

# LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 29 May, 1987.

Time — 10:00 a.m.

**OPENING PRAYER** by Madam Speaker.

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

## MINISTERIAL STATEMENTS AND TABLING OF REPORTS

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

**HON. L. DESJARDINS:** Madam Speaker, I'd like to table the Annual Report 1986 of the Standing Committee on Medical Manpower.

**MADAM SPEAKER:** The Honourable Minister of the Environment.

**HON. G. LECUYER:** Madam Speaker, I have a statement.

Madam Speaker, I would like to remind members of the House that June 1 to 7 is Environment Week in Canada and a host of activities are planned across Manitoba.

Environment Week is a combined effort of all three levels of government, a number of private, commercial organizations, as well as, public organizations and the principle aim of the week is to heighten public awareness about the importance of our environment.

This coming Sunday, May 31st, will mark the opening of Environment Week 1987 in Manitoba. Members will have received in their respective caucus, information with the detailed calendar of the activities and events which are to occur throughout the week, information which is pertaining to the many Environment Week activities, including an invitation to the Environment Week opening.

I would like to encourage all members to take part in these events, because, as the theme of Environment Week states: "It's up to all of us." Indeed, it is up to all of us to work together today for a healthy environment tomorrow.

In particular, I hope to see many of you out at the pavilion in Assiniboine Park on Sunday.

Following the official opening ceremonies, at which all three levels of government will participate, a recycling rodeo will commence, featuring a variety of games and competitions using recyclable items. Then from 1:00 p.m. to 5:00 p.m., there will be a folk festival to celebrate the environment, featuring a number of local well-known entertainers.

As many of you will recall, Winnipeg's first household hazardous waste days was held for the first time during Environment Week last year. The event was very successful, with nearly 300 people participating and more than 12,000 litres, or sixty 45-gallon drums, of

waste materials having been collected, materials that might otherwise have gone down our sewers or into our landfills.

I am pleased to announce that household hazardous waste days will be held again this year, from Friday, June 5 to Sunday, June 7, inclusive. On these days, a free collection depot will be set up at the Fort Osborne Complex, 139 Tuxedo Avenue, for products, such as, old paint, motor oil, pesticides and solvents. All of the collected materials will be properly treated and disposed of or recycled.

Along with the depot for collecting household hazardous wastes, there will be a collection centre for recyclables, such as, paper products, plastics, metals and glass, which will be in operation on Saturday and Sunday at the same location.

Also to celebrate Environment Week, there is an environmental film festival, exhibits, tours, a lecture series and special programming on cable television. Information on these activities is provided in the enclosed calendar of events which you have received.

I am also pleased to note that for the first time, a number of other communities will be officially participating in Environment Week. The Town of Selkirk, for example, has organized a series of activities, focusing on the Red River, for the entire week.

I was pleased early last week, together with the Premier, to participate in the official opening at Selkirk.

Selkirk's scheduled activities include public forums, a boat cruise, slide shows and a sidewalk festival. For your information, a full schedule of Selkirk's events has been included in the information package.

Another community participating in Environment Week this year is the Town of Neepawa, which will be cleaning and beautifying the town's Roadside Park. As well, the Churchill Northern Studies Centre has organized a litter clean-up for Churchill, The Pas and Thompson.

So, as you can see, Environment Week is really a growing concern. This is something I find most encouraging, primarily because I see Environment Week as an opportunity to increase people's awareness and involvement in their environment. As a government, we believe that this is critical to effective decision-making.

I am convinced that Manitobans are among the most environmentally aware of all Canadians. To me, the fact that Environment Week in Manitoba is so successful every year, is proof of that.

In closing, Madam Speaker, I would like to encourage all members to assist me in bringing attention to this important week.

Thank you very much.

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

**MR. A. KOVNATS:** Thank you, Madam Speaker.

I am pleased to join the Minister in inviting people to participate in Environment Week, starting next Monday. I would hope that the Minister has taken

safeguards to prevent any damage to the environment with the host of activities that are planned.

I would also like to suggest to the Minister that with this recycling rodeo that's planned, that a station be provided to accept the returnable aluminium cans that are contaminating our environment at this point.

Madam Speaker, I am also pleased that the First Minister will be assisting the Minister of Environment in opening Environment Week in Selkirk and as much as they do have some problems there with the environment, particularly with the water supply that we pass on to them from the City of Winnipeg; and I think that these do encourage us to be more aware of some of the problems that we have in the environment.

I would join with the Minister in welcoming everybody to participate in Environment Week.

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

**HON. M. HEMPHILL:** Thank you, Madam Speaker. It's my pleasure to table the Supplementary Information for Legislative Review, for Manitoba Development and Tourism; and Supplementary Information for Legislative Review, 1987-88 Estimates for Manitoba Housing.

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

### INTRODUCTION OF BILLS

**HON. R. PENNER** introduced, by leave, Bill No. 47 - The Human Rights Code; Code des droits de la personne. (Recommended by His Honour The Lieutenant-Governor.)

**MOTION presented.**

**HON. R. PENNER:** Madam Speaker, pursuant to the rules, I would like to give a short explanation. I propose a short statement today outlining the background to the Human Rights Legislation being introduced today with only a brief reference to some of its main features. On second reading, Madam Speaker, I will provide the House with a spread sheet, which will indicate those provisions of the current legislation being carried forward, those which are being changed, and those which are new.

Just a brief chronology, because I think this is a time to give some background. The first Human Rights Act in this province was passed in June of 1970, was re-enacted in 1974 in a quite considerable way. Additions since 1974 - some of them introduced when the Opposition was Government - included, for example, the addition of some additional prohibited grounds of discrimination, mental or physical handicap, family status.

Madam Speaker, in June of 1981, the Executive Committee of the Human Rights Committee met with the then Attorney-General, the Member for St. Norbert, to discuss a number of problems and developments in the Human Rights field, and the then Attorney-General requested a report from the Executive Committee. That report, as it happened, was delivered, not to the former Attorney-General, but myself, in February of 1982. And it made a number of recommendations, for example . . .

**A MEMBER:** Acted quickly?

**HON. R. PENNER:** Yes, they did, and probably rightly. They recommended, for example, in the state of the law that sexual harassment be added as a prohibitive ground of discrimination - harassment generally; pregnancy, because legal problems had been encountered in dealing with this issue; the paramountcy of the legislation; a fixed term of office; the giving of advisory opinions; the inclusion of additional prohibited grounds, including sexual orientation. All of that was contained within the report delivered to myself, as I say, in February of 1982; but probably the primary recommendation was, in light of the foregoing, the Manitoba Human Rights Commission strongly suggests that you appoint a five-member committee to investigate the whole area of human rights in Manitoba, with a view to making recommendations and suggestions for a new Human Rights Act in Manitoba. I accepted that suggestion and appointed, in fact, the whole commission headed by its then-chairperson, Professor Dale Gibson, to undertake that particular task.

In January of 1983, and subsequent thereto, the fact-finding commission held public hearings in Winnipeg and in Brandon, Steinbach, Beausejour, Thompson, The Pas, receiving over 200 presentations. And, on that, the commission went to work and on May 25, 1984, proposed what became a first draft of a new human rights code.

Madam Speaker, added to all of that background, the experience of the commission itself in administering the act, the effect of a number of recent court decisions; decisions which bear directly on some of the provisions of the existing act; changes in social values; changes particularly in the legal context in which the legislation operates; the coming into force of Section 15 of the Charter in 1985; the developments in human rights legislation in Ontario and Quebec and other provinces in Canada. The recommendations, I'm still here speaking of the legal context in which the bill operates, of an all-party parliamentary committee on equality rights in a report called "Towards Equality". All of these, demonstrated the need to clarify and update our human rights law to better serve our shared values, Manitobans shared values of fairness and equality, and our shared value, Madam Speaker, of the rejection of discrimination in a democratic society.

That's the background. Among the new provisions contained in the bill, which will be distributed in the House today are, for example, a contract compliance provision pursuant to which all companies contracting with the Provincial Government, would be required to respect the provisions of the code or risk losing the contract. The extension of prohibited grounds of discrimination, to include such things as sexual harassment; harassment generally with respect to some of the other grounds; pregnancy; political or religious activity, as well as beliefs; sexual orientation and gender-determined characteristics.

Reasonable accommodation is dealt with in the bill, and this follows hard on the heels of a very recent decision of the Supreme Court of Canada, a unanimous decision. This will require employers, service providers, landlords to provide for the special needs of disadvantaged Manitobans, for example, the physically

handicapped, if they can reasonably do so. We're talking about reasonable accommodation.

A number of other measures designed to strengthen the fairness of the legislation; for example, the advisory opinions, which was recommended in that report of the executive committee, prepared for the former Attorney-General pursuant to which, if someone seeks an advisory opinion on a course of conduct in employment or in adapting their building, and obtains an advisory opinion from the Human Rights Commission then, relying on that advisory opinion, in fact, constitutes a complete defence. So, there are a number of measures designed to enhance the fairness of the administration of the legislation.

Madam Speaker, I conclude this brief introduction by saying this, Manitobans have a record second to none in the country of protecting human rights and the dignity of persons of which we can be proud. These improvements in our human rights law strengthen those traditions of fairness and understanding. And, in that context, I am pleased to be able to introduce this bill for First Reading.

**QUESTION put, MOTION carried.**

**BILL NO. 48 - AN ACT TO REPEAL  
CERTAIN UNREPEALED AND  
UNCONSOLIDATED PUBLIC GENERAL  
STATUTES AND PARTS OF STATUTES  
(1871-1969)**

**HON. R. PENNER** introduced, by leave, Bill No. 48 - An Act to Repeal Certain Unrepealed and Unconsolidated Public General Statutes and Parts of Statutes (1871-1969); Loi abrogeant certaines lois générales d'intérêt public non abrogées et non codifiées et certaines parties de lois (1871-1969).

**MOTION presented.**

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

**HON. R. PENNER:** Madam Speaker, just a brief word. This is another in a series of bills, some of which have been introduced, which are carrying out the validation plan with respect to our statutes. This bill, as obvious from the title, will repeal some of the outdated and irrelevant statutes, rather than translate them.

**QUESTION put, MOTION carried.**

**HON. A. MACKLING** introduced, by leave, Bill No. 49 - An Act to Amend The Real Estate Brokers Act; Loi modifiant la Loi sur les courtiers en immeubles.

**INTRODUCTION OF GUESTS**

**MADAM SPEAKER:** Before moving to Oral Questions may I direct the attention of honourable members to the gallery where we have 29 students from Grade 6 from the Montrose School. They are under the direction of Mrs. Hanna, and the school is located in the Constituency of the Honourable Member for Tuxedo, the Leader of the Opposition.

On behalf of all the members, we welcome you to the Legislature this morning.

**ORAL QUESTIONS**

**Children's Aid Society - abandoned  
re too many children apprehended**

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

**MR. G. FILMON:** Madam Speaker, my question is for the Minister of Community Services and Corrections.

I wonder if she can indicate whether one of the major reasons why the former structure of the Children's Aid Society of Winnipeg was abandoned and the new decentralized system of Child and Family Services brought was a concern that too many children were being apprehended from their natural parents' homes.

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

**HON. M. SMITH:** Madam Speaker, the concerns were numerous. The non-openness of the board, the insensitivity to Native people, the undue reliance on interventionist procedures without a full range of options being considered, not the comment that the Leader of the Opposition has made.

**Child abuse - reassessment of policy**

**MR. G. FILMON:** Well, Madam Speaker, given that that undue reliance on interventionist procedures did, indeed, work to protect the interests of the children; and, in fact, the unwritten but clearly evident policy of this Minister and her department of returning children to their natural parents, even at risk of abuse, has resulted in a rash of deaths in infants and small children, will the Minister now reassess that policy and ensure that we return to the former interventionist procedures and stop the carnage of small children in this province?

**HON. M. SMITH:** Madam Speaker, there have always been deaths and abuse happening to children. The current system brings them up into the open and provides us with quick remedies.

The legislation that we put in clearly stated that the child's best interests were to be the prime consideration. We did say that family and cultural values were to be important factors, but nowhere - and I think the Leader of the Opposition said something about unwritten policy, not written or articulated - and I ask all members here, when they are considering government policy, that they should look at what the legislation says and what the Minister has said on repeated occasions, and not start rumours and then believe them.

**Child abuse - no. of child deaths  
since break-up of Children's Aid**

**MR. G. FILMON:** Madam Speaker, unfortunately the evidence doesn't support the Minister's spoken words.

Madam Speaker, I wonder if the Minister can indicate how many children have died in Manitoba in cases of child abuse since the break-up of the former Children's Aid Society of Winnipeg.

**HON. M. SMITH:** Madam Speaker, there are not even comparative data from before because the system was

not there to identify child abuse. There was not open access to the Children's Aid.

There are many more children in families now being given services. There is a system being built to identify child abuse and to remedy it and, hopefully in time, to prevent it. But the allegation made by the Leader of the Opposition is quite simply untrue.

**MR. G. FILMON:** Madam Speaker, I asked a question of information. I didn't ask for comparative data; I didn't make an allegation. I asked for statistics of how many children - young infants, children - have been killed, have died as a result of cases of child abuse in Winnipeg since the break-up of the Children's Aid Society of Winnipeg. What is the answer to that question?

**HON. M. SMITH:** Madam Speaker, the leader was inferring that the cause of these deaths were because of the break-up of the CAS. I said that that could not be inferred, because prior to that time, and prior to our attack on the whole field of child abuse, there were not systems in place to identify causes. There were babies who died, sudden infant death, and so on; there were many causes alleged and many unknown causes. What we have put in place is a system that can identify the causes.

Now the specific deaths that have occurred are all being investigated and run through the system, but there is no one simple solution. In some cases, the child has come from another province, a child at risk, and not been reported to us. There are many causes, Madam Speaker.

**MR. G. FILMON:** Madam Speaker, the Minister has indicated that her system has been able to identify these deaths and, in fact, attribute a cause to them. She, therefore, obviously has the statistics. Why won't she tell us how many of these deaths have occurred since the break-up of the Children's Aid Society?

**HON. M. SMITH:** Madam Speaker, the deaths are reported annually in the annual reports - The Fatality Inquiries Act. Look them up because they are there. They are made a public record, and we have been largely responsible for ensuring not only that the deaths are reported, but that they are carefully analyzed. The whole role of the Child Protection Centre has been developed and expanded under this government because we have initiated the assault on child abuse and we are determined to build a system that is capable not only of dealing with it but, hopefully, in time, preventing it.

**MR. G. FILMON:** Madam Speaker, this Minister has presided over the development of a system that has resulted in deaths in children in unprecedented numbers.

**MADAM SPEAKER:** Does the honourable member have a question?

**MR. G. FILMON:** Will she tell us how many deaths of young children and infants have occurred as a result of child abuse in the past year in Winnipeg?

**HON. M. SMITH:** Madam Speaker, there is a regular procedure for reporting on the deaths, but the member

opposite has a very simplistic notion as to what leads to abuse and neglect of children.

There are many causes, including poverty, including the failure of past generations and all political parties, all governments, to identify things like physical and sexual abuse. Increasingly, we are finding that children who come into the child welfare system have, themselves, or at least their parents, have in the past been neglected. So it's a question of trying to get to the root of the cause and start to deal with it.

All the anti-poverty issues that we are dealing with are also contributing to trying to give people a more secure environment, but the simple counting of numbers when they were never even counted or identified before is misleading, Madam Speaker.

### Hasiuk, E.- no decisions without consultation

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

**MR. G. MERCIER:** Thank you, Madam Speaker. I have a question for the Minister of Community Services.

Madam Speaker, would she inform the House that while she has been Minister, and while Mr. Mendelson was the Deputy Minister, and Mrs. Turnbull was the Assistant Deputy Minister, that Mr. Hasiuk could not make a decision as the director of child welfare without consulting either Mr. Mendelson or Mrs. Turnbull.

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

**HON. M. SMITH:** Madam Speaker, the internal organization of a department and the evaluation of performance and the sorting out of tasks is something that we account for to the Assembly annually. I think the redeployment of Mr. Hasiuk and the shifting around of people in the senior levels is part of a healthy development process because people bring different strengths to the jobs that they perform.

In the development process of Child and Family, we now believe that the phase we're entering into is a very assertive role on the calling of boards to be accountable under the legislation.

**MR. G. MERCIER:** Madam Speaker, the Leader of the Opposition asked a number of questions. This Minister did not answer directly one of them. She has not answered directly a simple question I put to her.

**MADAM SPEAKER:** Does the honourable member have a question?

**MR. G. MERCIER:** I have questions and I wish we would get some direct answers, Madam Speaker.

Why will she not answer the question as to whether or not Mr. Hasiuk's decisions were subject to review by Mrs. Turnbull and Mr. Mendelson?

**HON. M. SMITH:** I think I have answered the fact that the role of staff and their performance in their duties takes place within the department. Everybody brings certain strengths, certain weaknesses. In some cases,

we are dealing with decisions; in some cases, we are dealing with abilities to be proactive and to develop initiatives. Madam Speaker, each person is dealt with as an individual.

**MR. G. MERCIER:** Madam Speaker, she still did not answer the question. She hasn't answered one today.

**MADAM SPEAKER:** May I remind the honourable member that insistence on an answer is out of order and a Minister may decline without stating the reason for their refusal, and no debate is allowed.

**MR. G. MERCIER:** Can a Minister do that all Session, Madam Speaker?

**MADAM SPEAKER:** Order please. As Speaker, I am following the Rules of the House.

### **Maskiw, Ken - tabling of work record**

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

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

Madam Speaker, a further question to the Minister: Would she supply this House with the work record of Mr. Ken Maskiw who she has appointed as Interim Agency Director of Northwest Family Services?

How many jobs has he held and what are the reasons for the number of changes he has had in his employment record?

And will she assure the House that he is competent to handle the duty she has given?

**HON. M. SMITH:** Madam Speaker, I will take that as an Order for Return.

### **Maskiw, Ken - dissatisfied with performance**

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

**MRS. S. CARSTAIRS:** Thank you, Madam Speaker. My question is to the same Minister.

Ken Maskiw, who has been appointed Acting Executive Director of the Northwest Child and Family Services, on her department's recommendation, was formerly the manager of Winnipeg Regional Services, a position from which he was removed by the Minister, on the advice of her Deputy Minister, under allegations of being unfit to administrate the department.

Why would the Minister choose an individual to head this agency, obviously under stress, when she has formerly shown dissatisfaction with this individual's performance?

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

**HON. M. SMITH:** Madam Speaker, there were words such as allegation. A final evaluation of Mr. Maskiw's performance in his prior job raised some questions in some areas, but the overall evaluation was very solid.

Madam Speaker, we believe it is a healthy process within government to move people around periodically so that they can have a different area of experience, but also so that they can bring their particular strengths to a different areas of government. We believe that's good personnel practice.

### **Child and Family Services - director formerly held same position under Children's Aid**

**MRS. S. CARSTAIRS:** Can the Minister explain if there is a change of direction regarding regional delivery of Child and Family Services in that the new director of Child and Family Services, John Ross, formerly held that position under the Children's Aid Society at Winnipeg?

**HON. M. SMITH:** Madam Speaker, there is a new phase of activity in Child and Family Services and in the directorate. That is to build the modes of accountability by which the regionalized agencies can be held accountable to the Provincial Government under the mandate that they hold for delivery of service.

The initial phase of setting up the boards, of resourcing them, and of making them very much more accessible has moved along very well, Madam Speaker. We are now into the phase of strengthening the accountability procedures that the agencies and the directorate must follow in order that we have a fully responsible system.

### **MATTER OF PRIVILEGE**

**MADAM SPEAKER:** The Honourable Member for St. Norbert on a point of order.

**MR. G. MERCIER:** In fact, a matter of privilege, Madam Speaker, and I'll follow it with a subsequent motion.

Madam Speaker, I asked the Minister of Community Services about the work record of Mr. Maskiw, whom she appointed as the interim director of the Northwest Child and Family Services. She took that question as notice.

Immediately after, in response to a question from the Member for River Heights, she referred to the whole work record of Mr. Maskiw and talked about some shortcomings and some advantages and an overall evaluation, Madam Speaker.

I think that my having asked the question about his work record, and she taking that matter as notice and then responding in a subsequent question to another member of the House is a matter of privilege.

I would, therefore, move, Madam Speaker, seconded by the Member for Pembina:

THAT the responses of the Minister of Community Services today, in this matter, be referred to the Committee on Privileges and Elections for investigation, and report back to the House.

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

**HON. J. COWAN:** Madam Speaker, on the matter of privilege.

It seems passing strange that members opposite are now complaining because they have received information. Information is not - nor are questions - the personal property of any member of this particular House.

The Minister was asked a question; the Minister can choose to answer any question in any fashion in which he or she chooses. That is the long tradition of this House.

The Opposition House Leader knows full well that when he was in government, that he, himself, and his government members, on many occasions chose to answer questions in a certain fashion: chose to answer them fully; chose not to answer them; chose not to answer them fully. That is the tradition and the practice of the House and there is no matter of privilege as to whether or not a Minister answers one particular member or another.

This isn't a matter of who possesses that information. That information is for the public. Those questions are asked on behalf of the public. The Minister is giving full and factual information on those questions and always has given full and factual information on those questions.

In respect to the details of the matter of privilege, Madam Speaker, I would refer you to Citation 19(2) of Beauchesne, where it shows very clearly that the failure of a Minister of the Crown to answer a question may not be raised as a question of privilege.

I would suggest that the converse is true, that the Minister or Crown answering their question, which is what we are supposed to do in this Chamber, would therefore not be a matter of privilege and it is out of order.

**MADAM SPEAKER:** The Honourable Member for Pembina on the point of order.

**MR. D. ORCHARD:** Yes, Madam Speaker, to the same matter.

Madam Speaker, we accept from time to time that we have to put up imposing questions to a Minister of this government that have turned non-answer of questions into an art form. We accept that the rules that you have to apply in this House allow Ministers never to answer a direct question, and the people of Manitoba know that this government seldom answers questions.

But, Madam Speaker, this is not the circumstance of this matter of privilege, because this Minister stood up and took a question as notice as to the previous work record of one Mr. Maskiw and then immediately following proceeded to answer to another member of this House, laying out the details of that previous work experience. Clearly, she is hiding from the truth, and the people of Manitoba and this House . . .

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

**MR. D. ORCHARD:** . . . will not allow her to continue to not answer, to members of this House, answers to specific questions. We accept, Madam Speaker, the art form of non-answer, but you can't confuse this House . . .

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

Would the Honourable Member for Pembina please come to order.

May I remind honourable members that advice to the Chair on this kind of an issue is to be on the technicalities, not the substance, of the debate.

The Honourable Minister of Community Services.

**HON. M. SMITH:** Madam Speaker, the Member for St. Norbert asked for the work record, which I presume is a lengthy detailed record of the individual in question.

The Member for River Heights asked about a specific incident and position about which I did have information.

I think I was consistent in the way I answered, and I have undertaken to . . .

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

My same admonishment applies that any advice is to be on the technicalities, not on the content.

The Honourable Member for Lakeside.

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

Speaking to the same matter of order, or point of order . . .

**A MEMBER:** A matter of privilege.

**MR. H. ENNS:** . . . on a point of privilege, the specific point of privilege, Madam Speaker, is very clear. The rules provide that all members be treated equally in this House. That's very clear. The fact that a Minister of the Crown chose not to treat all members equally in the House is the breach of privilege.

The Opposition House Leader asked a specific question of the Minister; the Minister declined the information and said she would take it as notice. When the same question was asked by another member of the House, the information that my colleague, the Member for St. Norbert, was seeking, was being provided.

Whether to the full extent or not is beside the point, Madam Speaker. I am trying to abide by your ruling and not discuss the issue.

The fact of the matter is that she began to detail part of the work record that was denied to the Member for St. Norbert. That is the question of privilege, is the application of the rules be equal to all members of this House.

**MADAM SPEAKER:** I will take the honourable member's motion for privilege under advisement and report back to the House.

**Min. of Community Services - list of DM's, ADM's and directors in the Department**

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

**MRS. S. CARSTAIRS:** Yes, with a final supplementary, Madam Speaker, to the same Minister.

Will the Minister provide the House with a list of all Deputy Ministers, ADM's and directors of her department since she assumed the position so that we

can see the length of service and if, in fact, there is any continuity at all in her department.

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

### **Brandon General Hospital - closure of beds, approval of**

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

**MR. D. ORCHARD:** Thank you, Madam Speaker. My question is for the Minister of Health.

The Brandon General Hospital Board proposed the closing of some 49 beds effective June 1 of this year. Has the Minister approved that board policy for Brandon General Hospital?

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

**HON. L. DESJARDINS:** Madam Speaker, immediately after question period, I intend to meet with the staff of the Manitoba Health Services Commission, who have been discussing this with the Brandon Hospital, and answer. The request from the hospital will be presented to me and a decision will be made this morning and Brandon will be informed.

### **Closure of beds - decision re Winnipeg hospitals**

**MR. D. ORCHARD:** Madam Speaker, a supplementary question.

Is the Minister also considering requests and advice from the Manitoba Health Services Commission of bed closures at a number of Winnipeg hospitals, the Health Sciences Centre, St. Boniface, Concordia, Victoria? Are those decisions as well to be made this morning?

**HON. L. DESJARDINS:** I think that we should understand that there are the closures that happen periodically, every year, ever since the hospitals have been open - I'm talking about in general now - which is something that the hospital never had to check with the government, except to make sure that the standards were not reduced; lately, with the policy that we had, that staff would not be discharged. I want to make sure that we understand that.

Now that will be and is being discussed independently with the commission. There has been an addition to that, the hospitals, when they were advised that we wanted to phase-out and not to allow in the future, a deficit, that some of them came up with and asked how they would deal with this, they all made a presentation and that included full-time closure and that certainly will not be announced this morning. That is still between the commission and that hasn't been brought to my attention yet.

### **AIDS - investigation re infected prostitutes**

**MR. D. ORCHARD:** Madam Speaker, on a new question to the Minister of Health.

Madam Speaker, given that on the 27th of May, the Minister of Health responded to the MLA for River East, in response to a question about prostitutes with AIDS being investigated by his department, the Minister replied, if any such prostitute is identified, we certainly will take action.

Madam Speaker, given that Chief Stevens discussed the names of prostitutes alleged to be carrying the AIDS virus with Dr. Margaret Fast up to a month ago, can the Minister indicate what investigation his department took to assure that that activity of prostitution by people carrying the AIDS virus and spreading death is not happening in Winnipeg?

**HON. L. DESJARDINS:** Madam Speaker, there's been a number of allegations. A few weeks ago, there has been an allegation that a male prostitute was purposely - I think the word was - or voluntarily or knowingly was taking a chance of spreading disease. I've tried to get that name. Apparently a councillor of the City of Winnipeg has had this information, repeatedly I'm trying to get the information; up to now, of no avail.

I heard yesterday or two days ago for the first time - in fact, it was the honourable member in a question that I misunderstood at the time - I thought we were still talking about the male prostitute who said that the Chief of Police knew of names or knew of one female prostitute who was apparently doing. I never heard from the Chief of Police and it's very clear, the Public Health Act says that when a person has, or is suspected of having a notifiable disease, or other disease dangerous to the public health, the director or where the person is within jurisdiction of a Medical Officer of Health, the Medical Officer of Health may, in his absolute discretion, order the person to be admitted to a hospital, order the person to be isolated, or order the person or any other person exposed to the infection, or both, to be quarantined, or disorder the premises in which the person resides before indeed, or he may take any one or more of the actions set out in Clause A,B,C and D.

And my answer was that the Chief could go, but didn't have to deal with this department at all - that's why they have a medical officer - could go to the Medical Officer of Health of the City of Winnipeg, and the act allows them to deal as they see fit.

### **AIDS - Dr. Fast aware of infected prostitutes**

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

**MR. D. ORCHARD:** Possibly I might pose the direct question to the Minister of Health.

Was Dr. Margaret Fast made aware some month ago, of the names of prostitutes suspected of carrying AIDS, by the Chief of Police?

**HON. L. DESJARDINS:** Madam Speaker, I don't know. I've never been informed of this at all; this is the first time. - (Interjection)- Yes, I will ask.

**MR. D. ORCHARD:** Madam Speaker, this issue has been raised with this Minister some two weeks ago and he is still going to ask.

### **AIDS - Min. to empower staff to undertake investigation**

**MR. D. ORCHARD:** Madam Speaker, my question to the Minister is, will the Minister upon discussing with Margaret Fast, and identifying prostitutes alleged to be carrying AIDS, will the Minister invoke Section 21 of the Public Health Act and direct a Public Health Nurse, or a Public Health Inspector, or a Medical Officer of Health, to investigate the cause of any disease and, under the act, have the capability of doing that, given the full powers of Section 5, Part 5 of The Manitoba Evidence Act, which empowers them to question people and make sure they are getting proper information?

Will the Minister empower people in his department to undertake that investigation?

**HON. L. DESJARDINS:** Madam Speaker, they already have. They already have been empowered to do that.

Now I want to make sure that we understand. If the Chief of Police of Winnipeg or anyone gets in touch with me, I will repeat what I said today, that he has the right - (Interjection)- No, he doesn't need me at all. The Chief of Police, if he has any concern, could go and see the Medical Officer who is a professional and they could - I just finished reading the Act - - (Interjection)- but I'm not the Medical Officer of Winnipeg.

The Minister of Health is not a dictator in this province. There are other areas, there's other people who have a responsibility that get paid a hell of a lot more than the Minister of Health, to accept that responsibility, and that could be done. And you'd be the first one, I can just imagine if we said, no, we're going to keep this right only for us, we're going to change the act and from now on the Medical Officers won't count. It is the politician who will decide who'll be quarantined, and so on.

I know what you're looking at. I don't know what you're looking for. If you're looking for action, fine.

The Chief of Police works for the City of Winnipeg and if there's a person that is dangerous to the citizens of Winnipeg, the Medical Officer of Winnipeg has a right to deal with them and he should.

### **AIDS - Police Chief has no powers to investigate**

**MR. D. ORCHARD:** Madam Speaker, would the Minister, when he contacts Dr. Margaret Fast, inquire of her whether she informed the Chief of Police that he had no such powers as this Minister is alleging, in the act? Will the Minister, after making that inquiry, take his responsibilities seriously instead of accusing others of not taking their responsibility seriously, and investigate?

**HON. L. DESJARDINS:** I don't think I've ever shied away from taking my responsibility, Madam Speaker. Yes, I intend, as soon as it was brought to my attention, which is this morning, that Dr. Fast had had a discussion with the Chief of Police. I certainly intend to ask her what this is all about and get her version of it. You shake your head. What the hell do you want me to do?

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

### **AIDS - Min. to pursue with warrant**

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

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

Madam Speaker, I just want this Minister of Health to carry out the provisions of The Public Health Act.

**MADAM SPEAKER:** Does the honourable member have a question?

**MR. D. ORCHARD Yes, Madam Speaker.**

**Madam Speaker, Section 25 . . .**

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

**MADAM SPEAKER:** Order please.

**MR. D. ORCHARD:** Madam Speaker, Section 25(1) of The Public Health Act, allows the Minister of Health, or his designate in the department, where an individual such as a prostitute with AIDS refuses to co-operate, that they can seek a warrant through the courts, by which a police officer can then pursue his duties and remove a prostitute with AIDS from the streets.

Will the Minister permit himself and his staff, will he do it himself and pursue that warrant, where AIDS prostitutes are not co-operating with his department?

**HON. L. DESJARDINS:** Madam Speaker, any rumours or any report of anyone acting as has been stated, a prostitute acting as has been stated, I would have to identify it. I've tried to get names on a number of occasions. I was never given any names or anybody identified. I told you and yes, I did answer that we would take proper action if we can identify this male prostitute. I certainly don't know how else - I've talked to our regional people; I've talked to staff; I've talked to everybody.

The second case - we're dealing with the Chief of Police of Winnipeg, who has the means. Now you very conveniently, or the member very conveniently listed and named the people that can act, that have the responsibility and the power. But he forgets very conveniently that the Medical Officer of the City of Winnipeg has the same power, and that is his responsibility. They deliver much of the health care, the responsibility in the Core Area of Winnipeg. It's very easy. The chief only goes to his Medical Officer and says, here, that's it. That's fine. If for some reason, to make sure that you know that I'm not trying to evade, hide anything from anybody, if for some reason anything is brought to our attention that we don't agree with, that we think that the Medical Officer hasn't acted properly, then we will look at the situation and won't hesitate to do what we feel is right.

**MR. D. ORCHARD:** Madam Speaker, I don't know whether members opposite aren't concerned, but certainly I appreciate you recognizing me again.

Madam Speaker, the Minister indicates that the City Medical Health Officer in the employ of the city has that authority. That makes it imperative that the Minister would investigate with Dr. Margaret Fast, whether she

had provided the Chief of Police advice as to whether the chief indeed did not have those powers, and indeed that the Chief of Police has been given legal advice that this act does not allow him to do it, that the Minister must initiate.

**MADAM SPEAKER:** Order please. That question is repetitious.- (Interjection)- That question is totally repetitious.

The Honourable Member for Portage la Prairie.

**A MEMBER:** This is a serious matter, Madam Speaker, let's get some answers.

**MADAM SPEAKER:** The question is out of order. You can't answer a question that's out of order.

### Tourism - plans to reverse decline

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

**MR. E. CONNERY:** Thank you, Madam Speaker. My question is to the Minister of Tourism.

Last year, after it was reported in one month that foreign visitors were down, the Minister said that one month does not a season make. Madam Speaker, we have just experienced - and I don't know if it's a record - but 12 consecutive months of decline in foreign tourism.

What is this Minister going to do to reverse this situation, because it's costing this province valuable jobs and I don't want her alibiing that Manitobans are taking up the slack, Madam Speaker, because statistics show that this is not so. We are losing valuable jobs because we are losing tourists.

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

**HON. M. HEMPHILL:** Thank you, Madam Speaker.

Well I must say, Madam Speaker, that the Member for Portage la Prairie is being absolutely consistently negative about an industry that is doing very well in Manitoba, the tourism industry.

Madam Speaker, I've never seen anybody do a better job of taking a small fact or a small piece of information and turning it around and making something that was tremendously successful look bad.

One of the examples is what he did with Rendezvous Canada, which to all reports, has been the best Rendezvous Canada ever held in this country in 10 years, Madam Speaker.

**MADAM SPEAKER:** Order please. May I remind the Honourable Minister that answers to questions should not provoke debate.

The Honourable Member for Portage la Prairie on a point of order?

**MR. E. CONNERY:** No, I thought she was finished, she should be.

**HON. M. HEMPHILL:** No, I'm not finished, no.

Madam Speaker, I just wanted to make the point that we have across there a "negative nabob of negativism" that wants to try and make tourism look bad, to the point that he asked, the U.S. overnight visitors -(Interjection)- The question he raised is about a drop in U.S. overnight tourists, Madam Speaker, and the latest statistics that are out do show a decline and the reason for that is, now you'll want to know this, you'll want to know the reason for it this month, that last year Easter was in March and this year it is in April

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

**HON. M. HEMPHILL:** Just wait - the loss of U.S. overnight visitors was 1,600 and we had 1,900 visiting Manitoba during Easter from the States and that is the direct reason for the loss, Madam Speaker.

### Liquor Commission - review of taxes

**MR. E. CONNERY:** Madam Speaker, my question is to the Attorney-General, the Minister in charge of the Liquor Commission.

Madam Speaker, the people of Manitoba say this incompetent government is driving people to drink, but we can't afford to. Unfortunately, Madam Speaker, we can't afford to because of the extra increases on taxes, but it's had another negative effect . . .

**MADAM SPEAKER:** Does the honourable member have a question?

**MR. E. CONNERY:** . . . that the Minister of Tourism should recognize, is that sales in licensed restaurants have had a 15 percent decline. Will this Minister in charge of the Liquor Commission review taxes, some of the highest in Canada, and they're double those in the States and that's one of the reasons why foreign visitors are not coming to Canada. Will this Minister review it?

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

**HON. R. PENNER:** Madam Speaker, this may come as a bit of surprise to the Member for Portage la Prairie, but many things do. I, in fact, constantly keep under review our prices, compared to prices in other provinces. In some instances we're near the top, in some instances we're near the middle, and it changes virtually from provincial budget to provincial budget. We've yet, for example, to hear about the Saskatchewan budget. I expect that there may be some increases in their liquor taxes there and that will change the relationship. What also has to be realized, Madam Speaker, is that many - indeed most - of the price increases that take place throughout the course of the year are not related to provincial taxation at all, but are related to supplier increases, excise tax increases, put in by the Federal Government, things of that kind.

And finally, one should realize that there has been overall - including Ontario where there are some taxes lower than ours - a reduction in the amount of liquor being consumed, and probably that's a very good thing and shouldn't be knocked.

### Gull Harbour Resort - verify cost of highway

**MADAM SPEAKER:** The Honourable Member for Portage la Prairie, with a final supplementary.

**MR. E. CONNERY:** Yes, my final question, Madam Speaker, is to the super Minister in charge of Crown Corporations.

**MADAM SPEAKER:** Order Please. Would the Honourable Member please address members properly?

**MR. E. CONNERY:** Oh, okay, sorry he's not that super.

**A MEMBER:** He's not a super Minister.

**MR. E. CONNERY:** I withdraw that, he's not super, Madam Speaker. But to the Minister in charge of Crown Corporations. Madam Speaker, in the Crown Corporation Estimates, I indicated that it could cost \$10 million to build a 25 kilometre road into the Gull Harbour Resort on Hecla Island. Will the Minister verify the cost of this unnecessary highway to a resort that is costing the people of Manitoba millions of dollars and is deferring valuable highway money away from highways like Highway 75, which is killing tourism . . .

**MADAM SPEAKER:** Order please.

**MR. E. CONNERY:** . . . and is killing people. Will he . . .

**MADAM SPEAKER:** Order please, order.  
That question is not in the Minister's jurisdiction.

**A MEMBER:** Yes, it is Madam Speaker.

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

**A MEMBER:** He's supposed to know everything. The Crown Prince.

### Equity program for farmers - government's position on

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

**MR. C. BAKER:** Thank you, Madam Speaker, my question is to the Minister of Agriculture. This past week at the first Western Ministers' Conference, there was discussion by the Agricultural Ministers about an equity program for farm finances. Could the Minister tell us what the Manitoba Government's position is on this?

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

**HON. B. URUSKI:** Madam Speaker, this proposal was put forward by the Government of Saskatchewan, and

has indeed brought us a lot of concern because it in fact could change the face of agriculture as we know it in Western Canada. And that is that we believe that agriculture is the family farm concept, is the cornerstone of agriculture by ownership and operators running the farm land in Western Canada. This proposal would in effect take away the ownership and the control of farm land away from family farmers and we have great concern to this proposal, Madam Speaker.

### James, John, Jr.- cost of trials

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

**MRS. G. HAMMOND:** Yes, Madam Speaker, my question is to the Attorney-General. It's about the case of John James Jr. twice found guilty of first degree murder in the death of three-year-old Ruby Adriaenssens. What is the cost to Legal Aid of the first trial and the first appeal, the second trial and the estimate of cost of the second appeal?

**HON. R. PENNER:** I'll take that as notice.

### James, John Jr.- what basis for grant re second appeal

**MRS. G. HAMMOND:** To the same Minister, Madam Speaker, on what basis did the Legal Aid board grant a certificate for the second appeal?

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

**HON. R. PENNER:** I'll take that as notice. I must say, in general, that clearly and properly the issue of whether or not an appeal certificate is to be issued is a decision to be made by the board of Legal Aid and ought not to be interfered with by the Attorney-General of the province at any time.

### Farm land - tax on sale of

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

**MR. C. MANNES:** Madam Speaker, I direct my question to the Minister of Finance.

Why is the government at this time taxing the sale of farm land when many of the sales are a result of winding down the operations of farms as a result of the loss of financial viability?

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

**HON. E. KOSTYRA:** Thank you, Madam Speaker. I thank the member for his question with regard to taxation in the Province of Manitoba.

I note that the member and some of his colleagues have been out talking to Manitobans about taxes and I understand, last night, they were in the Town of Gimli where they were talking to people, people in the agriculture area, farmers about taxation. After leafletting

most of the province, they were able to get 11 people out to the meeting. Oh, I'm sorry, there were more than 11, because there were seven Caucus members there in addition to the 11 citizens of the Gimli constituency.

I'd ask the member to give me some detail in terms of the issues he's talking about, so that I can answer his question specifically.

**MR. C. MANNESS:** Madam Speaker, I was positive that the Minister of Finance realizes his new flat tax would now be applied . . .

**MADAM SPEAKER:** Does the honourable member have a question?

**MR. C. MANNESS:** Well, Madam Speaker, the Minister asked me to amplify the question and I'm doing that.

Madam Speaker, the government, in implementing a new flat tax, is now taxing capital gains of farm lands, much of it being forced onto the land because of the loss of financial viability.

My question again to the Minister, given that in 1982 this government brought forward the exemption on the sale of farm lands with capital gains exemption, why now are they taxing the capital gains associated with the sale of farm land?

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

If one reviews -(Interjection)- that was a big one in St. James too, 60 people. The Member for Pembina was interjecting, Madam Speaker, I'm sorry.-(Interjection)- Be patient. That will come too and you will lose like you did in the last two.

The situation with the approach that this government has taken with respect to taxation for farmers has been one to ensure that farmers do not bear undue burden of taxation, just as we attempt to ensure that other people in severe economic situations do not bear undue burden of taxation. If one looks at the measures in the Budget, one knows that there were actual reductions in taxation for farmers with respect to property taxation, or land taxation, with respect to school taxes. There were other areas that farmers were spared taxes because of their income situation, Madam Speaker, in regard . . .

**MADAM SPEAKER:** I'm rising because time for Oral Questions has expired.

The Honourable Minister of Health on a point of order.

**HON. L. DESJARDINS:** I'd like to make an announcement.

**MADAM SPEAKER:** An announcement?

**HON. L. DESJARDINS:** Madam Speaker, the seminar of the information meeting that I talked about, to inform and answer questions re AIDS will be held at Room 254, on Tuesday, the 2nd, at 7:30 p.m. I would want to say, although I only see one this time, that the members of the media are certainly invited as well as the members of the House.

## MESSAGES

**MADAM SPEAKER:** The Honourable Minister of Consumer and Corporate Affairs.

**HON. A. MACKLING:** Madam Speaker, I would like to have leave to indicate that Bill 49 has a message from His Honour and I would like to give that.

**MADAM SPEAKER:** Does the Honourable Minister have leave? (Agreed)

**HON. A. MACKLING:** Yes, Madam Speaker, in respect to Bill 49, His Honour, the Lieutenant-Governor, having been advised of the contents of this bill, recommends it to the House.

**MADAM SPEAKER:** The Honourable Minister of Culture, Heritage and Recreation.

**HON. J. WASYLICIA-LEIS:** Yes, I'm wondering if I could ask leave today for a non-political statement?

**MADAM SPEAKER:** Does the Honourable Minister have leave? The Honourable Minister is not granted leave.

## ORDERS OF THE DAY HOUSE BUSINESS

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

**HON. J. COWAN:** Yes, Madam Speaker, on a matter of House Business, I'd like to indicate that there have been discussions regarding committee meetings next week. The Public Accounts Committee will be meeting at 10:00 a.m. on Tuesday, June 2, to consider the Auditor's Report; and the Standing Committee on Public Utilities and Natural Resources will be meeting at 10:00 a.m. on Thursday, June 4, to continue its consideration of the Report of the Manitoba Telephone System.

Madam Speaker, would you please call Second Readings first, starting with Bill 39, 42 and 44; and following through after such readings on that, if time permits, on the Debate on Second Readings as outlined on pages 2, 3 and 4 of the Order Paper, starting with Bill No. 15, and working your way in order through to and including Bill No. 37?

## SECOND READING

### BILL NO. 39 - THE CITY OF WINNIPEG ACT

**HON. G. DOER** presented Bill No. 39, An Act to amend The City of Winnipeg Act (2); Loi modifiant la Loi sur la Ville de Winnipeg (2), for Second Reading.

**MOTION** presented.

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

**HON. G. DOER:** Thank you very much, Madam Speaker. Bill 39 is An Act to amend The City of Winnipeg Act. There are two substantive amendments in this act of a policy nature, Madam Speaker, and there are other amendments in the act that are amendments of an

administrative nature that have been proposed with the City of Winnipeg and make good sense, we feel, for the change in the City of Winnipeg.

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

The two substantive amendments to the act is firstly an amendment to establish an independent ward and community committee boundary review commission, Mr. Deputy Speaker, which will be the first time for the City of Winnipeg; and the second substantive recommendation in the act is establishing a Business Improvement Zone or "BIZ" for the City of Winnipeg.

Both these amendments, Mr. Deputy Speaker, have been in our White Paper, and we felt that we should proceed at this time, notwithstanding the fact that we plan on redoing the whole act in the '88 Session. We should proceed at this time with these two amendments because one is an independent Boundary Commission, is long overdue, and should be in place so that it can establish itself prior to the Civic election in 1989.

And secondly, the BIZ legislation that was proposed by City Council and approved by the Chamber of Commerce and the Downtown Business Association through a task force this last year, is needed to be in place to get on with the work that is necessary, or felt to be necessary by the business community in the City of Winnipeg.

In terms of the Boundaries Commission, Mr. Deputy Speaker, we have felt, and I personally have felt, that the Boundary Commission proposal, the Independent Boundary Commission, has worked well for Manitoba as a method of establishing boundaries.

It is a superior method to having ad hoc boundary commissions established by the Government of the Day, choosing individuals that they feel are acceptable to adjust the boundaries and often being potentially perceived to be ones that may be or may not be sympathetic to the Government of the Day.

The boundaries of the City of Winnipeg, which quite frankly are long overdue for adjustment, should be adjusted we feel on an every nine-year basis as proposed in the act, and that is after every three Civic elections; and the boundaries should be developed by a group that has statutory authority and we are proposing for the City of Winnipeg that that be the Chief Justice of the Court of Queen's Bench, the President of the University of Winnipeg and the Returning Officer of the City of Winnipeg. We have consulted with the City of Winnipeg on these individuals informally, but they may have more formal advice at a later point.

We are also proposing that the Boundary Commission have public hearings before it submits its report, and that we will have provisions introduced requiring public hearings to be held after the Commission has prepared its reports and recommendations in order to permit citizens to raise any objections concerning and regarding the proposed boundary adjustments.

The bill also provides a population quotient, Mr. Deputy Speaker, and I think this is very important. The latest census data, divided by the 29 wards - and we should point out that there is always some controversy about the number of wards in the City of Winnipeg, Mr. Deputy Speaker - it is in the mid-range of cities in this country. It will be one councillor per 21,000

residents of the City of Winnipeg. Some people have argued that its council size should be decreased, as some have argued it should be increased. We feel that the one per 21,000 may not be politically popular but may be a more acceptable way in our democratic process for people to be represented at the city level.

We propose that the quotient be similar in format to The Municipal Act and The Electoral Divisions Act and we're also proposing that variations of ward populations are not to be 10 percent more or less than determined by the quotient for each ward, which will provide guidelines to the Commission when dealing with the wards.

One other significant change in the Boundary Commission proposal, Mr. Deputy Speaker, is the fact that the wards will have a similar - previous provisions have been dealing with electors, this language is consistent with population, which are residents in a ward, which is again consistent with The Electoral Divisions Act, which refers to residents.

There are criteria introduced for the consideration of the Community Committee Boundaries and those are specified in the act to be the diversity of interest to the population, communication, physical features and other relevant features.

The second substantive amendment, Mr. Deputy Speaker, is a provision in the act to enable City Council to establish by-law business improvement zones in the City of Winnipeg. We have received a copy of a proposal from the City of Winnipeg. In fact, I believe it was forwarded to us by the former Deputy Mayor, now the Member for Charleswood. The proposal itself requested that we establish the BIZ provision in the act, but the how to of doing that, Mr. Deputy Speaker, was left for the Department of Urban Affairs to consult with the various business community groups.

We have had extensive meetings with the Winnipeg Chamber of Commerce, with the Downtown Business Association and other groups. In fact, we had a task force, consisting of members of Urban Affairs Department and the business community, in dealing with some of the key components of a BIZ provision for the City of Winnipeg. This legislation, of course, Mr. Deputy Speaker, is enabling legislation that provides some of the rules and ground rules for protecting the majority and protecting the minority, in terms of the consideration of a BIZ, and leaves the refereeing of those decisions basically up to City Council as the elected representatives dealing with the City of Winnipeg. This, again, I think, is consistent with the way in which other BIZ's have worked, or business improvement areas have worked in this country.

We also have a referral to the community committee for purposes of citizen involvement. If, for example, a BIZ is proposed in a street in a suburban area that has a high residential area, there is some method of consulting back and forth between the citizens committee and the business of the area so that we don't perhaps have a garish proposal that is totally out of step with the citizens without the right of involvement. Of course, if there is a disagreement between the citizens and the business improvement zone area, the City Council will have the right to arbitrate and decide those decisions.

We have a number of other minor amendments to the act. Some of them are overdue. The delineation

of the Chief Commissioner's job has been deleted in some ways. That has been a request to the City of Winnipeg. It's also consistent with our philosophy, stated in the discussion paper of the City of Winnipeg - and I would like to be working on this over the whole year, I mean this act is so large that we literally have to decide everything, and it's to my mind absurd - that administrative matters and the administrative responsibilities be allowed to City Council and the officials of City Council, the elected representatives, rather than some paternalistic body.

One amendment that is fairly interesting, Mr. Deputy Speaker, is that the city be allowed to have river bank stabilization work through a local improvement levy. This amendment was requested by the city. I think it's a very sensible amendment. It would allow property owners representing three-fifths of a total frontage to be assessed through a local improvement levy petition to the City of Winnipeg for purposes of a local improvement of the bank stabilization, a very positive ability of citizens to collectively protect the banks of their property and banks of our rivers.

Bill No. 39, as I say, Mr. Deputy Speaker, is fairly straightforward. I would certainly be interested to hear the debate on it. It represents one of the first steps in terms of proceeding with many of the proposals in our White Paper, which I'm sure we're going to be discussing at length in Estimates. We think they're sensible proposals. We think the fact that there was no boundary commission in the City of Winnipeg, Mr. Deputy Speaker, for the last period of time is not healthy for our city. But I wanted to get a long-term proposal for the City of Winnipeg, an independent commission proposal, rather than just last year establishing an ad hoc committee just prior to the election.

So, Mr. Deputy Speaker, I look forward to the comments from members opposite. An independent boundary commission in the City of Winnipeg, and the provision of a business improvement zone for Winnipeg businesses to gather together to improve their collective commercial operations, a proposal that was developed by the Chamber of Commerce, by the Downtown Business Association, by members of the Urban Affairs Department, with quite a bit of work, Mr. Deputy Speaker, and in consultation with the City of Winnipeg. So I would recommend the bill to this House.

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

**MR. J. ERNST:** Thank you, Mr. Deputy Speaker, I move, seconded by the Member for Riel that debate be adjourned.

**MOTION presented and carried.**

**MR. DEPUTY SPEAKER:** On the proposed Motion of the Honourable Minister of Highways and Transportation, Bill No. 23, standing in the name for the Member for Minnedosa.

**BILL NO. 42 - THE CONSTRUCTION INDUSTRY WAGES ACT**

**HON. A. MACKLING** presented Bill No. 42 - An Act to amend the Construction Industry Wages Act; Loi

modifiant la Loi sur les salaires dans l'industrie de la construction, be now read a second time.

**MOTION presented.**

**MR. DEPUTY SPEAKER:** The Honourable Minister of Labour.

**HON. A. MACKLING:** Thank you, Mr. Deputy Speaker, I have copies of my introductory remarks and a copy of the spread sheet.

Mr. Deputy Speaker, I rise to offer a brief explanatory comment on the main principles outlined in this bill. When The Construction Industry Wages Act was first enacted in 1964, it did not provide for a definition of what constituted the construction industry, or definitions of what constituted different sectors of the industry such as heavy construction, or industrial, commercial and institutional construction, or house building. Problems associated with the absence of such a definitions were generally dealt with through administrative policy and occasionally through litigation before the courts.

In 1974, a construction industry review committee consisting of employer and employee representatives from various sectors of the construction industry was established to review the act including the problems associated with the absence of definitions.

This committee reported to the Minister in 1977 and recommended definitions for such expressions as building construction, residential construction, and heavy construction. The committee specifically recommended that the definitions be located in the regulations since they were very complex and would likely require refinements to be made over time.

The definitions recommended by the committee were thereafter reviewed by the three construction industry wages boards appointed under the act, as well as by senior officials within the Department of Labour.

Subsequent to this review process, a definition of heavy construction was incorporated in the regulations in 1981 and definitions for construction industry; industrial, commercial and institutional construction and house building were incorporated in the appropriate regulations in 1984.

While the above-noted definitions were added to the regulations, the act itself remained silent on what constituted the construction industry and did not clearly and explicitly empower the Lieutenant-Governor-in-Council to make regulations defining what constituted the construction industry. The view was that the Lieutenant-Governor-in-Council's general regulation making powers would be sufficient to enable the defining of such terms and expressions in the regulations. However, as a result of recent labour board and court decisions, it now appears that the general regulation-making power is not sufficient to enable defining terms, like "construction industry" and "heavy construction" in such a way as to make the provisions of the act and regulations applicable to certain types of repair and maintenance work,

In general, the Manitoba Court of Appeal concluded that the regulations did not effectively bring within the act, businesses which were outside the act. The impact of this decision has been to remove from the application

of the act, certain categories of employers and workers who have hitherto been subject to the provisions of the act. Since the intent is to have the act apply to these categories of workers, it is now deemed advisable and necessary that the act be amended to achieve this intent.

In more specific terms, the construction industry has been viewed through policy prior to 1981 and 1984 and through definitions set out in the regulations since then, as including not only new construction but also certain types of repair and maintenance work performed by certain categories of workers. The Court of Appeal decision referred to above or earlier, has in effect, removed virtually all repair and maintenance work from the application of the minimum wage and hours of work provisions of the act.

In view of the fact that this is not the intent of the act and that the court's decision appears to rest on the silence of the act as to what constitutes the construction industry and the absence of specific regulation-making power to define what constitutes the construction industry, or various sectors of the industry, it is being proposed that the act be amended to explicitly empower the Lieutenant-Governor-in-Council to make regulations defining certain terms and expressions that have, in fact, been set out in the existing regulations for several years, and by incorporating other minor wording changes to ensure that the act made by regulation, be made applicable to certain types of repair and maintenance work.

This proposal contained in this bill, is supported by the three construction industry wages boards which are appointed under the act and which are comprised of both employer and employee representatives. As well, the proposal is supported by representatives of the Winnipeg Construction Association. Furthermore, in terms of enforcing the requirements of the act and the regulations thereunder, the level of fines provided for in the act has not served as an effective deterrent against contraventions.

These fine levels have not been adjusted since the act was first enacted in 1964 and remain at a maximum fine of \$100, in the case of an employer who is an individual and \$1,000 in the case of an employer who is a corporation. It is therefore also proposed that the level of fines be increased so as to provide for a more effective deterrent. It is also proposed that a minimum fine, as well as a maximum fine, be provided for.

Mr. Deputy Speaker, with those remarks, I commend this legislation to the House. In essence what it does, is restore by virtue of these amendments, the provisions that had been sought to be enforced until they were put into serious question by court ruling. Thank you, Mr. Deputy Speaker.

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

**MR. G. MERCIER:** Mr. Deputy Speaker, I move, seconded by the Member for Morris, that debate be adjourned.

**MOTION presented and carried.**

## **BILL NO. 44 - THE COAT OF ARMS, FLORAL EMBLEM AND TARTAN ACT**

**HON. J. WASYLYCIA-LEIS** presented Bill No. 44, An Act to amend the Coat of Arms, Floral Emblem and Tartan Act; Loi modifiant la Loi concernant les amoiries, l'emblème floral et le tartan du Manitoba, for Second Reading.

**MOTION presented.**

**MR. DEPUTY SPEAKER:** The Minister of Culture, Heritage and Recreation.

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

Manitoba has been blessed indeed by the quality and imaginativeness of the official symbols of our province. The Coat of Arms, with its distinctive and impressive bison, the Floral Emblem, our Prairie Crocus, chosen by school children, and the Manitoba Tartan, which in part recognizes the historic role of the Selkirk settlers in relation to their agrarian settlement on the Red River.

Today, Mr. Deputy Speaker, it is my honour to introduce for Second Reading, An Act to amend the Coat of Arms, Floral Emblem and Tartan Act, to provide for the inclusion of the Great Grey Owl as Manitoba's official bird emblem.

Members of the House may recall that two years ago, an extensive search lasting six months was undertaken to choose an official bird emblem for the province.

In all, some 88 birds were nominated by Manitobans. The great bird search drew more than 740 letters and a number of petitions, and altogether, an estimated 2,000 people took part in various radio and television surveys. - (Interjection)-

Mr. Deputy Speaker, the majority of votes were cast in favour of six birds, the Western Meadowlark which is the bird symbol for six states; the American Robin which is the bird symbol for three U.S. states; the Great Grey Owl, the Common Loon, the symbol of our neighbouring state, Minnesota; the Canada Goose which in part, because of its name, is widely used nationally as an unofficial bird symbol; the Red Winged Black Bird and the Ruby Throated Hummingbird.

The nominations were reviewed and finalists chosen by the Wildlife Conservation Awards Committee. This committee consisted of outdoor writers, Mel Dagg and David Hatch; Art Allen, representing the Manitoba Wildlife Federation; Joyce Hart, representing the Manitoba Naturalist Society; Bob Wrigley, representing the Manitoba Museum of Man and Nature; and Ted Muir, representing the Wildlife Branch of the Department of Natural Resources.

From the final list, the then Minister of Natural Resources, in September 1985, selected the Great Grey Owl as the fitting choice for Manitoba's bird emblem.

This magnificent bird, the largest of all North American owls, with a five-foot wing span, exudes a sense of mystique and grandeur. It is described by Dr. Bob Nero as the Phantom of the Northern Forest, but it is found in many parts of the province. Indeed, there are 13 active nests of these owls just 75 miles southeast of here in the Sandy Lands Forest Reserve. From the mixed woods and coniferous forests of southeastern Manitoba, west to Riding Mountain and North to the Treeline, this magnificent bird flies over our skies.

More Great Grey Owls are sighted and banded in Manitoba than anywhere else in the world, and it is No. 4 on the American Birding Association's list of 50 birds which bird-watchers want to log.

Mr. Deputy Speaker, I have a particular affection for this bird.- (Interjection)- This will be very evident in about five minutes when this bird will be joining me on my shoulder and I will be proud and pleased to show this wonderful bird, the Great Grey Owl, to all members present, just outside the Chamber.

Mr. Deputy Speaker, of all the finalists in the competition, it is the only one that is a permanent resident of the province. It shares our winters as well as our summers with us. The only home our Great Grey Owls know is Manitoba.

It is, Mr. Deputy Speaker, with pleasure that I move the Second Reading of the bill that would make this bird of mystery and dignity, this true Manitoban, the Great Grey Owl, the official bird emblem of our province.

**MRS. G. HAMMOND:** I move, seconded by the Member for Ste. Rose, that debate be adjourned.

**MOTION presented and carried.**

**MR. DEPUTY SPEAKER:** The Honourable Member for Niakwa.

**MR. A. KOVNATS:** Mr. Deputy Speaker, might the Minister just entertain a question for the sake of clarification? Do I have leave?

**A MEMBER:** Yes.

**MR. A. KOVNATS:** I wonder if the Minister would advise us when she is going to see this owl that is in the Clerk's Office, whether she will be feeding the owl with live or dead mice?

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

**HON. J. WASYLICIA-LEIS:** I'm hoping that the bird has been fed and won't need to be fed either live or dead mice.

**HON. J. BUCKLASCHUK:** . . . building, I can indicate of the interest in designation of this particular bird as our emblem of Manitoba, I could read into the record a rather interesting little message from one of my constituents about the emblem of Manitoba. It's extremely fitting that it should arrive at my desk this morning.

**A MEMBER:** By leave?

**HON. J. BUCKLASCHUK:** By leave? For those of us who love poetry and it's written by Mr. John Dolinski, a farmer from the East Selkirk area who has been prolific in his writing. He writes:

"On a tall and rugged oak tree overlooking a wide-open slough, the owl roosts there for hours while she calls loud, 'hoo hoo;' a silhouette in the hazy moonlight overshadowed by a dim tree line, the call of the Great Grey Owl can send shivers up our spine.

"This bird is connected with legions which are often equated with fear; when she hoots out there at midnight, it can sound so ghostly near. So swift and silent in flight, she descends like a gentle breeze; and falls on her prey without mercy, by gliding with grace and ease.

"The owl is indigenous to Manitoba, this is her home since time unknown and now we've decided to honour her for the tenacity she has shown. This nocturnal bird of the forest has been finally selected to be the emblem of Manitoba of which she is now depicted."

I think it's fairly fitting.

## ADJOURNED DEBATE ON SECOND READING

### BILL NO. 15 - THE CROP INSURANCE ACT

**MR. DEPUTY SPEAKER:** On the proposed motion of the Honourable Minister of Agriculture, Bill No. 15, The Crop Insurance Act; Loi sur l'assurance-récolte, standing in the name of the Honourable Member for Virden.

**MR. G. FINDLAY:** Thank you, Mr. Deputy Speaker.

I would like to rise on this occasion and put a few comments on the record with regard to this bill that the Minister has introduced, which is designed to update The Crop Insurance Act and make it somewhat more workable in the Province of Manitoba. I certainly have some comments I want to make to indicate to the Minister there is still some extra work than needs to be done.

Mr. Deputy Speaker, crop insurance has been a very valuable program for farmers across Canada. All provinces are enrolled in the program. It's a program that, on my family farm, we became enrolled in the mid-Sixties and have been continuous contract holders ever since.

It has served different needs on the farm over the years and this program, we must all remember, was introduced by a Conservative administration, both federally and provincially. The Honourable John Diefenbaker was Prime Minister at the time and the Honourable George Hutton was Minister of Agriculture and Duff Roblin was Premier of this province when this program was first introduced. They had a vision that it would serve the needs of the farmers of Manitoba and I contend that it has done so over the years.

The program, in general, supplies some degree of protection of farmers against extreme loss. It doesn't protect them from all loss and some of the criticisms of crop insurance over the years have been that total costs of production of a farmer are not covered by crop insurance. But I guess it's fair to say, in order to do that, the premiums would eventually become prohibitive.

Over the years, it has done a good job of protecting young and beginning farmers as they learn the practice of farming, they learn how to produce crops on the land that they live on. As time goes on, farmers have a tendency to reduce the amount of coverage they take out with crop insurance each year. They tend to reduce it because they become more confident in their capability to grow crops. They do not believe that they

need to pay the premium for coverage; they believe they can accept some loss. I guess as people get to be better farmers, they start to drift away from the program.

I think there's a bit of a challenge there for the Minister, federally and provincially, to look at the program and see if there's ways and means by which the program can be operated for farmers of long term experience so they can be kept in the program. It's fairly clear that Ministers of Agriculture would like to have farmers enrolled in insurance programs that can offset the vagrancies of drought and hail so that ad hoc programs do not become necessary, ad hoc programs that have been used in the past.

One aspect of the crop insurance program that has kept me in over the years has been the hail spot loss, because it allows the farmer to have a reasonable degree of hail coverage without a high premium.

I will have to say to the Minister that the Part (2) hail program that crop insurance has in place, has in my mind not been competitive with the private insurers, because 90 percent of the time I can get a lower cost of hail insurance coverage outside of Part (2) hail. I believe the Minister needs to have a slightly more competitive program in that area.

I think that the Minister has to be fully aware that in the last year, particularly, the dollar per acre coverage that a farmer can obtain for his various crops has fallen, whereas the premium has not. It's an unfortunate circumstance because farmers are faced with a declining gross income and their costs of operation have to be curtailed wherever possible. I would wonder why the Minister did not adjust the premium with the dollar per acre coverage relative to the year before. He is signalling higher up.

Mr. Deputy Speaker, every farmer has to look at all his expenses and make a determination whether the services or the coverage obtained justifies the cost. I think some farmers probably opted out of crop insurance or on some crops this year simply because they looked at that category, paying the same premium and getting less. They may be vulnerable to problems that will come up this year. Certainly we've had indications that drought is just around the corner if we don't continue to get rain. I wish that he had have been able to convince other jurisdictions in this country that the premium should have dropped when the coverage dropped.

I would like to see crop insurance do a slightly better job of distinguishing between good management and poor management, in terms of striking the premiums. This is another reason why farmers, as the years go by, tend to want to opt out of crop insurance. Because if they're practicing good management, they don't want to cover the losses of people who don't practice good management.

So we need to develop some program, some aspect of the crop insurance plan. I believe it's been working, has been operated or attempted to be operated in Saskatchewan, and some experience has been obtained there. So that the low-risk, high-producing farmers can obtain individualized coverage. In other words, a specifically higher level of coverage, which is consistent with our capabilities as farmers to produce.

I think the Minister needs to look at, particularly in Manitoba, finding a way of identifying what we would

call bad management. If a person is practicing bad management, I don't believe he should be considered an average farmer in terms of the premiums he pays. I wouldn't want to say we throw him out of crop insurance, but he should pay a level of premium that is consistent with his experience of collecting from crop insurance.

It has often been said and even some people boast about . . .

**MR. DEPUTY SPEAKER:** Order please. May I remind all members that newspaper is not allowed in the Chamber.

**A MEMBER:** That's right. Thank you for reminding me, Mr. Deputy Speaker.

(Madam Speaker in the Chair.)

**MR. G. FINDLAY:** It has often been said and many farmers boast that they can farm crop insurance. Farming crop insurance means that the good producers are subsidizing poor producers. I would think the Minister should be able to institute within the Crop Insurance Program a method of identifying bad management.

Madam Speaker, yes when we were in Estimates I related to him a case that an adjuster had told me about, about seeing a field in the summertime, where there was clearly abuse of the system in terms of bad management. Bad management is not using certified seed, it is not using fertilizer, it is not using chemicals and it's not using good management, in terms of harvesting the crop.

Madam Speaker, the Minister, through his department, supports research at the University of Manitoba. He supports a lot of salaries in his department, people who are technical people in crops and soils, whose job it is to advise farmers on how to use modern technology in farming practices. When agents can clearly identify that farmers are not using these practices, why should the taxpayers of Manitoba supply him with insurance? I think the Minister has to address this problem because it is going on. I think the Minister has to look at another aspect too, Madam Speaker. I don't know whether the Minister is aware of this or not, but in some provinces in this country, farmers are not allowed to have a crop insurance contract unless they use certified seed.

Madam Speaker, I would like to hear the Minister's comments on whether he believes that crop insurance should be for only those that use good accepted management practices, and the utilization of certified seed is certainly one of them.

Madam Speaker, the taxpayer of Manitoba and the taxpayer of Canada, I believe, will support the farmer. They'll support them for genuine losses - losses on the grain market by competition in other parts of the world, and they'll support them for losses due to drought. But then, Madam Speaker, I don't think in the long term the taxpayers of Canada want to put \$20 million into the Province of Manitoba for crop insurance and the taxpayers of Manitoba want to put \$4.5 million in the crop insurance each year when they believe that there is some evidence that farmers are not doing their best job to cover themselves in terms of management.

Madam Speaker, crop insurance is a method of ensuring against losses because of acts of God. It's not set up to ensure against poor management. Madam Speaker, I don't have any basic problems with the major changes that are in this bill. Streamlining of the annual regulations that must be approved by Cabinet certainly I'm sure is just a method of legalizing what is actually going on right now. I have no problem with the Minister's desire to lift the \$2 million ceiling on working capital advances, but, Madam Speaker, there are some specifics in the spread sheet I would like to ask the Minister about and ask him if he can give me further information to clarify some points of concern I have.

Madam Speaker, on page 1 of the spread sheet, when he identifies that there will be two funds set up, the crop insurance fund and the hail insurance fund - in the crop insurance fund, the province pays the administration costs and the farmer pays no administration costs. In the hail insurance fund, the farmers pay 100 percent of the premiums and 100 percent of the administration costs.

The Minister hasn't identified to me yet how - within the corporation - they were able to distinguish between which administrative costs go to which fund because in one fund the farmer is subject to paying the administrative costs and not in the other, and I'd like some clarification on that, Madam Speaker; and also some clarification as to how the corporation distinguishes between administrative costs on the Waterfowl Program and the Big Game Program. They're plans that are handled by the corporation and I would want to know whether the farmers of Manitoba are charged any administrative costs in those programs.

Madam Speaker on page 3, on 2.(7): "Every director shall be reimbursed by the corporation for any reasonable travelling and out-of-pocket expenses." Madam Speaker, I've requested that marketing boards have their amount of money paid to individual directors identified in the annual report, and I wonder if the Minister's prepared to identify the remuneration that directors get and the out-of-pocket expenses each gets each year. If he can identify that in the Annual Report from here on for the Manitoba Crop Insurance Corporation. I feel that the taxpayers and the farmers of Manitoba pay for the program, and if there's nothing to hide there, I think the information can be brought forward.

Madam Speaker, on page 4, I have some concern with 4.(1). It says that the Board, or if authorized by the Board, the general manager may appoint such officers and employees as they consider necessary to carry out the business of the corporation. Madam Speaker, the Minister appoints the board, and I guess there's obviously an opportunity for him to make political appointments there, but I guess I cannot really say too much against that. The manager is appointed, Madam Speaker, by the Minister or by Cabinet . . .

**A MEMBER:** By competition.

**MR. G. FINDLAY:** Okay, that's my concern. It doesn't identify here that it is by competition, Madam Speaker. The Minister says it is, and I would surely hope that it is, but this statement in 4.(1) ". . . the board, or if authorized, the general manager may appoint such

officers." I would hopefully think that they were hired through competition and not appointed. So I think there's either a clarification or a wording problem that exists in that section.

Madam Speaker, on page 5. I guess I have no problem on page 5.

Page 11, Madam Speaker, on the appeal tribunal, at present the appeal tribunal consists of three people, at least one person actually engaged in farming operations, and the change is that there is no longer a requirement that an active farmer be on the appeal tribunal.

Madam Speaker, I believe very strongly that anybody who's appointed to the board, or particularly to the appeal tribunal, should be active farmers or, at the very least, retired farmers. The way it's worded now, the Minister is clearly able to appoint people who have no recognition of farming. I don't believe he would but, yet, I don't understand why he'd want to take out the requirement that an active farmer be involved. - (Interjection) - The Minister says, "potential conflict."

I can understand that's possible but, if a person who's on the board has a case in front of him that involves himself or a family or any relative, he can leave the room, so to speak. Madam Speaker, I would like to see people with some expertise in farming being involved in this.

I would just remind him of the range land manager, which says, "The advisory committee is comprised of individuals who are familiar with the operation of Agricultural Crown Lands Program," and I would like to see the same principle applied here.

Madam Speaker, in Estimates, we identified that there were some problems with the Feed Security Program, which was brought in fairly rapidly under the Crop Insurance Corporation and, in 1987, one-third of the people who are in the program in 1986 opted out. There clearly is a problem there that the Minister had not addressed. There's some dissatisfaction. It has to be the reason why one-third of the 1986 contract holders opted out. He's indicating money, yes, that's what makes the world go around.

But, Madam Speaker, I would like to remind the Minister that, on the basis of money, a lot of farmers looked at the history of this Feed Security Program. In 1984, there were five municipalities in it and was it four or all five received a reasonable payout in '84. In '85, there were 22 municipalities and 20 of them received payouts. Many people looked across the border and said, they had a good hay production, yet they're getting a payout. Then in 1986, every municipality qualifies; farmers sign up thinking this program is fair and there's a good opportunity of payout; all of a sudden there's no payout, so reversal in direction on how things are handled at the end of the year seems to have caused some people to be a little bit dissatisfied, and he's got a selling program to do to get people back in.

Madam Speaker, those are the major comments I want to put on the record with this program at this time, but I would clearly like to see the Minister very actively bring forward a program for individualized coverage for farmers in Manitoba, so that the better producers, the higher producers, the people who are taking the greatest risk and are our better farmers or higher producers, they can be attracted to stay in crop insurance to protect them from drought and hail and what-not in the future.

Thank you, Madam Speaker.

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

**MR. J. DOWNEY:** Thank you, Madam Speaker.

I rise to speak on The Crop Insurance Act. A couple of things, Madam Speaker, I'd like to do to start with, and that is put on the record a little bit of history dealing with The Crop Insurance Act and Bill 15.

Madam Speaker, there are many new members here who are probably not aware of the fact that The Crop Insurance Act was brought in by a Conservative Government several years ago after the Liberal Government had taken many years of study and not taken decisive action to move on behalf of the farm community.

The government of Duff Roblin and his Cabinet, Madam Speaker, saw the need for the action to be taken on behalf of the farm community and moved aggressively and brought in what I would consider as an excellent program to underpin the agriculture economy when it comes to dealing with the farm community. So I just want that to be put on the record as well, Madam Speaker.

Any time this government, Madam Speaker, whether it's the Minister of Agriculture or any of the Cabinet, make any moves, one wants to be very cautious of it. Madam Speaker, their record of handling any affairs of the public properly and dealing with it properly always have to be scrutinized and scrutinized carefully, whether it's dealing with legislation - and we've seen some extremely, what I would say, poor legislation - dealing with the labour laws, dealing with other acts of this Legislature that should be changed. Madam Speaker, that's why I say, in dealing with The Crop Insurance Act, we want to carefully scrutinize what this government do.

Madam Speaker, as well, I'm extremely concerned under The Crop Insurance Act and the Crop Insurance Program that we've seen a major reduction of coverages this year. The Minister of Agriculture is continually standing up, going after Ottawa or going after someone else about the incomes to farmers. Well, Madam Speaker, we saw a major reduction in the crop insurance coverages this year as well as the maintenance of premiums.

Madam Speaker, I think the Minister of Agriculture should one day stop and take a look at himself and his government, and just see how much lack of support that he and his government are giving to the farm community. The Crop Insurance Program is one of those clear examples of him not standing squarely behind the farm community and their incomes. I want that very plain to the people of this province, Madam Speaker, and this Minister of Agriculture.

We've seen a major reduction in the coverages and we've seen a maintenance of the premiums at the levels they were at. I don't think, Madam Speaker, if the Minister were serious about maintaining the farm incomes, he should have put forward a stronger case on the maintenance of those coverages, and I think that it wouldn't have been irresponsible at all.

Madam Speaker, I want to as well touch on a couple of other areas dealing with the crop insurance and farm

incomes. The Minister just came back from a First Ministers' Conference of Western Provinces in Western Canada again asking for the Federal Government to move to support the farm community. I think the Government of Alberta, I think the Government of Saskatchewan have done a pretty good job in bringing forward provincial programs, as well as the Federal Government.

But who has the poorest record in supporting the farm community? What has the poorest record in Western Canada? Is it the Federal Government that's got a poor record with their \$354 million to Manitoba, their billion dollars to Western Canada, or their \$800 million under the Grain Stabilization Program, Madam Speaker? It's not the Federal Government that's got a poor record; it's not the Government of Saskatchewan that has a poor record in support for farm community; it's not Alberta that's got a poor record as far as the support for their farm community. I'll tell you who it is, Madam Speaker, it's this Minister who wants to pass an amendment or a change to The Crop Insurance Act, Bill No. 15, that's the Minister that's not living up to the expectations of the farm community and maintaining their incomes, Madam Speaker, with a projected 21 percent reduction in net farm incomes this year. Why is he a part of that? Why, Madam Speaker, doesn't he take the lead, or his Premier take the lead, and put some provincial initiative forward to support the farmers? But instead, we're seeing a reduction in support under the Crop Insurance Program; we're seeing a reduction in support, Madam Speaker, in many areas dealing with agriculture.

Madam Speaker, as well, he's reducing the coverage under crop insurance at a time when the farm community should expect more from them and do expect more from them.

I want to deal just in a brief way, Madam Speaker, I'd like to ask a question of the super Minister. I understand that he's responsible for Crown corporations. Has the Minister of Agriculture cleared this with the super Minister to see if he can proceed with it? Has he got clearance from the super Minister, Madam Speaker, to see if it's appropriate to proceed? I think that's quite a legitimate question to ask of the Minister of Agriculture.

Madam Speaker, sugar beets are covered under The Crop Insurance Act. Madam Speaker, I would like the Minister - after all, we've had some extremely difficult times with this Minister of Agriculture in supporting the industry - are there any difficulties with the sugar beet crop that may cause a triggering out of payment from the crop insurance program? Because of his delay, Madam Speaker, in action supporting Manitoba sugar beet industry, it could well cost the taxpayers money under the crop insurance program and the taxpayers additional support that hasn't been calculated into what he was doing for the losses that could be incurred because of the losses that may come about because of a later sugar beet seeding time.

Madam Speaker, every time you do something in this province relating to crop insurance or the farm community, it has a chain impact, a chain reaction is what I'm looking for.

Madam Speaker, as well, we're looking at some of the other failures of this Minister of Agriculture and let's deal with the recent one in the announcement of

the support program for the farm community on education financing.

(Mr. Deputy Speaker in the Chair.)

Why, Mr. Deputy Speaker, would the Minister of Agriculture not say that all owners of farm land would qualify for the \$500 maximum rebate or the \$500 reduction in education taxes? Why, Mr. Deputy Speaker, would he not say those farmers who have retired, who have contributed to crop insurance, who have contributed to our farm economy and our overall economy, why wouldn't he say to them, your land is your investment, you deserve to have a benefit or a break on your education taxes? After all, Mr. Deputy Speaker, how many years have they paid education taxes to educate their children, their neighbour's children and their grandchildren? Why wouldn't the Minister of Agriculture say, yes, I think that now you should get a little bit of relief from education taxes in Manitoba? But he said, no, because I've got a philosophical hangup that only the owner-operator should benefit from the \$500 per farm rebate. I am going to make you continue to pay the education taxes because you're some kind of a land baron.

Mr. Deputy Speaker, that isn't the case at all. In fact, I believe this Minister of Agriculture, I believe that he will spend more money in bureaucrats and snoopers and inspectors to try and stop those people who should benefit from the education tax relief. I think he will spend more money in bureaucracy than he'll save in the long run.

The point is, Mr. Deputy Speaker, those people who he is going to refuse the education tax relief of have paid for the education of many people in this province and they didn't begrudge it. Why won't he now give them a break, Mr. Deputy Speaker, and let them have the benefits of the program that he's so proud of. I would have thought the Member for Lac du Bonnet, I would have thought that he'd have had some compassion for those people who have been lifetime farm people and now renting their land out to their son, their daughter or their neighbours. Why wouldn't he have a little compassion toward one of them and take the Minister of Agriculture out to the woodshed, take him out to the woodshed and say, I think you'd better come to your senses.

That's what I believe he should do. He's a senior member in years to the Minister of Agriculture. I think it's time he taught him a lesson. Yes, I don't think if he was the Minister of Agriculture, Mr. Deputy Speaker, that he would discriminate against people who'd farmed all their lives and still owned property. I think the Member for Lac du Bonnet would see it our way, that those people should have some form of relief under the Education Tax Program.

Why isn't he representing his constituents? Why isn't he? Why isn't the Minister of Municipal Affairs representing his constituents who belong to the farm community?

Well, Mr. Deputy Speaker, the Minister of Agriculture's nervous about the comments I'm making, he wants me to go back to crop insurance. Okay, I'll continue on with crop insurance, Mr. Deputy Speaker. Under the crop insurance program we have what is called the Feed Security Program, Mr. Deputy Speaker. There's

a feed security program in place. Well I can tell you, the Feed Security Program is probably not needed any more because of the reduction of our beef herd in this country. Yes, Mr. Deputy Speaker, every program that this government has put in place to support the beef industry has failed. And subsequent to that, we've seen the failure of the packing house industry, the total loss of 850 jobs because of his incompetence and his government's incompetence.

We don't need the program, Mr. Deputy Speaker, because probably the need for the program has lessened under crop insurance because we're now seeing all the feeder cattle being exported to the Western Provinces and to the Eastern Provinces. Yes, Mr. Deputy Speaker, this Minister of Agriculture has failed. Who would feed livestock to the weight - we heard my colleague for Virden yesterday putting on the record, Mr. Deputy Speaker, the loss of some 5 cents to 6 cents a pound on the animals that are sold now through the Beef Commission, compared to what would be brought through, or sold through the public auction system. You know the answer that the head of the beef commission gave? We have to put them through the live auction, Mr. Deputy Speaker.

**MR. H. ENNS:** Mr. Deputy Speaker, on a point of order.

**MR. DEPUTY SPEAKER:** A point of order is being raised by the Member for Lakeside.

**MR. H. ENNS:** I apologize to my colleague for rising on a point of order, but I notice there are some photographs being taken in the public gallery - probably inspired by Russ McDowell from Sanford who likes to breaks rules but it is against our rules to take photographs in this building and I would ask that you ask the public visitors - who are always welcome to visit with us here - to desist from taking photographs in this gallery.

**MR. DEPUTY SPEAKER:** The Member for Lakeside has stated the rule, there is no photographs allowed from this gallery in the Chamber.

The Member for Arthur.

**MR. J. DOWNEY:** Thank you, Mr. Deputy Speaker. I would continue on with my comments dealing with The Crop Insurance Act and the fact that the need for the feed security program under The Crop Insurance Act is probably somewhat less because of this government's incompetence and this Minister of Agriculture's incompetence in the operation of the Beef Commission. And as I was indicating, yesterday my colleague for Virden indicated a substantial amount of money being obtained by the Beef Commission under their sales policy than that of the public auction system.

Some 5 cents to 6 cents a pound, Mr. Deputy Speaker, and what was the answer that was given from the head of the Beef Commission, the top salesman for the Beef Commission? Well, we have to do that every once in a while to smarten up the packers. We have to do it once in awhile to smarten up the packers. Well, Mr. Deputy Speaker, what's happening the rest of the time? Are they giving these cattle away at \$5-\$6 per cwt, less than they should be? Why aren't they using the public

system all the time, Mr. Deputy Speaker, to achieve the top dollar for the consumers who are paying tax money into the program, and for the producers who should now keep that money so they could buy Feed Security Program from the Crop Insurance Program.

Mr. Deputy Speaker, what we are seeing here is again this government's ability to manage anything that they do or any programs that they put forward. They are totally out of touch, they're incompetent, and as I have indicated in my opening comments, our party, the Progressive Conservative Party under Duff Roblin brought in this extremely good program, the Crop Insurance Program, and I think he should be given credit. That's why I don't want this Minister of Agriculture and his government to do anything that would undermine it, as the former Minister of MTS did with the Manitoba Telephone System.

**MR. H. ENNS:** They're not a government, they're bandits.

**MR. J. DOWNEY:** Well, Mr. Deputy Speaker, I have some affection for some bandits and I would not want that comparison made. I have more respect for bandits than that, than to put them in the same category.

(Madam Speaker in the Chair.)

**MR. H. ENNS:** Perhaps you're right. Robin Hood was a good man.

**MR. J. DOWNEY:** That's right, Robin Hood was a good man, that's right and he came from a country called England, wasn't it?

**MR. H. ENNS:** He came from England.

**MR. J. DOWNEY:** Isn't that right? Isn't that where Robin Hood came from? I believe that's right.

**MR. H. ENNS:** Sherwood Forest.

**MR. J. DOWNEY:** Sherwood Forest, that's right.

Madam Speaker, back to the concluding remarks that I want to put on the record. I want to see that the Crop Insurance Program is maintained. It is an excellent program, has been. Yes, there have to be changes made to upgrade it, to make it so it's a program that's meaningful to the producers. I do not think it's fair that the Minister should have increased or maintained the premiums at the level that he did and reduced the coverage to the level of which he did. I think that's unfair. In fact, I know many producers who dropped the program because of that move, and I would hope that he would reconsider for another year.

I would hope, Madam Speaker, that he would be prepared to put forward some support for the farm community; when he hollers for the Federal Government to put money forward, I would hope that he would be prepared to do the same thing. That, to me, would be a fair approach to the system, in light of what Alberta and Saskatchewan have done.

Madam Speaker, I have no further comments to make, other than to say, hopefully, there will be some of the farm community come forward, and make some positive

or some negative recommendations to this bill when it reaches the committee stage, and I have no trouble in recommending that it now go to committee.

**MADAM SPEAKER:** The Honourable Member for Lac du Bonnet on a point of order?

**MR. C. BAKER:** Yes, I'd just like to inform the visitors in the gallery that normally we don't act as flippant as the gentleman across the way and we act with more dignity.

**MADAM SPEAKER:** Order please. The honourable member does not have a point of order.

The Honourable Member for Arthur.

**MR. J. DOWNEY:** Madam Speaker, I would ask the member to withdraw. I hope he wasn't casting aspersions on myself as acting flippant. I was extremely serious in the comments that I was putting on the record, particularly about him not standing up to defend the farmers in his constituency.

**MADAM SPEAKER:** Order please.

**MR. C. BAKER:** Madam Speaker, I want to say to you that I was not casting any aspersions at anybody, in any way, and I was merely rising to add to the levity that the members across the way were giving.

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

**HON. B. URUSKI:** Madam Speaker, in closing debate on the bill, I certainly will want to peruse very closely some of the specific comments that have been made by honourable members in speaking to the bill. I wish to thank them for their constructive statements that they have made on this legislation. As I indicated, this piece of legislation is an administrative upgrading of the legislation and brings it forward. I will want to, as I indicated, take into account those comments that have been made. We will consider them and then decide whether or not some minor amendments, as have been suggested in some of those sections, should be considered. I will certainly take them under advisement, and if some clarification is required, I see no difficulty in terms of dealing with some of those comments, because I believe they're fairly straightforward and the suggestions that have been made, have been made in good faith.

Comments about members indemnities to be put in the report; that's one that I will consider. I know that the indemnities of members can be received while we're discussing Estimates. The corporation would have, in fact, those indemnities there. But that's certainly a consideration that can be put into the annual report or incorporated, even in the comments that I would make to the House annually, if not in the annual report. I certainly would undertake putting those expense accounts on the record so that they would be here either in Hansard or in committee, in terms of the comments made by honourable members.

I would have hoped that the Member for Arthur would have given the former Liberal administration - I believe

it was the Liberal administration - not of this province but nationally, because this program could not have been developed without the concurrence of a national government. It is very clear that the Province of Manitoba was very receptive, as they were, in bringing in . . . Yes, I guess it was; it could have been John . . . But the work had to go on prior to that stage in developing the program. It wouldn't have been developed just overnight, Madam Speaker.

As the Member for Lakeside many times talked about the ARDA-FRED program, the work had to go on a number of years. Prior to the implementation of that program like many others, there would have had to have been some preparatory work. I'm very pleased that the program is there; it is the cornerstone of one segment of production protection to agriculture in Western Canada. I certainly am pleased that members are prepared to let this go to committee. We can deal with the specific comments and questions that have been raised in the remarks at committee stage.

**QUESTION put, MOTION carried.**

## **BILL NO. 23 - THE HIGHWAY TRAFFIC ACT**

**MADAM SPEAKER:** On the proposed motion of the Honourable Minister of Highways and Transportation, Bill No. 23, standing in the name of the Honourable Member for Minnedosa.

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

I will probably have some fairly lengthy remarks and there could be a disposition of the House to call it 12:30 p.m. We'll move it on to committee when it next comes up.

**MADAM SPEAKER:** Is it the will of the House to call at 12:30 p.m. The hour being 12:30 p.m. then the House is now adjourned and stands adjourned until 1:30 p.m. on Monday next.