond the

mere formal declaration of our opposition to torture. I think we have to take the initiative as individual citizens, Madam Speaker, take the initiative as a Legislature, the Manitoba Legislature, and make a strong statement of our own about our revulsion against the treatment that we see in so many countries of the world, the inhuman treatment that we see practised by so many governments throughout this world.

I want to make particular reference, too, to the fact that many of the countries that are involved in these violations of human rights are countries that we deal with, countries that we trade with, Madam Speaker, countries that we do have contact with. So I think that we in Canada, who have been pretty fortunate in not having had the record of human rights violations that other nations have had, I think it's important that we use those contacts with those countries to speak out against torture and work for its elimination. I say that, Madam Speaker, knowing that that can be effective.

Amnesty International, which handles literally hundreds of cases each year, reported in a recent bulletin that in January 1986 it was aware of an additional 199 prisoners, Madam Speaker, who were released, prisoners of conscience, prisoners who were being tortured who were released following public pressure. In fact, Amnesty International has, over its 25-year period of existence, been able to release as many as five prisoners a day through its direct action, through the action of its members and the many other people who are involved with Amnesty International's work. So it can work, Madam Speaker.

Now what I am saying today is that we as a Legislature should speak out on this issue, that we should indicate our support not just for the Convention, Madam Speaker, that the United Nations passed — we should speak out on that certainly — but we should go beyond that and become involved in the letter-writing campaigns that Amnesty International has espoused, Madam Speaker, that we should take direct action in urging other countries to respect human rights because I think the fundamental point that I would like to make in introducing this resolution today is that I feel that when the human rights of one are affected the human rights of us all are affected.

I think we can't afford to sit back, Madam Speaker, in the comfort of Canada, in a country where we do not have this same problem. We cannot afford to sit back, Madam Speaker, and see other members of the human race degraded in what surely is one of the most humiliating and degrading treatments that anyone can receive.

We must recognize, too, Madam Speaker, that torture can happen anywhere. As I mentioned before, there are many countries in the world, many countries that perhaps members wouldn't think of where torture has taken place. In some cases, Madam Speaker, torture has been deliberately sanctioned by the regime but in other cases it has taken place while the regime in that particular country turns a blind eye knowing full well that it is taking place or else in other cases it has taken place without the knowledge or support of the authorities.

That's an important point to make because as one looks at the situation today one will find incidences of torture in every continent in this world, Madam Speaker, in every type of political system in this world. That's

something I think we have to be fully aware of, that what we are talking about here is not a political concern, it's not confined to one particular political system. It's something that can occur in any political system and that's something that we, I think, should be very aware of.

So, as I said, Madam Speaker, international action can work. It has worked. Amnesty International, which is celebrating its 25th anniversary today, is proof of that fact. I believe that if we all participate in those kinds of activities, if we support Amnesty International's 12-point program for the prevention of torture, which I would like to table in this House today for the information of members, I think if we support that we can have an impact.

If there is one thing we can do, Madam Speaker, and do today, it is to support the United Nation's declaration because by doing that, by supporting the convention that was passed in 1984 and which was signed by Canada in 1985, I think we will make a very loud statement, one which will do credit to our country. I think that as a country we owe it to our fellow citizens to work for the elimination of this fundamental violation of human rights, Madam Speaker.

So, in conclusion, I would hope, Madam Speaker, that all members of this House could support this resolution. I know last year there appeared to be some indication that that would take place with the previous resolution I introduced; unfortunately, we were unable to vote on it at that particular time. I would urge that we do support this resolution, that we do vote on it and take a stand, Madam Speaker, here in Manitoba for human rights, for human dignity and against torture.

Thank you.

**MADAM SPEAKER:** The Honourable Member for Lakeside.

**MR. H. ENNS:** Thank you, Madam Speaker.

As the Member for Thompson indicated, this is a repeat in basic form of the resolution that was presented to us during the last time this Legislative Assembly met. I recall participating in that debate and would indicate to you, Madam Speaker, through you to the members of the House, that my comments would be much the same on this occasion as they indeed were when this similar resolution appeared before the House a year ago, or a little over a year ago.

Madam Speaker, without again attempting to in any way make light of the matter, but one is kind of struck with the thought that surely a resolution espousing the desirability of elimination of torture need hardly appear before a group of legislators in what I think we would like to refer to as a reasonably civilized country, a country that has a reasonable amount of respect for human dignity, has a reasonable amount of respect for the basic human rights; in fact, a country that just a few years ago went through a great nationalistic experience in enshrining in stone a Charter of Rights guaranteeing very specific rights to all its citizens, but as part of that country, as part of that experience, we tend to take for granted that thoughts and views expressed by the author of this resolution are universally accepted and universally adopted. They, of course, most certainly are, Madam Speaker, and the official

Opposition will do all it can to see that this resolution receives the unanimous support of the Chamber when the opportunity comes for this resolution to be voted on.

Madam Speaker, as I said on the other occasion, it seemed to me that the Member for Thompson, and those who choose to present these kind of resolutions in this form, lose an opportunity to speak somewhat more positively about our type of society and, indeed, speak somewhat more harshly about those societies that, by and large, allow torture and other basic denials of basic human rights to take place within their societies, within their governments, within their countries. It seems to me that we ought to take this opportunity, in supporting this kind of resolution, to draw to the attention of all those listening that in this area, certainly, the record of what we used to refer to as the western democracies, those countries that have adopted a freer and a more open style of government, the possibility, the opportunities, indeed the occurrence of the subject matter that this resolution deals with, certainly does not occur in any officially sanctioned way and perhaps is the only safe guarantee that eventually torture, which we all acknowledge is a fundamental violation of human rights, could possibly be eliminated from the face of the world.

So, Madam Speaker, I disagree quite vehemently with the Member for Thompson when he says, as he just said a little while ago, that you can't ascribe the practice of torture to any particular political grouping and he lists a number of countries that were noted by Amnesty International that were particularly singled out, or named, where indeed the abuse that this resolution opposes occurred.

Madam Speaker, surely, it shouldn't fail, shouldn't tax too many members' capacity, to any great extent, to note immediately that there is one very quick criteria that stands out in the listing of countries that he talked about and who practice torture. They are closed societies, Madam Speaker; they are totalitarian societies. Whether totalitarianism imposed on by military dictatorships of some kind or another, or a closed society that allows for only one party to rule; indeed, Madam Speaker, where democracy doesn't flourish is, by the very source of reference that the Member for Thompson referred to, Amnesty International, that is the source where most often one finds the kind of abuses this resolution speaks about.

So we ought to be able to, at least on occasion, pat ourselves on the back and say the countries, such as England, Canada, France, the United States of America, are not singled out and listed in that general condemnation by Amnesty International for practising torture as a means of persuasion of one kind or another on its citizens by their governments.

I'm always a little disturbed, Madam Speaker, that members can propose resolutions of this nature in this Chamber as if that, in passing these resolutions, we will make an incremental step forward in abolishing a basic human wrong, cannot take the time to examine the cause more closely and to be prepared — indeed, as we always ought to be prepared in this Chamber — to speak forthrightly and candidly about what some of these causes are.

I suggest, Madam Speaker, that a resolution of this kind certainly offers one the opportunity of singling out

one of the basic fundamental differences between our system of government, the government that we enjoy in Manitoba, in Canada, as compared to those countries where torture routinely is practiced. The basic difference in ours is an open government; theirs is a closed government. I do not find it hard then to take the logical step forward. Therefore, I say it's a bad government, it's a criminal government that allows that to happen. That's why I say that all governments that find themselves under the heel of a communist dictatorship, or a military dictatorship, fall into that category. They are bad, inhumane, torturing governments, Madam Speaker — some lesser than others — but all carry the seed for which this kind of abuse can happen, a closed society.

I'm disturbed, of course, that Amnesty International doesn't more adequately acknowledge that in their efforts. One of the WHEREASES of the resolution, "WHEREAS Amnesty International, a human rights organization awarded the Nobel Peace Prize in 1977, has undertaken a Campaign for the Abolition of Torture." Well, a most noteworthy and most worthwhile goal for any organization to undertake, but what are their real opportunities of going through the institutions of the USSR where today, Madam Speaker, in that country which we are otherwise prepared to acknowledge and we do business with them, we make treaty with them, we acknowledge them as being the other super power in the world, but today that country is allowing people to be put under extreme psychiatric torture and treatment of some of its most noteworthy citizens. I need not mention them, Madam Speaker, now some of the names have become household words, even in this country.

Madam Speaker, I would ask members to go through the list of names of the countries that the Member for Thompson just read into the record. He was reading them reasonably quickly, but all those countries fell into the category that I talked about — Bulgaria, USSR, Republic of Korea — where, in effect, you have a military junta in control — Taiwan; all governments that do not fall into the category that I described a little earlier of having the privilege of being open and free societies.

That's where torture can breed, Madam Speaker, when a powerful individual or a small elite group of people will not share authority with those they are governing and will go to all lengths to maintain that authority, whether it's happening in Chile or whether it happens in Moscow, Madam Speaker. I would simply like members — and particularly members opposite from time to time — not to gloss over this fact by simply stating, as the resolution states, "... that one-third of the world's governments have used a tolerated torture in the 1980's".

Well, Madam Speaker, let's be more specific about that one-third; let's name them, and in so doing, let's acknowledge one of the tremendous strengths and one of the tremendous benefits that we have and we enjoy in this country, in this province, a tribute that I think is deserving to the forefathers that instilled, imbued in our system the kind of tolerance that we have for opposing political views; the kind of system that has developed that can encompass a multi-plurist type of society with people of many different attitudes and views, but respect for their basic human rights.

And more important and more germane to the resolution before us, one that would lead no person

in government, and indeed otherwise, to subject their fellow human beings to some process of actual physical torture to subvert them to their will.

Madam Speaker, I suppose some electors could say that some of the election campaigns that we subject our citizens to from time to time, could be described as some form of torture, but hardly, Madam Speaker, I'm sure you'll agree or members of the House will agree, of the kind that attracts the attention of Amnesty International and the kind that this resolution is talking about.

So, Madam Speaker, with those few words, the Official Opposition is certainly prepared to secure speedy passage of this resolution.

**MADAM SPEAKER:** The Honourable Member for Inkster.

**MR. D. SCOTT:** Thank you very much, Madam Speaker.

It is an honour for me to second the motion brought before the House today by the Honourable Member for Thompson. Last year's members who were here in the last legislature of Manitoba will recognize this issue has been dealt with previously and was left as unfinished business at the time of proroguing, not only of the last Session of the Legislature, but of the last Legislature itself.

I hope that, this afternoon, we'll be able to wrap that business up to go with a unanimous decision of this legislative body in support of this resolution and what the resolution means.

The resolution's intended, very clearly, to give encouragement to the Government of Canada to put our name on a U.N. document which is a Convention against the use of torture worldwide. That document has been available to be signed since February of '85 so we've had almost a year and a quarter at this stage, Madam Speaker, for the Government of Canada to wander into the office of the United Nations and for our Ambassador, or for another representative of the Government of Canada, to lend great credence to the role of the United Nations as an agency to work within peaceful means to stop the use of force by governments around the world.

This act of torture is aimed, to a very large extent, at governments torturing their own people. It is not aimed, although it is certainly still very applicable, to captives in the conflict between nations. But the vast majority of torture taking place in the world today is perpetrated by governments upon their own peoples.

The reason Amnesty International comes to the forefront in this issue is that in a meagre 25 years since its founding in a suburb in London, England in 1961, that organization from the start of a small committee in England, has spread worldwide and, I believe, I've heard figures of having memberships as high as 350,000 people worldwide. It's an organization and association of free people, free people in their own minds, be they in nations which practice torture or be they in free nations such as our own — which is one of the few that does not engage in the practice of torture I'm proud to say — that these individuals will work together in a worldwide network to stop their governments in some cases; their neighbouring governments in other cases; from participating directly or indirectly in the use of torture.

Torture is used in many, many ways. There are many various techniques in its use. Essentially it has, throughout our time — it is not just our own generation and those immediately preceding us, it goes back as far as perhaps as man has been on the Earth, as long as we have had formal governments or associations of peoples — it is, in itself, an institution and is, I would say, frequently the part of a state-controlled machinery aimed at suppressing dissent by any means whatsoever.

If I could quote from a piece put out last year by Amnesty International Canadian Section on a background paper and the reason for 1985 being declared the National Year of Action Against Torture. They state that “. . . whether it is concentrated in a torturous electrode or syringe, it's the power and responsibility of the state, however perverse the actions of individual torturers. Torture itself as a rationale, isolation, humiliation, psychological pressure and physical pain are means of obtaining information, of breaking down a prisoner, of intimidating those close to him or to her.”

We see reports of it regularly in the mail or in the newspaper or on late-night news, on the National, whatever. Seldom do we see how we as individuals can become involved to try and stop this practice. How can we as individuals in this land affect a government's action in Chile, in the Soviet Union, in El Salvador, in Luanda or in so many other nations throughout the world.

I would suggest that Amnesty International has shown us a way to be able to do that. They, through a very simple means, not with guns, not with bombs, not with jet fighters, not with spy agents working in clandestine matters, not through the use of torture for sure, but through the simple effort of the written word. In their campaigns their concentration the last number of years has been for people to send letters to countries who are holding political prisoners.

Each month the Canadian Section of Amnesty International produces a small newsletter. Each month it shows prisoners up for, what they call, adoption. For a committee of Amnesty International across Canada — there are various local committees established — for them to adopt a prisoner of conscience, for them to adopt a non-violent political prisoner; someone who is held by a state for the purpose usually of suppressing their ideas, of suppressing any kind of dissent to the force and to the power and the jurisdiction of their particular government.

These letters to governments have an impact. They have succeeded in the release of hundreds and hundreds and many thousands, actually, of political prisoners. That's why the symbol of Amnesty International is a candle with a piece of barbed wire around that candle. The barbed wire denotes prison, detention and torture. The candle denotes hope.

We, as free citizens, not just of our nation but of the world, owe to those who are held in various prisons around the world, owe to them through the decency of humanity and the love of man to man, we owe them the duty, I would suggest, of holding that candle with some hope. That candle is their symbol and we hold that symbol, through the holding of that symbol and the actions behind the holding of that symbol, be it writing letters, expressing legislative support, and encouraging our governments to become more active

internationally in suppressing torture. As the Member for Thompson said, it's one thing for us to not have torture within our own land, but it's quite another thing for us to close our eyes to torture being conducted in other lands.

Our newspapers have taken up the cause in recognition of Amnesty International in the last few years. In April of 1984, the Winnipeg Sun ran an editorial commending Amnesty International in its efforts, in its letter writing campaigns on behalf of political prisoners, and to recognize the astonishing success, as they called it, with governments of both the left and right. They expressed regret, but they still had some 66 countries which were holding political prisoners as Amnesty had identified at that time.

It's particularly interesting that they note the Winnipeg branch was trying to bring pressure on the government of Chile and the efforts of the local Amnesty International branch to change the attitude of the Pinochet government in Chile away from one of imprisonment and torture towards one of opening their country once again to democratic freedoms which were snuffed out in 1973.

Madam Speaker, just on Monday of this week the Globe and Mail dedicated an entire editorial. It's the first time I've ever seen that newspaper do it. It dedicated not an editorial of its own thoughts and desires and philosophizing on a situation in South Africa; instead it took the whole editorial column of that day's newspaper and reprinted the names of several hundred people who are being detained in South Africa in the name of apartheid.

It is made up of trade union organizers, clergy and church workers, political organizers, journalists and photographers, community and the youth organizers, lawyers and doctors. It covers a complete spectrum of any society and clearly the society in South Africa — it's not just made up of black persons; it is made up of white persons as well — people, who in that country of severe oppression, are willing to stand and speak out to change the system, to expand democracy away from what is Athenian democracy of the privileged elite to participate. In South Africa that privileged elite is described not by intelligence, not by wealth, but by colour, that those individuals who stand up to try and to change that government to extending the democratic principles towards the whole nation in giving equal opportunity to all the people of that land.

The Globe in, I think, a tremendous tribute, on behalf of Canadian newspapers, has told and shown as an example how we as Canadians are bringing greater awareness to ourselves as a free society here.

The Member for Lakeside is quite accurate when he says that the free nations of the world who do not practise torture are guaranteed the continuance of the lack of torture only by free and democratic institutions. But by the same measure that we guarantee our own freedom and our own security and the security of our families can only be guaranteed for ourselves when we as a nation try to prevent it in other nations as well.

When we, as a nation, participate through the selling, as I mentioned in my last year's speech, of equipment that is used for torture by repressive regimes, then we are participating in that torture as well. When we, as a nation or as a free nation, and in particular on this I am referring to our neighbour to the south, train police

forces in methods of repression, in interrogation techniques, never once have they succeeded in stopping dissent but they have succeeded greatly in increasing the repression in nations where freedom is already exceptionally limited.

So we as Canadians must stand tall, we must sign this United Nations declaration; we must give encouragement to Amnesty International's campaigns both locally and internationally.

I would encourage more of you to join me in joining Amnesty International, to making contributions to them to fulfill their aims which are our aims and which serve each and every one of us even if we're not visiting or a member or a citizen of a repressed country, that we take our efforts, that we begin letter writing campaigns adopting prisoners in the countries of our choice. I would urge people to adopt them from countries left, right, no matter what, and forget about definitions of dexterity but look upon the conditions that the people are being held in.

So, Madam Speaker, it is with great joy that I participate with the Member for Thompson in this resolution, and I urge each and every one of us to support this resolution and pass it today so that the message can go to the Government of Canada at the earliest opportunity.

Thank you very much, Madam Speaker.

**QUESTION put, MOTION carried.**

**MADAM SPEAKER:** The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Madam Speaker, I believe there is an inclination to call it 5:30 p.m.

**MADAM SPEAKER:** Agreed? (Agreed)

The hour being 5:30 p.m., the House is now adjourned and stands adjourned until 2:00 p.m. tomorrow (Thursday).