



Third Session - Thirty-Fifth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(HANSARD)**

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, May 28, 1993

The House met at 10 a.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. Gregory Dewar (Selkirk): Mr. Speaker, I beg to present the petition of Dora Mason, Clifford Flett, Micheal Harper and others requesting the Premier (Mr. Filmon) to consider making a major priority, the establishment of a solvent abuse treatment facility in northern Manitoba.

READING AND RECEIVING PETITIONS

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

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

WHEREAS there is a very serious solvent abuse problem in northern Manitoba; and

WHEREAS according to the RCMP over 100 crimes in Thompson alone in 1992 were linked to solvent abuse; and

WHEREAS there are no facilities to deal with solvent abuse victims in northern Manitoba; and

WHEREAS for over three years, the provincial government failed to proclaim the private member's anti-sniff bill passed by the Legislature and is now proposing to criminalize minors buying solvents even though there are no treatment facilities in northern Manitoba; and

WHEREAS for nine years, the 25 Chiefs who comprise the Manitoba Keewatinowi Okimakanak, supported by medical officials, police and the area Member of Parliament, have proposed a pilot treatment project known as the Native Youth Medicine Lodge; and

WHEREAS successive federal Ministers of Health have failed to respond to this issue with a commitment; and

WHEREAS the Manitoba provincial government has a responsibility to ensure that there is adequate treatment for solvent abuse.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Premier to consider making as a major priority, the establishment of a solvent abuse treatment facility in northern Manitoba.

* * *

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

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

WHEREAS the Misericordia General Hospital has served Winnipeg for over 95 years; and

WHEREAS the Misericordia General Hospital has a long record of dedication and service to its local community and the broader Winnipeg community; and

WHEREAS the Misericordia General Hospital is identified by the residents in the surrounding area as "their hospital"; and

WHEREAS the Misericordia Hospital plays an integral part in maintaining and promoting the health of the community; and

WHEREAS the Misericordia Hospital provides diverse services including emergency, ambulatory care, diagnostic and inpatient services, acute and chronic care which are vital to the community; and

WHEREAS the Misericordia Hospital is currently engaged in developing innovative and progressive community-based outreach programs; and

WHEREAS the Misericordia Hospital is ideally located to be within the "hub" of the health care delivery network for Winnipeg.

WHEREFORE your petitioners humbly pray that the Legislative Assembly urge the government of Manitoba to consider keeping the Misericordia Hospital open as an acute care facility.

* * *

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

* (1005)

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

WHEREAS there is a very serious solvent abuse problem in northern Manitoba; and

WHEREAS according to the RCMP over 100 crimes in Thompson alone in 1992 were linked to solvent abuse; and

WHEREAS there are no facilities to deal with solvent abuse victims in northern Manitoba; and

WHEREAS for over three years, the provincial government failed to proclaim the private member's anti-sniff bill passed by the Legislature and is now proposing to criminalize minors buying solvents even though there are no treatment facilities in northern Manitoba; and

WHEREAS for nine years, the 25 Chiefs who comprise the Manitoba Keewatinowi Okimakanak, supported by medical officials, police and the area Member of Parliament, have proposed a pilot treatment project known as the Native Youth Medicine Lodge; and

WHEREAS successive federal Ministers of Health have failed to respond to this issue with a commitment; and

WHEREAS the Manitoba provincial government has a responsibility to ensure that there is adequate treatment for solvent abuse.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Premier to consider making as a major priority, the establishment of a solvent abuse treatment facility in northern Manitoba.

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

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

WHEREAS there is a very serious solvent abuse problem in northern Manitoba; and

WHEREAS according to the RCMP over 100 crimes in Thompson alone in 1992 were linked to solvent abuse; and

WHEREAS there are no facilities to deal with solvent abuse victims in northern Manitoba; and

WHEREAS for over three years, the provincial government failed to proclaim the private member's anti-sniff bill passed by the Legislature and is now proposing to criminalize minors buying solvents even though there are no treatment facilities in northern Manitoba; and

WHEREAS for nine years, the 25 Chiefs who comprise the Manitoba Keewatinowi Okimakanak, supported by medical officials, police and the area Member of Parliament, have proposed a pilot treatment project known as the Native Youth Medicine Lodge; and

WHEREAS successive federal Ministers of Health have failed to respond to this issue with a commitment; and

WHEREAS the Manitoba provincial government has a responsibility to ensure that there is adequate treatment for solvent abuse.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Premier to consider making as a major priority, the establishment of a solvent abuse treatment facility in northern Manitoba.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, may I direct the attention of honourable members to the gallery, where we have with us this morning from the Sir William Osler School, 45 English language students, under the direction of Ms. Irene Halgren and Ms. Sondra Hochmap. This school is located in the constituency of the honourable Leader of the second opposition party (Mrs. Carstairs).

Also this morning, from the Lord Roberts School, we have thirty-five Grade 5 students, under the direction of Mr. Bill Miller. This school is located in the constituency of the honourable member for Osborne (Mr. Alcock).

On behalf of all honourable members, I would like to welcome you here this morning.

ORAL QUESTION PERIOD

Maple Leaf Fund Approval Process

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, since 1989, we have been raising the issue of the Immigrant Investor Fund with members opposite in terms of monitoring, reviews, decision making, et cetera. More specifically, in 1991, I wrote the Premier on March 25, 1991, and asked him to review the Canadian Maple Leaf Fund. The Premier never responded to the letter, never took our advice to investigate the Canadian Maple Leaf Fund, a fund administered by members well known to members opposite, with Mr. Kozminski, et cetera.

I subsequently asked the Premier questions in this Legislature in his own Estimates, and I recall his answers to us at that point, talking about the terrific program they have in Manitoba, one of the best records in terms of dealing with the investments of immigrant investments—secure vehicles, secure processes. Unfortunately, the Crewson report released yesterday indicates that there was absolutely no approval process for some of these funds; in fact, in some places they did not even maintain files.

I would like to know, in terms of the dates, when did the second issue get the approval of the provincial government and the Premier, dealing with the Canadian Maple Leaf Fund. At what period of time in 1991 did it get approval?

* (1010)

Hon. Gary Filmon (Premier): Mr. Speaker, I just want to ensure the member opposite knows that all of the issues with respect to the Immigrant Investor Fund in Manitoba are of grave concern to us, but none of those were issues that were raised by that Leader of the Opposition. The issues in terms of the cheap political trick that he was trying to get out of this issue were not the issues that are the result of this audit and the concerns of this audit.

The concerns of this audit are primarily aimed at the fact that there was no security for investors in a series of funds that were outlined here by Lakeview Investments, primarily. When the member opposite was in government, he and his colleague Mr. Mackling, the Minister of Consumer and Corporate Affairs, specifically relaxed securities rules because they felt that despite—and here is what the news release said when they relaxed those securities

rules to deal with this: Despite the increased risk resulting from this reduced review role, exemption of these classes of transactions is expected to strengthen the securities industry in the economy of Manitoba.

So they were acknowledging that they were prepared to relax securities rules and increase the risk to investors, because they thought that it was good to have more money brought in, Mr. Speaker. This is the whole issue that we are dealing with, and I might say that in all of these cases we were concerned, so that we became the first government in Canada to ask for these audits, to pursue this to the conclusion that we now have, to say that this Immigrant Investor Fund, as long as it does not supply the kind of protection, the kind of scrutiny, the kind of assurances to the foreign investors, is not a good thing for Manitoba and is not a good thing for Canada.

We pursued that because we felt that the protection of those immigrant investors was a very, very serious issue. We have arrived at the conclusions that have been shared openly with the member opposite, and he still does not understand what is the basis of this issue, and that is protection for the investors, protection which the New Democrats were prepared to forgo in their anxiety to try and bring foreign money into this province.

Maple Leaf Fund Approval Process

Mr. Gary Doer (Leader of the Opposition): It is hard to know where to start with the Premier and his deceit here in this House. The New Democratic Party did not approve Bob Kozminski's \$30-million investment programs in this province. We did not have his verbal agreement. We did not have a system where there were no files maintained, allegedly, in the department that he was responsible for.

The dates in the audit: August 30, 1988. Who was the Premier then when the province approved it? Was it somebody else or was it the Premier opposite, the Premier from Tuxedo? When was the federal acceptance approved? Was it some other Premier, or was it the Premier opposite, the member for Tuxedo? The approval of the extension, when was that approved? It was approved by the Premier across the way, the member for Tuxedo, Mr. Speaker.

I would like to know, some \$30 million of investment that was approved, was it the system that the Premier had in place for Bob Kozminski and the Maple Leaf Fund to have verbal agreements? Are we assured that there were no files dealing with these investments, no files dealing with the conflict of interest that was raised by Del Crewson, there was no approval made by the provincial government?

Who approved the funds and who approved the second issue of the funds, and what was the date?

* (1015)

Hon. Eric Stefanson (Minister of Industry, Trade and Tourism): Mr. Speaker, I too cannot help but convey my disgust and insult of the kinds of accusations and suggestions and politicization coming from the Leader of the Opposition, because he knows full well the kind of process that has been in place in Manitoba since 1986, that the role—and I have told him this before—that the provincial government plays is a review at the administrative level of the economic benefits to Manitoba.

It stops at the administrative level because it is a program where there is no provincial money going into it. It is a program where the funds come from other parts of the world, and the review that is done is purely to determine the economic benefits as a province.

The rest of the process, the final approval process, goes to the federal government. He knows full well, and he is the one practising deceit when he talks about political intervention and political decisions, because they do not come to the Minister of Industry, Trade and Tourism; they do not go to the Premier; they do not go to the cabinet of government, and he should know full well the process because he was there when that process was put in place.

To have the kind of politicization and single out one individual in one fund and try to make politics out of it, Mr. Speaker, does a total disservice to the good that Manitoba has done on this project.

We are the first province to grab hold of this Immigrant Investor Program. We are the first province to commission five audits of individual funds. We are the first province to make a series of recommendations to the federal government to improve the integrity of the fund and to build the proper precautions and compliance mechanisms that are required.

We are now seeing other provinces—we are seeing Ontario today echoing the comments of the Province of Manitoba. We are seeing New Brunswick doing a review of their guidelines. We are seeing the federal minister saying that this is not a unique situation in Manitoba. Thank you.

Mr. Doer: We have had these projects approved in 1988, 1989, 1990 under the Maple Leaf Fund, a reissuance of approval in 1991 which is not in the report that was contracted by the provincial government.

Mr. Crewson's report did not have those dates. I have asked twice for the answer to that question of the second issuance because this matter came up in this Legislature in 1991, and we still proceeded to have millions of dollars raised.

Who is responsible? The Premier has had two Ministers of Industry, Trade and Tourism; he has been involved in these issues in terms of the Immigrant Investor Fund, funds of \$30 million.

Mr. Speaker, who is responsible for the fact there was no provincial government approval for this Maple Leaf Bob Kozminski approval? Who is responsible for the fact that Del Crewson, a person well known again to the members opposite, could not find any files on the approval of the Maple Leaf Fund?

Mr. Stefanson: Mr. Speaker, again, the Leader of the Opposition is up to the kind of politicization. He refers to Del Crewson, who is a senior partner with the reputable accounting firm of Deloitte and Touche, who I think are held in high regard by most Manitobans. They are one of the big six accounting firms in our province.

They were brought in to do the review because they have the kind of expertise that is required to do this kind of audit. I know the Leader of the Opposition has talked about the Provincial Auditor before. This is not a situation where there is a role for the Provincial Auditor because there is no provincial government money, no taxpayer money. It is a system of money coming from immigrant investors.

So we have this firm doing the audit. They have made a series of recommendations that we have endorsed and we forwarded to the federal government. They have made some suggestions about improvements in terms of how we function, and we agree with those. We are implementing, and

we have implemented that series of recommendations from them.

I can only remind the Leader of the Opposition what the process is. When he keeps pointing to politicization and he keeps pointing to one director out of one fund in Manitoba and tries to turn this all into politics, he is doing a grave disservice to the whole issue.

He is the one that here in the Chamber a week ago asked for the release of all five audits. We have done just that, Mr. Speaker. We have released all five audits so everybody will know all of the information on these issues, and I am disgusted with his kind of approach in—

Mr. Speaker: Order, please.

* (1020)

Immigrant Investor Fund Responsibility

Mr. Jerry Storie (Flin Flon): Mr. Speaker, I can assure the Minister of Industry, Trade and Tourism and the First Minister (Mr. Filmon) that we will be reviewing the results of the audit and the tens of millions of dollars that have been squandered, lost, siphoned off by friends of the Premier, friends of the Minister of Industry, Trade and Tourism. We will be investigating.

My question is to the First Minister. This government is in power since 1988, the time during which all of these—let us put it charitably—questionable investments and activities took place. My question is, who is responsible?

Can the Minister of Industry, Trade and Tourism or the First Minister explain why, if they were so concerned and wrote in fact to the federal minister—some two years ago the minister suggests—why the department did not ask the tough questions about where the approval processes were, who was making the approvals, where the investments were going? Why were those questions not asked? Who is responsible on the front bench on that side?

Hon. Eric Stefanson (Minister of Industry, Trade and Tourism): Mr. Speaker, I think I have to be repetitive again for the benefit of the member for Flin Flon. We have outlined the process on previous occasions. We outlined the process back in December of 1992 and 1993, a process followed by the Province of Manitoba and a similar process followed by other provinces.

Let us not forget this is a federal initiative brought in by a federal government in 1986, and a federal government has the final approval process on project-specific and on syndicated funds, Mr. Speaker.

We have made a series of recommendations in terms of the compliance and the ongoing review that is required. The federal minister has indicated it is not unique to Manitoba. We have other provinces looking at the situation, and we have other provinces with situations of abuse. We have examples of at least two funds in Saskatchewan; we have examples of funds in Alberta where there has been abuse. So, once again, it is not something unique to Manitoba.

We have taken the action of doing the audit. We have made recommendations, and we have grabbed hold of this issue as a province.

Mr. Storie: I would like to lay a challenge out to the Minister of Industry, Trade and Tourism: Will the minister lay before this House any evidence whatsoever that he took steps as the minister responsible to ensure that investors were not being ripped off and the economy undermined by the shabby way this program was run since his letter in 1991? Will he show us one shred of evidence that he really did try to do his job?

Mr. Stefanson: We can only hope and wish, on behalf of all Manitobans, that the member for Flin Flon had done his job when he was part of the government when this program was brought into place in the first place, and that he had worked with the federal government in terms of recognizing the kinds of deficiencies that we would be faced with today, but, no, he did not do his job.

He did nothing during that time frame. There had been funds approved during that time frame. If he wants, we will go back and audit them as well to find out how they functioned during funds that were approved in 1987.

The absolute hypocrisy of them today is unbelievable. We have grabbed hold of this issue. We now see other provinces recognizing this concern. The fundamental objective is to build integrity around this program so that investors have confidence and we are getting the kinds of economic benefits in Manitoba and in Canada that we all want.

Ramada Renaissance Project Report Release

Mr. Jerry Storie (Flin Flon): Mr. Speaker, this minister is going to have to account for the fact that two years have gone by, millions of dollars have been wasted and squandered and siphoned off, while this minister sat on his duff.

The question is: Can the minister explain why, after questions have been raised for more than two years, after the federal government, and not this government, acted in the first instance to freeze the trust account of the Lakeview project—can the minister explain why the minister held the reports from February until the present time indicating that there were serious problems and perhaps illegal activity going on in that project?

Hon. Eric Stefanson (Minister of Industry, Trade and Tourism): Again, I think the member for Flin Flon loses what little credibility he has when he gives the credit of the freeze to the federal government. He knows full well that the freeze was put in place at the request of this provincial government. He knows that. He has been told that in this House, and to stand up and make that kind of a comment is absolutely, totally inaccurate.

The audit was completed on the Lakeview Ramada Renaissance in February. There was also a legal opinion that was a part of the process that took much longer. There have also been negotiations and discussions with the federal government to try and come to a positive conclusion on this with North Portage Development Corporation, with R-M Trust, with the developers and so on.

We have made a recommendation to the federal government on that project, and we think they should go to court and get somebody appointed on behalf of the investors to resolve this issue. They have not accepted our recommendation at this time; they have made an alternative recommendation. It is up to the federal government now to proceed with what they think is the appropriate course of action.

* (1025)

Immigrant Investor Fund Manitoba Guidelines

Mr. Reg Alcock (Osborne): Mr. Speaker, the actions of the government, both federally and provincially, raise considerable concerns. We have been opposed to these funds from their inception

because they prey upon people's desire to get away from very difficult political situations in their home country. We are selling visas is what we are doing. We are not creating investment in the province.

I would like to ask the Minister of Industry and Trade a couple of quick questions about this. I want to commend him, frankly, for taking action, because I do think at least he has now moved to try to control the most flagrant of the abuses here.

I would like to ask him, who is he trying to protect right now? It is interesting that the federal minister, all of a sudden, introduced the change in their guidelines two days ago. I note that the Manitoba government has replied to some of the actions taken by the federal minister, Valcourt, saying that they are prepared to amend the Manitoba guidelines to require greater disclosure, capping of fees, registration of fund managers, et cetera.

I would just simply like to ask the minister: Why has it taken them so long to amend the Manitoba guidelines?

Hon. Eric Stefanson (Minister of Industry, Trade and Tourism): Mr. Speaker, firstly, it is interesting to note, and I was not here at the time, but I am led to believe the previous critic for the Liberal Party at one point in time was criticizing the government for not being aggressive in terms of attracting immigrant investor dollars to our province.

We made a series of recommendations in a report that I think the honourable member had seen back in December of 1992 to the federal government. Even though the federal government is bringing in revised regulations effective July 15 of this year, the majority of our recommendations are not at this particular point being implemented. I do give them credit. They are dealing with the issue of penalties and fines and so on, which is a positive step, but again that is reactive. After the fact, we made specific recommendations in terms of compliance; we made recommendations in terms of the upfront review of the reasonableness of projects in terms of limits on promoters' fees.

Those are all issues that we feel absolutely should be dealt with at the federal level, because you should have a program that is fair and equitable across this nation, so that all the provinces are treated the same and all investors are treated the same when they look at what province to invest in. At this particular point in time, the federal government is not implementing those

recommendations, but we will continue to push them to do so. In the meantime, we are not going to be a part of any immigrant investor program.

Government Action

Mr. Reg Alcock (Osborne): Mr. Speaker, the problem is that it has taken this government an inordinate length of time to act. It is true they have acted. I have commended them for that, but I would like to ask the minister—what appears from the exchanges between the federal and provincial governments is a co-ordination and damage control on the part of both.

I would like to know why it has taken the minister so long. If you have been aware of the concerns, and the minister has had these concerns for as long as the Premier (Mr. Filmon) states he has, why has it taken them so long to act?

Hon. Eric Stefanson (Minister of Industry, Trade and Tourism): Since the recommendation came from the Deloitte report back in December, again as the honourable member knows, we took immediate action and placed a moratorium on any new immigrant investor programs in Manitoba. So since the end of December of 1992 there have been no new programs, and we are dealing with the whole issue of building integrity and credibility around the program.

We have very serious recommendations that we think can do just that. We are the first province to have taken action. I encourage every member in this House to watch what other provinces are doing. I encourage the Leader of the Opposition (Mr. Doer) to talk to his friend in Ontario and look what they are doing today; the member for Osborne could talk to somebody in New Brunswick and look what they are doing today and see the actions that are now happening in provinces, subsequent to Manitoba, subsequent to the leadership shown by Manitoba on this issue.

Mr. Alcock: Mr. Speaker, the federal minister acted several days ago. It would appear to a person, just reading the documentation that has come out of both the Manitoba government and the federal government, is that they are working hard to co-ordinate their responses to this, that there is not just simply this attack by Manitoba on this program.

I would like to ask the minister, why has he chosen to do that? Why is he attempting to cover up for the federal government?

* (1030)

Mr. Stefanson: I am really confused by that question, because we are not attempting to cover up for anybody. When we got the audit back in December of 1992, we made that audit public with all of the recommendations. We said we support those recommendations. We circulated that widely. We circulated that to my counterparts in every province in Canada. We now have these five detailed audits that were released to the public yesterday, to members of the media, to members of the opposition parties.

Again, there are specific recommendations we are making as a result of that. Certainly we are trying to work with the federal government to bring integrity and bring the proper precautions and compliance in place. We will continue to do that, because we feel they are the ones that are ultimately responsible for the majority of the compliance mechanisms and review mechanisms. They are the ones that issue the visas to immigrants coming to our country. They are the ones that have the act; they are the ones who have the control over the whole issue.

We have made very serious recommendations and we would hope that ultimately the federal government will act on them. They are suggesting that there are going to be regulations implemented on July 15. They are taking some actions, but, in our opinion, they are not acting on all of the recommendations we have made, and until they do that, we will not be a part of this program.

Assiniboine River Diversion Water Flow Levels

Ms. Marianne Cerilli (Radisson): Mr. Speaker, the Pembina Valley Water Co-op is clearly making its plans for the Assiniboine diversion based on a minimum flow of 100 cubic feet per second, but the City of Winnipeg water engineer is basing their assessment on a flow of 184 cubic feet per second.

My question is for the Minister of Natural Resources, and I would hope that the government would be taking this issue very seriously. How can this minister have the City of Winnipeg operating based on one level and have a multimillion dollar project proposal based on a flow of almost half, and how can he have reduced the flow and not even consulted with the City of Winnipeg engineers?

Hon. Harry Enns (Minister of Natural Resources): Mr. Speaker, I want to assure the

honourable member, indeed all members of the House, that this is a very serious matter, and certainly it is a matter that will be given the most serious examination by the Clean Environment Commission in a forum and with a time that will enable all the facts to be discerned.

But allow me to assure and categorically deny that any arrangements have been arrived at to reduce the flows of water on the Assiniboine coming into the city of Winnipeg. The department is in frequent discussions with the city engineers. In fact, the minimum flow of the Assiniboine is determined primarily by the method of operation of the Shellmouth reservoir. The current demands on the system would allow for maintained minimums of some 246 cfs. The 184 figure is not a minimum flow figure. The 100 cfs figure is not really a meaningful figure. That is a figure that engineers require to build into their design in trying to resolve resolutions in the most serious hard-pressed drought scenarios.

We are not for one moment, nor have we ever suggested, any reduction to the inflows of waters on the Assiniboine, and I will not speculate, Mr. Speaker, or allow myself to indulge in speculating as to why this kind of information is being provided. This particular engineer was well aware, has been in consultation with, as late as 10 days ago, when we invited the City of Winnipeg engineers to discuss with us what would be acceptable minimum flows for the city.

Ms. CerlIII: Can the minister tell the House if in fact the flow in the Assiniboine River entering the city of Winnipeg was reduced in August 1991, and what the level of that flow was?

Mr. Enns: Categorically, I reject any suggestion that that was the case. I will give the honourable member some information. Minimum flows on the Assiniboine range from as low as 128 cubic feet per second, which was recorded in February of 1989—February and January are the lowest flows on the river—to the highs of 3,430 and much beyond that in flood state. The average mean runs around 340. Currently, today, as I speak, the river flow on May 28 is 450 cubic feet per second on the Assiniboine River, which indicates some variance.

I am hoping, quite frankly, Mr. Speaker, that the Assiniboine River Advisory Board which will have members from Brandon, from Portage, from Shellmouth and the City of Winnipeg, will largely help to determine the ongoing management regime

of the Assiniboine River so that all legitimate concerns are met.

Ms. CerlIII: Mr. Speaker, my final question is for the minister.

Why would he be claiming to make a deal with the City of Winnipeg on minimum flow if they are supposed to be developing a management plan based on basin-wide data? Why is he making a deal, with the Assiniboine level, when he is supposed to be basing it on scientific data?

Mr. Enns: Mr. Speaker, I appreciate that in this politically correct world one always has to be worried about the words one uses. I retract the word "deal."

What I want to do is to arrive at an understanding with the City of Winnipeg, an understanding with the people of Portage la Prairie, an understanding with the people of Brandon, and, indeed, all users, basin-wide, of the Assiniboine River, this very important water resource in the south-central part of our province, as how to maximize, how to conserve and how to best assure that future generations will have the benefits of that great resource we have in this province.

Air Canada Winnipeg Maintenance Base

Mr. Daryl Reid (Transcona): Mr. Speaker, yesterday, the National Transportation Agency announced their decision regarding the acquisition by American Airlines of 25 percent of Canadian Airlines. Air Canada has stated that there is cause for anxiety amongst Winnipeg Air Canada workers.

Air Canada has stated that they will request amendments to the Air Canada privatization act which states that: require the corporation to maintain operational and overhaul centres in the city of Winnipeg.

My question is for the Minister of Highways and Transportation: What is this Minister of Transportation going to do to protect the hundreds of Winnipeg operational and overhaul base jobs, in light of Air Canada's announced intention?

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, the member is correct. A very important decision was made by the NTA yesterday in terms of the application made by Canadian to affiliate with the American Airlines for, in their view, the future stability of the company.

The decision that was handed down by the NTA yesterday was only one step of the process that is taking place. At the present time, there is an issue with Gemini that has to be resolved; that is the next step that will probably have to be dealt with somewhere along the line.

Further to that, the member is also correct when he says that federal legislation would have to be changed if there was going to be any change in the maintenance base here in Winnipeg.

I would expect, Mr. Speaker, that when it comes to the point where the federal government would want to change their legislation to cut back on the maintenance base in Winnipeg, that a lot of action will take place, and certainly we will take a very, very strong position opposing that.

Canadian-American Airlines Merger Impact on Airline Industry

Mr. Daryl Reid (Transcona): In addition to the Air Canada maintenance base jobs, can the minister tell us what other impacts will the NTA decision have on airline-related jobs in Manitoba?

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, that is a very broad question. The member is well aware and the members of the House are well aware that Manitoba did not take a firm position on either side of this issue, maintaining all the time that jobs and the economic impact on the province would be our first priority.

Based on the decision that has been handed down by the NTA on the amalgamation, we are in the process, like the federal minister is, in terms of viewing exactly what kind of impact it could have, but there are still questions outstanding. In my view, at least, the situation is not a fait accompli and there are various processes that will have to take place.

We have been trying to get together with staff since yesterday and have been trying to establish exactly what impact it would have.

I get very concerned when we have rumours from Air Canada stating that—the reductions and the possible downsizing of the maintenance base here in Winnipeg. We certainly will be entering into discussions with them, and try and ferret out the reasons why this kind of a move would take place.

Mr. Reid: The minister's department did not take a position on railway jobs either, and look what happened to those jobs.

NTA Hearings Manitoba Representation

Mr. Daryl Reid (Transcona): Why did the minister and his department not make a presentation or take a position at the competition tribunal hearings and the NTA hearings, to protect Manitoba airline-related jobs?

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, the reason we did not choose one side or the other is because we wanted to find out—we had attendance all the time at these hearings and at the meetings that took place. We have maintained all the time that we are going to take the position which is going to have the least effect on the jobs and the economy of Manitoba. We are going to assess what decision has been made.

If we had chosen to come down on the side of Air Canada, or if we had chosen to come down on the side of Canadian in their application, we would have possibly jeopardized more than we have by just having a neutral position. We will look at what has happened, the decision. We will analyze it. Once we know what impact it has, we will be taking a position.

Assiniboine River Diversion Water Flow Levels

Mr. Paul Edwards (St. James): Mr. Speaker, I listened to the comments of the Minister of Natural Resources in response to the questions on the Assiniboine River diversion project. I heard two things. The minister said that, firstly, the river flow can be controlled through the Shellmouth Dam and releasing water. Secondly, he said, he did not want to reduce the flow of the Assiniboine River. Accordingly, my question to the minister is: Why was it reduced, the minimum from 184 to 100?

If he has the courage, if he means what he says and he wants to add credibility to his words, put it back up to 184 cubic feet per second minimum.

* (1040)

Hon. Harry Enns (Minister of Natural Resources): I will try again, Mr. Speaker. First of all, I would categorically deny that anything was reduced or any action was taken. These figures are used—and I am not an engineer; there are some engineers in this House. When they have to do design specifications, we have to know, for instance, when flood waters reach a certain level

that we design our flood protection works so that they could click in and work, something like that. For the purposes of design and design only, the figure of 100 has been used as a bench model, and that has been in place for five, six, 10, 15 years, and the City of Winnipeg has known about it.

This particular engineer, I might say, who is quoted in today's paper, has known about it. My engineers, quite frankly, do not understand—as I said, I really do not want to get into speculating as to why that is now being raised. The 184 figure is not a minimum flow figure. That was a flow figure that was used in the 1990 model with respect to what was happening on the Assiniboine.

I have read into the record the wide variation of the flows. I have simply indicated that they can be controlled, particularly to a considerable extent with the engineering works in place at the Shellmouth Dam. As to how they will be worked, that will be determined by what is in the best interests of all users.

Mr. Edwards: The design specifications that would be relying on these are precisely the type of debate that is happening around this project, which proposes a 26 cubic foot per second withdrawal from the river. My question to the minister—[interjection] Mr. Speaker, the proposal initially filed talked about a 26 cubic feet per second maximum withdrawal from that river.

Now, my question for the minister—he says that 184, 100 do not mean a lot. They are just figures, and he has some ability to control through the Shellmouth down the river. What is, in his view, the minimum water flow on the Assiniboine River that is acceptable? Can he tell members what that minimum flow figure is?

Mr. Enns: Mr. Speaker, as late as a week ago, officials from my department asked precisely that question of the city engineering works of the City of Winnipeg. We have raised that issue on several occasions over the past number of years. The city, to date, has refused to provide us an answer. I am hoping that as a result of the discussions we will arrive at an acceptable minimal flow that the city finds acceptable along the Assiniboine.

That is my information that was given to me as late as ten o'clock this morning from my department, that the city steadfastly has refused to discuss with us, or to arrive at, or even to suggest what would be

an acceptable minimum flow along the Assiniboine River as it reaches Headingley.

Mr. Edwards: The minister speaks of consultation with the city, and, of course, that is appropriate.

My question to the minister: What consultation is occurring between his department and the Department of Environment, which has experts in this area that deal with minimum level flows and their impact on flora and fauna in the river? What discussions has his department had with the Department of Environment to determine what the minimum flow can and should be on this river?

Mr. Enns: Mr. Speaker, I can assure the honourable member that, I think it is called the scoping, the set of specifications, the requests that the clean environment department in the first instance demanded, that proponents and other interested parties had to provide in preparation for the Clean Environment Commission, are extensive. They include flora and fauna, they include fish life, they include concerns about riverbank erosion and they, of course, include the very important concerns of current users, particularly those communities that are using it for their potable water supply.

Home Care Services Reduced Workweek

Mr. Dave Chomiak (Kildonan): Mr. Speaker, despite hundreds of beds being closed, line-ups in hospitals and many more people in the community needing community service, the government now charges a user fee for home care supplies and has completely got rid of the homemaker service.

Can the minister advise this House whether the already stretched Home Care Services will be required to take their 10 days off in their work, and whether the budget will be reduced from last year?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, if I closed my eyes, I could almost hear my honourable friend reflecting on the province of Ontario, the province of Saskatchewan, the province of B.C., the province of Newfoundland, et cetera, but of course my honourable friend has the luxury of opposition.

My honourable friend also has the luxury from time to time of asking a question to which he knows the answer. The Home Care budget is increased this year again—once more. The Home Care budget when we inherited government in the defeated budget—the budget defeated by Jim

Walding, the first time in the history of the province of Manitoba that a government member defeated their own government over budget matters and the quality of government received by Manitobans—that budget contained \$34 million in Home Care.

Mr. Speaker, since then we not only raised it in the budget we have reintroduced, but it now approaches \$68 million, a doubling of the budget since we have come in, to provide Home Care Services to Manitoba.

Assistant Regional Director

Mr. Dave Chomiak (Kildonan): Mr. Speaker, the minister, as usual, did not answer the question. I will try another one.

What improvement does he see in Home Care Services this year since the Assistant Regional Director for Continuing Care, Sue Mackenzie, is now being assigned to its \$3.9 million American consultant, to work with this consultant? Is Sue Mackenzie going to be advising the consultant how Home Care works, or is the American \$3.9-million consultant going to be advising Sue Mackenzie how to do the Americanization of home care in the province of Manitoba?

Hon. Donald Orchard (Minister of Health): Again, my honourable friend has the answer to the question, because for the first time ever that a contract, a consulting contract has been negotiated, it was tabled on the day it was signed, an unusual circumstance that has never happened before, certainly in direct contrast to the circumstance that my honourable friend's party undertook whilst in government, wherein we found out after the fact when we came into government that they had hired American consultants, Mr. Speaker. But of course they did not tell anybody; they did not table documents. We still do not know details of American consultants hired by the NDP.

The answer is in the documents my honourable friend has at his disposal.

School Division Boundary Review Cost Savings

Mr. John Plohman (Dauphin): Mr. Speaker, on April 7 the Minister of Finance stated on radio, and I quote: With regard to the issue of boundary review, he said, I know the Minister of Education (Mrs. Vodrey) sees that we have to get that process going

as quickly as we can. We know that there are savings to be found.

Yesterday I asked the minister in Estimates whether she had done any studies to determine possible per-pupil cost savings resulting from boundary reviews, and she said that she had no information on that and that her department had done no studies on that.

Mr. Speaker, in light of the Minister of Finance's (Mr. Manness) statements, can the minister tell us today in this Legislature what information she has to verify the statements made by the Minister of Finance that there are savings to be found as a result of the review?

Hon. Rosemary Vodrey (Minister of Education and Training): Mr. Speaker, I think the member should check the Hansard from the Estimates yesterday to find out exactly what I said in Estimates. He is not accurately reflecting my comments again in this House.

However, I did say to him, my colleague the Minister of Finance did make some statements. He might like to speak to the Minister of Finance about the basis of those statements in those Estimates and that I will be making an announcement on boundary reviews shortly.

* (1050)

Mr. Plohman: The minister continues to evade answering questions in this House and in Estimates. That is her pattern—evade the answers. That is her only challenge.

Consultations

Mr. John Plohman (Dauphin): Mr. Speaker, why did the minister say yesterday in Estimates that she is consulting with the partners in education in preparation for the boundary review when the people from MAST have told me that there had been no consultation with them in recent months on this issue?

Hon. Rosemary Vodrey (Minister of Education and Training): Again the member tries to characterize answers and questions that were not asked in that way. I have told the member that I have, on a very regular basis—and perhaps he would like to check with the member organizations—consulted with MAST, with MTS, with the Parent Home and School Association and with the school superintendents. We discuss a number of issues on

a regular basis. The member seems to have a problem understanding that answer.

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

Order, please. I will recognize the honourable member for St. Boniface (Mr. Gaudry) with committee changes, then the member for Point Douglas (Mr. Hickes), and then I believe the member for Sturgeon Creek (Mr. McAlpine) wants to make a nonpolitical statement.

Committee Changes

Mr. Neil Gaudry (St. Boniface): Mr. Speaker, I move, seconded by the member for River Heights (Mrs. Carstairs), that the composition of the Standing Committee on Privileges and Elections be amended as follows: River Heights (Mrs. Carstairs) for Inkster (Mr. Lamoureux.)

Motion agreed to.

Mr. George Hickes (Point Douglas): I move, seconded by the member for Wellington (Ms. Barrett), that the composition of the Standing Committee on Privileges and Elections be amended as follows: Wolseley (Ms. Friesen) for Thompson (Mr. Ashton) for Monday, May 31, 1993, for 10 a.m.

I move, seconded by the member for Wellington, that the composition of the Standing Committee on Economic Development be amended as follows: Flin Flon (Mr. Storie) for Interlake (Mr. Clif Evans) for Wednesday, June 2, 1993, for 8 p.m.

I move, seconded by the member for Wellington, that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Selkirk (Mr. Dewar) for Transcona (Mr. Reid); Swan River (Ms. Wowchuk) for Thompson (Mr. Ashton), for Tuesday, June 8, 1993, for 7:30 p.m.

Motions agreed to.

Nonpolitical Statements

Mr. Speaker: Does the honourable member for Sturgeon Creek have leave to make a nonpolitical statement? [agreed]

Mr. Gerry McAlpine (Sturgeon Creek): Mr. Speaker, I am pleased to inform the members of this House that tomorrow is the official celebration of the 100th anniversary of the founding of the Sons of Scotland Melrose Camp No. 126.

From the time of the Lord Selkirk settlement to today, the Scottish identity has been an integral part of our growth and prosperity of our province. The contributions of our Scottish pioneers and their descendants are evident all around us.

There are the street and community names and even our official Manitoba tartan, all of which pay homage to the memory of our highland ties.

For 100 years the members of the Sons of Scotland have worked tirelessly to preserve and maintain the culture, the tradition and the customs of Scotland here in the Canadian prairies.

It is a task that has been undertaken with great success and energy, Mr. Speaker, and they have been active members of our community and have now earned the added distinction of saying the Sons of Scotland Melrose Camp No. 126 reached its centennial.

I ask all members of the House to join with me in congratulating the Sons of Scotland on a very bonnie 100th and continuing success as they embark upon their second century in Manitoba. Thank you.

* * *

Mr. Speaker: Does the honourable member for Portage la Prairie (Mr. Pallister) have leave to make a nonpolitical statement? [agreed]

Mr. Brian Pallister (Portage la Prairie): Mr. Speaker, I would like to introduce a very special day and the start of a very special week. Today has been designated as Sneaker Day all across Canada. To kick off Canada's Fitness Week, an extended week of various activities and events which celebrate—that is not to be confused with Sneaky Week—Active Living. [interjection] Yes, indeed, I am endeavouring to.

All across our province and across Canada people from all walks of life will be lacing up their sneakers and getting right into the theme of this year's Fitness Week, which is "You'll love the feeling."

During Canada's Fitness Week, which begins today and concludes on June 6, 1993, over 450 community events have been scheduled with over 100,000 Manitobans of all ages and abilities expected to participate. Canada's Fitness Week was actually created in Manitoba and has become so popular that it is now the largest annual celebration of physical activity in the world.

The importance of living actively has recently come into focus with the Heart & Stroke Foundation of Canada officially identifying lack of exercise as the fourth major risk factor for heart disease and stroke. I quote from their report: A sedentary lifestyle now is considered as potentially damaging as smoking, high blood pressure and high cholesterol. It has long been known that exercise is good for health, but it is only recently that science has proved the benefits of low-intensity exercise, such as walking, yard work, housework and dancing in preventing heart disease.

Two days ago, I participated in the official kickoff to Canada's Fitness Week in Manitoba right here on the legislative grounds. The Canada's Fitness Week challenge, which attracted over 20 various companies, was an example of the many fun events which will be occurring during Canada's Fitness Week and served as an example to me of the lack of fitness that I personally have.

So starting today was Sneaker Day right through to the conclusion of Canada's Fitness Week on June 6. I encourage all members of this House and all Manitobans to experience the fun and excitement of active living. You will love the feeling. Thank you, Mr. Speaker.

ORDERS OF THE DAY

Mr. Speaker: The honourable deputy government House leader, what are your intentions, sir?

Hon. Darren Praznik (Deputy Government House Leader): Mr. Speaker, I would ask if you could call for second reading Bill 36, The Highway Traffic Amendment Act, and then I would ask if you could call for continuation of debate on second reading Bills 16, 29, 22, and then the bills as they appear on the Order Paper.

SECOND READINGS

Bill 36—The Highway Traffic Amendment Act

Hon. Albert Driedger (Minister of Highways and Transportation): I move, seconded by the Minister of Environment, that Bill 36, The Highway Traffic Amendment Act (Loi modifiant le Code de la route), be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Driedger: Mr. Speaker, what I am introducing in Bill 36 is a comprehensive vehicle inspection

initiative. Before I start my comments, as I am wont to do, I have copies for both critics here that I would like to table, which are the spreadsheets.

These amendments to The Highway Traffic Act establish the authority for a program of mandatory safety inspections for all motor vehicles upon change of ownership. This includes passenger cars, light trucks, motorcycles and motor homes. Registration of new or used vehicles will not be permitted unless the owner produces a safe vehicle inspection certificate.

This initiative will result in a comprehensive vehicle safety inspection program for the province of Manitoba. It is an extension of legislation and programs which are currently in place to deal with vehicles sold by motor dealers and the periodic inspection of commercial vehicles. A program of mandatory, periodic safety inspections currently exists for all truck operators and semitrailers. Truck tractors are inspected semiannually, and semitrailers are inspected annually. These inspections are carried out at 279 private authorized inspection facilities throughout the province.

Incidentally, the mandatory inspection program for commercial vehicles will be expanding, in accordance with the National Safety Code and safety agreement, to include all vehicles over 10,000 kgs in 1994. When the program is fully implemented in 1995, all vehicles that are 4,500 kgs will be inspected.

Motor Dealers Safety Inspections—legislation is also currently in place requiring a motor dealer to issue certificates to all purchasers indicating whether or not each motor vehicle they sell is safe or unsafe. A vehicle declared unsafe by a motor dealer may not be registered until the necessary repairs have been made.

As you may know, the MPIC currently operates a random inspection program for passenger cars and light trucks. This program has been inspecting approximately 25,000 vehicles annually. However, much of the equipment used to operate the program has become unreliable. Suitable mobile equipment is no longer manufactured, and the cost of acquiring and establishing permanent inspection stations is prohibitive. It is simply becoming too costly for the government to continue operating a vehicle inspection program in this fashion. With the existing number of vehicles serviced and repair facilities located throughout the province, much more

comprehensive and effective program of safety inspections can be delivered with significantly less government involvement.

The proposed program will require all motor vehicles to be inspected and certified safe by an authorized private sector inspection facility upon change of ownership. For the purpose of registration, an inspection certificate will have a validity period of two years from the year it is issued. This means that a vehicle that has been inspected and certified safe would not have to be reinspected during that two-year period, even if it transfers to another owner. The owner of any motor vehicle service and repair facility will be able to apply to the Registrar of Motor Vehicles for authorization to safety inspect vehicles. Basic criteria are being established for facility certification.

* (1100)

The Department of Highways will initially certify and then monitor approved inspection facilities to complement the traffic safety consumer protection thrust of this initiative. The necessary controls will be maintained to revoke certification and impose other sanctions for noncompliance with the standards and criteria set out by the department. A fine of up to \$5,000 may be imposed on any individual or facility which knowingly falsifies an inspection certificate for the purpose of registering an unsafe vehicle.

A maximum fee which can be charged by certified facilities for inspections will be prescribed in regulations. Also, vehicle owners will be free to have any necessary repairs made by a facility other than the one which conducts the inspection.

The implementation of the new mandatory vehicle inspection program is set for January 1, 1995. I might add at this time that this legislation was passed three times previously by various governments and never proclaimed. In this particular case, we now have a date. When this legislation passes, it will be in effect as of January 1, 1995.

It will take approximately 15 months for my department to establish the necessary administrative components and controls for this program. There are approximately 1,200 vehicle service and repair facilities eligible to become certified inspection sites.

This will make MPIC's random inspection program redundant, and this program will therefore

be discontinued when the legislation for mandatory vehicle inspections comes into force January 1995.

This legislation confirms the province's commitment to safety and also complements other safety initiatives which have been phased in over the past several years. This program will reduce the number of mechanically defective vehicles on the road and contribute to making Manitoba's highways safer for the motoring public.

It will give uniform treatment to all vehicles sold, whether privately or through a motor dealer. It eliminates a serious loophole in the registration system by preventing unsafe vehicles from being registered and thereby operated in an unsafe condition.

This matter of mandatory vehicles inspections is a long-standing one which successive governments have wrestled with. The government believes that the proposed program is a well-balanced solution which has taken into account legitimate traffic safety, fiscal equity and consumer protection concerns.

I hope that all members of the House will join in supporting this bill.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Wolseley (Ms. Friesen), that debate be adjourned.

Motion agreed to.

DEBATE ON SECOND READINGS

Bill 16—The Public Schools Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Education and Training (Mrs. Vodrey), Bill 16, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, standing in the name of the honourable member for Selkirk (Mr. Dewar).

Is there leave that that matter remain standing? [agreed]

Ms. Judy Wasylycia-Lels (St. Johns): Mr. Speaker, I am pleased with the opportunity to participate in this debate on a most serious piece of legislation, Bill 16, The Public Schools Amendment Act.

I find this bill to be in that category of very critical, serious bills that must be debated thoroughly and must receive serious deliberations now and at committee stage, with the hope that this government

will come to its senses and restore some sense of democracy in our society and restore some sense of common decency in our society today.

This is one of those bills, one of the number of bills that is before us by this government in this session that is reprehensible, that is repugnant, that has to be changed. It is repugnant and reprehensible because it is like other bills brought before us by this government, an attack on democracy, and it is an attack on the future of this province.

Education, it has been stated by everyone in this Chamber, is a top priority for government, for our society. We have heard over and over again, ad nauseam, the words of this government through its Speech from the Throne, that education is the key to unlocking the door of opportunity. It is the means by which this province will once again enjoy some semblance of economic security and economic future.

Mr. Speaker, the words and the action do not fit. Like on so many issues, there is an absolute discrepancy between the rhetoric of this government and the decisions it is making. On previous occasions, when we have been faced with serious bills like this, I have drawn from an old saying that actually goes back to the year 1845, a quotation from Benjamin Disraeli who said: "A conservative government is an organized hypocrisy."

Those words fit more than ever and apply more than ever to the present Conservative government of Manitoba. Organized hypocrisy, when we hear fine rhetoric and nothing to back up those words. Organized hypocrisy, when this government tries to create the appearance of action through glossy studies and task forces and advisory groups and committees, yet never bringing those studies, the recommendations from those studies and task forces and committees to fruition.

Organized hypocrisy, when we are dealing with on a constant basis nothing but fine words, fancy brochures, press conferences with all the bells and whistles, but never a translation of those words and recommendations into action. Education is probably the most prime example of that kind of organized hypocrisy.

It is a very serious matter that we are dealing with, not just in terms of the specifics of the bill, but everything that this bill represents, an attack on our

democratic traditions in this province, an attack on a long-standing tradition in this province, to try and move toward a more equal, co-operative, compassionate society. It is an attack on the young people of this province. It is an attack on the foundations of the future Manitoba society. [interjection] The Minister of Natural Resources (Mr. Enns) suggests that it is shoring up that foundation.

I fail to see how a bill in one fell swoop that takes away a long-standing democratic tradition in this province is shoring up the foundations of Manitoba. I fail to see how taking power away from elected representatives at the school board level and putting it in the hands of one person, one trustee, the Premier of this province, is shoring up the foundations of Manitoba.

Surely, foundations for any decent society, any society that cares about every one of its members, are founded on the principle of democracy, unless, of course, this government has another whole idea about the future of Manitoba. Maybe, Mr. Speaker, that is not so far from the truth. It would seem, based on the number of pieces of legislation we have before us that attack democracy, that attack traditions of responsible, elected governance in this province—it would not be so far off the truth to question whether or not this government is deliberately trying to undermine those traditions, to undermine democracy, and move us to the kind of situation presented in this bill, a situation of dictatorship, of autocratic governing, of highhanded decision making in the Province of Manitoba.

* (1110)

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

Madam Deputy Speaker, there is, in fact, growing evidence to wonder whether or not the kind of hypocrisy we have seen from this government, organized hypocrisy; the kind of broken promises that we have been faced with on a day-to-day basis, in fact, all of that is not some deliberate plan to contribute to growing cynicism and skepticism in this society to enable this government in co-operation with its corporate friends to rule without the encumbrance of democracy, without the hindrance of elected representatives.

I have said at the outset that—if I have not said it, it should be clear that we are vehemently opposed to this legislation. We are opposed because, in terms on the substantive issue of education and who

makes decisions around education, this government is throwing away all the traditions and putting us on a new course of action that is worrisome, that is troublesome, that is dangerous.

Madam Deputy Speaker, our tradition of elected representatives at all levels in this province making decisions and standing and falling on the basis of their activity and decisions made during their period of election, that long-standing tradition has held us in good stead and is our only hope for the future. At the very time when there is a clear indication from groups everywhere, from societies everywhere, that the key to salvaging some hope out of the crisis that we are in, that the key to building a future at a time of despair is in empowering people, ensuring that our democratic institutions are well founded, strongly founded in our society, and so at precisely this time in our history, when that recognition is so pervasive, we have a government in the province of Manitoba in the year 1993 that is prepared to move us back in time, to move us to an age where autocratic, authoritarian, dictatorial governing is the rule of the day.

So the provision of Bill 16, which caps the ability of school boards to raise funds to pay for education, the element of this bill which takes away decision making on the part of duly elected representatives, is an affront to everything we hold near and dear to us in this province and in this country.

Hon. Harry Enns (Minister of Natural Resources): Judy, I am disappointed in you, calling me a hypocrite

Ms. Wasylycia-Lels: Madam Deputy Speaker, the Minister of Natural Resources is taking great offence at the term "hypocrisy." Well, perhaps the Minister of Natural Resources could explain to us how the words "education unlocks the door of opportunity" can be found in this bill. Perhaps the Minister of Natural Resources could explain where that principle is embedded in this legislation or in any action of this government when it comes to education.

Madam Deputy Speaker, he cannot, and nobody on those Tory benches can try to tell us how those fine words are translated into action. Nobody on that side can explain to us how this bill enhances democracy in the province of Manitoba. Nobody on that side can explain to us how this is going to help reduce cynicism and skepticism and disillusionment on the part of the people of Manitoba in their

democratically elected institutions. Nobody on that side can explain how Bill 16 will build any kind of secure foundation for the future because, in fact, they know full well it is not only an attack on democracy, it is an attack on young people and that can only mean one thing: Our future is even more in jeopardy than the situation created by this government from the minute it became government in 1990.

Madam Deputy Speaker, education is the key to opportunity. There is no question. We all agree on the words. Education is our one hope in our society today for equalizing conditions between people so that everyone, regardless of their background, their income, their race, their colour, their creed, is able to contribute to society according to his or her talents and abilities. Surely that is one of the objectives—I would say the most overriding objective for anyone in government today. Surely our reason for being here is to try to equalize conditions. Surely our objective in politics is to try to give voice to the voiceless in our society, to give power to those who feel powerless, to give hope to those who feel despair.

What else are we here for if that is not our fundamental overriding objective? So today is a day, Madam Deputy Speaker, this legislative session is a period in our history when all of us have to hang our heads in shame at the kind of callous and cruel actions being taken by the government of the day. [interjection]

The Minister of Health (Mr. Orchard) is getting a little excited, perhaps we should say, what, a little frenzied, a little emotional, hysterical. So let me just quote for the minister some words that I think he would take some interest in and perhaps use as a basis for reconsidering this legislation before us and being a voice of human decency and compassion in that bunch across the way.

Hon. Donald Orchard (Minister of Health): Are you the epitome of compassion, Judy? Is that what you are trying to say?

Ms. Wasylycia-Lels: Madam Deputy Speaker, the Minister of Health has asked if I am the epitome of compassion. I make no such pretence that I alone feel compassion and concern. Every one of the members in the New Democratic Party feels compassion and concern, and I dare say many in the Conservative benches feel compassion and concern.

* (1120)

So I am pleading with them today, pleading with members across the way to search deep for that compassion and concern that I know they must feel, and to show that compassion and concern by withdrawing some of these repugnant pieces of legislation before us, reconsidering some of their cruel, callous actions and start to think about people who are falling victim to the autocratic, extreme and harsh decisions of this government.

For the minister, I remind him that many over the years throughout our history have talked about the importance of education. The words in the Speech from the Throne are actually borrowed from many who came before us and spoke about the importance of education.

I quote again someone I have just used in this House, Benjamin Disraeli who said in 1874: Upon the education of the people of this country, the fate of this country depends.

That kind of statement is a reminder of just how fundamental education is to our society and to our future. I also quote from Horace Mann who said in 1848: Education then, beyond all other devices of human origin, is the great equalizer of the conditions of people, the balance wheel of the social machinery.

Can anyone in this Chamber disagree with those words? I doubt it. Then the question becomes, are the members of the Conservative government prepared to put the commitment they must have for equalizing conditions in our society into action? Are they prepared to look at the policy field of education and legislation pertaining to public schools and the financing of public schools into that context? That is the question I have today. Not unreasonable.

We are all concerned about the future. We are all concerned about economic activity in this province, so that we do not become a province, a society where frustration, idleness and despair are rampant. Surely we all envisage a society and a future for our province where people are putting their talents to use, are working, are contributing, are paying taxes, are buying goods, are stimulating the economy and feeling good about their contribution.

How does an attack on public education in this province and an attack on democracy in Manitoba further that objective? They do not. They remove us from those objectives. They take away that hope. They leave the possibility, the very real possibility,

where people are not able to use their talents and abilities to contribute to the economic activity of this province, and they create the very dangerous possibility of a whole generation of people living in despair, in frustration and in idleness.

We know the outcome of that kind of theme in our society. We know when those feelings are rampant, as is increasingly the case in our society today because of the lack of any kind of economic policy on the part of this government. We see the effects. I see it every day in my own community. How else does one explain the increasing number of gangs in our schools? How do we explain the increasing number of suicides among young people? How do we explain increasing violence in our school yards, in our families and on our street corners? How do we explain young people today turning to cults, to white supremacist gangs?

You could only explain those kinds of worrisome developments by looking at the roots of the problem, the roots being economic and social insecurity. History has told us over and over again what happens when you have a generation of young people who are not able to contribute what they feel they have to contribute, who are not able to put their talents to use, who have no concept of future—no concept of future, no understanding of what future is; never mind fear of the future, no concept of future.

So, Madam Deputy Speaker, the telling and worrisome signs of economic and social insecurity that we are seeing today can only be multiplied many times over in the years to come if we have taken away one of the last institutions in our society where we have any hope of equalizing conditions and allowing people to contribute according to their talents and abilities.

Every step of the way in the field of education over the last number of months, this government has whittled away at public education, whittled away at opportunities for our young people. Whether we are looking at the Student Social Allowance Program, which helped young people go back to school when they realized that without education there was little hope of a job in providing for their families, whether we are talking about CareerStart, which has played a major role in giving young people some hope for the future, whether we are talking about the lack of access to child psychologists and other specialists who address the special needs of children when it is most important to do so, so that they have some hope of overcoming the disabilities they face and

are able to contribute to society on a level playing field, whether we are talking about the 2 percent overall cutback to public education, which is placing enormous strain on our public education system, whether we are talking about the cut to our ACCESS programs which have helped people who have been faced with systemic discrimination, our aboriginal community, people of colour, women, people with disabilities, you put it all together, and the result is just too much to take.

* (1130)

It is too hard. It makes it too hard to sit back and not show some compassion and concern, because the damage that is occurring and will occur, when you add up all those cutbacks, you add up that erosion of our public education system, it is overwhelming. It makes those of us in positions we are in worried about the future, fearful about the future, and if we are worried and we are fearful, how do those people who cannot complete their education because a Student Social Allowance Program has been eliminated, how do those young people who cannot take advantage of New Careers or ACCESS programs, how do those vulnerable members of our society who have no hope of education and training and employment feel? How do they feel?

Well, we know, Madam Deputy Speaker, how they feel. We are getting the calls on a day-to-day basis. I am sure members of the Conservative government are getting those calls. How do they answer people who cry out for help and show such despair that one is left wondering what that individual is capable of doing to himself or others if he or she does not find some redress, some solution, some help along the way.

I hope that maybe, if members opposite get enough of those calls and hear enough cries for help, just maybe, that on some of these critical issues we are dealing with, they will have second thoughts. They will come back to this Chamber and say, we were wrong. Some of those cuts that we made in haste and under the pressure of coming up with a budget were wrong.

Madam Deputy Speaker, if they do not come to that realization and we allow legislation like Bill 16 to become law, we put our society on a very dangerous footing.

Education is not only one institution in our society where we have the hope of equalizing conditions so

that people can participate on the basis of their own abilities and merits and talents. Education has always been considered to be an institution for creating tolerance and understanding and respect between people.

I want to go back to some people who many years ago made statements about the importance of education for building trust and tolerance and respect and understanding in our society because those words are so poignant today, as we see our public education system unravelling and we see people facing barriers to education and training and employment.

I am going to go to 1903 when Helen Keller said: The highest result of education is tolerance. I want to go to Franklin D. Roosevelt, who said in 1932: Knowledge, that is, education in its true sense, is our best protection against unreasoning prejudice and panic-making fear.

As I said, Madam Deputy Speaker, those words, those statements are more poignant today than ever before as we see all around us in our communities everywhere signs of intolerance, activity based on hatred, growing examples of prejudice and dislike in our society today. That, too, is apparent on a day-to-day basis in our society today in every one of our communities. We are dealing with examples where racism and hatred and discrimination are rearing their ugly heads, are surfacing in ways that are making people live in fear and anxiety.

They are the antithesis of everything that was important about Manitoba and about this country, the opposite of that which drew people from other lands to this country—a land that promised respect for our cultural diversity; a land that promised respect and tolerance between all peoples regardless of their race, their colour, their creed, their religion.

Madam Deputy Speaker, if the members opposite cannot understand what is wrong with Bill 16 on the basis of its attack on democracy or on the basis of its potential to kill the future in this society, then surely they can understand their actions. Their attack on the public school system creates a breeding ground for hatred and intolerance and discrimination. Surely the goal of building a society that lives in harmony, where respect for one another is paramount, is a goal of everyone in this Chamber, and surely any measure, any piece of legislation,

any program that detracts from that absolutely and fundamentally important goal is wrong.

Surely, Madam Deputy Speaker, in that context, this government can see the errors of its ways with Bill 16 and many of the other pieces of legislation before us today which constitute an attack on working people, on families, on young people and on the most vulnerable members of our society today.

We will be anxiously awaiting the public hearings on this bill because that provides the opportunity for this government to hear the voices of those affected by Bill 16, to realize the human consequences of this kind of legislation and to see the absolute importance of making serious amendments to this legislation or pulling it entirely.

Madam Deputy Speaker, this area of education, the way in which this government is handling education policy is not unlike what I have had to experience and see first-hand and study very closely in the health care field. There is talk about reform, but when you scrape away the rhetoric and you scratch below the surface, reform for this government, whether it is reform of education or reform of healthcare, seems to amount to little more than cutbacks and areas that are easy targets for this government in terms of dealing with their major preoccupation, that of the provincial deficit.

On both issues, in both policy fields, health and education, this government has been very clever at trying to camouflage its true intentions. It has used the jargon of the field very well. It has tried to leave the impression that it is engaged in a reform process which, by definition, means making something better, making something more efficient and more effective. So we have to ask the question: What in Bill 16 or in any of the other cutbacks to the education field, where in all of that are they making the system better? Are they improving the quality of education or enhancing opportunities for our young people?

Madam Deputy Speaker, what this government is doing by an agenda of education cutbacks disguised as education reform, it is driving young people out of our province, and the statistics bear that out.

Although this government, again because it tries to brainwash and distort the facts—very much operate government like a cult—does not really want the world to see what is really happening in

terms of out-migration of youth and young people in the province of Manitoba.

* (1140)

But all of that brainwashing and programming cannot hide the fact that our best and brightest are leaving the province of Manitoba.

The out-migration of young people in this province is now higher in Manitoba than in any other province. When this issue has been raised in the past, the Premier (Mr. Filmon) of Manitoba has tried to dismiss the issue by suggesting this was simply a result of the lower birth rate.

Well, how then does this Premier and this government explain that Manitoba has an out-migration of young people so much higher than any other province? Is the birth rate different in Manitoba than any other province? Is there some other phenomenon at work here that is not at work in provinces across this country? Of course not, Madam Deputy Speaker.

The reality of the situation is that young people in this province who are able to find alternatives to the lack of opportunities here go elsewhere. They are leaving the province in droves for education opportunities, for training programs and for employment prospects. They are doing so because their options here are becoming less and less.

So the best and the brightest are leaving. The hope for a talented labour force of the future to contribute to this economy is going. Those who remain live in idleness, fear and frustration. That is the base for our future that is worrisome, that is dangerous, and we will do everything in our power to try to get the government to realize that investment in education now will pay dividends in the future.

We will try our best to make this government come to its senses to realize that our hope for the future rests with our ability to provide opportunities now to our young people.

Madam Deputy Speaker: Order, please. The honourable member's time has expired.

As previously agreed, this bill will remain standing in the name of the honourable member for Selkirk (Mr. Dewar).

Bill 29—The Minors Intoxicating Substances Control Act

Madam Deputy Speaker: To resume debate on second reading of Bill 29 (The Minors Intoxicating Substances Control Act; Loi sur le contrôle des substances intoxicantes et les mineurs), standing in the name of the honourable member for Point Douglas (Mr. Hickes).

Is there leave to permit the bill to remain standing? [agreed]

Mr. Doug Martindale (Burrows): I am pleased to rise to speak on Bill 29, The Minors Intoxicating Substances Control Act, since I have had a great interest in this social problem for many years. In fact, for the past 13 years, I have been involved in various ways with trying to combat this problem.

I was part of the Winnipeg anti-sniff coalition for many, many years. In 1984, I was elected the chairperson of the anti-sniff coalition. This group tried to combat this problem by way of legislation, namely by getting a by-law passed by City Council in Winnipeg.

Regrettably, that by-law was struck down in the courts as being unconstitutional. However, that was not the only purpose of the Winnipeg anti-sniff coalition. We were also involved in education, and we were involved in a number of conferences where we co-operated with other groups and organizations to combat the problem. We also tried to set up a shelter to provide a safe house for sniffers in order to get them off the streets and provide some kind of service in the community to meet some of their needs.

Regrettably, we were unable to get funding to set up a safe house, and the alternative was to establish a drop-in centre for children. That was how Pritchard Place began. Pritchard Place began in a house owned by the United Church on Pritchard Avenue, then moved to its current location a couple of blocks away on Andrews and is still open today and is doing a very good job of working with children, some of whom might otherwise be on the streets or getting into trouble, but instead they have a very safe environment with good programs at Pritchard Place. The staff and board there are doing an excellent job.

I would like to talk a little bit about some of the problems with sniffing and sniffers and some solutions and then talk about this particular bill. I think one of the major problems is the unscrupulous

store owners and staff who sell sniff products to minors and to adults, I believe, in many, many cases, knowingly selling sniff products to minors and to adults.

In fact, as part of my research on this bill, I decided to stop and talk to a couple of my constituents who are known sniffers—known to me anyway. I was pleasantly surprised to find that one of them has stopped drinking and stopped sniffing and seems to be turning her life around. I commended her for that.

I asked them: Where do you buy your sniff? They certainly knew which stores and lumberyards sell sniff in the inner city of Winnipeg, and they named the business premises. It is hoped that when this bill passes, the police will be monitoring these establishments as they have in the past in order to penalize some of the sellers.

Of course, the other concern that we have is with the users, and I think users do not neatly fall into just one category. I think there are many different kinds of users. For example, there are those people who experiment with different sniff products, and the consequences for them are just as tragic as they are for those who are regular users.

For example, a number of years ago a young man died in the St. James area of Winnipeg from sniffing, and it was because he and his friends were experimenting. The kinds of socioeconomic conditions that many sniffers come from did not apply to this young man in suburban Winnipeg. So I am concerned and we are concerned about those individuals who experiment with sniff products, and, regrettably, this sometimes leads to fatal consequences.

I think all members would agree that we should all be concerned about all sniffers. In fact, in the past there has been a lot of consensus on sniff legislation which I will talk about later.

Then there are those individuals who are chronic sniffers, and I believe they are sniffing to block something painful in their lives. In doing some research, I have an article from The Globe and Mail about sniffing in a community in Ontario, and this community was involved with a healing process to try to resolve some of the pain in their lives from attending residential school. In this community people are experiencing a number of problems including sexual abuse, gasoline sniffing, elder abuse, drinking and mistrust, and they linked these

problems to part of the history of their community, namely, the residential school.

* (1150)

One of the participants of the healing circle said he believes a lot of family breakups are attributable to the fact that, quote: They learn to internalize everything and keep it hidden.

This community was trying to deal with that by having a healing circle and getting people to talk about their experiences, including many of the painful experiences that resulted when they were residents of the residential school. We know that this part of Canadian history has been very painful for many, many aboriginal people, and that the way that many of them have dealt with that is to internalize their problems and to turn to drinking and sniffing. Now, fortunately, more healthy ways of dealing with these painful experiences are starting to happen, this being one example of where they were having a healing circle for former residents of the residential school in Fort Albany, Ontario.

So I believe many children and adults turn to sniff to block our painful experiences in their lives, of either physical and sexual abuse or family breakdown, and I have actually observed that in families in the neighbourhood in which I used to work and live and represent in the Legislature.

I would like to commend the MLA for Point Douglas (Mr. Hickes) for having an informational meeting yesterday in Room 255 to which he invited all MLAs. Regrettably, the attendance was rather poor. As far as I know there were members there only from the NDP caucus, and there were no members from the Conservative caucus or the Liberal caucus attending that informational meeting. I think it would have been educational for all members to attend and to see the video tape that we saw and to hear the presentation. [interjection]

Well, one of the members opposite is trying to correct me. I would be quite happy to be corrected. If he would like to put the constituency of the member from his caucus who was in attendance on the record, I would be happy to correct the record and do that. All I hear is silence.

At this public meeting, one of the participants talked about the social conditions in, particularly, northern Manitoba communities which he believes are responsible for much of the sniffing problem. He mentioned unemployment rates of 80 percent and higher in most First Nations communities, terribly

overcrowded housing and the effects of northern flooding, which basically destroyed their traditional economy and left in its wake a welfare economy with very high unemployment and very negative social consequences.

The video tape and some of the discussion referred to the harmful effects of lead, which we know is toxic, which many sniffers have inhaled. Now there has been a change in this area, a very positive one, and that resulted from lobbying of the federal government by health care professionals and many others. The result was that lead in gasoline was banned, and we know that is true for automobile fuels.

Now there is still a problem with aviation fuel containing lead, and perhaps that is the next area that should be worked on, or perhaps owners of aircraft should be required to have gas tank caps which are locked so that people cannot siphon gas and sniff aviation fuel that has lead in it, because we certainly know about the toxic effects of lead.

The remedy for this is very, very expensive, because in the past, children have been flown from northern Manitoba to the Health Sciences in Winnipeg, and they have been hospitalized. They have been there for two or three weeks or longer until the lead levels were reduced in their blood, and then they were sent back to their home community. Of course, the problem with that was that when they got back there, there were no treatment facilities, in many cases, a lack of recreational facilities in their home community, and they began sniffing again. Again, the lead level was high, and they were sent out for treatment. So that turned out to be a very short-term and expensive process.

Now at the public meeting which the MLA for Point Douglas (Mr. Hickes) organized, many, many issues were identified and many, many solutions were proposed. Another problem which was identified was and is the inappropriate institutionalization of people who are sniffing. Examples were given of people who were confined to mental health facilities because they had a sniffing problem. You might ask: Well, why does that happen? There is a very good answer, and the answer is that there are only a couple of places where people can go for treatment. One is, I believe, the St. Norbert Foundation, and the other is the treatment facility at the Fort Alex community.

There are not enough places to treat sniffers, and there is no facility in northern Manitoba. Consequently, people are ending up in mental health facilities, for example. We also heard that there are inmates or residents of provincial correctional facilities who are solvent abusers, but there are no programs and there is no treatment for them—

Point of Order

Mr. Gerry McAlpine (Sturgeon Creek): On a point of order, Madam Deputy Speaker, the member for Burrows suggested that there were no Conservative colleagues at the information meeting yesterday morning. I would just like to correct the record, that the honourable member for Turtle Mountain (Mr. Rose), the honourable member for Niakwa (Mr. Reimer), the honourable member for Morris (Mr. Manness) were there, and there were a number of members from this side that were unable to attend that various function but fully intended to attend that. I just wanted to correct that for the record.

Madam Deputy Speaker: Order, please. The honourable member for Sturgeon Creek (Mr. McAlpine) does not have a point of order. It is a dispute over the facts.

* * *

Mr. Martindale: I would like to thank the member for Sturgeon Creek for correcting the record which I invited his caucus to do, and I am very pleased that they were there and that they were listening to the informational seminar. So I am happy to have that correction put on the record.

There was considerable discussion at the seminar yesterday about the need for treatment facilities particularly in northern Manitoba, and it was pointed out that there has been a long-standing request from MKO for a treatment facility in northern Manitoba which the federal government appears to be unwilling to fund and the provincial government apparently has turned down requests for funding as well.

(Mr. Speaker in the Chair)

We are very disappointed that there is not funding forthcoming for a treatment facility in northern Manitoba, especially when a treatment facility is so badly needed.

Another very important issue which was raised was the need for recreation facilities which I would consider to be a kind of prevention or even

intervention. In the past I know there have been programs like the recreation worker training program, and I think there is a need for more training of individuals in the area of recreation and more recreation programs as well because we know that if children are involved in recreational activities that this is an alternative to the streets, an alternative to sniffing.

In the past many people have spoken about the need for education, and it has been suggested that what we really need is the kind of public education and awareness that we have had around issues like drinking and driving. Many, many governments in Canada have put a lot of money into advertising campaigns which is a kind of public education around drinking and driving, and these campaigns have been very successful.

There has been a decline in the number of people who are drinking and then driving and therefore a consequent decline in the number of people who have been picked up and charged for violating laws regarding drinking and driving, and the public is very well aware of these laws and their consequences.

What we need is a public education campaign on the effects of sniffing so that adults are aware of the dangers of sniffing and that children are aware of the dangers. Therefore adults can take further steps to protect children and show their care and concern for children so that they do not sniff.

Mr. Speaker, I would like to address some concerns that we have about this particular bill and also the background to this bill which is quite interesting and extensive.

It really begins with the introduction of a private member's bill by the MLA for St. Johns (Ms. Wasylycia-Leis) who introduced Bill 91 on December 15, 1989, for first reading. On February 1, 1990, it was introduced for second reading. On February 6, in response to a question from the member for St. James, the Justice minister said: "As I said, I have been working with the honourable member for St. Johns (Ms. Wasylycia-Leis) who had the foresight to bring this matter forward."

* (1200)

So here we have the Minister of Justice and the government of the day praising our member for St. Johns for bringing in a private member's bill. On March 1, 1990, in his speech on second reading, the Justice minister said: ". . . we have to have legislation like this."

"... in a matter like this there is all kinds of room for agreement amongst right thinking and caring Manitobans, which I trust that all Members of this House are."

We commend the Minister of Justice for saying that on March 1, 1990. In fact, I think this points out that Manitoba society is fundamentally different from our neighbours in the United States. I was watching a very interesting segment of the 60 Minutes television program recently about sniffing, and they interviewed parents whose children had been sniffing. They talked about what possible remedies there were, and they talked about legislation, but the store owners were saying, well, this is impossible; there are too many products; we cannot do this. So the hosts on the program said—they sort of threw up their hands and said—there is really nothing that we can do about this.

I think that is quite a different response from what we have in Manitoba, where even the Conservative government of the day has brought in legislation to try and curb the problem. We do not agree with parts of that legislation, but at least it suggests, as the Minister of Justice has said, that there is "... room for agreement amongst right thinking and caring Manitobans" I think that shows actually a fundamental difference between our society and American society when it comes to dealing with social problems.

We here believe that we are our brother's keeper, that we are responsible for our brothers and sisters in the wider community, and that we do not just care about our own children and our own problems, but we do care, as legislators, about other people's children and other problems in our society. We work on it collectively to try and bring forward a solution that is going to correct the problem.

On March 8 and 13, Bill 91 was at committee stage. Five presentations were made. All were supportive, with the exception of the Manitoba Medical Association. On March 13, clause by clause, all proposed amendments are approved. Upon adoption of the bill as amended, the Minister of Justice states: "I move that motion so that the Department of Health and its Minister, of whom I have not had an opportunity to consult with in recent days, . . . can do the work necessary to ensure that those who are in the business of distributing these things on a legal basis are made aware of the new rules."

"I do give the commitment to the Honourable Member for St. Johns (Ms. Wasylycia-Leis) and all Honourable Members, that here again this is a matter of some importance to us as a Government to bring some reasonable level of control with regard to substance abuse."

On March 15, third and final reading—on December 11, 1990, the Minister of Health responds in the affirmative when asked if he will proclaim the anti-sniff bill. So the Minister of Health was on record as being in favour of the anti-sniff bill.

On December 11, in Estimates debate, the Minister of Health states: "We anticipate proclamation in January, and a committee is putting those varied touches to the process of proclamation."

When asked if he could give us a specific date in January when the bill might be proclaimed, the Minister of Health stated: "Between the second and the 31st."

So it seems that the Minister of Health was prepared to go ahead on December 11, 1990. He was going to proclaim a bill which received unanimous consent of all parties in the Manitoba Legislature.

In February 1991, staff for the Minister of Health indicated that further study is required, that no date for proclamation has been set. So all of a sudden we have run into a roadblock, and we can only wonder what that roadblock is. In fact, the MLA for St. Johns (Ms. Wasylycia-Leis) wondered about that, I guess speculated on what the government's concerns were since the Minister of Health (Mr. Orchard) would not tell us what his concerns were. So she said, it may be that the government is concerned about proclaiming a bill drafted by a member of the opposition, in spite of the fact that the government had praised this bill which received unanimous consent.

Then she said maybe it is because the government has caved in to lobbying by merchants who do not want the hassle of record-keeping, but we do not know whether the merchants were lobbying the Minister of Health. We have our suspicions that obviously somebody got to him, but we do not know who. Or it may be that they are out of touch with the issues because they do not see them on a day-to-day basis, she says, and pointed out that Tories do not represent areas where solvent abuse is prevalent. So maybe in spite of what they

said in the House they really do not care, because it does not affect many of their constituents. If that is true, then we are very disappointed that that is the case, especially given the positive comments that some of their members put on the record.

On May 1, 1991, the Minister of Health stated that amendments may now be necessary to deal with technical problems with enforcement. On March 3, 1992, the Minister of Health refuses to table legal opinions on enforcement. They referred to the fact that they had legal opinion saying that the bill was unenforceable, but when asked to table it, did the Minister of Health do it? No, he did not. So we do not know whether he actually had a legal opinion or not and if so what the legal opinion said, and therefore we were not able to evaluate that and see whether this was a red herring or just an excuse not to proclaim the bill.

We have been very critical. We lament their lack of action on proclaiming Bill 91, which received all-party consent. Of course the government might say, well, that is then and this is now, and maybe the significant difference was that that was a minority government and this is a majority government. They had to do some things with all-party co-operation in order to stay in government or to not let the opposition parties get some kind of advantage, but now that they are a majority they think they can do whatever they want.

Certainly this bill is proof of that, because there are things in here that the opposition parties do not agree with and many, many people in the community do not agree with. In fact, when I was part of the Winnipeg anti-sniff coalition, the community relations officer from the City of Winnipeg Police attended our monthly meetings year after year. We almost always had a representative of the City of Winnipeg Police Department, and they were very co-operative and they were very concerned about the problem of children sniffing, and they agreed with our solution.

The solution from individuals and organizations working in the inner city of Winnipeg was that if there was going to be legislation it should not penalize children. It should not criminalize children. But what do we see in this bill? Well, let us see what the police said about this on CBC television, on Tuesday, May 4, 1993. There is an interview here with the sister of a solvent abuser who died from sniffing, and also a clip of Inspector Lou Spado of the Winnipeg Police Department. He says, and I quote: I do not know

how enforceable it is going to be. I do not know. It looks like there might be some loopholes in it.

He goes on to say and I quote: It looks like we are going to have to prove that it was purchased for the purpose of sniffing it, and if the seller says that he thought it was not going to be purchased for that purpose, then he has got an out.

So the police department have a concern about the enforceability of this piece of legislation, because, of course, the store owner is going to say he was not knowingly selling it for the purpose of sniffing. So it may be very difficult, the way this bill stands, to get a conviction in court.

Mr. Speaker, how much time do I have left?

Mr. Speaker: The honourable member has 15 minutes remaining.

Mr. Martindale: Thank you, Mr. Speaker. The other major concern that we have and, at the time that the anti-sniff coalition was meeting, was shared by the police is the clauses which criminalize, we believe, children, because it says that it is a punishable offence for children to be involved in sniffing. We are disappointed that that is going to happen. In fact, we think that the effect of this is that many children are going to be taken to the Manitoba Youth Centre. They are going to spend days or weeks there, and this is going to be done at great expense.

* (1210)

In fact people have asked from the community that we met with: What is the cost of keeping children at the Manitoba Youth Centre? What is the per diem that the youthcentre gets per child? Surely that amounts to large sums of money if many children are going to be taken there. They said to us, would not that money be better spent on prevention and treatment, and we agreed. We think that is a point that is well taken. Certainly there are many, many disadvantages to incarcerating children or youths, and just one of them is the expense.

The one other concern would be, when a child enters the youth justice system, that they get labelled, that they become involved in the system. Therefore, it is much more likely that they are going to be reinvented and they are going to have a record in the youth justice system. We do not know what kind of dispositions the judge is going to use under the Young Offenders Act, whether they are going to come down hard on youths or whether they are

going to be referred to Youth Justice Committees and whether that is going to be a helpful route to go or not. So a major concern of our caucus is what happens when children and youths get involved in the youth justice system.

I believe our caucus is going to support this bill, but I believe, also, that we will be bringing forward amendments and that we will be asking for changes, particularly to the sections that we believe criminalize children, because we think that it is unfair to do that. It is the wrong way to go. This is not what people in the community want to do, including the City of Winnipeg Police, who attended meetings of the Winnipeg anti-sniff coalition. I do not know what the position of the police department is now on criminalizing children. I am sure that other speakers from our party will address that when they speak on this bill.

I also have an article here from the Portage la Prairie Daily Graphic on Thursday, May 6, and the title of this article is: RCMP retailers have sniffing bill concerns. Of course, the concerns of the retailers and the concerns of the sniffers are quite different. In fact, I suspect that retailers do not have that many concerns. I think their concerns were mainly with the previous private members' bill which would have been tougher on retailers than this bill is.

In fact, the original City of Winnipeg by-law would have required retailers to keep all products that could be sniffed under lock and key, and children could only buy them with a permission slip from parents. That was something that national chain stores, in particular, did not want to do, and that is why they contravened the by-law and went to court, and eventually the by-law was struck down by the Appeal Court of Manitoba.

There are many, many people who are affected by this problem in the community, and there are many, many articles in the Free Press and the Sun just for five months of this current year.

For example, on January 14, the headline says: Streets claim volunteer. Man, 25, stabbed to death in sniff party argument.

As a result of this, people in the community were interviewed, and Wayne Helgason, the executive-director of Ma Mawi Wi Chi Itata Centre, said that the death of Mr. Chartrand proved once again the need for expanded treatment programs for sniffers. He pointed out that there were no programs

in Winnipeg for youth, and that therefore proved the need was urgent.

On February 9, an article in the Free Press is entitled: Solvents poison reserves. No facilities for northern addicts. The first paragraph says: There are at least 2,200 solvent abusers, mostly children, on northern reserves, but not a single treatment facility, a recent study by MKO concludes.

An article in The Winnipeg Sun of April 24 is titled: The Hair-Spray Fix. Street people turn to new kind of cocktail. A very interesting article by Riva Harrison, and it quotes the MLA for Point Douglas (Mr. Hickes). [interjection]

The member opposite says, a good MLA, and as I said before, I commended him for having a public meeting, inviting the public and inviting all MLAs to hear concerns from the community.

On May 1, 1993, an article in the Free Press says: Chief coroner urges ban on solvent abuse. This was the result of the death of two men from Shamattawa.

Dr. Peter Markesteyn said, and I quote: I think legislation that would make it possible to lay a charge would assist in the control of this abuse. He continued by saying, quote: But what can you do to a person you arrest? Nothing.

So you have a concern expressed by the chief coroner for Manitoba.

On Tuesday, May 4, in The Winnipeg Sun, the headline says: Anti-sniff bill fails, says Mountie. So once again we have a concern by the RCMP about legislation, and he says, quote: We need some legislation to prevent this kind of thing from happening. He is referring to protecting adults.

Finally, we have an article in May 4 in the Free Press: Sniff bill proposes \$5,000 fines, jail. P.C. legislation too weak, NDP says. I am sure that you will be hearing more comments from my colleagues, particularly the member for St. Johns (Ms. Wasylycia-Leis), the member for Kildonan (Mr. Chomiak), the member for Point Douglas (Mr. Hickes), about the shortcomings in this piece of legislation.

Also, another article by Arlene Billinkoff in the Free Press on May 9, 1993—the title is, Break for sniff merchants—points out some of the weaknesses regarding merchants in this piece of legislation.

In conclusion, Mr. Speaker, as I said before, our caucus will be supporting this bill, but I believe we

will also be asking for amendments at the committee stage because this bill does not, we believe, meet the needs of the community. It does not respond to the consensus that I believe exists in the community—[interjection]

Well, the point I made, and I will repeat it again for the honourable members, is that we have always been opposed to criminalizing children, and that is the main objection that we have to this bill, that it is going to criminalize children. That does not solve the problem.

We have always been opposed to criminalizing children, and the member for St. Johns (Ms. Wasylycia-Leis), in her bill, which received all-party

approval, did not criminalize children. So we will be asking for an amendment, and I can tell you that our entire caucus agrees on that. I am not speaking for myself; I am speaking on behalf of our caucus.

With those remarks, Mr. Speaker, I am finished. Thank you.

Mr. Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for Point Douglas (Mr. Hickes).

Is it the will of the House to call it 12:30? [agreed]

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, May 28, 1993

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