

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, January 31, 1990.

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

INTRODUCTION OF GUESTS

Mr. Speaker: Prior to Oral Questions, may I direct Honourable Members' attention to the Speaker's Gallery where we have with us this afternoon Lieutenant-Colonel William Sutherland, officers and men of the 2nd Battalion Princess Patricia's Canadian Light Infantry. The battalion will be departing for another tour of duty in Cypress with the United Nations peacekeeping forces and will be presented with the Order of the Buffalo Hunt today.

On behalf of all Honourable Members, I welcome you here this afternoon.

ORAL QUESTION PERIOD

The Forks Development Visitor Centre Funding

Mr. James Carr (Fort Rouge): Mr. Speaker, my question is to the Minister of Industry, Trade and Tourism (Mr. Ernst). Last fall, the Minister only half jokingly threatened to punch Jake Epp in the nose for forgetting to consult the province on the building of a new arena. I do not know what emotions are flowing through the veins of the Minister of Sport today. We can only speculate.

Yesterday again the Minister of Tourism was sandbagged by his federal friends. The Minister told us yesterday that Mr. Hockin, the federal Minister of Tourism, had set a deadline of March 31, directly contradicting Jake Epp's letter which established today as the final day, to raise \$4.2 million in private funding for the visitor centre at The Forks, thereby directly contradicting what this Minister told us in this House yesterday.

Mr. Speaker, when is the deadline?

Hon. Jim Ernst (Minister of Industry, Trade and Tourism): Mr. Speaker, firstly, let me say that the deadline for the expiry of the tourism agreement is March 31, 1990, as I said yesterday.

I gather that a staff person in Mr. Hockin's office yesterday suggested, in concurrence with Mr. Epp's letter, that the deadline was today. I have been attempting to clarify that position with Mr. Hockin all morning and have as yet been unable to get hold of him. Mr. Hockin was out of his office all morning giving an address at some other point in the Capital. I expect to get in touch with him this afternoon, and we will clarify the situation.

* (1335)

Visitor Centre Funding

Mr. James Carr (Fort Rouge): Meanwhile the deadline, according to Mr. Epp's letter, is today. We are left to wonder whether or not this project is on or off.

Can the Minister of Tourism (Mr. Ernst) tell the House how much he has been able to raise in the private sector, 4.2 million of which is required for the project to go ahead?

Hon. Jim Ernst (Minister of Industry, Trade and Tourism): Mr. Speaker, the meetings that I have had—and I have had personal meetings with about 20 or 25 of the major corporate heads in the City of Winnipeg over the last two weeks. Last week we had a meeting of about 65 potential corporate sponsors over and above those original ones.

The level of interest is high. The level of excitement about this very, very worthwhile project, one of a kind for Canada, gives me great comfort that this project could be put into place very quickly but given sufficient time to cross all the t's and dot the i's.

Canada-Manitoba Tourism Agreement Deadline Extension

Mr. James Carr (Fort Rouge): We believe that the Minister ought to have all reasonable time to raise the money because we, too, on this side of the House, believe that the project is worthwhile and worthy of some support, but the Minister has a political problem. He has two federal Ministers who say today is the deadline. We presume the Minister's failure to answer our questions about money reveals that he has raised not enough.

What is he doing to contact Mr. Epp or Mr. Hockin—he should take his choice—to get the necessary time he needs? Has he requested an extension from today's deadline to ensure that every opportunity is given to raise the money required for this project?

Hon. Jim Ernst (Minister of Industry, Trade and Tourism): Mr. Speaker, for the first time in the history certainly of Government in Manitoba, as I remember it, this Government has taken an opportunity to combine with the private sector to do good things for tourism in Manitoba. That is something that was never done by any previous Government that I am aware of.

We had very great success over the past two years with two or three very good projects in terms of tourism marketing associated with the private sector. We wish to conduct a corporate sponsorship program for this particular project. As I indicated to my Honourable friend in the first question, I have been attempting to get hold of Mr. Hockin all morning.

Mr. Carr: There is obviously no money on the table or certainly not enough. The way in which the federal

Ministers have treated this provincial Minister makes a sham and a mockery of what this Premier (Mr. Filmon) has called a new era in federal-provincial relations between Canada and Manitoba.

North Portage Development Corp. Accountability

Mr. James Carr (Fort Rouge): Mr. Speaker, I have a new question for the Minister of Urban Affairs (Mr. Ducharme). Today representatives from the North Portage Development Corporation are meeting a committee at City Hall. Presumably the members of that committee will have a chance to question directors of the North Portage Development Corporation on current and past activities.

My question to the Minister of Urban Affairs is: why will he not give Members of this House the same opportunity that members of City Council have today?

Hon. Gerald Ducharme (Minister of Urban Affairs): First of all, Mr. Speaker, the city hears representatives from The Forks, from the Convention Board and from the North of Portage on almost an annual basis. The Member across the way has the opportunity at Estimates to ask questions of the Minister.

While I am on my feet, I will tell the Member for Fort Rouge (Mr. Carr) that consultation with my colleague, the Finance Minister (Mr. Manness)—I have asked the Finance Minister, in a memo dated January 29, delivered to him on the 30th, to consult with the Provincial Auditor and have the Provincial Auditor review the books of the North of Portage. The reason behind that is after review of the agreement that is drawn up that is one purpose and one way we can review the books. I would like to file that memo with the House.

Mr. Carr: Mr. Speaker, there must some extraordinary circumstance which compels the Minister of Urban Affairs to write that memo to the Minister of Finance (Mr. Manness) requesting that the Provincial Auditor take a look at the books. If he believes that the conditions are extraordinary for that kind of action, why will he not create the conditions whereby Members of this House can ask questions of the Chairman and the Chief Executive Officer of the North Portage Development Corporation?

An Honourable Member: And a lot more.

Mr. Carr: The Premier says, a lot more. I am sure there will be a lot more questions to ask if only we are give the opportunity.

Mr. Ducharme: Mr. Speaker, first of all, I would have listened. We looked through the agreement, the agreement says there is one way to look at any agreements drawn up and we feel it is the most non-political to bring in the Auditor and show that whatever questions are out there that have been out there for the last couple of weeks, this is surest way they can go into the North of Portage and review all documents and all books. We figure it is the most non-political way to do it.

* (1340)

North Portage Development Corp. Accountability

Mr. James Carr (Fort Rouge): Mr. Speaker, it might be a non-political way to do it, but the decisions that were made were highly political. The problem is that this Minister or that Minister who signed the agreement have not been held politically accountable. The question to the Minister is very simple. Will he or will he not request that the directors of the North Portage Development Corporation appear in front of a legislative committee?

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, the Government takes this as a very serious matter. We have looked at the shareholders' agreement which states that as a shareholder the Province of Manitoba has the right to audit such accounts. Mr. Speaker, rest assured, given the fact that we are setting up a meeting with the Provincial Auditor first thing tomorrow morning to lay before him certain allegations and will ask him in a non-political legislative servant basis to look fully into the matter and to report firstly to the Government, ultimately to all the Members of this Legislature at which time they will have an opportunity to present questions to the Provincial Auditor. Mr. Speaker, we deem that as our responsible role in this matter and we make that commitment to Members opposite.

U.S. Grain Export Subsidies Impact Manitoba Farmers

Mr. Gary Doer (Leader of the Second Opposition): Mr. Speaker, my question is to the First Minister (Mr. Filmon) on a very serious Manitoba matter. People across Manitoba are absolutely shocked at the announcement by President Bush reported yesterday of the 60 percent increase in the subsidies of grain in the United States and obviously the potential impact on the economy of Manitoba, not just directly the agricultural economy, but also all the service sector throughout rural Manitoba and throughout the City of Winnipeg that depend so much on agriculture in this province.

My question to the First Minister is quite specific. Given this announcement by President Bush, what Government action at the senior level has taken place? Has the Premier (Mr. Filmon) written to the Prime Minister in the strongest possible terms about this proposal by the U.S. President and its impact upon western Canadian and Manitoba farmers and related jobs in the agricultural sector in Manitoba?

Hon. Glen Findlay (Minister of Agriculture): The Member certainly raises a very significant and serious issue that has been technically ongoing now since 1986, when the United States got into the export enhancement program as a retaliation for what was happening in Europe in terms of subsidizing exports.

We believe, we honestly believe, that the process of being able to reduce this degree of subsidization can be achieved through GATT. Officials on this side of the border, although upset with the announcement, actually

believe that the announcement is the United States' method of positioning themselves for going at the Europeans in the GATT round of discussions.

What has been appearing in the paper is really just a proposal. So it is, I think, positioning themselves to deal with the GATT round of negotiations and that there is no commitment by the Americans to do that. We will wait and see what they will do on February 7, when the 1990 farm Bill is tabled in Congress in the United States. We do not believe at this time that they truly intend to do that. We think it is their negotiating lever in GATT which will bring resolution by reduction of subsidies for export grain.

Mr. Doer: Mr. Speaker, it is not just a proposal, it is the American President's budget proposal tabled in the U.S. Congress.

Free Trade Agreement U.S. Grain Export Subsidies

Mr. Gary Doer (Leader of the Second Opposition): Mr. Speaker, my question is to the First Minister (Mr. Filmon). How can we possibly explain to the people of Manitoba in terms of the 60 percent proposal on the grain subsidy, in light of the Free Trade Agreement that we just signed allegedly last year which under Article 701 deals with the agricultural sector, how do we justify to the people of Manitoba signing that trade agreement when the only impact on the agricultural sector so far has been neglecting the subsidy issue under Article 701 of the Free Trade Agreement for grain exports and, on the other side, penalizing Manitoba hog producers with a 7.9 cent per kilo tariff on hog exports in Manitoba?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, we do not condone in any fashion what the Americans have done, either in terms of subsidizing export grains or in terms of putting countervail against pork going into the United States.

The countervail question—countervail was already in place before the Free Trade Agreement was signed on live hogs. They have decided to put it on fresh, chilled and frozen pork. The dispute-settling mechanism under the Free Trade Agreement is going to be used to handle that issue. We also believe that in that process, we will resolve the countervail issue and be able to get it reduced over time. The process of negotiation is ongoing, and Canada is making a very strong representation in that regard in both the GATT round and the free trade dispute-settling mechanism.

Mr. Doer: We have a U.S. President who never answered the question on Article 701 of the Free Trade Agreement proposing a 60 percent increase in the subsidies of U.S. grain exports, which I believe is contrary to the words of the Free Trade Agreement. It seems the United States is getting it both ways, increasing their subsidies on one hand affecting western Canadian farmers and on the other hand increasing tariffs.

U.S. Grain Export Subsidies Impact Manitoba Grain Prices

Mr. Gary Doer (Leader of the Second Opposition): My question to the Minister of Agriculture is, assuming that this is not just a posturing position as the Minister has assumed and assuming that the President follows through on his proposal, as the Minister—(interjection)—let me finish the question. I do not blame these people for being sensitive, it is a lot of jobs in the economy in our province, Mr. Speaker.

My question to the Minister of Agriculture is, will it be another 50 percent, and have they done an impact study on the effect on grain prices in western Canada? Will it be another 40 percent drop in the prices of grain in western Canada in terms of exports? How many jobs and farms will be lost if that goes through with the United States?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, the proposal that the Member has read in the press and believes in fact was going to happen will not be tabled in Congress till February 7, if it is tabled at all. Certainly the federal Minister of Agriculture has made strong representation to the federal counterparts in the United States with regard to our lack of desire to see this happen. That same level of representation will be made at GATT as it has already been done. It is a significant issue for western Canadian agriculture to resolve these trade disputes.

There is no question that their export enhancement programs have reduced the price of export grains over the past two to three years. This would be a further difficulty in that direction, which we have no way of being able to handle other than through the negotiation process in the various panels and opportunities that are presented to us. We are supported by many other countries around the world through the Cairns group of countries, some 13 small exporting countries. They believe the Canadian position is the right position and the right way to approach it.

* (1345)

Mr. Doer: Mr. Speaker, but the Minister knows that the attempts by Australia and Canada in that group failed in '86 and '87. We were told that these kinds of problems would not exist under the new Free Trade Agreement. We were told there would be a new era with the Canada-U.S.A. trade agreement. We would not have these unfair subsidies in terms of Canadians competing with the Americans in the world market.

Free Trade Agreement U.S. Grain Export Subsidies

Mr. Gary Doer (Leader of the Second Opposition): My question to the Minister is, does he and the Government believe that the proposal, the 60 percent increase in subsidies, is contrary to Article 701 of the Free Trade Agreement? If they do, have they registered that with the Prime Minister? Are they taking the strongest possible stand in terms of protecting Manitoba farmers and the western Canadian economy?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, absolutely, we are taking the strongest possible stand to protect the producers of Manitoba and western Canada and all of Canada. I also believe that the Americans are serious when they say they want all subsidies removed by the year 2000 and that is the direction we want to see followed. We say again that they are positioning themselves by putting the challenge out in front of the Europeans. We must resolve it between the United States and Europe if we are going to benefit here in western Canada.

Health Care Extended Care Bed Report

Mr. Gulzar Cheema (Kildonan): Mr. Speaker, for the last 20 months this Minister of Health (Mr. Orchard) has failed to provide a long-term comprehensive plan for our aging population. For the last 10 months, he promised on a number of occasions to bring the task force report on extended care treatment. Can the Minister of Health tell us if he has that report, and when he will implement those recommendations?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, as my honourable friend well knows, I have not received the Health Advisory Network report. Until the Health Advisory Network, chaired by Dr. Naimark, reports to me, I can neither accept nor discuss any recommendations because I have not received them. My honourable friend lays out this misconception of the Liberal Party that he frequently does when he preambles a question.

In two construction programs, we have increased by almost 300 the number of personal care home beds that are available to the citizens of Manitoba who need personal care home placement. In two consecutive budgets, we have increased significantly the home care budget in the support services for seniors budget to give us long-term committed care in their home environment for seniors in Manitoba. We have introduced triplicate prescriptions, Mr. Speaker, which will help to protect those senior citizens who are addicted to prescription pharmaceuticals, those measures and many more that I will answer when my honourable friend poses his next question.

* (1350)

Deer Lodge Hospital Extended Care Beds

Mr. Gulzar Cheema (Kildonan): Mr. Speaker, this Minister has, on a number of occasions been saying that he will answer the question when he gets the report. This report is dated January 2. How can the Minister say in this House that he has not read the report?

Mr. Speaker, can he finally tell us and tell the families of hundreds of patients when he will come to his senses and open the 90 beds at Deer Lodge Hospital which are recommended in this report?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, my honourable friend has an excellent

suggestion regarding come to one's senses, and I wish he would follow his own advice because as I have indicated all of this month that we have been sitting, that there is a task force which is reporting to the Health Advisory Network. That is not the report that is coming to the Minister of Health from the Health Advisory Network.

When I receive the Health Advisory Network's Report, I will share it with my honourable friend; but until that, there is no report that has been made to me. I want to tell my honourable friend that the one thing I will not do is blanket-accept some of his suggestions, including the suggestion of his Leader, wherein she will turf out 40 percent of the seniors currently in the personal care homes in the Province of Manitoba.

Mr. Speaker: Order, please; order, please. The Honourable Member for Ellice.

Ms. Avis Gray (Ellice): Yes, Mr. Speaker, on a point of order.

Mr. Speaker: On a point of order.

Ms. Gray: In reference to the Minister of Health's comments, my Leader is referring to appropriate care of the elderly, and actions speak louder than words—

Mr. Speaker: Order, please; order, please. I would like to remind the Honourable Member for Ellice that a point of order should be raised to bring the attention of the Chair and the House to breaches of the rules. The Honourable Member does not have a point of order. It is clearly a dispute over the facts.

Rivers, Manitoba Extended Care Beds

Mr. Gulzar Cheema (Kildonan): Mr. Speaker, this Minister has not read this report and today he has established a new task force. We have been telling him about the decreasing population, decreasing in the personal care homes, and he is sending in a task force.

Can he tell us, finally, given that the Town of Rivers is without a doctor, that 25 patients were waiting in the personal care home and that do not have even a doctor, what he will do to provide services to this town which is equally important as his own political agenda?

Hon. Donald Orchard (Minister of Health): A voice of sanity from the back reaches of the Liberal benches over here said—I forget what it was but it was rather good.

Mr. Speaker, the Standing Committee on Medical Manpower, for approximately six and one half years under the previous administration, operated with a steady and level budget. We doubled that budget to the Standing Committee on Medical Manpower from under \$400,000 to \$800,000 for the purpose of assisting in the recruitment of physicians to rural and northern Manitoba, a recruitment effort which was aided just last week by the Pro Show fair at the Faculty of Medicine wherein over 40 displays were there representing over

50 communities, to point out to physicians who are newly graduating, nurses, occupational therapists, physiotherapists, dentists and pharmacists the opportunities in rural Manitoba. That is action.

* (1355)

Repap Manitoba Inc. Environmental Licence Monitoring

Mr. John Angus (St. Norbert): My question is for the Premier (Mr. Filmon). It concerns the Clean Environment Commission licence that was issued as a result of the Clean Environment Commission hearings that took several months.

In part the Clean Environment Commission in November said that a licence could be issued if a monitoring regime and ecological studies must be imposed to ensure the regulations of emissions and provide an early warning of the detections of any possible trend, unacceptable alterations, et cetera. The licence contains nine amendments.

My question to the Premier is this: what possible justification could there be to issue a licence that changes the monitoring of emissions of sulphur dioxide into the atmosphere from a continuous monitoring system to a semi-annual monitoring system?

Hon. Gary Filmon (Premier): To begin with, the Clean Environment Commission carried through a very full and thorough public hearing process into the changes that were proposed in Phase 1 of the Repap development at The Pas in accordance with all of the requirements of The Environment Act, all of the regulations and all proper public practice.

Experts from various sources, members of a group that I saw the Member out publicly associating himself with on television, the TREE group, they appeared. I am not sure if the Member appeared to express the concerns of the Liberal Party or if any of their critics expressed concerns at the hearing. I know that they always come here and try and grandstand, but they never appear at committees where they might have some effect—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please.

Mr. Speaker: The Honourable Member for Wolseley, on a point of order.

Mr. Harold Taylor (Wolseley): I think the Premier would be well-advised to take this question under notice. If he does not have the facts, then he is misleading the House because he does not have the facts, and he just misled the House.

Mr. Speaker: Order, please; order, please. The Honourable Member for Wolseley does not have a point of order.

Mr. Speaker: The Honourable the First Minister, to finish his response.

Mr. Filmon: I am informed that four Liberals were at the committee—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. I would like to remind the Honourable First Minister that answers to questions should be as brief as possible, should deal with the matter raised, should not provoke debate.

Mr. Filmon: If the Members opposite would not stimulate further thoughts by their heckling during the course of my response, I would be much shorter, I am sure.

The fact of the matter is that the licence was issued totally in accordance with the requirements of the Clean Environment Commission and their report and recommendation. That is why the licence was issued.

The Members opposite asked for that process to take place in accordance with our legislation. It did take place and the licence was issued in accordance with, again, our legislation. What is he suggesting we do, operate in opposition to the legislation? Do you want—

Mr. Speaker: Order, please; order, please. The Honourable Member for St. Norbert.

Mr. Angus: Mr. Speaker, I did make representation at the Clean Environment Commission. It is in their record, documented.

Mr. Speaker, perhaps the First Minister should be given the opportunity to correct. The question is: is he aware that the licence that was issued changes the recommendation of the Clean Environment Commission from a continuous emission control to a semiannual emission control for sulphur dioxides? What possible justification would there be for any of your Ministers to authorize that type of a change in their licence?

Mr. Filmon: Mr. Speaker, questions of awareness are out of order, but I assume that since I have been allowed to respond, I will respond and say that I will take that question as notice and have the Minister of the Environment (Mr. Cummings) respond when he returns to the House.

* (1400)

Environmental Lobbying

Mr. John Angus (St. Norbert): Between the issuing of the Clean Environment Commission report in November and the issuing of the licence in late January, was there any communication, any lobbying, by the Repap Corporation to the Minister, or any discussions with any of the Ministers rationalizing the practical application of the Clean Environment Commission's criteria?

Hon. Gary Filmon (Premier): Mr. Speaker, I am not aware that any officials of Repap have done any lobbying whatsoever with respect to attempting to lessen the burden of any of the requirements of the Clean Environment Commission.

In fact they have consistently told us, time and time and time again, that they will abide by all regulations, all requirements of the Government of Manitoba and the legislation of Manitoba with respect to the protection of the environment.

They have been good corporate citizens in every jurisdiction in which they have located. I can suggest to the Member that he call Frank McKenna, the Premier of New Brunswick, who has said publicly and privately that he endorses Repap as a good corporate citizen who abides by all the regulations and in fact does their utmost to develop environmental protection and environmentally friendly responses to industrial developments in which they are located.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please.

Drought Assistance Payment Schedule

Mr. Bill Uruski (Interlake): Mr. Speaker, some of the Conservatives want to make jest of Members' apparel, so let them have their jest.

There is a serious crisis in rural and western Canada dealing especially with respect to farm incomes and farmers losing their farms.

I want to ask the Minister of Agriculture (Mr. Findlay), in light of his remarks to my Leader about the Free Trade Agreement and the great opportunities for Manitoba farmers, whether Manitoba farmers can expect, and when can they expect, assistance in a form of drought payments that he has indicated will be coming shortly, or do we have to wait for a Saskatchewan election for drought payments to come to western Canadian farmers?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, I am very appreciative of the fact that the Opposition Members understand the reality in agriculture of low incomes for a number of reasons, drought-related, export problems in the trade side.

Mr. Speaker, we have this present year paid out in excess of \$150 million in crop insurance in about a third of the part of the Province of Manitoba, a clear indication of the fact that crops have been low in terms of production.

I have been in discussion with a number of farm people with regard to whether that is an adequate level of income for the farm community. We have received a lot of information from towns, villages and cities outside of Winnipeg saying that additional help is going to be needed. I have been in discussion with my counterparts in the two western provinces in regard to the impact in their provinces and have also been in

contact with the Member of the federal Cabinet with regard to what they can do in this regard. Those discussions are ongoing in the direction of trying to establish what is needed and how it can be done.

Announcement

Mr. Bill Uruski (Interlake): Mr. Speaker, I am assuming that announcements will be like they were in the previous—from what the Minister tells me—program. It will take a year after the incidents before farmers can expect any type of announcements. I want to ask the Minister, can he tell me when that announcement will be made and whether the program will in fact take the form of the previous federal program which the Minister said he was not going to participate in and now has put Manitobans in at risk in excess of \$30 million under that program. Can he tell us what form that program will take and when will the announcement be made? We are into another seeding year and there is still no announcement, the drought is long past.

Mr. Speaker: Order, please. The Honourable Minister of Agriculture.

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, I want to remind the Member that through crop insurance we have put out \$150 million already into rural Manitoba to offset drought and to offset low hay production. The process of detail as when an announcement would be made if the federal Government believes that they can contribute in that program is something that remains to be seen. I know that the farm community wants to know something by spring. That has come from my discussions with them. I have delivered that message to the federal Members and we await their response in terms of further discussion.

Free Trade Agreement Grain Transport Subsidies

Mr. Bill Uruski (Interlake): Mr. Speaker, the recent announcements that are emanating from the United States can only have greater uncertainty as to grain prices for Manitoba and western Canadian farmers. Does the Minister in his review, now that it is going rural-wide, consider that the shift to pay what is known as a transportation subsidy to a production subsidy, whether it is countervailable in light of the Free Trade Agreement, and in light of the discussions that are ongoing now in Manitoba and across this country?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, I can tell the Members of the House that there is suspicion that maybe the United States or Europe is going to raise that western grain transportation payment as an issue in the GATT round of discussions. Clearly, what we are doing in the Province of Manitoba is carrying out a series of studies and meetings to educate the farmers as to what the real issues are in this program and not to ask questions so that they can understand the issues.

In terms of the response I hear back from the public meetings is that they are very satisfied with our

presentations that are made because it is neutral. It gives both sides of the question and puts all the issues on the table, and farmers are finding that they are getting good answers in terms of the educational process of understanding the impact of how that method of payment is done and what the implications for changes will be in the future.

Cross-Cultural Understanding Government Initiatives

Mrs. Gwen Charles (Selkirk): Mr. Speaker, most Manitobans like most Canadians do not support racism. However, as many events have proven, particularly over the last months, racism and discrimination unfortunately do exist, whether it is systemic or blatant. All Governments, as this Government, must be responsible for taking a leading role against racial discrimination.

Can the Minister of Culture, Heritage and Recreation detail the programs put in place by this Government to actively promote cross-cultural understanding?

Hon. Bonnie Mitchelson (Culture, Heritage and Recreation): I agree that everyone plays a part in working together toward understanding and awareness of every culture. With that understanding and awareness will come the acceptance, Mr. Speaker. That is not something that a Government can legislate or anything that anyone can force anyone else to do. It is through a process of education and making awareness and understanding available.

We have initiatives under way. We are working and we are supporting those organizations that do want to do cross-cultural training and understanding, but we also have entered into an agreement with the Manitoba Federation of Labour. We have seconded a staff person to them for a period of two years so that they can work on anti-racism initiatives within the Federation of Labour. That staff person will be able to come back and share those resources with the Manitoba Government in all areas.

Civil Service Commission Affirmative Action

Mrs. Gwen Charles (Selkirk): Mr. Speaker, in Estimates of the Department of Civil Service figures showed that this Government has hired fewer people who can be identified as visible minorities than in the previous year. Can the Minister of Culture, Heritage and Recreation explain what action her department has taken to include her fellow Government Ministers in taking a leadership role in affirmative action?

Hon. Bonnie Mitchelson (Minister Culture, Heritage & Recreation): I believe I answered in detail the questions regarding the Department of Culture, Heritage and Recreation in my Estimates. We, in that department, are doing very well. The Civil Service Commission is working very actively to include all members from every group in society.

Mrs. Charles: When you hire fewer visible minorities, you are not promoting affirmative action.

Human Rights Program Curriculum Development

Mrs. Gwen Charles (Selkirk): My question is to the Minister of Education. Can the Minister tell this House when a program for human rights will be part of the Manitoba educational curriculum?

Hon. Leonard Derkach (Minister of Education and Training): Mr. Speaker, in the Department of Education and Training, we have embarked on several initiatives to ensure that racial discrimination is wiped out. Indeed at our community college level we have promoted programs to ensure that staff at those institutions understand the importance of the negative aspects of racial discrimination.

When the Member asks about a human rights program, there are several divisions, I think Evergreen School Division is one which is piloting a program on human rights education. As we go along, indeed this is an important issue that we will be addressing.

* (1410)

Manitoba Data Services Divestiture

Mr. Leonard Evans (Brandon East): The Minister of Finance (Mr. Manness) persists in proceeding to give away a valuable public asset, namely Manitoba Data Services, to the private sector, thereby threatening the confidentiality of public records while guaranteeing monopoly profits to the buyer.

Will the Minister confirm that two companies are now negotiating with the Government, STM Systems Corp. of Markham, Ontario, and Systemhouse of Ottawa, since both are based outside of Manitoba that a sale to either of them will effectively transfer control of the operation to outside of the province?

Hon. Clayton Manness (Minister of Finance): A number of points are wrong in the preamble, Mr. Speaker. One of them is right. I will confirm that there are two companies with whom we are discussing the possible sale of Manitoba Data Services. That has not been yet presented to Cabinet as a recommendation that one of the two would be a preferred purchaser. Let me also say the Member opposite is not privy as I am to many of the negotiations going on and many of the contents of a potential agreement, which of course could possibly give the Government incredible control with respect to safeguarding its interest regardless to whom the MDS might be sold.

Mr. Leonard Evans: Mr. Speaker, I would hope that the Minister would be tabling a legal opinion on this matter contravening The Legislative Library Act in Manitoba.

Confidentiality

Mr. Leonard Evans (Brandon East): I would like to table a partial list of the kinds of personal data that

will be involved, and is involved, with MDS, namely— thanks incidentally to the Ombudsman, who insisted that the Government had to make this available to the public—hospital claims, files, personal care home, drug history files, doctors' master files, farm credit files and so on. Why does the Government believe that private firms should be able to control such confidential personal information?

Hon. Clayton Manness (Minister of Finance): Again, Mr. Speaker, the Member's conclusion is wrong. I can indicate what the Ombudsman said. What the Ombudsman said is that Section 43 of The Freedom of Information Act, the integrity of that section, had to be maintained; that there was legitimate cause for the Government at the time not to disclose information when it was negotiating very sensitive matters.

That is why the Ombudsman did not give a blanket recommendation in the sense that all departments should provide information. Certainly there was an indication that some departments should provide the information at hand. That has been done and that is the list to which the Member opposite refers.

Mr. Speaker, let it not be said by anybody that the Ombudsman has ruled against the intent of Section 43. Indeed, the Government has been ruled to have taken the right action with respect to this matter.

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

NON-POLITICAL STATEMENTS

Mr. Neil Gaudry (St. Boniface): Can I have leave for a non-political statement?

Mr. Speaker: Does the Honourable Member for St. Boniface have leave to make a non-political statement? (Leave) The Honourable Member for St. Boniface.

Mr. Gaudry: M. le président, c'est un grand honneur pour moi aujourd'hui de rendre hommage à un grand citoyen du Manitoba. Le juge en chef de la Cour d'appel du Manitoba, Alfred Monnin, prendra sa retraite aujourd'hui. Au cours de ses nombreuses années comme juge en chef et juge de la Cour d'appel du Manitoba, le juge Monnin s'est distingué non pas seulement au Manitoba, mais à l'échelle du pays. Ses immenses capacités de synthèse et d'analyse, ainsi que ses immenses connaissances juridiques lui ont mérité le respect de la communauté juridique entière au Canada. Les décisions qu'il a rendues ont toujours été appuyées sur un raisonnement profond et une recherche méticuleuse.

(Translation)

Mr. Speaker, it is a great honour for me today to pay homage to a great citizen of Manitoba. The chief justice of the Manitoba Court of Appeal, Alfred Monnin, is retiring today. In the course of the many years he has spent as chief justice and as a justice of the Court of Appeal, Mr. Justice Monnin has distinguished himself not only in Manitoba but at the national level. His immense capacities for synthesis and analysis, as well

as his extensive legal knowledge, have earned him the respect of Canada's entire legal community. His decisions have been at all times based on profound reasoning and meticulous research.

(English)

Over his long and brilliant legal career, first as a lawyer, then at Queen's Bench, and then as a justice and chief justice of the Court of Appeal, his commitment, sense of duty and desire to achieve perfection, he became known as a hard-working judge; one who would not close a file or give a ruling until he was satisfied that all the facts were known, and that the law had been canvassed as thoroughly as possible.

Chief Justice Monnin was appointed to the highest position on our Court of Appeal at a time full of new constitutional challenges. The Charter of Rights and Freedoms meant a major rethinking of many of the laws and legal precedents, which over the years have shaped and guided legal opinion in this country.

Mr. Speaker, Chief Justice Monnin took up this challenge in a manner which was unparalleled and many of his decisions would influence lower courts across the country and would be endorsed by this country's highest court, the Supreme Court of Canada.

(French)

Le juge Monnin avait joué un rôle critique à une époque où le Manitoba était bouleversé par ses propres crises, un temps où l'Acte du Manitoba a créé de nouveaux défis pour la Cour d'appel du Manitoba qui devait trancher une des plus importantes questions constitutionnelles du siècle. Le juge Monnin a su démontrer une tolérance et une sensibilité exceptionnelles aux droits et aux relations qui étaient en cause.

(Translation)

Mr. Justice Monnin played a critical role during a period when Manitoba was overwhelmed with its own crises, a time in which the Manitoba Act created new challenges for the Manitoba Court of Appeal, which had to resolve one of the most important constitutional questions of the century. Mr. Justice Monnin demonstrated exceptional tolerance and sensitivity to the rights and the relations at issue.

(French)

Mais ce n'est pas seulement comme juge et juge en chef que le juge Monnin s'est distingué. Pour la communauté franco-manitobaine, le fait qu'il avait une énorme charge ne l'a pas empêché de continuer à rendre service à la communauté. Près de sa communauté, le juge Monnin a continué à lui rendre service comme l'attestaient ses services sur le Conseil d'administration du Collège Saint-Boniface, du Centre hospitalier Tâché, le Centre St-Amant et bien d'autres organismes. Nous en cette Chambre avons eu l'occasion d'être témoins aux heures qu'il a consacrées comme membre de la Commission de la division électorale. Alors je demanderais à mes collègues de la Chambre de lui souhaiter bonne retraite. Merci, M. le président.

(Translation)

Chief Justice Monnin has distinguished himself not only as a justice and chief justice. He is close to the Franco-Manitoban community, and his enormous workload has not prevented him from continuing to render service to it. That he has done so is attested by his service on the board of directors of the College Saint-Boniface, the Tache hospital Centre, the St. Amant Centre and those of many other organizations. We in this House have had the opportunity to witness the many hours he put in as a member of the Electoral Divisions Boundaries Commission. I would therefore ask my colleagues in this House to wish him a happy retirement. Thank you, Mr. Speaker.

Mr. Speaker: Does the Honourable Attorney General have leave to make a non-political statement? (Leave) The Honourable Attorney General.

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, it is with a great deal of pleasure that I would join with the Honourable Member for St. Boniface (Mr. Gaudry), and all Members of this House, in extending a big thank you to Chief Justice Monnin on the occasion of his leaving the Bench at, I think it is, 12 midnight tonight when that would take effect.

Certainly Chief Justice Monnin's contribution to judicial matters in Manitoba for the last 32 years should not go unrecognized. Indeed, I have said it before, I do not mind reminding Honourable Members, I was nine-years old when Chief Justice Monnin became the judge at the Court of Queen's Bench for Manitoba.

Throughout those 32 years, the gentleman distinguished himself well. Prior to those 32 years, he distinguished himself as a leader in many community associations and activities. A leader from the beginning of his judicial career, he went on to attain the highest judicial position possible in the Province of Manitoba.

As chief justice, Chief Justice Monnin displayed qualities of leadership, qualities of mercy, qualities of humanness that we could all use as an example for ourselves in the everyday conduct of our lives.

So we say goodbye in the sense to a gentleman, to a human being whose dedication to the betterment of his society is unquestioned and matched by only a very few that anybody could name. So we wish Mr. Justice Monnin well in his retirement years, well-deserved retirement years, and we thank him for his many years of service to our province.

**ORDERS OF THE DAY
HOUSE BUSINESS**

Hon. James McCrae (Government House Leader): Mr. Speaker, I believe if you were to canvass the House, you might find that there would be consent to dispense with Private Members' hour today.

Mr. Speaker: Is there leave of the House to dispense of our Private Members' hour today? Leave agreed? Agreed. The Honourable Government House Leader.

Mr. McCrae: Mr. Speaker, I would like to announce that the Law Amendments Committee would meet, if this is agreeable with Members of the House. I prefer to do this with the agreement of Honourable Members, but it is our proposal to have the Law Amendments Committee meet tomorrow morning at 10 a.m. in Room 255 to continue consideration of Bills 63, 64 and 83. I will just pause momentarily to see if that is indeed the wish of the House.

Mr. Speaker: The Honourable Member for Thompson (Mr. Ashton), on that matter of house business.

Mr. Steve Ashton (Second Opposition House Leader): We have no problem in terms of the calling of the committee, but my understanding was that the committee, itself, had been discussing dealing with Bill 83, and I would suggest that there be some clear direction of which Bill or Bills are going to be dealt with because there are still presenters I believe on 63 and 64.

Our recommendation would be that we deal with the ozone layer Bill tomorrow and come back in with 63 and 64, possibly, Tuesday. I believe that was the Minister's suggestion, as well. We would agree to the consideration of Bill 83.

Mr. McCrae: Mr. Speaker, if the suggestion made by the Honourable Member for Thompson (Mr. Ashton) would facilitate the consideration of Bill 83, we would refer Bill 83 to that committee, and perhaps at a subsequent sitting deal with Bills 63 and 64.

Mr. Speaker, would you call the Bills in the following order, please: Bills 31, 73, 65, 39, 60, 59, 81, 77, 78, 82, 6 and the remainder as they are listed on the Order Paper.

* (1420)

**DEBATE ON SECOND READINGS
BILL NO. 31—THE LABOUR
RELATIONS AMENDMENT ACT**

Mr. Speaker: On the proposed motion of the Honourable Minister of Labour (Mrs. Hammond), Bill No. 31, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, standing in the name of the Honourable Member for Flin Flon (Mr. Storie), the Honourable Member for Flin Flon.

Mr. Jerry Storie (Flin Flon): Mr. Speaker, Bill No. 31 is an important piece of legislation. It is important in a very negative sense in terms of what it tries to accomplish, but I think it is an important point of departure philosophically between certainly the present Government, the Liberal Opposition, and the New Democratic Party.

I say it is important because it underscores the very fundamental difference in the way we view how the world works, how we co-operate as individuals, how business and labour interact in the employment field, and it is important to note, and it has been noted by

my colleagues and by others, that in this respect the opposition to this particular Bill comes from the New Democratic Party.

Now, I am not saying for a minute that there are not Members of the Liberal Party who believe that final offer selection has some merit. In fact, when the Member for Radisson (Mr. Patterson) spoke at first to this particular amendment one would not have been able to discern from the majority of his remarks that, in fact, he was going to join his colleague, the Member for St. James (Mr. Edwards), and vehemently oppose this particular section of The Labour Relations Act, that he was going to support the Tory amendment to kill one of the most important pieces of labour legislation introduced in the last decade in the Province of Manitoba.

(Mr. Neil Gaudry, Acting Speaker, in the Chair)

It was quite ironic, I need not tell you, Mr. Acting Speaker, to sit here and listen to the Member for Radisson (Mr. Patterson) extol the virtues of final offer selection. I should indicate that he indicated in his speech that he had some experience with final offer selection. It had been used at the University of Manitoba. He was cognizant of the fact that it was a workable solution, it was a solution that limited the necessity for disruptive, expensive, costly, divisive strikes in the university setting.

Mr. Acting Speaker, it is unfortunate that the Member for Radisson had his particular views on the subject of final offer selection overridden by the Leader of the Opposition (Mrs. Carstairs) and the more right-wing Members of the Liberal Party like the Member for St. James (Mr. Edwards), who incidentally gave one of the most misleading, misinformed speeches on final offer selection that we have ever heard.

One of the points of misinformation that continues to be spread by Members of the Government, Members of the Liberals, with respect to this Bill, is the question of the unity of the labour movement in Manitoba on this piece of legislation. The Manitoba Federation of Labour speaks for the vast majority of working union people in this province. It has been said before that the vast majority of the delegates to the Manitoba Federation of Labour Congress Convention in 1987, when this piece of legislation was introduced, supported final offer selection in its present form, supported the Government's intentions to proceed with final offer selection, and that was passed overwhelmingly by the delegates at that convention.

It was true, it is true, that certain individuals in the Federation of Labour and the Canadian Federation of Labour were opposed initially to final offer selection. I can tell you now that even those within the labour movement, including the Canadian Federation of Labour who did not support final offer selection in its initial phase, now having regard to its performance, believe that it is going to work in the best interests of working people in the Province of Manitoba. That is the goal.

Mr. Acting Speaker, there are those on the Government side and in the Liberal benches who will say that well, yes, maybe it works to the benefit of

working people, but what about the business community.

We are not surprised. Frankly, we are not surprised that the Liberals and the Conservatives are concerned about their corporate friends. What is more important in this debate is not a question of who wins in this legislation, because if we believe that it is quite possible that both Parties will win—and I think our experience in Manitoba to date with final offer selection tells us that, yes both Parties do win, but it is the attitude of the Liberals and the Tories that working people should not win somehow if that is the final result.

Mr. Acting Speaker, the overwhelming evidence is that final offer selection is working in Manitoba, it has worked in Manitoba and it will continue to work if it is given an opportunity. Why do I say that? I say that first of all because we now have some history from which we can examine the usefulness of final offer selection.

The fact is that final offer selection has worked. There have been more than 50 cases of final offer selection where the items in dispute have been resolved prior to the implementation of final offer selection. So on the first point, Mr. Acting Speaker, we said that final offer selection is simply another tool to be used in negotiations. It is another tool to help the negotiators on the employer's side and the employee's side focus on the issues in dispute. It is a way of getting people to think about the bottom line, about a realistic position. It eliminates posturing in the bargaining process.

Mr. Acting Speaker, the fact is that in the majority of cases where final offer selection has been filed for, in other words there was an impasse in the negotiations, both parties supported an application for a decision under final offer selection.

What is the result? After they have filed for their final offer selection, what has been the result in terms of the negotiation process? In the majority of cases, even after final offer selection has been filed for, the two parties came to an agreement. Why does that happen? That happens very simply because, despite the fact that in the negotiations process, offers, proposals get refined, despite the fact that that happens normally during the bargaining process, out of necessity when parties put their final offer on the table for consideration they know for a fact that if a selector is to choose one or the other, there is the potential for serious loss.

The negotiators for the union, the negotiators for the collective bargaining unit, stand to lose considerable not only face, but financial dollars, lose concessions in the bargaining process if their final offer is not selected.

If you go to the other side of the table, you have an employer who is sitting there with a bottom line. He understands what his potential losses are from any set of negotiations. He understands what he can legitimately offer and what he cannot offer. Even after the final offers have been put on the table, there is an incentive to continue bargaining, to see if you can narrow that gap even further.

Mr. Acting Speaker, over the last few years we have had example after example after example of

negotiations that have continued after the application for final offer selection. In January of 1980, the agreement between the International Union of Operating Engineers, Local 901 in the Rural Municipality of Springfield, the Blackwoods Beverages, the Manitoba Food & Commercial Workers, the Northern Stores and the United Food and Commercial Workers, I could go on, a whole list of disputes that were settled after the filing of final offer selection, after the two parties have agreed to choose a selector and that selector will choose one of the two parties' final offer, the fact is that the negotiations continue.

To those who criticized final offer selection by saying that this in fact was a way of imposing the will of one party or the other, an outsider choosing proposal A from the employer or proposal B from the employees, it is ridiculous. The fact is that the vast majority of cases have proven that supposition to be in error. The fact is, negotiations continue because no one wants to lose in negotiations. In fact, it is neither party's interest to have the other party lose. This is a form of win-win negotiations for both parties because it encourages realism in collective bargaining. It encourages real good faith bargaining and it has worked in Manitoba.

* (1430)

Mr. Acting Speaker, there are all kinds of arguments that have been used to suggest that final offer selection does not work. We have seen some extreme rhetoric used around this issue. When it was first introduced back in I believe it was 1987, the Chamber of Commerce was among those who used the line, "the dark cloud over Manitoba", suggested that the introduction of final offer selection was going to create an unhealthy atmosphere.

My colleague, the Member for Churchill (Mr. Cowan), noted with a great deal of irony that the only time in Manitoba when the Chamber of Commerce or the Conservative Party ever support working people, ever indicate any interest in labour relations, in collective bargaining, in personnel management is when something else is on the horizon, something new and progressive is suggested to alter the status quo.

In 1982, 1983 and 1984 we had the Conservatives belittle every attempt on the part of the New Democratic Party to improve the lot of working people. Every time we increased the minimum wage, every time we introduced new expedited arbitration, expedited mediation, under The Labour Relations Act we were told this was adding to the burden of the business community, this was destroying the balance between labour and management in the Province of Manitoba. No initiative that supported working people was ever good enough.

The only time things are rosy in Manitoba is when we propose something new. When final offer selection was proposed all of a sudden the Chamber of Commerce said: no, everything is great in Manitoba, the labour management climate is great, the number of days lost due to strikes is fairly low, everything is great, do not add anything else to the process.

Of course, Mr. Acting Speaker, final offer selection was implemented in Manitoba, it was passed into law. What has been the result of that law? Has the prophecy of gloom and doom come to pass? Have the number of days lost due to strikes increased dramatically? Have businesses and their collective bargaining units been at odds and created turmoil in terms of labour management in the Province of Manitoba? Have there been mass outcries of frustration and anger over the final offer selection portion of The Labour Relations Act? Have working people themselves complained, shown any concern over the implications of final offer selection since its passage in the Province of Manitoba? The answers are clearly no, no, no, no.

The fact is that those workers, those unionists, who opposed final offer selection now understand that it can work to their benefit. It can work to create harmony in the Province of Manitoba. It can work to lessen the tensions between management and unions. It can be a useful way of resolving disputes that might otherwise lead to strikes.

The question was: has it created more days lost due to strikes? We saw only yesterday a confirmation of statistics, that we saw start coming in 1985 and 1986, that in fact, other than Prince Edward Island, Manitoba has the fewest days lost due to strikes of any other province in the country.

The fact is that our labour legislation is not unbalanced as the Tories and the Liberals would have us believe. The Liberals are in on this too. They want to attack labour legislation. They do not like final offer selection. They do not want anything progressive in legislation that might interfere with the Bank of Montreal's right or the Royal Bank of Canada's right to make a billion dollars.

The fact of the matter is that we have seen fewer strikes, we have seen less days lost and we have seen a better relationship. Those unions and employers who want to use final offer selection have not been shy about using it. They have used it to their advantage, and they have used it to resolve disputes in the Province of Manitoba.

There has not been more days lost. There has been no major outcry from the business community as a result of the implementation of final offer selection. We had the initial reaction from the Chamber of Commerce, the traditional reaction, who opposes any change, wants the status quo, wants to make sure that it has the upper hand, can see no benefit in equality and fairness being part of the collective bargaining process.

That initial reaction has not proven to be true and in fact we could go through the list of companies and organizations and municipalities and non-Governmental organizations that have used final offer selection, and we find that it has worked to their advantage as well. They, despite their initial concerns—and they may have been legitimate, certainly anytime there is change there is pause for reflection. The fact of the matter is that no significant negative impact has been felt.

In terms of the reaction of the business community and those who act as employers whether they are an

independent business or non-Governmental organizations or municipalities have not experienced any difficulty in understanding final offer selection, in using it to conclude negotiations in their particular collective agreement.

Mr. Acting Speaker, the whole purpose of final offer selection, the whole purpose, was to ensure that there was every opportunity for employers and employees to come to a mutually acceptable agreement. The whole purpose of final offer selection was to limit the number of days lost due to strikes in the Province of Manitoba. That was its sole purpose, its sole purpose, and it has been effective. It has been effective in doing that.

Mr. Acting Speaker, the Members of the Opposition, and particularly the Minister of Labour (Mrs. Hammond), wants to leave the impression and it is quite misleading, quite misleading, that final offer selection is somehow responsible for the fact that six of these stoppages, work stoppages, that lasted more than 50 days had applied for FOS. The logic at work in this particular piece of propaganda that was released by the Minister on June 20, 1989, is unbelievable. The logic is unbelievable.

We in Manitoba enjoy one of the highest percentages of unionized work forces in the country, one of the highest, and certainly much higher than most jurisdictions in the United States. Yet, we enjoy one of the lowest percentages of days lost due to strikes in the country. Those two statistics simply do not make sense if final offer selection is the cause for some increased work stoppages.

The fact is—and the Minister knows this and if she consulted with any of the parties involved in these protracted disagreements would learn that there were many, many other issues involved that were long-standing, that were perhaps outside the jurisdiction, the control of the parties involved, outside the control of the parties involved.

Yes, there are some fundamental issues that are not going to be solved regardless of what mediation techniques that you use, or regardless of what other techniques you might use to get people to the bargaining table. If the division is so wide that it cannot be breached, then final offer selection is not always going to work, nor is any other means of dispute settlement other than binding arbitration.—(interjection)

Well, Mr. Acting Speaker, I am reminded that it should be arbitration because arbitration implies binding. I accept that admonishment from the Member for Radisson (Mr. Patterson)—arbitration. The fact is that even arbitration cannot resolve all disputes, because if one party or the other cannot accept the results, financially in particular, the prospect for plant closures and so forth are still there.

We have to ask ourselves, has the addition of final offer selection been of benefit to the Province of Manitoba in total. It seems to me that the answer, the obvious answer is, yes, it has been. It has been particularly successful in the Province of Manitoba.

Mr. Acting Speaker, I want to refer again to the perspective, the spin, that the Minister of Labour (Mrs.

Hammond) and the Conservative Party and the Liberals may want to attach to final offer selection. Again, it comes from the press release that was issued by the Minister of Labour in June of 1989, and the first line of this press release says that the Government has moved to fulfil its commitment to restoring fairness to the collective bargaining process by appealing final offer selection.

* (1440)

The obvious question is, what does restoring fairness mean? Does that mean that there was not fairness before? Is that what the Minister is saying? How is the Minister judging that, given the record that we have in the province, a good record with respect to days lost due to strikes. How can the Minister be restoring fairness when final offer selection (a) has been shown to work in situation after situation, even with groups that did not believe it was going to work for them? How can they argue that final offer selection is not working when the numbers of days lost are lower than every province except P.E.I.? How can they argue that final offer selection is not working when it is being used by so many groups, when it is being used as a tool in so many collective bargaining situations?

Mr. Acting Speaker, the Government would like to pretend that restoring fairness means that somehow this legislation gave, particularly working people, some inherent advantage in the collective bargaining process. The fact of the matter is that the right to strike that was given to those involved in collective bargaining has not been diminished by this, nor has it changed the circumstances really for those involved on the employer's side. Unionized membership can still strike if they wish. All that final offer selection does is give them another alternative, give them an alternative which brings the people to the table. It does not require the changing of one single proposal, one single clause of a proposal from the employer themselves. The only obligation it puts on the employer is to make that he, or she, or it, the company, must make sure that its proposal is realistic. That is the only obligation, the only obligation on the part of the employer.

The fact is that the employer still holds control over the operation itself, its hours of operation and whether in fact it stays operating. The only obligation under final offer selection is an obligation of what I call reasonableness, and if that reasonableness is contained in a final offer that comes from an employer, then I predict, and we predicted that the selector chosen by the two parties would apply it in a reasonable and a consistent manner.

The question is, in those situations, and there have been relatively few, but in those situations where the final offer selection process has been requested, when the parties have filed their final offers and the selector has been forced to make a choice, did the final offer selector choose disproportionately for one side or the other?

The answer is no, that when the employers put together a final offer that was reasonable under the circumstances, reasonable from all perspectives in

terms of fairness, in terms of equity for the people that they were bargaining against or with, in terms of the financial circumstances of the company and its viability and long-term viability, the selector chose appropriately. In other words, it was not always the bargaining agent for the union that won nor was it always the employer that won. In fact, selectors have chosen both ways.

I emphasize again that in the majority of cases final offer selection has worked to resolve the negotiations before the selector has actually made his selection. In many, many cases when you start looking at individual applications, it says, received notification 880420, the parties have reached agreement prior to selector; reached agreement prior to selector making decision; Order No. 710, reached agreement prior to selector making a decision; Order No. 78, 721, notice received agreement reached prior to selector making a decision; 719, negotiations concluded before the selector made a decision; Order 726, agreement prior to selector—on and on and on.

So the supposition, the suggestion, the implication by the Liberals and the Tories that this is not working, that it works against negotiations is absolutely and patently false. It is absolutely false, it is not true. All kinds of evidence is now there to support the usefulness of final offer selection. So why the intransigent, particularly of the Liberals? I can think of only one reason and one reason that consistently comes to the fore, because really when it comes to working people's issues, they do not give a damn. In fact, they will side with their corporate buddies every time, where 70 percent or 80 percent of their financial support comes from incidentally, and they will side with them every time. They want to present themselves as the defender of working people's interests but, Mr. Acting Speaker, the facts speak for themselves.

On issues of long-term importance they do not stand with working people at all. In fact, they are on the other side of the fence. A Liberal is a Tory is a Liberal and that is the unfortunate fact of the matter.

An Honourable Member: Do not insult the Tories.

Mr. Storie: Mr. Acting Speaker, I am not insulting Tories. No, I do not think by calling a Liberal a Tory I am insulting Tories at all. I think they are the same.

This press release, this propaganda piece that was introduced by the Minister of Labour (Mrs. Hammond), supposedly in a defense of the Government's position that final offer selection should be repealed, goes on to say that Hammond said—I refer to the Minister of Labour—that while the intent of final offer selection introduced by the previous Government, January 1988, was to shorten work stoppages, there is no evidence that this has been the result.

First of all, the primary purpose of the introduction of this legislation, for the Minister of Labour's information, was not to shorten work stoppages, it was to prevent work stoppages, it was to promote collective bargaining, it was to promote negotiations at the table, it was to promote the successful negotiations between the parties. That was what it was designed to do. The

evidence that the Minister supported as factual the other day is the evidence that should be used to judge whether final offer selection is working and that is how many days of work stoppage have there been in the province compared to other jurisdictions and compared to our historical averages in the Province of Manitoba. The facts are indisputable. The facts are that final offer selection is working.

Secondly, Mr. Acting Speaker, this is such a facetious kind of argument. Hammond said, the intent was final offer selection introduced was to shorten work stoppages. The only reason that particular language is used in this press release is because it is the only kind of evidence the Government could mount whatsoever to suggest that it was not working. On what basis is that? It is because six of the work stoppages in the province seem to be longer than 50 days and final offer selection had been applied for. The Minister knows, as everyone in the province knows, that there is absolutely no connection between the two incidences. They do not necessarily coincide because of final offer selection. There are many, many good reasons why parties go into work stoppage, why disputes are not resolved and they have nothing to do with final offer selection.

I want to say that this is not only my view and the New Democratic Party's view, but it is the view of many, many people who have studied the nature of final offer selection and what it does. I have said, and this is quite ironic that the Minister believes the introduction of FOS was to shorten work stoppages, because it was to prevent them. It also is rather amusing for the Minister to use that as an argument for repealing final offer selection.

Final offer selection works exactly the opposite. Final offer selection results, as I suggested before, in a convergence of proposals. No one, frankly, in the negotiating process wants to get caught with their pants down. No one wants to get caught in a situation where their proposal is so ludicrous, so off the wall, so out of touch with reality that it is dismissed out of hand. The proposals that come to the final offer selector have to be reasonable, rationale proposals, given the circumstances and the context of bargaining.

What do experts say? What do those who have studied final offer selection say? Well, Professor Bellan, who writes in the Osgoode Hall Law Journal, talks about the significance of final offer selection as a means of concluding negotiations. He said, what does this process lead to, and he said that there are four significant—and he called them "significant" processes—involved in final offer selection which lead to an agreement.

* (1450)

First of all he said, and this is directly from that article, there were significant convergent pressure to appear reasonable in the eyes of the selection officer. Number two, he said, both sides felt strongly motivated to settle the agreement themselves for personal satisfaction and to avoid the risk of complete loss at arbitration. Yet both felt final offer selection gave the parties a large

measure of control, a larger measure of control than did conventional arbitration. Both felt that the time frame set in advance prevent a stalemate from developing that kept talks progressing even though they may be making slow progress. Number four, both parties felt compelled to justify their position during negotiations by reference to concrete financial data. In other words, parties involved in negotiations where final offer selection is a part of the process have to be reasonable, they have to be rational and they have to reflect reality.

I cannot understand for the life of me, what anyone, Liberal, Conservative, small business, big business, has to fear from the proposition that negotiations should be conducted on a reasonable, rational basis. That is what we are asking for, that is what we asked for in final offer selection, that is what we hoped that final offer selection would accomplish, and that is in fact what it has accomplished.

So why the need to repeal it? Why the headlong dash to satisfy a commitment that was made by a political party on the basis of no knowledge whatsoever of what the final implications, the final ramifications of this legislation were going to be?

The Conservative Party and the Liberal Party opposed final offer selection. They did so from an ideological point of view. They did so because it was going to impact, they thought. I emphasize that "they thought" on their contributors, the people who supported them politically, financially, but those assumptions and those presuppositions proved to be in error.

My question is, and what I cannot for the life of me figure out, Mr. Acting Speaker, is why in the face of overwhelming evidence that final offer selection works can there not be a change of opinion? Why can these people not, my colleagues in the Liberal and Conservative Parties, use their own logic to determine the facts for themselves and change their minds if the facts warrant? I believe the facts warrant a change of mind, a significant change of mind.

I can see no evidence, not any evidence, to support a contention on the part of the Liberals or the Conservatives that this somehow gives an unfair advantage to working people. That is the message that the Minister wants to lay out there, that somehow there is some unfairness in the system. The unfairness is only in the minds of the Minister of Labour (Mrs. Hammond) and her colleagues and the Liberals. There is no inherent unfairness in this legislation. The fact that all Parties are using it, that employers who seemed to be apprehensive in the first instance are using it, that employee groups who at first were apprehensive about the impacts of final offer selection, all of them are using it and it is working to their advantage.

Mr. Acting Speaker, there are a whole series of questions that need to be addressed by Members opposite when they speak to this legislation. I must say that I am puzzled. I am puzzled. If the Liberals and the Conservatives are so certain of their information, their data, the factual basis for their arguments, their rationale for opposing this legislation, if they are so certain of it, why have we seen no Liberals and no Tories speaking on this particular legislation?

What we saw was again, as my colleague from Concordia suggested, we heard from two Liberals on this issue, one for, one against. We have heard from virtually no Conservatives because they know the basis for their arguments is wrong. There is such uncertainty in the Liberal Party, we have heard from one of each, one for, one against.

Mr. Acting Speaker, to those of us in the New Democratic Party, to those of us who have been involved in amending and improving labour legislation, workplace health and safety legislation, minimum wage laws in the Province of Manitoba, those of us who have worked and support working people in the Province of Manitoba, we believe that this legislation is important. There is a very, very important principle in this legislation, a principle of fairness and equity, a principle that says that preventing strikes is the most important thing we can do as legislators. It is best for working people. It is best for business. It is best for our own economy. That is why the legislation was introduced. It is working. Not only that, it is working. It is irrefutable, it is working.

Not only that, but the Government, when it was introduced, acknowledged, when the Minister of Labour stood and introduced final offer selection, he said, this is an innovative and creative step in the history of labour relations in the Province of Manitoba, and it was. He also acknowledged that like any piece of legislation, you can only use the best information at hand. You can only get a feel for what ultimately is going to happen with that legislation and what its impact is going to be. You cannot foresee with any accuracy how courts are going to interpret the legislation, what challenges there might be to the legislation, but we recognized it was new.

Mr. Acting Speaker, what we did, we said, let us put a sunset clause on this legislation. A sunset clause in provincial statutes is quite unusual. It recognized the fact that this was new; that we were entering a new stage in terms of industrial relations in terms of collective bargaining in the province. We wanted to make sure that there was not unnecessary fear that somehow this legislation would be difficult, if not impossible, to overturn.

What we did is put a five-year sunset clause in the legislation, which means that after its introduction, five years from the date of its introduction, this legislation ceases to exist—five years. We have about three years left, less than three years left now, about two and a half years left before the legislation expires. Then it will require an Act of the Legislature to reintroduce that legislation. Why the undue haste? It appears to be working. There is no hue and cry from business or anybody else to see this legislation killed, other than from the Conservative benches and with the support of the Liberals.

This legislation is working. Why the fear? Why can we not allow this legislation to be evaluated after this five-year period, about two years, two and a half years, from now? Why can we not start then to have an independent committee of the Legislature analyze the data and draw some rational conclusions about the evidence and then present its recommendations to the

Legislature? Why the undue haste? Who is being supported by the repeal of this legislation?

If it is working to prevent strikes, it is for the benefit of the Province of Manitoba. If it is working to prevent strikes, it is for the benefit of working people in the Province of Manitoba. No one wins by a strike. We all agree on that. Why the undue haste—to fulfill an empty political commitment that was given on the basis of absolutely no knowledge and no experience with the legislation? Does that make sense, Mr. Acting Speaker?

It does not make sense. It is not rational. When we sit here, we have no rebuttal from the Members of the Liberal Party, no rebuttal whatsoever. They cannot think of a single thing to say in their own defence which makes sense.

We hear nothing from the Conservative Party about their proposal to repeal it. What are we supposed to conclude? -(interjection)- the Member for Wolseley (Mr. Taylor) says, give me a break. I will give the Member for Wolseley a break. I want him to stand in his place as a Liberal and tell me why he is voting against working people. I want him to stand in his place as a Liberal and tell me why he wants to defeat legislation that is preventing strikes in the Province of Manitoba. I want him to stand and tell me why he does not agree with his friend, the Member for Radisson (Mr. Patterson), that this is good legislation.

Mr. Acting Speaker, the fact is that the Liberals are on the wrong side of this issue. They may have figured it out, I do not know yet, but the Conservatives are definitely on the wrong side. They are supposed to be governing in the interests of the Province of Manitoba, and they are failing to do that on this issue. They are failing dramatically and unfortunately.

Evidence suggests—and I beg Members in the Government to look at the evidence. Do not listen to the Member for Kirkfield Park (Mrs. Hammond). Do not listen to the Minister of Labour's (Mrs. Hammond) propaganda when it comes to this; that they want fairness when there is fairness and it is shown to be fair. Do not listen to them when they want to say it is not working because six work stoppages have been more than 50 days. It is a specious, foolish, manufactured argument for the repeal of this legislation.

This legislation is working in Manitoba. We have the best record when it comes to work stoppage in the country. We have very few days lost. It would be extremely unfortunate if this legislation was lost because of a political commitment that was made on the basis of ignorance, Mr. Acting Speaker, ignorance. This legislation needs to stay in Manitoba.

Mr. Jim Maloway (Elmwood): I move, seconded by the Member for The Pas (Mr. Harapiak), that debate be adjourned.

MOTION presented and carried.

BILL NO. 73—THE HIGHWAY TRAFFIC AMENDMENT ACT (6)

The Acting Speaker (Mr. Gaudry): On the proposed motion of the Honourable Minister of Highways and Transportation (Mr. Albert Driedger), Bill No. 73, The Highway Traffic Amendment Act (6); Loi no 6 modifiant le Code de la route, standing in the name of the Honourable Member for St. Vital (Mr. Rose). The Honourable Member for Assiniboia.

* (1500)

Mr. Ed Mandrake (Assiniboia): The Honourable Member, my colleague from St. Vital, stood the Bill on my behalf, so with your permission I would like to place some comments on the record on behalf of our Party with respect to Bill No. 73.

I, with all sincerity on behalf of this side of the House, sincerely appreciate what the Minister has done in Bill No. 73. That is bringing in legislation with respect to photo ID. I think it is slow in coming. His Bill certainly addresses a very, very important issue, that issue being of displaying a “mug” on your driver licence, whereby it is going to certainly be of a great value to the police. They will be able to do their job more expeditiously.

The handling of cheques of course is another good avenue. It has so many ramifications to this idea that the average person cannot comprehend it. It is a wonder that we did not do this years ago. The photo ID is a commendable avenue to take. As I said, I certainly would not have any faults with the Minister with that respect.

The awarding of that contract of course, the only one thing that I am a little bit concerned about is that in the past several months, that being 20 months, ever since this Government has taken office it seems to be on a slide to always be giving contracts to other provinces.

I think we can go back into other contracts that were given. They were given to Ontario, the golden triangle, and it seems to me here is another example. National Business Systems of Toronto has been awarded the contract to do this new photo licensing system.

Mr. Acting Speaker, I am going through the notes that the Honourable Minister provided me. It is going to cost, the set-up on this is going to be close to three-point-some-odd million dollars. There is going to be an annual cost on that of \$2 million. Again I emphasize that I certainly think it is a good way to go, but the only question I would have is, why do we have to go to the golden triangle and offer these people the contracts? We do not have anybody in Manitoba that can undertake a venture of this nature with the same type of contractual agreement as National Business Systems got? I am simply baffled by the Minister to have to go that route.

Mr. Acting Speaker, in going through some of the comments that the Minister of course provided us, again I would like to be on record as finally seeing the wisdom of providing both critics with briefing notes. I think it

is very important. In fact all Honourable Members on the Government side who are Ministers maybe should take a step forward in the same manner which has been done in Highways and Transportation. It would make the critics' job that much easier and far more comfortable to be able to stand and offer suggestions that maybe we could improve the system.

I know my colleague, the Honourable Member for Inkster (Mr. Lamoureux), makes mention about the Honourable Minister of Urban Affairs (Mr. Ducharme). Apparently he is not doing it. I am amazed that the Government would not see the wisdom to provide the Opposition Party with a working agenda, but unfortunately the only department that is doing it of course is the Highways Department as far as I know, that is providing the critics with information regarding any piece of legislation that is being proposed and put into the House.

With that, Mr. Acting Speaker, I hate offering any kind of compliments unless they come from my heart. I mean, a compliment coming from just the lip is not sincere. Now what I just finished putting on record comes from here, because I think this Minister is trying to work with his colleagues in the Opposition. That I think is worthwhile mentioning because I think all Honourable Members from the other side could probably take a lesson with respect to what the Minister of Highways is doing.

I noticed that this program, the Minister of Highways (Mr. Albert Driedger) says it can be self-financed. There will be an additional \$4 charge on an annual driver licence fee as of the 1st of April, 1990. Now \$4 I think is acceptable, I do not think I would have any problems with that. Probably the only concern I would have is, how long would these photo IDs be in the hands of the driver? Let us say that the person has a disfigurement of some sort. Will it be compulsory for him to go back and get another photo? I presume that would be the case. I know he is laughing because he knows exactly what I am thinking of. If they were to take a picture of this "mug" it would probably break the camera.

Mr. Acting Speaker, as I said, there are 129 camera systems that will be manufactured and shipped and installed at the facilities. My concern with respect to this is: why could we not have had a company here in Manitoba which would have been able to acquire these type of cameras and provided the services for people in Manitoba for Manitoba?

It just does not seem right why we have to go to the golden triangle again, offer that company in Ontario to bring people into Manitoba to do the training, et cetera, et cetera, where our own citizens in Manitoba, our own small entrepreneurs, probably could have performed this type of a job. I am sure if I was to go out there today and talk to some of the photo companies some of them probably would be more than happy to do it. I do not know maybe I am wrong in that, but I think I am right in what I am saying.

* (1510)

Mr. Acting Speaker, going on further onto this legislation I find very hard to understand why we need

a two-part system for our licensing. I have always believed that if you are going to have a photo ID—and it is ironic that we are talking about that, because I will go back to my military days when I was in the services and we also had to have a photo ID. It was the same size as a credit card. It had your name on it and everything was in French and English in accordance with the laws of the land at that time. All of the information was placed on that, but it used both sides.

From all the research that I have done this two-part licence system is a carry through from Alberta. I might be wrong in that, but I will be corrected. I am sure that the Minister will certainly correct me on that aspect. I would appreciate if—we will be discussing this further of course, Mr. Acting Speaker, in committee.

With that, as I said, my Party and I certainly do not have any objections to a photo ID. In fact, we have been, I should not say harassing the Government, but we certainly have been very supportive of the photo ID in the past 20 months. We certainly would not stand or object to the principles of a photo ID for drivers licensing.

I am sure that all my colleagues and myself would support this Bill in moving out to committee to show this Government that we are a working Opposition. Let it not be on the record that we are trying to stall any Bills, as probably has been mentioned in previous instances where the Minister of Finance, or I think it was the Minister of Finance—it does not matter which one they are all the same. They seem to always like to put on the record of how badly we are treating them, et cetera, et cetera.

Well, this is one Member on this side that will not stand in the way of good legislation. This is a start. With that I wish the third Party would recommend also to send this to committee as soon as possible. Thank you very much, Mr. Acting Speaker.

Mr. John Plohan (Dauphin): I was unfortunately not able to catch most of the words of wisdom from the Member for Assiniboia (Mr. Mandrake) because of other conversations that were going on around me at the time. I certainly do not want to reflect on anyone else in the House insofar as their doing that at the time the Member was speaking. I do not think it makes a statement about the kinds of things he was saying in this House either. I just think that it was a coincidence.

In any event, I was not able to get most of the comments he made and I will apologize to him if some of the ones that I make do in fact duplicate some of his comments. He can always indicate by saying, I said that, as I speak if that is the case.

Mr. Acting Speaker, I want to indicate first of all to the Minister that he is embarking on a rather expensive new policy endeavour here with the two-licence system which he is asking us to approve through Bill No. 73. The photo licence system, the two-licence system, which in fact is going to cost taxpayers of this province some \$25 million over the first 10 or 11 years of its operation, some \$25 million, over \$5 million before the first year has passed, \$3.5 million to get up and running and \$2

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million per year operating. That is an enormous expense for what this Minister is undertaking.

You have to wonder at the priorities of the Government in terms of health care and economic development and jobs in rural areas that could be created through the expenditure of this amount of money. It starts to become a major expenditure. For a Government that talks about managing the taxpayers' dollars well and more efficiently, I have to ask the question whether in fact this is indeed consistent with that compliment they pay themselves. I do not agree with it for one thing and I think this is probably an example, a good example, of where in fact this Conservative Government is illustrating very clearly that they are not good managers of the taxpayers' money through this kind of expenditure that is not a necessity.

It is nice to have the photo licence system for identification purposes. It is nice to have it because so many other jurisdictions have this system in place already, but it is not an essential. If we were going to grade a number of services that Government should provide and you were going to rate them, certainly you would not rate this one as a 10 out of 10 when you compare it to the other needs in our health care system, our educational needs, our services to families and women, child care that is required, crisis centres that are being underfunded in the province, the need for some additional funding certainly for the poor in our society, for those people who are on social assistance.

Yet, here we have a Government funding \$25 million over a 10-year period to pay for photos on licences. On top of it they are going to start getting that money from us before the program even comes in. Now I understand from reading the information the Minister has sent out that the people born in even years are not going to get their photo licence until 1992. Yet on April 1, 1990, two years in advance, they are already going to be paying an extra \$4 for their licence. The Minister is going to start collecting in advance for this, for a service that many of us are not going to see for another two years.

Well, he knows very well that money is not going to go in the bank and run the system later, that money lapses after the fiscal year and so it is gone. What the Government is doing is using this as a revenue generating scheme when the services are not even yet being offered. Well, there are set-up costs and the Minister is going to argue that all that money is going to go into establishing the system that there is \$3.5 million to get this system off and running and then the first year another \$2 million. That is \$5.5 million. So he is going to say that \$4 is necessary for the start-up cost.

Then I look at what the Government has done and this Minister has done and I would like him to provide some answers and information to the House on this contract. Now I know the Member for Assiniboia (Mr. Mandrake) mentioned that National Business Systems of Toronto was going to be getting the contract as indicated in the information that the Minister sent to the critics.

Now the fact is, there is no mention made of a tender in this. I take it that there is just no competition in

these services in the world today. The Minister indicates there are three companies that were, but all I can see is the, no mention of a tender, just simply that it has been awarded, that National Business Systems, Toronto, has been awarded a contract which will allow the Government of Manitoba to provide for a new photo licensing system. This company is the world's largest and undertakes over 50 percent of the photo driver licensing in the United States and medical cards and millions of credit cards and so on but no mention of a tender. Clearly, if the Minister says there was a tender, that is encouraging in this instance.

* (1520)

The problem with it though of course is that all of this money for this, and we also do not know the terms of the contract and the length of the contract, how many years it will continue. It would seem open-ended, although it does talk about a term of the contract, so I do not know how long it is, but in any event there is going to be millions and millions of dollars going to National Business System of Toronto to provide this.

It seems to me that the Government had an opportunity here to work with the industry, trade and technology, the department that is called Industry, Trade and Tourism I believe, to develop an opportunity for a Manitoba company here. Because of the fact that there was this major expenditure on an ongoing basis that a Manitoba company certainly could have provided this kind of service to the Government of Manitoba and that is the kind of thing that the Government missed in this whole issue. In their haste to implement this expensive system they forgot, unless they never had that in their repertoire of ideas in the first place, to look at the opportunities to maximize the benefits of this contract and of this undertaking to Manitobans.

I believe that with the kinds of statements they make in this House, about Government involvement and so on, that they philosophically do not agree with the role of Government being used as a tool for economic development. Therefore they never even thought that hey, maybe we better look at this major expenditure by the taxpayers and take a look if there is an opportunity here to establish a company or companies in Manitoba to provide this, to stimulate economic activity and to provide jobs, because we see jobs being lost from this province, people leaving the province, fleeing the province as they did during the Lyon years in Government in this province.

Now the Minister of Agriculture (Mr. Findlay) does not like that because he knows that was a very embarrassing time for Manitoba and for Conservatives in this province, when the people were fleeing and the joke was: will the last one out of Manitoba please turn out the lights? There was a terrible population drain in this province.

We reversed that, turned that around, with some confidence in this province during the early '80s, reversed that trend. As a matter of fact Manitoba's population was growing substantially. Now it is back to the doldrums again. People are leaving again because they do not see any future in terms of economic development and jobs.

Here was an opportunity, and now in the whole scheme of things relatively small—we are talking 25 million over 10 years, but that is still a lot of money—and an opportunity to provide good quality jobs over a long period of time to Manitobans. Instead this Minister and this Government awarded a contract to a Toronto firm, and are ensuring, therefore, that the jobs are going to be back East, what they call central Canada. I think Manitoba is central Canada, but let them say it is central Canada—in the areas of low unemployment, high economic activity and large amounts of federal dollars. That is where they awarded their contract to and they left Manitoba out essentially.

I think that is a terrible oversight on the part of this Government. I think they missed an opportunity. I think that is very unfortunate for Manitobans that taxpayers' dollars are going to spent this way to provide jobs in eastern Canada and they are not going to provide jobs in Manitoba.

The point is, if we are going to have this major expenditure on this particular program, which, as I said before, would not be rated as the highest priority for Government to spend \$25 million over 10 years, then at least they could have maximized the benefits for Manitobans, and they did not do it. They ensured that the money would go East and contract the National Business Systems of Toronto instead of to Manitobans, and that is extremely unfortunate as I said before.

Let us look at the other opportunities then. Having said that, Mr. Acting Speaker, terrible oversight, now let us look at the other opportunities. They are talking about 129 camera systems that have to be sent out to all of the driver and vehicle licensing offices in this province. One hundred and twenty-nine camera systems have to be manufactured, shipped and installed in facilities located in 72 towns and cities throughout Manitoba.

Now the question is, Mr. Acting Speaker, where are they going to be made? Are they going to be made out in eastern Canada as well, more of this contract going down there, or is there going to be an effort to ensure that some of that stays in Manitoba, or would that be contrary to the Free Trade Agreement? Maybe that is why the Government cannot ensure that there is some Manitoba content in a contract such as this. That is an important thing.

I think the Minister of Health (Mr. Orchard) should talk to his colleague, the Minister of Highways and Transportation (Mr. Albert Driedger), and find out about this oversight, because he did not pay attention in Cabinet or Treasury Board, obviously, when this was discussed. If he had he would have asked these questions—if he had the kind of brain that considers maximizing Manitoba content and jobs as being important for this province, for Government expenditures.

Obviously, they did not do that. The Minister will have an opportunity to explain to this House why he did not do it. Because there are 129 camera systems that have to be manufactured we can ask where are they going to be manufactured? Where are the jobs there?

I ask as well, Mr. Acting Speaker, about the fact that the Government is going to be collecting these fees

two years before I am going to be able to get a photo licence in this province. Two years before, I am going to be paying \$4 a licence, and I am still not going to get the service. Why and how can this Minister justify doing that, fleecing the public in this way even before the service is offered? I think he should consider very carefully whether in fact that is a legitimate way to go about this.

Certainly, he will be able to do that. The licences have been increased before because of the costs associated with operating the Highways Department. That is one source of revenue, so he can justify increasing the licence fees at any time if he wants to do that.

Under the guise of this program, I think that he is misleading the people of Manitoba by increasing \$4 a year prior to the benefits accruing to the people of Manitoba. He might as well just say that there are costs in the department that he wants to recover through an increased licence fee and call a spade a spade, rather than saying it is because of this new system because it is not proper for him to do that.

I ask the Minister to explain to this House why he allocated this contract to a Toronto firm, what the terms of that contract are, what the tendering system was, what the competitive bids were, how long that contract will be in place that they will receive the sole business for supplying this service to Manitobans through the Department of Highways; and whether in fact the Government could have taken another opportunity here, could have utilized this opportunity to provide jobs for Manitobans as a result of the expenditure of taxpayers' dollars?

I say to the Minister, in addition to asking that, and to all Members of this Government, whether in fact, when they look at their own departments in agriculture, where they see such a terrible situation, economic situation for rural families and farm families in this province, where they see a dismal drought program or feed assistance program by the Minister of some \$19 million where people are getting \$56 back after they pay \$350 in premiums, and many other illustrations of that kind, whether in fact this \$25 million could not have been spent in the Department of Agriculture, instead of for photo licensing.

Is that the highest priority the Government has at this time, to spend that kind of money on photo licensing? Is that so essential at this particular time when there are jobs that are needed out there, when there are education services, when there is support for agriculture, when there are health facilities and health care that needs increased funding? Is that where the Government's priorities are? I ask them whether they have looked at that, because it is nice. It sounds nice to have a photo on the licence, but it is a major, major expenditure. How can the Members of the Treasury Bench and the Members of the Cabinet and all Members of the Conservative Caucus justify that kind of expenditure at this particular time? I say, was that the highest priority?

They talk about being efficient in Government and there are expenditures. They talk about managing

taxpayers' dollars so well. I say that this does not point to that kind of stewardship of the taxpayers' dollars. In fact, I say that this demonstrates to the taxpayers that they are prepared to throw money around, not save money as we were doing.-(interjection)-

The Member for Steinbach says we were throwing it away. We saved, by going to a single licence plate, \$200,000 a year. We knew that a little bit here and a little bit there adds up to a lot over a period of time. That is why we put in that decision. Those kinds of decisions were being made. Here we have this Minister coming along saying, well, money is nothing. We will just collect it from the -(interjection)- \$5.5 million in the first year before that system gets up and running and another \$2 million a year in operating costs, if that is not throwing money around rather loosely.

* (1530)

I think the Government should be thinking clearly about where their priorities are in terms of their expenditures, because they are going to find that maybe they have it good because the previous New Democratic Government left them in good position in this province. They had extra money to spend, so they think the easy times are going to be there all the time.

In fact the tax increases that led to the generation of additional dollars for this Government when they came into office which were put in place by the previous Government in an attempt to balance the budget over a two-year period, the fact that there was a windfall of additional money coming from the federal Government on a one-time-only basis that will not come again, the fact is that the economy was left in good shape and was generating a lot of wealth at that particular time. Our unemployment was the second lowest in the country, not fourth or fifth lowest like this Government has it now. Because of those factors, they found themselves sitting in a pretty good position contrary to what they told the electorate before and during the last election.

Mr. Acting Speaker, they thought that is going to last forever, this tremendous position that Manitoba was sitting in, it is going to last forever. I am going to tell them that there is an end in sight to this and they are not going to have the dollars to put out on programs such as pictures on licences.

In the near future they are going to have to start making some hard decisions where they are going to spend the money. It is not going to be easy come, easy go as it has for the last two years for them. They are going to find that they have to be responsible for where they spend taxpayers' dollars in this province. They are going to make some decisions.

There are going to be Ministers like the Minister of Health (Mr. Orchard) who is going to say to the Minister of Highways (Mr. Albert Driedger), I do not know whether we should spend \$25 million on pictures on driver licences. Maybe we should spend it on facilities that are required or maybe on surgery facilities that are required in this province where people have to go out of the province. Maybe he will say that they should spend it on additional home care for the elderly to eliminate the high cost of nursing care and so on.

There are many areas that are deficient because of this Minister. They are going to find that the gravy train has ended because of the good management by the New Democratic Government and the Government before them, the good position we left them in, and then they are going to have to make those decisions.

It is not going to be so easy for them if they get to stay in Government for any length of time and that of course is the biggest if of all.-(interjection)- You know, the Minister of Health (Mr. Orchard) talks about the deficit. He should go and see Grant Devine's deficit and his mismanagement. He should see Lougheed and Don Getty's mismanagement in Alberta. He should see the deficit left by Mulroney. Then he would know about deficits and he would not point to a New Democratic Government and say somehow this Government was mismanaging whereas all those Tory Governments in other provinces were not doing that. In fact they were doing it far worse. They were having a much more difficult time balancing their budgets, managing and staying on target for their budgets than the New Democratic Government in this province was doing.

Through that, they will come to the realization that in fact they are going to have to make some hard decisions, Mr. Acting Speaker, about such things as photos, pictures, on driver licences. They are going to have to decide whether that is wise expenditure of taxpayers' dollars, considering all of these other priorities that they have to make. Like I say, when it was sitting in their laps, this millionaire Finance Minister who walked into this good situation with all these additional dollars coming to the province, he thought that it was going to be like this all the time. This windfall was just going to be there. This money was just going to keep coming in. In fact, that is going to stop.

They are going to find through their own mismanagement that they are going to get further in the hole. They will not be able to get out of it this time. They will not have these additional dollars coming in. When they have a punitive federal Government hurting Manitoba at every opportunity and cutting back on jobs and commitment to our rural areas and to our communities, then they are going to have to pick up the slack. Then they are going to say, well, maybe we should not spend \$25 million on pictures on driver licences. Maybe there is a better way to spend that money and to provide stewardship of taxpayers' dollars in this province.

I would like them to reflect carefully on that because, Mr. Acting Speaker, as nice as it is to have a picture of yourself on your licence in your wallet, as nice as it is, they should be asking themselves: is this the way they should be spending taxpayers' dollars at this time? That is what they should be asking. They are going to be held responsible for those kinds of expenditures in the months ahead. I can assure them of that.

Mr. Acting Speaker, if they are intent in moving forward with this particular program, this expensive version of a photo licence system, then they shall be responsible for it. We would like to go forward and take this to committee to allow the people to make their representations. So we do not intend to speak at great length on this Bill, but to put those points on

the record for the Minister's reflection and his colleagues' reflection, so they can have some sober second thought, if you pardon the pun, about the kind of moves and the kind of ways they are spending taxpayers' money in this province. I let that speak for itself, for the people of Manitoba and decisions that have to be made in the future by the people with regard to this Government.

Mr. Harry Harapiak (The Pas): Mr. Acting Speaker, I would like to take the opportunity to put a few words on the record on Bill No. 73. I want to—

An Honourable Member: Do it right now and get it off your chest, you will feel . . .

Mr. Harapiak: Mr. Acting Speaker, the Member for Portage la Prairie (Mr. Connery), as he normally does, tries to harass people when they get up to speak. I guess he does not want to make any comments on the Bill on his own behalf, so I guess he wants to distract other people so they cannot make any comments on the record either.

The photo licensing is one of the issues that we were wrestling with when we were a Government. It certainly has been around for quite a long period of time. I know that it is an important item, and I guess I just have to ask the same question as my colleague from Dauphin (Mr. Plohman) asked: is this a priority of the Government, although we recognize that there is an important role to be played for photo licensing?

I think it would help in identification for people of the Province of Manitoba, but I guess when you look at the costs of bringing this program into place then you have to ask the question: is it that much of a priority that the Government would be bringing it in when there are so many other priorities that are facing us at this time? I know that when you look at the whole area of job creation, there are some real needs out there that the Government should be looking at putting some public dollars into job creation for some of those people who are having difficulty right now because of some of the decisions that the federal Government has made when you are dealing with the Unemployment Insurance Commission.

A tightening up of the regulations makes it necessary for people to be employed for a much longer period of time before they can qualify for unemployment insurance. I think that the Government should be looking at the possibility of creating some jobs in that area.

* (1540)

We just had a moment to speak about some of the very intricate parts of this legislation and the Minister has corrected me on some of the misunderstanding that was there about the Bill so I am pleased that I had the opportunity to have that bit of information.

I think it is unfortunate that the Government does not look at their priorities and look at how they can prioritize some of the needs out there. I really think that in some of the areas there is need for employment creation and dealing with some of the people who have

difficulty qualifying for unemployment insurance, especially in the fishing industry. I know that in the Lake Winnipegosis area and Lake Winnipeg area, Grand Rapids, Easterville, some of the constituencies that I represent, along with the Member for Dauphin (Mr. Plohman), there are people who are having difficulty qualifying for some of those programs.

I think that if the Government took off their philosophical blindfolds and looked at it, that would be money well spent. There are some legitimate needs out in those communities and some programs that could be put in place would be much better, much more wisely spent than the dollars that are being spent with bringing this program into place at this time.

I recognize that there are some benefits for having photo driver licences in Manitoba, because when you look at some of the other jurisdictions that have it, then it is quite a positive program. You know in the United States that there are over 50 percent of the states have that type of program, so I think if you look at it, then it does make sense to go in the direction. I guess all we are questioning is the priority of doing it at this time, and also the wisdom of charging people for a two-year period, increasing their licence fees for a two-year period before it comes into effect. I think that they are asking us to finance the whole program before we get the benefits of the program.

I guess I look at also some of the comments that were made by the Member for Dauphin (Mr. Plohman) about the priority for Government of letting this contract go to a firm outside of the Province of Manitoba. I know that there are firms in Manitoba that could handle this and I think that if they were to use some of the same policies that we had used when we were dealing with the Limestone development set-up, then Manitoba firms would have received these contracts and this would have been some additional employment created in Manitoba.

I guess one of the things that I have a little bit of difficulty accepting is the fact that the photo will be renewed on a four-year basis so it will be necessary for you to carry two pieces of identification then, one is the photo, and the other one is a driver licence. Why could they not make it for a four-year period, a four-year driver licence? I think it would make sense that if somebody compiled their demerits that made it necessary to give them demerits then those people should be getting an additional piece of paper to carry around to show that there has been some change in their merit rating. The majority of licensed drivers in Manitoba do not have merits, so surely, they could have come up with some system that was a simpler system than they have in place now. They could have made your licence one piece of information that you could just carry around with you instead of making it necessary to have two separate pieces of information.

I guess I have to ask some of the same questions as to the process that is going to be going on over the next couple of years to bring this into place. They say that the cameras are going to be manufactured and therefore there is going to be again a need for the manufacturing of 129 cameras. Where are they going to be manufactured? I hope that the Minister

when he gets up to make his closing comments on this before it goes to the committee will tell us where those cameras are going to be manufactured and are they going to be utilizing some of the Manitoba expertise that is out there and utilize Manitoba firms to put that in place. I think that it would create some additional jobs in the Province of Manitoba.

They are going to be putting the facilities, they are going to locate those facilities in 72 towns and villages and cities throughout the province over the next year to put this program in place and they are going to be computerizing. I think this goes along with the need to computerize the programs right across Canada, because in some instances there are people who have lost their driving privileges in another province and then they come to Manitoba and they have applied as a new driver and they have been able to get a licence. I know personally of some people who have lost their licence here in Manitoba and yet have gone to Ontario and they have had a licence issued to them. I do not think that is fair. I think there is a need for computerization of our system right across the dominion so that when people who have lost their driving privileges in one province should not be able to get a driver licence in another province.- (interjection)-

Mr. Acting Speaker, I think that if the Minister of Health (Mr. Orchard) would look at it then he would see that process was already in place, so the process is already starting for that to be in place. So I think he should take into consideration some of the comments he is making before he puts comments of that type in place.

Mr. Acting Speaker, I think it is extremely important that co-operation goes on between provinces so that we can have records that are transferred from one jurisdiction to the other.

I guess when I look at the process that will be happening, and it shows that there will be a good deal of the start-up program taking place in, I guess they contemplated it taking place in December. With the legislation not being passed it will probably be started after the legislation has been approved. Of course we have to go through the committee process yet, so we do not know how many presentations there are going to be from the public. If it is any indication the amount of interest there is out there dealing with consumer Bills, on 63 and 64, there is a tremendous amount of interest out there.

I know that the Member for La Verendrye (Mr. Pankratz) was very upset the other day when the people were coming forward and making presentations to the committee, but he should not try and stifle the committee process. I think it is extremely important that we hear the public. I think that is the whole purpose of having committee meetings. It is so people can come and make presentations, so that when we are passing legislation that is going to be affecting the citizens of Manitoba then we should not hesitate by having the committee meetings come and we should not stifle those people. If there is some legislation being brought forward that is going to be affecting the citizens of Manitoba, then we certainly have to hear them.

I know that some of the legislation that is being brought forward is in the area of consumer protection,

but I think that while we have opened up the consumers' Act, then we should take the opportunity of correcting some of the wrongs that are out there right now.

I think a good example is when the presentation was made yesterday by the people from Virden who have been affected by some of the decisions made by the credit union. I think that we should take that into consideration and close some of those loopholes that are in place, which does not give good service to the people who are being affected by the bailiffs and who are not being served by the courts in the way that it was put in place to serve those people.

I think that we should not try and stifle that committee process when that process has been put in place to make sure that the general public has an opportunity to make presentations. I am sure that there are going to be a large number of people who are concerned about this change in policy for the Government, even though I think that overall it is something that is going to be serving a useful purpose.

I again have to question the wisdom of moving at this time when the Minister of Finance (Mr. Manness) has very clearly stated that deficit reduction is a high priority with this Government. Why then would they be moving with this? Why are they moving with such haste in dealing with this legislation?

I am sure when the Minister of Highways (Mr. Albert Driedger) gets up and speaks on this subject then he will clarify some of the questions that are out there in the Members' minds and he will relieve all the fears that we have. He will very quickly put our minds at ease and they will certainly—the public that will be coming out to make presentations during the committee will also be convinced by the Minister's explanation of this piece of legislation and they will support it.

* (1550)

I guess one of the things that I like about this is the fact that they are going to be going out to northern Manitoba and making it possible for the people of the North to be photographed in a mobile unit. I think it is high time that we started going out to people in remote areas and giving them that type of service. I am pleased that the Minister is going to be having a mobile unit set up to go into the communities that are a distance from the centres so I think it is a good point.

I have to give credit to the Minister for coming up with a way to relieve that difficulty that is there.- (interjection)- I guess it is—one of my colleagues is telling me that the department insisted on that, and I can understand it. I think the department, to a great degree, was conditioned by the previous administration to be concerned for the people in remote areas because of the large number of Members that we had in the Government that were from remote areas, so I think that the departmental people got conditioned to serving the people. I am glad that the department has continued to be concerned and raised this issue with the Minister and he has brought it forward.

Some of the areas there will be offices are in Brandon, Dauphin, Portage la Prairie and Thompson. I would

hope that the Minister would look at setting up—there is right now a representation of the Minister's in the town of The Pas with driver testing and I think they could put a -(interjection)-

The Acting Speaker (Mr. Gaudry): Order, please.

Mr. Harapiak: Mr. Acting Speaker, I see some of the Members from Treasury Board from the last Government have continued to carry on with their frugal nature and continue to be concerned about the way the Government is spending money. I am glad to see that checkpoint still exists here so that even though the New Democrats are no longer in Government that checkpoint is still there and they are concerned about the way public money is being spent. I am deeply concerned about the way the money is being spent. I wonder about the priority when I see that they talk about reducing the deficit but they would be spending \$25 million over the next four years. I have to question how dedicated they are to that problem.

(Mr. Speaker in the Chair)

I mentioned earlier about the remote mobile driving testing services that will be coming forward. I see they will be going to Cross Lake and Norway House, which are going to be parts of my constituency in the new boundary changes.

I am pleased to hear that Norway House and Cross Lake are becoming part of my constituency, because it is an area that the Member for Rupertsland (Mr. Harper) has served very well and I look forward to carrying on that tradition of serving in a remote community of that sort.

Mr. Speaker, I believe I have raised some of the areas that I think are important to me. I know it says there that the \$4 charge will make this self-financing. I still wish that the Minister would not start charging the people the \$4 before it comes into place, because I think it is not a proper procedure to be charging people for a program before it is put in place. I would hope that the Minister would reconsider and not start putting that charge on people's driver licences before the photo licence program comes in place.

I think one of the areas that is a very good selling point for this program is the fact that it will prevent unauthorized use of a driver licence. Once this is fully in place it will make the work of enforcement officers much easier, because they can tell by just glancing at the photo that certainly this is not the photo of the person that has the licence. I think it will make it much more efficient.

Mr. Speaker, with those few comments I would just ask the Minister to address some of those concerns that were raised by the Members. That will conclude my comments and I would hope that our Members would pass this on to committee so that we can deal with it at that stage.

Mr. Bill Uruski (Interlake): Mr. Speaker, I would like to say a few words with respect to Bill No. 73, dealing with The Highway Traffic Act and the establishment, the formal approval, of the process of providing photo identification as part of a driver licence permit.

Mr. Speaker, I want to say that this matter in fact began while I was Minister responsible for MPIC. I issued a directive to the staff to start working on putting into process, had discussions with the Registrar, Mr. Dan Coyle, and members of MPIC to get working on this type of a system.

I raised the question precisely to the Minister of Highways (Mr. Albert Driedger) because I was shocked that we would have to go out of the province in fact to issue a contract to a firm in Toronto to provide the colour photo ID system. I can understand that we would want to go elsewhere to look at the technology, to deal with the question of what is on the market, where is it available, who does it, and what is the best means of providing the service.

Mr. Speaker, I can understand that the Government would have to buy its equipment or at least look at renting or buying equipment from somewhere. I think the Minister of Highways should explain precisely what the nature of that contract is for Members in this House as to what we are actually paying for in hiring an outside firm. I do not know whether there was any investigation of looking at a Manitoba firm which may be in the area of photography and specialized services, whether that kind of service could have been provided Manitoba-wise or whether or not that service could have been provided by the Motor Vehicle Branch and its agent on their own.

Mr. Speaker, if we are going to be providing that service with our mobile units in rural and northern Manitoba, using the current agency force to do the work for most of the system, I do not understand what the difficulty is and what the problem was for the Government not being able to in fact expand that service and do it internally, buying the technology where they had to buy it, because they have a force of people that travels rural and northern Manitoba, they have an existing what I would call a sales force in the larger communities such as, Dauphin, Brandon, Thompson, where there are motor vehicle branch offices there, and there are people there. What you would be doing is adding a service in the existing facilities.

* (1600)

So, Mr. Speaker, I think the Minister of Highways (Mr. Albert Driedger), while we say that the process is one that we agree with, we have no difficulty with in the provision of photo IDs. The real question is, is this the most efficient and cost effective method of putting it into place? I heard the Member for Dauphin (Mr. Plohman) in his remarks saying, look, this is going to cost Manitobans about \$25 million over the next 10 years. It is not a cheap system by any means and, quite frankly, is this the most efficient way of bringing photo IDs into being?

So the Minister should be prepared, whether it be in his closing remarks or in committee, we will want to know what areas were examined, what areas were looked at, what jurisdictions were looked at. Are there any other ways of implementing the system that they have examined? Is this the most cost efficient way? If they did not want to do it publicly by the existence,

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was there a cost analysis of using the existing staff and adding some incremental staff in the system? What was the cost effectiveness of looking at that way of providing that service versus the question of a private contract?

So, Mr. Speaker, the Minister of Highways (Mr. Albert Driedger) while the plan and the process is one that we are supporting, we have no difficulty with, what we are questioning is how did the Government carry out this program? I just today was asking the Minister of Agriculture (Mr. Findlay) — I mean we are into another year of seeding. He made statements several months ago when he was cornered by farmers in his own riding. They would not let him out of the hall to say, look, we want to know whether there is going to be some additional help because of the severity of drought and the possibility of us losing our farms. He walked out of the meeting saying, yes, I am going to go to bat for you but today I did not hear those words. He is now saying, look we have given \$148 million in crop insurance payments, not sure that you can look for more. We are going to see whether Ottawa will now contribute.

Mr. Speaker, the Minister of Agriculture coughed up \$30 million and we do not know where the money is going to come from to pay for that drought program and here we are going to spend \$25 million for a driver licensing program and we have thousands of farmers who are in severe financial difficulty. So where is the priority of this Government? Now a photo ID for policing services, for identification, for insurance purposes is one, the case can be made, it has been made, we agree with it. When the Minister of Agriculture starts waffling on his earlier commitment to rural communities and farmers in general, I start questioning who has the higher priority in this Government. Is it in fact the driver licensing system or is it the keeping of our rural communities and our family farms there and prospering or at least surviving through this crisis?

So, Mr. Speaker, the Minister of Government Services and Highways and Transportation (Mr. Albert Driedger) had better bring to committee, if he is not going to have all the information available to Members in his closing remarks, he had better bring all his staff there to show us what analysis they did, what were the cost projections of various systems, various alternatives, because those answers better be provided before we approve this Bill which we in principle do not disagree with but he has to come up with those answers.

Mr. Speaker: The Honourable Minister of Highways and Transportation will be closing debate.

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, first of all I would like to thank the Members for their comments. We will take note of them. I find it sort of interesting, the position that some of the Members of the New Democratic Party take in terms of indicating the \$25 million. I suppose they feel a little sensitive to some degree, because during their time in office these kinds of things certainly did not have a priority. It must be a little frustrating though. I found it interesting that the Member for the Interlake (Mr. Uruski) indicated that he had already initiated some of the activities prior to coming forward.

Anyway, Mr. Speaker, in both Bill 74 and Bill 73 I have tried to provide the information to the Members, and some concern has been expressed about the process of tendering that we went through. I will try and get that information forward at committee time so they can view it and see who has tendered and exactly the contents of the agreement that we have signed.

I have to indicate, Mr. Speaker, at the time when I brought forward this proposal to my colleagues, I was very excited about it. I personally think this is something that the people of Manitoba think is a positive thing. There has always been a lot of concern expressed by our people who are travelling to the States and with their driver licence system. There are benefits accrue to the people with photo licensing, and that is why 52 of the states have it. In fact, all of them have it. There are five provinces that have the photo licensing in Canada right now, so it is not that we are leaders in this aspect of it.

What makes it a little unique for Manitoba is the fact that we have a different system of our driver licence. With our drivers licence we have an insurance as well, and we have the merit system. The question was raised as to whether we had looked at all alternatives, the most cost beneficial process that we have used. Mr. Speaker, when I took this forward, I have to indicate that it made a few trips to my colleagues in Cabinet, because they raised many of the same concerns that were sort of expressed here at this time.

We spent a tremendous amount of time trying to develop what we thought was the most beneficial process in terms of doing this. We looked at the aspect of privatizing this aspect of it. We looked at going to the private sector, and we looked at many other things as well. Over long periods of dealing with it, this is the program that we basically felt was the most suitable. I have to indicate that the response we have had to date has been very positive on it. There are many benefits that accrue in spite of the fact that it is going to cost \$4 a licence more.

The difficulty we have in Manitoba with our driver licence system, as I indicated before, is the fact that we will have the photos renewed every four years, but because of our merit system we have to renew our driver licence every year. We will be placing this in the areas where we now have the driver testing available, and those communities where driver testing is available, that is where we will set up the camera system.

At the same time, there is a big benefit that will accrue to the city. At the present time, we have two areas for driver testing in Winnipeg, one at the Fort Osborne complex which possibly will be closed down, and then we had another one where we did truck testing. What we will be doing under this, we will be setting up six systems in six regions of the city where they can take their photo licensing. At the same time, while we are doing that we will be expanding the driver licence testing within the city into three regions, so that instead of everybody having to go down to the Fort Osborne complex they can do it a little closer to home. We feel that these are side benefits as well.

Mr. Speaker, the questions that were raised by Members in terms of how the contract was arrived at,

it was tendered. There was criticism about the company that got it. We had consultation before we ever went to the tender system in terms of making contact with people who could possibly supply it. All were given the opportunity to be involved. However, they felt they could not handle this kind of a project. I will have further staff and details available when we get into committee to give the details of the contract.

* (1610)

Mr. Speaker, I sincerely thought I had provided most of that information. If I have not, I have no problems apologizing and indicating that I will have more detail available prior to this going into committee. I will try and have that forthwith in a little while. If there are questions that are coming forward at committee, we will deal with it at that time.

Mr. Speaker, with those comments, I am glad to see the Bill go to committee along with Bill No. 74 and look forward to further discussion. We have noted as I indicated the comments that have been made, and we will be providing as much information as we can at the time that the Bill comes to committee. Thank you.

QUESTION put, MOTION carried.

BILL NO. 60—THE EDUCATION ADMINISTRATION AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of Education (Mr. Derkach), Bill No. 60, The Education Administration Amendment Act; Loi modifiant la Loi sur l'administration scolaire, standing in the name of the Honourable Member for Brandon East (Mr. Leonard Evans).

POINT OF ORDER

Mr. Kevin Lamoureux (Inkster): A point of order.

Mr. Speaker: On a point of order?

Mr. Lamoureux: Yes, Mr. Speaker, on a point of order, I believe the Government House Leader (Mr. McCrae) had called 31, 73 and 65.

Mr. Speaker: Yes. I would like to thank the Honourable Member for Inkster. He is quite correct.

BILL NO. 65—THE FATALITY INQUIRIES ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of Justice (Mr. McCrae), Bill No. 65, The Fatality Inquiries Act; Loi sur les enquêtes médico-légales, standing in the name of the Honourable Member for Seven Oaks (Mr. Minenko), who has 22 minutes remaining. The Honourable Member for Seven Oaks.

Mr. Mark Minenko (Seven Oaks): Mr. Speaker, I welcome the opportunity today to conclude my comments on this Bill.

Again I would suggest to all Honourable Members to take a closer look at this legislation, because in one very important way and perhaps as suggested by the Minister of Justice (Mr. McCrae) in his comments of November 29 in introducing this legislation, and this is second reading, he advises that one of the significant changes with respect to the present legislation is a Section 7(9), for the reference of Members who might have the Bill before them, which deals with the whole principle of citizens reporting the accidents and deaths to the appropriate authorities.

Although Honourable Members do not want me to talk about any specific sections, I think, Mr. Speaker, this aspect that introduces a departure from the previous legislation touches on indeed the principle of why this was necessarily introduced.

I think we all can appreciate that indeed many people become aware of deaths or accidents for various reasons, either as a result of an accident generally, by suicide, negligence, homicide, a death in some perhaps unexplained manner, as a result of poisoning, as a result of contracting a contagious disease that is a threat to public health or of an unknown cause. It goes on and on, Mr. Speaker. It lists a number of different means by which someone may pass on that should be reported to the appropriate authorities for their consideration and investigation.

I certainly believe that all Manitobans would certainly be interested in becoming part of this network, because in today's world when there are so many factors as a result of pollution or other means that result in people's accidental deaths or poisonings or even unexplained manners as the Act sets out—but, Mr. Speaker, one of the concerns that I have about this particular aspect about ensuring that people do in fact report is that under 6(1) of the legislation, every person who is a witness shall immediately report that death—

An Honourable Member: Indeed, he shall.

Mr. Minenko: —and indeed he shall, or she shall. The concern that I have is one of the concerns that has been addressed to me by people that I have visited over the last year going door-to-door in my constituency, people who I have met through my contacts with people in the business community in company visits, which is that the vast majority of people are not aware of some of the duties and responsibilities cast on them. They are not aware of various Government grants and assistance available to them—and I specifically deal with businesses. Also, many people are not aware at all of some of the housing grants that might be available to them to improve their neighbourhood.

One of the concerns I have with this legislation, and if I remember correctly there may well be—under 36(1), some penalty may well flow to someone who removes a body without approval. There is quite a hefty fine there of up to \$1,000.00. The concern I have, Mr. Speaker, about this type of legislation is that people may not be totally aware of what their responsibilities are.

I think this is a task that falls on this Government, as it does on every Government, to advise Manitobans

what exactly their responsibilities may be. Quite frankly, I am not secure at all in believing that people will find out what this Government is doing in this particular legislation and some of the responsibilities that Manitobans will have.

If we look to this Government's record on advising Manitobans, if indeed they were doing the job then why are the vast majority of small businesses that I visited not aware of Government programs available to them, Government assistance available to them. I think this is an aspect that the Minister responsible should be addressing.

To deal again with the general principles about reporting various deaths as a result of various factors, I had the opportunity of once again reviewing the annual review of the Chief Medical Examiner for the Province of Manitoba for the year 1987. Here in the summary of inquests and recommendation, the Chief Examiner lists the various cases that they have had the opportunity of investigating as well as dealing with some of the judicial recommendations resulting from these. I would like to perhaps know what kind of follow-up has indeed been completed to ensure that some of these recommendations have been put in place.

I believe that it is also very much the Government's responsibility when indeed they have taken responsibility for people as through the jail system, incarceration system in our province, they indeed have a responsibility to them to ensure that those people are there in a safe environment. I know the Member for St. James (Mr. Edwards) has often raised many issues that he feels, in fact we on this side of the House feel, should be addressed by the Government. Perhaps the Minister of Justice (Mr. McCrae) for whatever reason on many occasions just as often chooses not to directly answer these questions. They can be addressed, and unfortunately the Minister's perhaps non-attention results in unfortunate situations that would arise and necessitate people requiring to report deaths under this new legislation.

* (1620)

I think, Mr. Speaker, that Government can often right what is in legislation. One of the factors why I indeed chose to run in the last provincial election in 1988 was too often I watched the news on television or read the newspapers and heard about a decision being made by some level of Government, either civic, provincial or federal, and thought to myself, well, that was all nice and good, they just made that decision, but just a second, I had something to offer on that. That was one of the major reasons why I ran in the last provincial election, to try and encourage passing that information out to Manitobans so they are aware of what is happening within the confines of the four walls of this building.

It is unfortunate that the press often picks very isolated incidents about what is happening without providing a better understanding for Manitobans as to what some of the legislation that we have before us deals with. I think this piece of legislation is indeed very important.

One of the innovations that I have been including with my householder that all Members have is a section explaining to my constituents some of the legislation that we have before us and how it might impact on them. I think this is an important aspect that each Member of the Legislature should provide this sort of information. More importantly, Mr. Speaker, I believe it falls on the Government to provide that sort of information.

As I mentioned, the last opportunity I had to address this Bill, with technology flowing faster and faster in the last number of years, we have only now begun to realize the impact of various chemicals on us, either by themselves or in combination with other chemicals, that this becomes even more important, because again, suddenly of unknown cause, perhaps there was a reaction between a couple of chemicals and caused a death, and I think this is an important aspect.

Flowing from that, I think this is where this Government has, perhaps as Jean Chretien has mentioned a number of times, got the wheels stuck in a snowbank and goes a little forward, goes a little back, but not too often do we see this Government actually going back and forth a number of times to actually go forward. I think that is the important aspect of this legislation as well, that once something be determined as a cause of an accidental death, or a death as a result of an unknown cause, that a Government take action.

Indeed, I am somewhat concerned, and I look forward to having this legislation in place, to seeing how this Government first makes sure that Manitobans are aware of the contents of this legislation because I think we can all agree that the legislation that we make here is not for the benefit of bookmakers; it is not for the benefit of those who make shelving; it is not for the benefit of those people who stack those shelves. It is for the benefit of Manitobans, and unless people are aware of the legislation that we debate and pass in this Chamber then we are indeed falling down on our jobs.

I believe, Mr. Speaker, that this new legislation again deals with exactly this. Section 20, and I appreciate that, yes, you are not supposed to discuss various specific sections, but I think it is important for Members to indeed look at Section 20 in this legislation, where again I believe it encompasses what I have just been discussing and looking at preventative measures, and as I have just mentioned, I think this is the important aspect.

I certainly look forward to the debate, perhaps during concurrence as we are very quickly running out of Estimate time, with the Minister of Justice (Mr. McCrae) during concurrence, and asking him about the various recommendations provided for in the annual review from the Chief Medical Examiner's Office of 1987, because this is the most important aspect. Why set up a whole system of reporting, requiring people to report, when they indeed—this Government will not have a system to ensure that the ultimate recommendations are carried out and indeed the types of deaths that have resulted in investigations have been perhaps eliminated? I do not think we can totally eliminate, but

certainly the problems can be addressed. I know the Minister of Labour (Mrs. Hammond), who is also responsible for Workplace Safety and Health can appreciate that.

Finally, Mr. Speaker, I would like to again direct Member's attention to provisions in this legislation that deal with the personal property of people who have become deceased and whose deaths are being investigated, because again we have to be able to ensure our constituents that should an object be taken from the deceased to investigate further—for example, in section 41(3) it deals with the disposal and destruction of various property.

I think again, especially in the situations where toxic chemicals have been involved or that has resulted in death, we have to be a little sensitive as well and realize, in a moment of grief that a family may well be experiencing, we have to be careful in not pushing this aspect a little too hard. Sometimes people may not necessarily understand why they cannot take a particular object from that individual who just passed away, having perhaps some sentimental value.

Mr. Speaker, in conclusion, I would like to just add that I certainly encourage that this Bill be passed on to committee for further review and comment from the Minister sponsoring this legislation and from the staff who may be attending with him, including perhaps the Chief Medical Examiner for the province, to discuss further how some of these matters will be addressed or are being addressed in the everyday situations that the staff and others associated with the Medical Examiner's Office are encountering.

Mr. Bill Uruski (Interlake): Mr. Speaker, I would like to spend a few moments on Bill 65, on The Fatality Inquiries Act—your note that I was just reading from before—and the major revisions that are being proposed by the Government, several major provisions. In fact, I guess one could really say that the Act is actually being totally rewritten. We as legislators should be satisfied with nothing less than having, I would say, practically a blanket open policy to allow and have investigated any death that there may be an appearance of other than natural causes, and even though where it may appear that the causes are natural, that those deaths be in fact investigated and a report to be submitted to the chief examining officer to determine whether or not someone who may be culpable in that death be in fact brought to justice.

Mr. Speaker, there is one provision that I wish to raise with respect to this legislation. That deals with the Attorney General's (Mr. McCrae) comments dealing with the expansion of the role of nurses as investigators. I realize that nurses in many instances play and are involved in the very first contact with persons who may have been injured and have died, but at least have the first contact with respect to persons who may have for whatever reasons died, but to in fact place the burden of investigation on the nurses I think requires a fair bit of thought.

* (1630)

First of all, nurses are not trained to be investigators, and unless there is some follow-up in training to nurses

dealing with deaths, I would find that they may be put in a very difficult position of then having their findings challenged, whether it be in a court of law or elsewhere, as to the adequacy or inadequacy of their investigations.

Where it is not clear in the Attorney General's comments is what I would consider the linkage. Where is the linkage between an investigation that a nurse may conduct if that is so desired and so handled under this legislation, where is the linkage there that someone who is learned in the criminal law and in investigating facts further will in fact take over and proceed with a further investigation and charges if necessary? So there is a grave onus I believe being placed on the nursing profession by what the Attorney General has revealed in his remarks on Bill No. 65.

Mr. Speaker, I can understand and accept provisions that allow for the portions of an inquest to be held in camera in that information, very sensitive information, on family relationships and the like and other matters may want to be kept in camera during what can only be described as a very traumatic period in the life of a family when one of their next of kin dies of what can only be determined as unexplainable causes, whether it be as a result of some sort of an accident, whether it be as a result at the hands of some professional, maybe even on an operating table in a hospital where there may be questions raised as to the type of procedure being performed, the adequacy and inadequacy of the back-up resources that may have been required and the professional knowledge of the physician or person that is performing whatever operation that may have resulted, or at least the death resulted, during that operation.

Mr. Speaker, some of those portions of the inquest may be held in camera. The judge should have the right to reconsider the evidence and the information that is provided, and if it is not prejudicial to the invasion of privacy of those individuals, that information be ultimately revealed in findings and in reports that are presented.

I am pleased as well, and I am not certain whether the provisions go far enough, and that is the definition of conflict of interest for medical practitioners and for medical examiners. I think that is an area that many times in the public's mind—just as concerns and accusations often arise, where one in the same profession is accused of defending the professional integrity of another of his or her colleagues in the same profession. As a result, the accusations arise of a potential conflict of interest, basically covering up one for the other out of the same profession.

Mr. Speaker, those types of provisions will have to be examined closely to make sure that reasonable provisions are in fact in place to try and minimize those accusations recognizing that is not always possible under certain circumstances where death occurs, and people's concerns, emotions and grief, lead them to make very serious charges of conflict and cover up as between professionals who have been part and parcel close to the people who have been not responsible but involved very closely to where the death has occurred.

Mr. Speaker, I am pleased to note that in cases of a child death, in all cases, that there should be an

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examination and an inquiry under this Act. It is clear that abuse occurs in so many different ways that are so hard to detect, and it is very clear that an inquiry should take place in every child's death.

I would say as well, Mr. Speaker, that in cases where there is death of a wife or a spouse that an inquiry should in fact be held if the death occurs in a home, and age of course is not a factor. Because of the amounts of spousal abuse that is prevalent in our society, I believe that in those cases an inquiry should be held as well.

So, Mr. Speaker, while the legislation certainly is one that we support I believe that our Members who will be on that committee will be raising questions to assure themselves that this Act in fact goes far enough.

* (1640)

Mr. Speaker, I am pleased that the Minister of Community Services (Mrs. Oleson) is here this afternoon to hear my remarks because I want to raise with her, there is a provision under this new legislation that in the case where an inquiry is held, where the death of a child occurs, an inquiry is held regarding that death, and that death has occurred as a result of the child being under the care of either an agency under her jurisdiction, that a report will be issued to her.

I would like to know from the Minister, and she may want to communicate that with the Attorney General (Mr. McCrae) as to what the procedures will be for the release of that information that will be given to her, because I do not believe that inquiry and recommendations that may come as a result of and inquiry of a child's death in the hands of a care giving agency, that that report alone should be held totally for the Minister responsible for Community Services.

So I would like to know from the Minister that she should provide to her Attorney General what the procedure will be for the follow-up, the release of the information when an inquiry officer, a medical examiner provides a report to her officials or her department on the death of a child where the death occurs in the care of an agency under her jurisdiction, because that is a provision. That is a new provision under The Fatality Inquiries Act, so I would hope that those questions are in fact addressed and can be answered in committee as to what the process will be.

Secondly, Mr. Speaker, the concern that I raised earlier about nurses becoming investigators under this Act. It is a completely new role that I see as to a requirement of the nursing profession and I am not certain that to what extent consultations have taken, and briefings have been held with the nursing profession as to their new role as investigators under this Act.

I would want the Minister of Health (Mr. Orchard) to, as well, bring information through the Attorney General to the committee, dealing with what the training, what the provisions are, to what extent will nurses be involved in doing the investigations, how far will they go—I am assuming that they will be reporting to the Medical Examiner—and what their role will be, and what their liability will be in terms of the extent of their

investigations under this Act. What will be the linkage, Mr. Speaker, to the need, in many cases, for further investigations as to possible liability and culpability and in fact possible court action as a result of initial information being provided as a result of preliminary investigations into a death.

Mr. Speaker, these are a few of my comments and concerns that I have raised with respect to Bill 65. I see the necessity and the expansion of the Bill being needed, but there are certainly, as a result of these expansions, further explanations required from the Minister of Health (Mr. Orchard), the Minister of Community Services and the Attorney General (Mr. McCrae), himself, as to the process that will be set into place by Bill 65. Thank you very much.

Mr. Steve Ashton (Thompson): I move, seconded by the Member for Interlake (Mr. Uruski), that debate be adjourned.

MOTION presented and carried.

COMMITTEE CHANGES

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I have a committee change. I move, seconded by the Member for Springfield (Mr. Roch), that the composition of the Standing Committee on Law Amendments be amended as follows: the Member for Selkirk (Mrs. Charles) for the Member for Seven Oaks (Mr. Minenko).

Mr. Speaker: Agreed? Agreed. The Honourable Member for Thompson.

Mr. Steve Ashton (Thompson): Mr. Speaker, I also have a committee change. I move, seconded by the Member for Interlake (Mr. Uruski), that the composition of the Standing Committee on Law Amendments be amended as follows: the Member for The Pas (Mr. Harapiak) for the Member for Elmwood (Mr. Maloway).

Mr. Speaker: Agreed? Agreed.

BILL NO. 39—THE HUMAN TISSUE AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of Justice (Mr. McCrae), Bill No. 39, The Human Tissue Amendment Act; Loi modifiant la Loi sur les tissus humains, standing in the name of the Honourable Member for Springfield (Mr. Roch). The Honourable Member for Springfield.

Mr. Gilles Roch (Springfield): Mr. Speaker, I wish to rise and make a few brief comments on Bill 39, The Human Tissue Act.

The Liberal Caucus, by and large, supports this Act which, to quote the Minister of Justice on September 27, says: "This legislation goes further by introducing a definition of spouse to include a person who has been living with the deceased for at least one year, or was the father or the mother of the deceased child to give that consent".

We agree with its intent, which is basically to provide a definition of "spouse" where none had existed before. We hope that with this definition more persons will be able to consent to organ transplant and subsequently more organs will be available for transplant.

We do have however one major reservation. Should a person be separated, and not just divorced, and living with someone else it should be clearer, the *finis*, whose position takes precedence. Is it the married spouse or is it the common-law spouse? I think that the priority of this position is not clarified and should be clarified before it is passed by this House.

I am sure the staff of the Legislative Counsel should be able to clarify this and that the Government should be able to introduce the amendments that are necessary at the committee stage.

Having made these comments, Mr. Speaker, I would like to state for the record that the Liberal Opposition is prepared to pass this Bill on to the committee stage. Thank you.

Mr. Steve Ashton (Thompson): Mr. Speaker, I move, seconded by the Member for Interlake (Mr. Uruski), that debate be adjourned.

MOTION presented and carried.

BILL NO. 60—THE EDUCATION ADMINISTRATION AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of Education (Mr. Derkach), Bill No. 60, The Education Administration Amendment Act; Loi modifiant la Loi sur l'administration scolaire, standing in the name of the Honourable Member for Brandon East (Mr. Leonard Evans). Stand.

Is there leave that this matter remain standing? Agreed.

Also standing in the name of the Honourable Member for Flin Flon (Mr. Storie). Stand. Is there leave that this matter remain standing? Agreed.

BILL NO. 59—THE PUBLIC SCHOOLS AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of Education (Mr. Derkach), Bill No. 59, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, standing in the name of the Honourable Member for Logan (Ms. Hemphill). Stand.

Is there leave that this matter remain standing? Agreed. The Honourable Member for Wolseley.

* (1650)

Mr. Harold Taylor (Wolseley): It is okay, it is fine. Thank you, Mr. Speaker.

Mr. Speaker: No? Not that one? Okay.

BILL NO. 81—THE ENVIRONMENT AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of Environment (Mr. Cummings), Bill No. 81, The Environment Amendment Act; Loi modifiant la Loi sur l'environnement, standing in the name of the Honourable Member for Inkster (Mr. Lamoureux). Stand.

Is there leave that this matter remain standing? Agreed. The Honourable Member for Wolseley.

Mr. Harold Taylor (Wolseley): I am very pleased to rise today to speak on The Environment Amendment Act, Bill No. 81. This Bill is probably one of the shortest that is before us in the Legislature, in total would be about one typed page, but it is a very interesting Bill, because it is an updating of a Bill that was passed in 1987 and came into force on the 1st of April in 1988, and that was the new Environment Act for the Province of Manitoba, an Act that has some very good features to it as I said before, but an Act that you could drive a D-9 bulldozer through in other places.

This amendment is a if you will strengthening of the penalty provisions of the original Act brought in by the former administration. In a number of sections it does talk of the striking out of existing penalties or fines and raising them in some cases tenfold, between five and tenfold once these increases in the penalties can be levied.

I have to say that I am not in opposition to that scale of fines being provided in the provisions of Manitoba's Environment Act. In fact, when I was city councillor I suggested that provisions of a similar scale be provided in the City of Winnipeg's waterworks by-law which would be applied in that case for polluters of Winnipeg rivers that were polluting through the use of the city's storm drainage sewer systems.

The reason that was brought to light is that while I was the councillor for the civic ward of Memorial, the southern boundary of which is the Assiniboine River, there were repeated spills into that river, spills that for the longest time could not be discovered who would be spilling that oil into the river. It took a year of research by the laboratory staff of the City of Winnipeg Waterworks Department to trace down finally what was the source of these repeated spills into the Assiniboine River, fairly major spills I might add.

It ties very nicely with what is proposed before us here today, because we are talking about the level of penalties that are appropriate for the infraction incurred. When it was discovered finally who the culprit was, the culprit was none other than one of the largest corporate entities in all of Canada, the Canadian Pacific Railroad. It turns out, what had happened, Mr. Speaker, was that at the Weston Shops, there was a holding pond for refuse oil and other materials of that nature. However, that pond was an earthenwork structure and it had a very major breach in it, and that breach had been there for quite some time.

What would happen is that in periods of heavy rains, the water that collected from time to time under the

oil and the other materials in the pond would raise that level with the heavy rainfalls. It would spill out the breach, it would go across some distance of territory until it reached the storm drainage system of the city. It would enter the sewer system there and find its way eventually through the west end and Wolseley, and through the Aubrey Street outfall into the Assiniboine River, and float down the Assiniboine. In fact, in some cases they only caught it just before it entered the Red down at The Forks. It was an unsightly mess, to say the least.

It took significant effort on the part of the Province of Manitoba and the City of Winnipeg to do this cleanup. It involved the setting up of inflatable booms at a number of locations against the north shore of the Assiniboine River to trap the material floating along the surface. There was extensive use of staff of both province and city, but especially city in that case, to actually physically clean up the mess through the use of mops and material that would absorb the oil and in fact, in some cases, the use of detergents to break it up. There was even a small slick licker brought in on one occasion to take the oil up and collect it so that the river and the banks could be cleaned up again.

I had occasion to view it first-hand from the water, Mr. Speaker. I was out on a friend's boat one night, and we cruised up a summer evening—this was after the last of the spills—and could see it first-hand. It was not a very pretty sight. It was something that, in my view at the time, I felt that there should be a penalty incurred, and a penalty that would be appropriate to the incident and a penalty that would act as a disincentive for this type of thing happening again.

It took over a year of research, and chemical analysis of the oil, and tracing through the sewer system of where that oil was found and not found to trace it all the way back to the CPR Weston Shops. It was interesting because the cost to the city to respond to this incident, to do the research, to then do the legal investigation in conjunction with the province was to say the least very, very costly as well as time consuming. It turned out that, yes, a charge could finally be laid. This was just before this Environment Act of what we are about to amend came into place, and the penalty, I am sorry to tell you, was \$50.00. Fifty dollars was the fine that could be levied.

My proposal at the time is that the fine for that sort of deliberate pollution, I cannot call it anything other than that—it was not a slight oversight; it was a deliberate action in the sense that the management of the firm were well aware of the problem and had let it go on.

They knew it was flowing out of the pond, they knew it was flowing across their property, and they knew it was entering the sewer system. I think that is a dereliction of their duties. It was an infraction under the city sewer by-law. The fine had been put in place sometime before, it had a cap on it and it was set at that specific amount of \$50.00. So when I see here today amounts being increased in Section 33 from \$5 to \$50,000, that is one of the tenfold. In another section, I believe it is section, no, it is under the same section—of others that are fivefold increase from \$200,000 to \$1,000,000.00.

I am not adverse to that; I am not adverse to it at all. When we saw that thing where that piddling little fine could be levied, I thought, my gosh, this is ridiculous. I did call for and it was reported in the press at the time for a \$50,000 fine. It did cause quite a stir at City Hall. They were not prepared to go to \$50,000, unfortunately, but they did go part of the way. Like the fine that we are about to remove which is the \$5,000 out of \$50, they went to \$5,000 from \$50.00. I thought that was some progress. The sewer by-law of the City of Winnipeg, on my initiative, was upgraded from a \$50 penalty potentially up to \$5,000.00. That was a step in the right direction, although I cannot say I was entirely satisfied with it.

The outcome of that particular incident is rather interesting because discussions of the city's solicitors and those of CPR were entered into. There was discussion about a settlement, a recovering of costs from this incident. The direct costs of the cleanup itself—and I am not talking about the general administrative time, I am not speaking of the time of the city's law department and their solicitor staff and support staff. I am not talking about the time taken, that year of sleuthing by the technical staff in the city waterworks laboratory unit. I am not adding in any of those costs. The cost of the direct cleanup itself was around \$34,000.00. That is just the cleanup costs. That is to the cost of the City of Winnipeg, not the other costs, some of which were borne by the Province of Manitoba. One part cost, just the direct cleanup, \$34,000.00. The out-of-court settlement that was finally negotiated just short of it going to litigation was a half settlement.

* (1700)

The CPR gave to the City of Winnipeg what they call an exgratia or a non-obligatory and non-culpable agreement, that they would pay \$17,000 to the city for their incurred costs. CPR said, notwithstanding, we do not accept guilt on it and all that. We will go along with paying you half the direct costs of the cleanup, but we will not pay anything for the general administration work, or the work of the harbour master or the work of the waterworks laboratory staff, or the work of the law department. We will not do any of that. I guess that was just a little too much for the City of Winnipeg, so they finally did change the by-law, and they put the penalty for the sewer by-law from \$5,000 from \$50.00.

Now we have here a change to our 1988 legislation which says we should have \$50,000 or \$100,000 fines and \$500,000 and million instead of \$5,000, \$10,000, \$100,000 and \$200,000.00. I would say I am supportive of that initiative. I am pleased that it is before us. I look forward to dealing with this matter in committee as well, but I will have to say that I am rather concerned about the juxtaposition of Bill No. 81 before us in second reading here in this debate with the track record of the present Minister of Environment (Mr. Cummings). The provisions under the existing legislation and contained in regulations put forward on the 20th of February, 1988, and contained in Volume 7, No. 8 of the Manitoba Gazette, quite frankly have been enforced almost not at all.

We had the recent example directly related to the applying of penalties of this nature, Mr. Speaker, to the

recent oil spills of the newly established tank farm at the Conawapa Dam site. Now we recognize that there is a number of things that have gone on at the Conawapa site well in advance of any EIS work at all. We have had an access road. We have had on-site roads built. We have had a cofferdam clearing done. We have had a campsite cleared and prepared. We have had a tank farm cleared, prepared, established, filled and emptied. What did we have? We had some 35,000 or 40,000 litres of diesel oil leak out of a tank, most of which, I might add, is still in the ground. A very small percentage has been recovered.

Now we have the situation, of course, of a contractor using nonapproved tanks. These were tanks that were supposed to have been destroyed and were not. We have the case where the tank farm itself, the design was never approved. It was never inspected, and then when the spill occurs, we only have a partial cleanup.

The Minister of Environment (Mr. Cummings) had the opportunity, after investigation, of applying some of the penalties in the present Act. What happened? There were four provisions, Mr. Speaker, which could have been applied. We could have had Section 2(4), we could have had 26(2) applied, and we did. I will be back to those in a moment.

We could have more importantly had Section 8 and Section 13. Under Section 8 and Section 13 of the regulations, there would have been potentially significant fines that could have been applied, fines up to \$50,000.00. But what happened? Those provisions were not applied in the present Act. They were not considered. In fact, when the material came before a magistrate, what happened? Already the Crown prosecutor, on the advice of officials of the Department of Environment, had stayed the charges under those provisions. That is rather unfortunate. The judge did not make a decision. It was a decision made by our Minister of the Environment (Mr. Cummings) who is bringing before us today Bill 81, which will increase the penalties of the Act under his control from five to ten times.

However, the provisions under the present Act he chooses not to apply at all. In fact, there is a prima facie case here where there should have been some severe penalties, possibly not the maximum, and that would be a judgment call, but for the Minister to stay those charges entirely. It was brought forward to the magistrate, as I mention, as a fait accompli. There will be no charges proceeded with under Sections 8 and 13 of the regulations which would have then had the more severe penalties applied. Instead, he stays those and, under the more minor provisions in the regulations of Sections 2(4) and 26(2), which were above-ground vertical storage tanks shall be tested immediately after first filling with product in the following manner, et cetera; and riveted above-ground storage tanks shall not be relocated for use. So on those two lesser charges they proceeded, and the recommended fine, which was put to the magistrate, was a whopping, great, monumentous \$198 each. So I think we have the \$198-man over here with this Environment Minister.

He is not prepared to use the provisions of the existing legislation in a judicial fashion, in a reasonable way, to

protect the environment of Manitoba. So I find it rather incredulous that we have this stiffening, re-enforcing, tightening up of the existing Environment Act through the introduction of legislation called Bill 81. Not that we will not be supporting it, it is incredible that it is here, given the track record.

What are the number of charges that have been laid under the existing Act, notwithstanding there were four or five potential charges that could have been laid and three major ones were set aside, and two other minor ones were proceeded through with and less than \$400 in fines were levied? When questioned in the House, the Minister thought this was unfair and unreasonable of the Opposition to raise those questions, and in the hall, later the same afternoon, the Minister said to me: What did you expect me to do? The company is still facing the very expensive cleanup costs. My reaction then, and my reaction now is: So what. If you pollute, you should clean up.

What the Minister has done by the levying of \$298 fines is, in effect, issued a licence to pollute. Of course, I expect them to clean up. That is the cost of doing business. When you mess up the environment, you clean it up; instead, they cleaned up one-quarter of the mess. I am hoping this spring, after thaw, they are going to go back in and clean up the other three-quarters because, if not, we will be asking questions about that, because the track record being presented to the people of Manitoba is one that is not very good.

On the environment, we have all the right words being used and, obviously, the Premier (Mr. Filmon) has distributed to his Cabinet Ministers an environmental buzzword generator, because the terms all keep coming out and being used again and again, but we are not getting satisfaction, Mr. Speaker. We are not getting action. I think that is really unfortunate.

* (1710)

I think the whole issue of the fuel tank situation should have been made a cause celebre by this Minister, and we should have seen a plan of action. My goodness, in Question Period here, and in detailed questions that were asked in the Estimates process, and in private conversation in a constructive fashion, all sorts of solutions were offered for potential use. Take them, use them, better the situation, and stop the wreaking of havoc on our environment. But it would appear that because these solutions are being offered by the Opposition, that right away they are in question. They are tainted, I guess. Well, we certainly know what is becoming tainted, and that is the environment and the province.

I am very disturbed to see the Minister of the Environment (Mr. Cummings) present an Act which will see five and tenfold increases in penalties in that Act when he chooses not to apply the provisions of the existing Act. In fact, it is becoming a very major issue with environmental groups across the province, the fact that charges are virtually never laid under this Act which has been in place almost two years. I think that is unfortunate. I really do.

If we were going to see amendments to The Environment Act, surely we should have seen some

others too. I think there is room for improvement on that Act, but we do not see that. We only see the increase in the penalties coming forward, the penalties of which this Minister has never applied. Why is that? I think the why of that is that the Tories are soft as heck on the environment.

People concerned with the environment in this province, Mr. Speaker, do not consider the Tories substantive when it comes to looking after the environment. They have said all the right things; the action is not there. We have seen that with the federal Conservatives in the same fashion. In fact, now there is international criticism of Canada for not taking action on a myriad of issues, whether it is a cleanup of its own industrial waste, the international shipping of PCBs—instead of the destruction plan, as we should have had of PCBs handled in a domestic situation.

We have no follow-up by the federal Government on the Montreal Convention on Protection of the Ozone Layer through the diminution of production and use of CFCs and halogens. We have the Sustainable Development Centre, an international world-class centre, promised to Winnipeg on the eve of the last federal election, and what has happened—almost nothing.— (interjection)— The Member for Arthur (Mr. Downey), from his seat says, am I opposed to it. That is that great environmentalist, we know, that has done so much to protect the environment of southwest Manitoba by advocating the immediate construction of the Rafferty-Alameda without the environmental impact assessment being done, contrary to the position taken by his Premier (Mr. Filmon) and by his front bench colleague, the Minister of the Environment (Mr. Cummings), in Melita, in June of last year. I do not think he can say very much about the environment. He is too much in cahoots with that Member of the North Dakota State Legislature in getting this thing through as opposed to looking at it for the protection of the people of southwest Manitoba, and when they are going to get less water and poorer water, instead of the boondoggle we saw from the Member for Rhineland (Mr. Penner) when he gave us that nonsense last year repeatedly and the year before as well.

I am not opposed to the Sustainable Development Centre at all. I would like to see it defined. I would like to see a proper working group at the federal level to match a working group that has been established at the provincial level, but I think the provincial group must be a little bit like an orphan. It has got nobody to work with other than a single contact in Ottawa, so says our own Environment Minister (Mr. Cummings).

I am not sure the Conservatives know what the Sustainable Environment Centre should do, and I am not sure they know how to go about doing that. I think it would be an absolute boon to this city to get that Sustainable Development Centre. We look forward to some concrete announcements. We look forward to some budgetary support for the centre itself. We are well aware of the \$150,000 in seed money that has come forward for it, but I certainly do not see any commitment such as the \$5 million in Canada International Development Agency money that is talked about. That has never been voted upon by Parliament

at all. As far as I know, it has never been introduced to be voted upon.

It will go on and on here. If you can rework the promises and use them again year in and year out and month in and month out, and nobody trips you up on it, I guess you have gotten away with it. That is what is disturbing about this Bill, Mr. Speaker. We see the right thing being done in the sense of changes to the legislation which hopefully will be for the betterment of Manitoba, will be the right things to put in place. The action does not follow. The Ministerial resolve, the political intestinal fortitude is missing, and that is what I find very, very disturbing —(interjections)—.

I hear numerous chuckles from the Cabinet Ministers across the way, and I guess that shows where their minds are on the environment. If I were them, I would be asking my Cabinet colleague if I were over there, why are you, Mr. Environment Minister (Mr. Cummings), not enforcing the provisions of your own Act today, just like people concerned with the environment all over this province and noted environmental organizations are asking at meeting after meeting? We do not see it, no action, talk only. That is the unfortunate situation.

I have heard the Minister's comments on some issues, for example, the legislation that is before us in committee right now on The Ozone Protection Act. I will be looking forward to hearing his comments on that. I will be looking forward to hearing his comments on this piece of legislation. I will also be looking forward to hearing his comments in committee on the next Act that will be coming up which is Bill No. 82, The Dangerous Goods Transportation Act, not dissimilar in principle to the Act that is before us here now, Bill 81.

The comments will be interesting, Mr. Speaker, because the actions have not followed the resolve. The actions that have been there have been a case of not making use of existing legislation. We will see the new legislation here. It will be interesting to see the Minister doing some skating across ever-thinning ice on this matter. I very much look forward to the ensuing presentations and debate which we will see when we put this forward to committee. Thank you, Mr. Speaker.

Mr. Speaker: The Honourable Minister of Environment, who will be closing debate.

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, my comments will be brief.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. As previously agreed, this matter would remain standing in the name of the Honourable Member for Inkster. The Honourable Member for Inkster.

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker, with leave, I would like to just put a few words on the record.

Mr. Speaker: Is there leave of the House to reverse our decision, because we originally had allowed this matter to stand. Is there leave? Agreed.

Mr. Lamoureux: As I mentioned I just want to put a few words on the record. I had initially adjourned debate

on behalf of the Member for Wolseley (Mr. Taylor), but in going through it, and listening to what the Member for Wolseley had to say, I thought maybe it would be imperative that I do put a few words at least on the record.

I believe it is time that we start taking our environment very seriously. In the past we have seen, as the Member for Wolseley (Mr. Taylor) has pointed out, all sorts of different types of buzzwords and so forth that sound nice, but actually what is really missing is the action. It is very important that we start protecting our environment.

I believe, and the Liberal Party believes, that future generations deserve to have an environment just as good as the environment is now or if not better than the current environment. Whatever we can do to improve that then I would suggest that is what we should be doing.

It is crucial, it is important that we start looking at our forests and our marshes, rivers, and lakes and seeing what we can do to ensure that they remain environmentally sound and non-polluted, pollution does not go in them at least consciously go in them, wherever possible that we can prevent pollution from entering into our environment. I believe that is important.

* (1720)

One of the things we need is some type of a water policy. The former NDP administration had come up with the Red River \$100 million cleanup project over a 10-year period and I never saw any action unfortunately taken whatsoever to address the pollution that is in our water. Again we, on the surface, see many different types of commitments both from the previous administration and I believe the current administration in terms of sounding or liking to sound as if they are environmentally minded or thinking, but when it actually comes to action it is a totally different thing.

The Member for Wolseley (Mr. Taylor), our critic for the environment, I think, pointed out a very important aspect about the legislation that we have before us. It is encouraging to see that the fines for polluters have increased in a very dramatic way, but one of the problems or a major piece of the problem is the actual enforcement. We can have all the legislation we desire, bring forward as many laws as we feel is necessary, but without the enforcement of the laws that we are passing in this Chamber, what we are doing here is a waste of time.

It is crucial that the proper resources are there to ensure that the laws that are passed out of this Chamber are enforced. In general the Bill does show the penalty factor should be increased for those that pollute, but it is also important that those are caught, fined and found guilty of polluting, whether it is a river or a stream, whatever it might be, that they also be held responsible for the cleaning of it. Cleaning costs of different types of pollutants, Mr. Speaker, can be tremendous, and it should not be left up to the public or Manitobans to foot the Bill to cleaning our environment when it is caused by a particular corporation, individual, small business, or whatever it might be. There has to be an

obligation on those that pollute to clean up the mess that they have created.

As I say, I just wanted to say a few comments. I did want to make reference to a report, Mr. Speaker, and that is a report issued by the Canadian Nature Federation on March 14, 1985 entitled: A Conservation Report Card on the Province. Manitoba ranked 10th out of 10 in its efforts to preserve the environment. That causes me a great deal of concern. I believe that we should be working much harder to ensure that we are not ranked 10 out of 10. We should be trying to strive ideally to be one out of 10. The appropriate legislation, the legislation that would help facilitate us reaching a much higher standard than we are currently at, I would encourage be brought forward by this Government, and failing being brought forward by this Government, you will see legislation come forward—

Mr. Speaker: Order, please.

Mr. Speaker: The Honourable Minister, on a point of order.

Mr. Cummings: The Member opposite chooses to put on the record the rating of this province in environmental matters. He should also put on the record that is the rating applied to the previous Government, not this one.

Some Honourable Members: Hear, hear!

Mr. Speaker: Order, please. On that point of order, the Honourable Minister does not have a point of order.

Mr. Lamoureux: I guess I hit a bit of a nerve. If the Minister would have been listening, he would have heard that I said March 14, 1985. I know they have only been in Government for 19 or 20 months, but it feels as if they have been in for a few years already. If you take a look at who was in Government at that time, you would find that it was the NDP administration, and I am sorry to see that the current Minister of Environment (Mr. Cummings) would take such offense.

What it does do, Mr. Speaker, is it reinforces the fact that I am trying to bring up that our environment, according to many different individuals, associations, and interest groups, needs to be improved in this province.

Whatever can be done, Mr. Speaker, I would encourage that the Government move in a rather fast motion, and we stop putting forward different types of buzzwords and so forth that action actually speaks louder than words. I think it is crucial, the utmost importance, that Governments of the Day, whether provincial, federal, municipal, whatever level, start looking at the environment in a much more serious light and start acting on whether it is increasing fines, penalties, or incentives. One of the incentives that the Member for Springfield (Mr. Roch) brought up in Bill

No. 10, that is on the Order Paper, provides for refunds on bottles and aluminum tin cans.

Mr. Speaker, it is things of that nature that this Chamber should be addressing that will ultimately ensure that we have a much better environment for the future. As I pointed out a bit earlier, we have to not only think of the immediate people that live in the Province of Manitoba, we need to think of the future generations.

Mr. Speaker, as a legislator, I would not want to neglect our environment and 20 years from now find that the future generations are going to be part of a province that is still ranked 10th out of 10. The time is now to start acting on the environment and one of the major issues that I would like to see some type of action on is our waters. We have before us the Rafferty-Alameda project which will have a dramatic impact on many Manitobans, on the quality of the water from drinking to fishing, boating and so forth. That is only one aspect, and I would suggest a very important aspect. For that reason I believe it is essential that the Government come up with some type of a Government-set water policy, what their intentions are in terms of ensuring that we have clean water for all Manitobans to enjoy. The same could be said about all other aspects of our environment. On that note, Mr. Speaker, I conclude my remarks and leave it at that.

Mr. Harry Harapiak (The Pas): Mr. Speaker, I am pleased to stand and put some comments on the record about Bill No. 81. Bill 81 is a fairly short Bill dealing with penalty clauses and increasing some of the penalty clauses by quite a substantial amount. When you look at some of the environmental damage that is happening around the countryside I think it is important that we do move in a direction of increasing some of those amounts that the people are charged with when they do break the Act.

The Act, Mr. Speaker, was brought in, in 1987 by the then Minister responsible, the Member for Radisson, who was very influential in doing the work beforehand in bringing the information to the Legislature and consulting with many groups throughout the province because there was a lot of concern on how they would be affected by the new Environment Act.

It was always our intention, Mr. Speaker, and I guess maybe in retrospect we should have brought the regulations in, as well, but unfortunately we at that time came to the end of our term of Government. It was not an end that we had predicted it would come that quickly, but unfortunately, as history now notes, we were unceremoniously unseated, so therefore we were not in complete control of what was happening.

Mr. Speaker, there was some criticism as to our rating as to what type of a job we were doing with the environment and I think that when you look at the narrow perspective of how that report was carried out then I guess it is no wonder that they would have come up with results of that type. I know that under the leadership of the Member for Radisson we were getting good direction. He was Chairman of the Environmental Group of Canada and he was leading us and took us

in the direction that started the process for many changes which the Member for Portage la Prairie (Mr. Connery), when he came into Government, he could not carry through with some of the things the Member for Radisson started, -(interjection)- well the Member for Gladstone (Mrs. Oleson) as she usually says, they were just about to do them. Mr. Speaker, we were not just about to it. We did bring the Act into place. That Act deals very well with what is required in Manitoba and right across the dominion.

* (1730)

Now it is up to the Government to bring in the regulations. The regulations are where we can bring in some of the fines and penalties when people do not come into compliance with The Environment Act. I want to give credit to the Member for Radisson, because he did do a lot of work on that. He was a principled man who believed in the environment. He worked very hard to clean up the Environment and he did an excellent job.

Mr. Speaker, I think the Act when it was brought in was designed to prevent, identify and solve present and future environmental problems. I think it is important to note that the development which takes place without consideration for the environment is only short-term development. I guess when you are looking at short-term development you cannot help but raise the Rafferty-Alameda Dam that is being constructed in Saskatchewan. I think it is unfortunate that the Saskatchewan Government did not wait for all of the environmental licences that were necessary to deal with the environmental concerns that people of Manitoba have not only about the quantity and quality of water.

The Wildlife Association of Saskatchewan, Professor Joe Dolecki from Brandon University, who is a very knowledgeable person about this particular project in Rafferty-Alameda, has raised many concerns about how future Manitobans will be affected if the Rafferty-Alameda Dam continues to be developed and was very instrumental in starting up the organization known as SCRAP which was the Stop Construction of Rafferty-Alameda Dam.

I think it is because of the work that this organization has put in, has brought forward and brought the information forward to the public of Manitoba. They made the presentation to the judicial system that had the wisdom, much more wisdom than the political system at the federal level had, and have stopped the construction of the Rafferty-Alameda Dam.

It is fortunate that we have organizations like the Canadian Wildlife Federation and Professor Joe Dolecki who are genuinely concerned for the environment and have brought forward information which showed the judge very clearly that there was no environmental assessment carried out. As a matter of fact, the present Minister of Environment (Mr. Cummings) when he attended the meeting in Manitoba late last fall made the same point that there was a need for an environmental assessment and the Member for Arthur (Mr. Downey) was also present at that meeting, so he should remember the presentations that were made

said very clearly that they agreed with the federal Government at that time that there needs to be an environmental assessment carried out because of the damage it was going to be causing to the flora and the fauna and the water quality and quantity in the Souris River. At that time they agreed.

Unfortunately there was some deal struck between the federal Government and the Saskatchewan Government which allowed the construction to proceed. Because of that decision, 60 percent of the dam has been built and is in place at this time. It staggers your mind as to what could happen if there is an environmental assessment carried out, environmental evaluation carried out of the whole project and if the decision of that committee is that the construction of that dam should not proceed, what will happen then? Will that dam be torn down or will there be the political courage at the federal level to follow the recommendations of that environmental committee to proceed with that construction.

I think it is going to be interesting to see the development over the next little while and who is appointed to that environmental committee to see if there is—it will be interesting to see if the Manitoba Government is represented on that environmental committee, or will they have an opportunity to appoint some people to that committee and just see how the results of that committee will be after they—(interjection)—the Member for Arthur (Mr. Downey) always has some diversions which are brought forward whenever someone starts speaking about a subject that he is not pleased about, so he wants to switch to another subject.

I would like to go to the environmental studies that are going to be necessary for Conawapa. I think that people will recognize that much of the environmental damage that was going to be caused by the construction of Limestone had already taken place when the previous Kelsey Dam was built. I think that when the previous dam at Gillam was built and I think there was all of the pressure on the Limestone River development was in the Nelson River, so there was not much damage going to be created to the surrounding areas and there was an environmental assessment. There should have been an opportunity for the public to make presentations to it and I guess when you look at that in retrospect we should have had an opportunity to give the public an opportunity to take part in that.

When I started my comments, I talked about some of the consultation that took place when we were coming forward with the new Environmental Act in 1987. There are many organizations that made representation. I guess one of the major stakeholders to make presentations to the Minister and to the committee was the Manitoba Environmental Council. I guess they have a very wide representation of the general public of environmental concerns and they came forward with many issues that the Minister took into consideration when we were coming forward with the environmental group.

I guess one of the areas where they were concerned is the protection of the expansion of the scope of the environmental protection. The previous definition of the

environment, of air, water, and soil was expanded at that time to include all of the ecosystem. The Act at that time proposed that all actions that would affect the environment be scrutinized in addition to those which discharge contaminants.

I guess that is why there is such concern for the operation of Repap because if there are going to be—(interjection)—Mr. Speaker, there seems to be some difficulty. Am I straying from the Act? I am coming around to the point that when an old corporation like Repap will be operating and if they are putting effluents into the Saskatchewan River, that at the present time there would be fines of a certain amount. If this Bill No. 81 is passed, then very clearly the amount of dollars that will be required for an organization like Repap is going to be increased at a substantial amount.

I recognize, Mr. Speaker, that it will affect the operations at Repap. I have had an opportunity to visit Repap operations in Wisconsin. When they took over that operation, it was shut down because of the fact they would not take the \$25 million to improve the water that was being put back into the river. It would take a \$25 million investment, and the firm that had it there did not want to pay fines of this sort because of the regulations that were in place in Wisconsin. I believe it was Kraft that had that plant before, and they just decided to shut the operation down.

Repap came and made that investment, and now, Mr. Speaker, the water that they put back into the river, the Fox River I believe it is, is clearer when they put it back in than when they take it out of the river.

They showed us the operation they have for cleaning up the water. They showed us the amount of waste they do generate when they clean the water. It is because there were clauses of this sort in legislation in Wisconsin that has made Repap a responsible corporation. I know that they will be a responsible corporation here in Manitoba.

* (1740)

I guess it is unfortunate that when you talk about the environment licence, this Government has tried to make it sound as if people are either for Repap development or against it. I think that we have made it very clear that we think it is extremely important that Repap proceed with the development and the modernization of that plant. I think it can also be done in an environmentally safe way. I know they will be doing it, but they have to satisfy the public that they will be doing it.

I would have hoped that the Government would have taken the opportunity to have the environmental hearings affecting all portions of Repap's operation. That not only includes Phase 1 which they were going to go ahead with last fall. Because of the fact that the environmental licence was not granted in time for them to proceed with the construction, that whole question if they are going to proceed with Phase 1 is now in doubt. They are asking for the entire project to be reviewed so they have the authority to proceed with Phase 2 and also with the forest protection.

When you look at Bill No. 81, Section 32, which amends the amount of money which is charged for

violation of the Act, it has increased from \$5,000 to \$50,000.00. That is quite a substantial amount. I am sure that Repap and some of those organizations will be making sure that they are not the polluters. They are going to be cleaning up the existing mill, because as it stands right now, it is in contravention of the environmental Act. It needs to have that modernization done to make it acceptable.

One of the other organizations that made presentations to The Environment Act when we were bringing it forward, and that is why we are bringing forward these amendments now, Mr. Speaker, in Bill No. 81, was the Clean Environment Commission. Many of the concerns they had is the fact that they had to hold the hearings. They are at arm's length from the Government. They want to have a greater role in holding public hearings.

One of the other organizations that made presentations was the Manitoba Environmental Network. I think that once the Minister had met with them and explained the changes that were going to be made in The Environment Act, then they did accept it. Manitoba Environmental Incorporated also made presentation and the Canadian Manufacturers Association. They were opposed to the Act as it was first proposed, but I think once they had an opportunity to read some of the changes coming forward, then they were not supportive, but I think they publicly had to say they were opposed to it, and I think that they were on side when it all came to an end.

The Keystone Agricultural Producers—the present Member who is responsible for Municipal Affairs was the president of that organization at that time—were actively involved in the consultation process. I think that their main concerns about the day-to-day farming activities and how they would be affected by the Act, were removed and, therefore, they were supportive of the Act when it finally came around to the end of it.

Mr. Speaker, I think that we are looking forward to this going to committee. I know there will be representation from many groups out there who are concerned at how this will be affecting their operations either of their small business, tourism, or local Governments. I think some of the local Governments have concerns and their urban affairs.

I note that there was some legislation passed earlier in the year that they were going to eliminate dumping of snow by 1992, but the City of Winnipeg, I think, has some new councillors on side who are more concerned about the environment than our previous councillors were, and they move very quickly. They have already eliminated the dumping of salt off the streets onto the river. I have to take my hat off to that group.-(interjection)-

The Minister of Labour (Mrs. Hammond) says we should eliminate the salt. I guess if we all improved our driving then maybe there would be an opportunity to eliminate the salt. I drove into work this morning after a snowfall. I know the streets were extremely slippery, and I think if there was no salt down at all that you would probably have to take a longer period of time to get to work. It could be done, but I think

that we are accustomed to having to get to work under conditions which are practically summer conditions.

I know that many people in the City of Winnipeg are going to be making presentations. Right now we have some very progressive members on council who stopped dumping of the salt on the riverbanks, so I know that there are going to be concerns about how The Environmental Amendment Act is going to be affecting them. I am sure that they are going to be making presentations to committee when we come forward.

Mr. Speaker, one of the areas that I am concerned about is when you are dealing with pesticides. I know that ACRE was created and was put in place to deal with that, and I noticed that there was the Member for Swan River (Mr. Burrell), a good Conservative Member, who was appointed to that ACRE Committee and I guess we are going to be getting some good knowledge from the Swan River area on how we should be dealing with those pesticide cans. I think that is one of the issues that raised the most concern from the public when we were out there dealing with the environment task force, that people were extremely concerned of how those were affecting our environment. They were concerned if we should be fining the individual farmers. Is there a way of tracing the cans that are bought by each individual farmer, and then is there some way of recording it so the farmers can be followed up as to who used those containers? I think that is going to an extreme.

I think that the process that is in place now is where there is \$1 per container being put into a fund so we can dispose of it. Most people, when given an opportunity, want to be environmentally friendly, and they will participate to the fullest on how to eliminate the cans from lying around the countryside. I think that is one of the areas that there has been some progress made, and that it should be up to both the Department of Environment and the Minister of Agriculture (Mr. Findlay) who should be putting on some programs on the importance of disposing of those cans in a proper way so the Manitoba farmers would have an opportunity to have a safe way of disposing of those cans.

I think the public education needs to be -(interjection)- The Minister of Agriculture says it is on the way, so I give him credit for dealing with that. I know the people in rural Manitoba will be extremely happy that it is there.

Mr. Speaker, I will conclude my remarks and just tell you that I look forward to the presentations that will be made at the committee level on this particular Bill. We as a caucus are prepared to send it to committee.

Mr. Speaker: The Honourable Minister of Environment will be closing debate.

* (1750)

Mr. Cummings: Mr. Speaker, I have to tell you that I am a little disappointed by the comments of the critics that I have been listening to for the last hour regarding the further strengthening of the ability of this

Government through The Environment Act to strengthen the penalties, to expand the penalties for those who are polluters, those who have put themselves either intentionally or inadvertently in a position of polluting the environment. We are talking about the magnitude of increases of fines that are available to us, and I have to take some umbrage at the way in which both critics chose to ignore what the real thrust was and wander off into areas that indicate their lack of understanding about what is going on in the area of environment in this province.

When I listen to the Liberal Opposition, I start to get mixed messages, Mr. Speaker.

Some Honourable Members: Oh, oh!

Mr. Cummings: Well, yes, I listened to the Member for St. Norbert (Mr. Angus), and he says, why is Repap not out there building? Build it now, get going out there, do not wait on that licence, get building. That is the enlightened view of the Liberal Caucus opposite, Mr. Speaker. Then, by golly, the Member for Wolseley (Mr. Taylor) jumps up.

An Honourable Member: What does he say?

Mr. Cummings: What? Yes, well, it is very interesting. His sole objective seems to be to shut down the Repap project because he has no understanding of the very severe, the very tough environmental process that we put them through. For what? For a Phase 1 conversion of a mill.

Mr. Speaker, the Member for Wolseley (Mr. Taylor) laughs when I say that Repap went through a tough environmental assessment for this licence.—(interjection)— Made them tougher. The Member for Wolseley does not even understand a tougher regulation when it is written.

We look at the old Manfor plant, the sewage system was leaking, the dump site is polluting, there is no proper storage for PCBs, the plant was meeting federal standards, but exceeding provincial standards in the discharges, and they stand back and they say that we should not do anything about that, we should allow them to continue to pollute because they want to get into some kind of an elongated process for conversion of that mill, a licence that eliminates, virtually eliminates any discharge of furans and dioxins into the environment, a licence that has been referred to by many people who have dealt with environmental licensing of pulp and paper mills, this licence is seen to be equivalent to what will probably occur in this country in the year 1992 to 1994. This licence is far in advance of any other pulp and paper licence that has been issued in this country, or is anticipated to be issued in the near future. But the Member for Wolseley (Mr. Taylor) does not see that.

Mr. Speaker, the simple fact is, with the issuance of this licence, not only do we have a very strict licensing procedure that we put them through for any changes that they may want to make, they in fact will have to start to control the emissions of the present plant, they cannot continue to allow it to exceed the standards that this province has set. They will now begin to deal

with those. If they choose not to, in the next three or four months, change the process, they are going to have to eliminate the emissions that are occurring under the present operating regime.

The Member for Wolseley (Mr. Taylor) professes his born-again green and understanding of environmental regulation, Mr. Speaker, and he does not understand that we have just moved dramatically to remove a tremendous amount of pollution from the pulp and paper industry at The Pas.

Mr. Speaker, I have to tell you that, if the Liberals cannot get their act in order between themselves about how they would want to deal with environmental licensing, then I suggest they had better be careful what they bring forward as their recommendations because they are going to be laughed at by the public of this province when we start to tell them what it is that they are proposing in terms of environmental regulation.—(interjection)—

Well, the Member for Wolseley (Mr. Taylor) wants to refer to inaction. The years that he spent on City Council, did he deal with snow dumping? No, he did not. Did he deal with the city's sewer? Did he deal with the city's treatment plants? Did he deal with the 150 outfalls in the city? What did he do in city? Nothing. I suggest that he go down to City Hall and talk to his Liberal cousins down there and tell them to quit bellyaching about the cost of cleaning up the environment and stop stealing from the sewer and water funds that the city takes in and put it into general revenues and start putting it into cleaning up the environment and paying for the costs of sewer and water services in this city as it was originally intended.

Mr. Speaker: Order, please. The Honourable Member for Wolseley.

Mr. Taylor: Mr. Speaker, the Member for Ste. Rose, the Minister of the Environment (Mr. Cummings), is running off at the mouth.

Mr. Speaker: Order, please; order.

Mr. Taylor: He does not have his facts straight at all.

Mr. Speaker: Order, please. The Honourable Member for Wolseley was up on a point of order—and what is the point of order, please?

Mr. Taylor: I was, Mr. Speaker.

Mr. Speaker: What is the point of order?

Mr. Taylor: The point of order is that the Minister makes reference from matters of which he has no information. If he had been here during the speech, he would—

Mr. Speaker: Order, please; order, please. The Honourable Member does not have a point of order. It is a dispute over the facts. The Honourable Minister of the Environment has the floor.

Wednesday, January 31, 1990

Mr. Cummings: Mr. Speaker, environmental sensitivity in this province has risen dramatically in the last number of years. The legislation which we are talking about dramatically increases the ability of the Government to impose substantial fines on polluters. But what the Member for Wolseley (Mr. Taylor) does not understand in his comments previously is that there is a great deal of difference between tyranny and reason and administration of fines and laws in this province.

Mr. Speaker, the cleanup of pollution in this province is based on two very strong principles. One is that the polluter pays. Secondly, for those polluters who are damaging the environment beyond what is controllable, for those major polluters who have created severe impacts on the environment, we have the ability to fine them severely. But when the Member opposite wants

to put on the record that to demand the cleanup of waste of a spill at Conawapa that could exceed \$75,000 and could even reach \$100,000 cost to the corporation involved—to say that is a pittance, that it was not properly dealing with that offender, I suggest that the people of Manitoba will have a lot to say about whether or not they ever reach Government as a Liberal group in this province.

Mr. Speaker, in concluding the debate on this Bill, I recommend the Members search very carefully on how they believe the law should be applied in this province.

QUESTION put, MOTION carried.

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