

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, October 25, 1989.

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**Mr. Helmut Pankratz (Chairman):** Mr. Speaker, I beg to present the Second Report of the Committee on Economic Development.

**Mr. Clerk (William Remnant):** Your Standing Committee on Economic Development presents the following as their Second Report.

Your committee met on Tuesday, October 17, 1989, at 10 a.m., in Room 255 of the Legislative Building to consider the Annual Reports of Moose Lake Loggers, Channel Area Loggers and the Communities Economic Development Fund for the fiscal period ending March 31, 1988, as well as the Auditor's Report and Consolidated Financial Statements as at October 31, 1988 and 1987, for A.E. McKenzie Co. Ltd. Your committee also met on Tuesday, October 24, 1989, to consider the 1988 Annual Report of the Communities Economic Development Fund and the Auditor's Report and Consolidated Financial Statements of A.E. McKenzie Co. Ltd. for 1988 and 1987.

Mr. R. Kivisto, general manager, Mr. G. Trithart, secretary-treasurer and Mr. D. Tomasson, Deputy Minister of Northern Affairs, provided such information as was requested with respect to the Annual Report and business of Moose Lake Loggers.

Mr. H. Lasn, general manager, Mr. G. Trithart, secretary-treasurer, and Mr. D. Tomasson, Deputy Minister of Northern Affairs, provided such information as was requested with respect to the Annual Report and business of Channel Area Loggers.

Mr. R. West, president, Mr. D. Smeltz, chairperson and Mr. K. Robinson, V.P. finance, provided such information as was requested with respect to the Auditor's Report and Consolidated Financial Statements of A.E. McKenzie Co. Ltd.

Mr. T. Chiswell, general manager, provided such information as was requested with respect to the Annual Report and business of the Communities Economic Development Fund.

Your committee has considered the Annual Reports of Moose Lake Loggers, Channel Area Loggers and the Communities Economic Development Fund for the fiscal period ending March 31, 1988, and the Auditor's Report and Consolidated Financial Statements as at October 31, 1988 and 1987, for A.E. McKenzie Co. Ltd. and has adopted the same as presented.

All of which is respectfully submitted.

**Mr. Pankratz:** Mr. Speaker, I move, seconded by the Honourable Minister of Co-operative, Consumer and Corporate Affairs (Mr. Connery), that the report of the committee be received.

**MOTION presented and carried.**

### TABLING OF REPORTS

**Hon. Edward Connery (Minister of Co-operative, Consumer and Corporate Affairs):** Mr. Speaker, I would like to table the Annual Report of the Co-operative Loans and Loans Guarantee Board for 1987-88.

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, I would like to table Supplementary Information for the Manitoba Seniors Directorate for the benefit of the Members opposite.

### ORAL QUESTION PERIOD

#### Amtrak Shuttle Service Minister's Involvement

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, my question is to the Minister responsible for Highways and Transportation (Mr. Albert Driedger). Week after week we see examples of this nation being dismantled by the federal Conservatives, the dismantling of VIA Rail being one of the most recent examples.

This very nation was built on the development of a rail line from east to west. I am sure the Minister is familiar with the history of the railroad in shaping this country, the decades of intensive political debate, the bloodshed, the fight to establish a national railroad to combat the threat of annexation by pushing forward settlement in western Canada.

No other development has been as important to the building of this nation as our railroad. The decision to cut VIA Rail has placed a dark cloud over this history of nation building, and yesterday, Mr. Speaker, we learned that Amtrak will be introducing a new shuttle service from Winnipeg via three VIA stations to Grand Forks to connect with their empire builder, a decision which will mean that Manitobans will now be able to travel by rail through the United States to various American and Canadian destinations. My question to the Minister is, was he personally involved in any discussion with Amtrak or with the federal Government with respect to this new service?

\* (1335)

**Hon. Albert Driedger (Minister of Highways and Transportation):** Mr. Speaker, no, I was not. In spite of the fact that we from time to time try and influence and lobby the private sectors in terms of what services they provide or do not provide, in this particular case we have had no involvement with Amtrak in terms of what they intend to provide or do.

### Amtrak Shuttle Service Impact VIA Rail Workers

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, it appears to be somewhat coincidental that Amtrak can immediately put a service together so quickly upon the announcement that VIA was going to discontinue this same service. Can the Minister tell the House if he has any information with respect to this new Amtrak service and what it will mean in terms of lost revenue and how it will affect those few remaining VIA jobs in Winnipeg?

**Hon. Gary Filmon (Premier):** Mr. Speaker, it may be that Amtrak had their plans on the books from the time many years ago when the Liberal Party of Canada was trying to dismantle VIA Rail. I quote from an article that quotes Jean-Luc Pepin, the former Liberal Minister of Transport, and it says, "Pepin accused the Liberal Party of hypocrisy for defending a network it contemplated shutting down completely while in Government," when referring to VIA Rail, of course, and he said, "Turner keeps repeating that the Government has broken his dream," Pepin said. "It is pathetic." He said that the economic argument that was put to Cabinet for cutting down VIA Rail, for making cuts, was so strong that four Ministers suggested shutting down the whole network. That is what the Liberals were planning in the early 1980s, and it may well be that because they had those plans in the 1980s, Amtrak was aware of them and had a plan in place.

### Amtrak Shuttle Service Impact Western Canada

**Mr. Speaker:** The Honourable Leader of the official Opposition.- (interjection)- Order.

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, it would be nice if for once this Premier could defend the citizens who live in the Province of Manitoba. To the Minister of Highways and Transportation, Amtrak now provides an attractive incentive to travel to other Canadian destinations through the United States. Has this Minister had any discussions with his western Canadian counterparts to assess how this new service will affect revenues and jobs in western Canada?

**Hon. Albert Driedger (Minister of Highways and Transportation):** Mr. Speaker, I would like to indicate that I have been in touch with my counterparts from the western part of Canada. On Monday coming up I will be meeting with the federal Minister of Transportation, Mr. Bouchard. On Tuesday I will be appearing before the Commons Transport Committee to present our case in terms of how we feel about the VIA Rail situation. The community organization, including the City of Winnipeg, the Winnipeg Chamber, the Brotherhood of Railway Workers and I will be making a presentation to that same committee on Tuesday at approximately 10:30 or 11:30. So, Mr. Speaker, we are on top of these things, we are communicating, we are trying to make sure that the interests of western Canada and Manitoba are being brought forward in the strongest way that we can.

### Amtrak Shuttle Service Impact Western Canada

**Mr. Speaker:** The Honourable Leader, with her supplementary.

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, while we applaud many of the things that he has said, there are some noticeable absences, some very noticeable absences. This new north-south link which this federal Government is prepared to allow see established is not, according to the Minister, going to be raised at those meetings on Monday and Tuesday.

Will he now commit to raise this new Amtrak line, to show how the evolution of this nation is going to continue to disintegrate if we do not continue to believe in an east-west connection, and not north-south ones?

**Hon. Gary Filmon (Premier):** Mr. Speaker, you know, the Liberal Party of course likes to have it both ways. This is what Mr. Pepin, who was the Liberal Transport Minister in the 1980s, said about their cutbacks to VIA Rail: "I had three or four colleagues then, in 1981, who wanted to put the key in the door right away. They believed the whole VIA should be shut down, closed down," and then he said six Cabinet Ministers still in the Liberal Caucus voted to trim the service. Those six, Lloyd Axworthy, Charles Caccia, Robert Kaplan, Bill Rompkey, Herb Gray and Andre Ouellet should support the Mulroney Government's 51 percent cut of VIA routes, which will result in the loss of 2,761 jobs

\* (1340)

That is the problem we have, Mr. Speaker, we do not get the support from the Liberals for the efforts that our Minister of Transportation (Mr. Albert Driedger) has tried to put into this, to preserve the service, to make sure we do not have the cuts to VIA Rail. Even the Liberal Party cannot make up their mind, Mr. Speaker.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please; order, please. The Honourable First Minister, assume his chair, please.

### Transportation Industry Meeting Request

**Mrs. Sharon Carstairs (Leader of the Opposition):** Is it not amazing that the Premier seems to defend Jean-Luc Pepin? I did not agree with Jean-Luc Pepin in the early '80s and I still do not agree with Jean-Luc Pepin.

Can the Minister of Highways and Transportation (Mr. Albert Driedger) tell the House, in that yesterday he turned down our request to meet with representatives of all transportation sectors to develop a strategy, a strategy so necessary because of what Amtrak wants to do and regrettably because United Airlines feel their experiment has not been successful, will he now do what we asked him to do yesterday and call an emergency meeting of all those involved in

transportation so we will have a strategy for the '90s and indeed the 21st Century?

**Hon. Albert Driedger (Minister of Highways and Transportation):** Mr. Speaker, as I indicated yesterday, I have a Department of Transportation with very capable people who are working together with myself on all the issues that are involved in the transportation sector. I fail to see where there would be any rationalization for developing another committee to take and study these things. We are on top of these things and we are trying to make arrangements; we are lobbying. We are doing what we can in the best interests of Manitobans in regard to VIA Rail, regarding the airlines, regarding anything that has to do with transportation.

I feel very disappointed about the fact that Aspen Airlines has made a decision that I think is not a good decision, to shut down or withdraw their services to Denver. I have all kinds of comments that I am prepared to make on that if someone wants to raise a question on that.

### First Ministers' Conference VIA Rail Service

**Mrs. Sharon Carstairs (Leader of the Opposition):** What we are trying to get from this Government is a pro-active approach. They always react. They never put some plans in place so they can meet emergencies.

Will the First Minister, when he attends the First Ministers' Conference on the 9th and 10th of November, bring a clear message to the Prime Minister that this nation will not survive if they continue to dismantle our institutions one by one, which brought the regions of this nation together?

**Hon. Gary Filmon (Premier):** I will clearly let the Prime Minister know that we need to have the consideration of the federal Government for regional interests and regional concerns and the effect that decisions they make, whether they be the GST, whether they be the closure of bases, whether they be the withdrawal of services from VIA Rail, affect regions negatively.

The difficulty we have, of course, is we have other people who go to Ottawa and make the same kinds of judgments. We have just seen that we have the Liberals in Ottawa who make the judgment to take away rights we have over control of our telephone system and back up the federal Liberal Government in taking away the right of control of Manitoba and the Public Utilities Board and transferring it to the CRTC. We have the Liberals in Ottawa who, when they were in Government, tried to dismantle completely VIA Rail, tried to wipe it out completely.

These are the kinds of things that happen. When people go to Ottawa they become consumed by the golden triangle, by the interests of central Canada, and they forget what happens in the regions of this country. I would say this Leader of the Opposition (Mrs. Carstairs) ought to be concerned about her people and her Party who go there and make those same kinds of judgments that are harmful to the -(interjection)-

**Mr. Speaker:** Order, please. Order.

### VIA Rail Transportation Ministers' Meeting

**Mr. Gary Doer (Leader of the Second Opposition):** I find it rather interesting today to have VIA Rail raised by the Liberal Party when no provincial Liberal attended the town hall to save VIA Rail last night in Winnipeg, and the Conservatives, Mr. Speaker, should be very careful as well because there were no Conservative MLAs at the town hall meeting last night to save VIA Rail. It was organized by a media outlet.

\* (1345)

Mr. Speaker, there is indeed a tragedy, what has happened to VIA Rail, starting with the absolute giveaway of billions of dollars of land to the CPR by the Liberals years ago, letting them go from their passenger obligation that was part of Confederation, and now to have the Bouchard brothers totally destroy VIA Rail from the federal Government.

My question to the Premier is, we have asked him before to call an emergency meeting with the Prime Minister because we cannot get a meeting with the Transportation Ministers of this country, so will he impress upon the Prime Minister the absolute insanity of having a situation where Manitobans' transportation link to western Canada is going to be going through Grand Forks to Seattle and up to Vancouver, rather than Brandon, Regina, Moose Jaw, Calgary, Banff and again to Vancouver, as part of our original dream in Confederation?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I guess the Leader of the New Democratic Party (Mr. Doer) was not listening to the answers of the Minister of Transportation (Mr. Albert Driedger) earlier because he clearly said that he is meeting with the federal Minister of Transportation on Monday, he is meeting with other Transportation Ministers from other provinces, and he is putting together a group of people to lobby Ottawa and to ensure that they know of the negative effects of their decision on Manitoba.

### Northern Route Protection

**Mr. Gary Doer (Leader of the Second Opposition):** Mr. Speaker, my question was not whether it was a meeting just with the Ministers, it was the question of all Ministers' meetings dealing with this issue. I have a further question to the Premier. The northern remote routes in Canada under VIA Rail had been given only a one-year reprieve. Has the Premier raised this issue with the Prime Minister or anybody else in a level of sensitivity at the federal Government level to impress upon them the absolute total destruction of our transportation system in northern Manitoba, with the kind of criterion that was used to destroy VIA Rail in western Canada, if that same criterion is applied to northern Canada over the next year that they have given us?

**Hon. Gary Filmon (Premier):** Mr. Speaker, we have clearly indicated our desire to preserve that northern rail connection and service, and that has been one of

the things that have been argued very strongly by the Minister of Transportation. He has succeeded in ensuring that it was not affected in this round of cuts. He has it on the agenda for his meeting on Monday with the federal Transportation Minister that it ought to be extended and made sure that it is permanent because we believe that it is absolutely essential to keep open our lines of transportation to the North.

### Amtrak Shuttle Service Justification

**Mr. Gary Doer (Leader of the Second Opposition):** Mr. Speaker, I have a further question to the Premier. How can we possibly justify to western Canada a situation where citizens have to use Amtrak transportation because the Government is cutting back on money to VIA Rail, when at the same time the federal Mulroney Government is taking a billion dollars to give Amtrak, through loans from Bombardier of Quebec. How can we possibly justify that to western Canada, and why can we not talk some sense into the Prime Minister in terms of his decisions?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I cannot justify it and I do not intend to try to justify it. I disagree with it.

**Mr. Doer:** Mr. Speaker, the Member for La Verendrye (Mr. Pankratz) says we are getting straight answers to straight questions. I want to get a straight reversal of the absolute insane decisions, that is what we want to get.

I have a final question to the Premier. How can we again justify giving massive \$780 million loans to another Quebec company, Lavalin, to build again railway systems in other countries, when we are allegedly cutting back on our national dream, our national rail service, with the VIA Rail cutbacks that are allegedly for cost-cutting reasons when we know they are not?

**Mr. Filmon:** Mr. Speaker, the Leader of the New Democratic Party may want to send his questions to his federal colleagues in Ottawa to be asked in Ottawa. I not only cannot justify that decision, I do not intend to try. I disagree with the decision, again.

\* (1350)

### Northern Training Office Staffing

**Mr. Bob Rose (St. Vital):** Mr. Speaker, my question is to the Minister for Education and Training (Mr. Derkach). The Northern Training and Employment Agency in Thompson had 12 employees at the time that the Keewatin Community College took over. Eight of these employees were Native.

Nine of the Northern Training Employment Agency's employees were also demoted or accepted severance pay at that time. Seven of those nine demoted or taken severance pay were Native. Moreover, in at least three cases, positions held by Native Canadians were filled

with less-qualified, non-Native individuals, and in two cases new positions were created and filled with non-Native individuals. Northern training personnel were not given an opportunity to apply for these upcoming positions as they were promised.

**Mr. Speaker:** And the question is?

**Mr. Rose:** They were never opened to competition. Why is this Government engaging in deception in dealings with the province's aboriginal people?

**Hon. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, the allegations by the Member across the way are simply ridiculous. When we amalgamated the Limestone training or renamed the Limestone Training Agency to a Northern Training Employment Agency, we simply made sure that northern training is going to be delivered by Northerners, and the administration of that is going to be done in the North.

Some of the positions that the Member speaks about were term positions that naturally would expire at the end of a time when the course has run out. For that reason those people may want to terminate their contracts or they were given the opportunity to extend them. In no case, not in one single case, was there an employee terminated because we decided to terminate. In two cases, Mr. Speaker, there were two people who accepted severance pay on their own willing, but there were no layoffs.

As a matter of fact, we are committed to ensure that northern people get jobs up north, and important jobs such as teaching, and that those jobs are done by Northerners and Natives.

### Job Protection

**Mr. Bob Rose (St. Vital):** Mr. Speaker, to the same Minister, I am referring to Native Northerners, not Northerners period, and that is the subject. What provision is this Minister making to establish staff years for those people at the Northern Training and Employment Agency to therefore protect their jobs instead of demotions, and the jobs that we feel Native Canadians have demonstrated more and moreover that they are capable of handling?

**Hon. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, every one of these positions was a term position, and what we have done is ensured that those term positions will be extended to allow for those individuals to either find other employment when the end of the term comes, or in fact we have assured them that we will try to incorporate them into our educational system in northern Manitoba, not like the former Government did, which put them all on term positions, and at the end of that time they were released. As a matter of fact, we have assured each and every one of those employees that we will do everything we can to ensure that their employment will continue.

### Discriminatory Decisions

**Mr. Bob Rose (St. Vital):** Mr. Speaker, to the same Minister, this is the last supplemental. Now that this is brought to your attention, even though you do not see the facts clearly as they should be, what action will this Minister now take to reverse these discriminatory decisions?

**Mr. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, that allegation is foolish because we have not entered into any kind of discriminatory decision in northern Manitoba. As a matter of fact, we have ensured that we give northern Manitobans and Native Manitobans every opportunity to participate in society, to participate in the educational opportunities and the jobs that are available in northern Manitoba. We are committed to ensure that northern Manitobans participate equally in a society in Manitoba as they should. We do not make comments to them as were made by the Leader during the campaign, in reference to the time that she was there at a meeting.

### Shelter Allowances Cost of Living Increase

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I have a question for the Minister of Housing (Mr. Ducharme). Just over a week ago I had asked the Premier (Mr. Filmon) a question in regard to his Government, and would they be increasing the threshold for the shelter allowance for our family renters. His answer to that question was, well, the NDP are building a bridge that goes nowhere.

So being the persistent fellow that I am, I put this question to the Minister of Housing. Since the Minister of Housing has admitted that the shelter allowance SAFER Program, shelter allowance for our seniors, should have been indexed according to the cost of living increases, will the Minister agree today that the SAFFR Program should also be indexed along with that program?

\* (1355)

**Hon. Gerald Ducharme (Minister of Housing):** Mr. Speaker, it is unfortunate that the Member keeps coming forward with the inaccuracies that he is making. I suggest that he use the basis of what we set up in the Estimates period and I will go through the Grants and Subsidies section when we get at it in Estimates.

### Funding Re-instatement

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, again a question for the Minister, a policy question of this nature should be asked in this Chamber and does not necessarily have to wait for his own personal agenda. Will the Minister of Housing—(interjection)—My question again is to the Minister of Housing. Will the Minister of Housing agree to restoring the allotments to both the SAFER and to the SAFFR Program in this year's budget allotment?

**Hon. Gerald Ducharme (Minister of Housing):** Mr. Speaker, it is the first time that I was aware that it is

my own personal agenda to sit down and prepare Estimates and procedures to get at these Estimates. It is done by both sides of the House. I would suggest to him that when we get to the Grants and Subsidies in the Estimates I will deal with him. I will answer all his questions.

### Shelter Allowances Funding Re-instatement

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I am going to try a question with the Minister for Seniors this time. Maybe he has been doing something in respect to our seniors. That question is: why has the Minister responsible for the Seniors not sat down with his colleagues and demanded the restoration of the allotments to these two programs, especially the one for our seniors?

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, order. The Honourable Minister responsible for Seniors.

**Hon. James Downey (Minister responsible for Seniors):** Mr. Speaker, let me first of all say how pleased we are on this side of the House to be able to look after the needs of seniors in the many areas of concern, neglect that has been going on far too many years. Let me further add that I am prepared and have sat down with my colleague, who has clearly indicated that he will deal with that issue at an appropriate time, which is at the Estimates process.

### Schmidtke Millwork Ltd. Worker Safety

**Mr. Paul Edwards (St. James):** Mr. Speaker, my question is for the Minister responsible for Workplace Safety and Health (Mrs. Hammond). On August 29, 1985, Schmidtke Millworks in Steinbach was inspected, and eight health and safety breaches were noted including failure to provide protective eye wear and respiratory gear. A follow-up was done later that year and another compliance order was issued. Then, four years later in June of this year, when a worker complained, the company was reinspected and again was found to be wanting to the area of respiratory and eye wear protection.

Is the Minister aware of this case and what steps, if any, has she taken to ensure that a company is not allowed to make a mockery of the Act and that it does not take the worker—

**Mr. Speaker:** Order, please. Order. The question has been put. Order, please. The Honourable Minister of Labour.

**Hon. Gerrie Hammond (Minister responsible for Workplace Safety and Health):** Mr. Speaker, I am not familiar with that particular case, but I will today find out what has happened. I will say that when these orders are placed, they must be complied with.

**Mr. Edwards:** However, clearly they are not, in all cases. Mr. Speaker, can the Minister assure the workers at

that plant that it will not take a further four years this time to achieve compliance on a permanent basis with the further seven compliance orders which were issued in June of this year?

**Mrs. Hammond:** Yes, Mr. Speaker.

### Workplace Safety and Health Order Compliance

**Mr. Paul Edwards (St. James):** Mr. Speaker, finally for the Minister, an official with Workplace Safety and Health recently told us that not in a lifetime could all workplaces in Manitoba be inspected. However, surely when the department knows of infractions, they should be capable of enforcing the compliance orders on a permanent basis.

My final question: what steps will this Minister take to ensure that lasting compliance with orders is achieved and that follow-ups are done to protect the workers in Manitoba when we know the Workplace Health and Safety standards are not being met?

**Hon. Gerrie Hammond (Minister responsible for Workplace Safety and Health):** Mr. Speaker, the staff at Workplace Safety and Health endeavour to follow up on all orders. They are as much concerned as we are on this side of the House, as I am sure all of the House is, that these orders are complied with. We endeavour in the department to do our very best to make sure that they are complied with. If they are not and if the Member has any information that he would like to give me, we would be most happy to look into them.

\* (1400)

### Northern Flooding Correspondence Request

**Mr. Jerry Storie (Flin Flon):** My question is to the Premier (Mr. Filmon). On August 25 of this year the Mathias Colomb Band wrote to the Premier asking for some specific action from this Government to help them in their fight to receive justice on the issue of flooding on the Churchill River, or fluctuations of the water level on the Churchill River.

My question to the Premier is, has he responded to this August 25 letter? Did he outline in his response, or has he outlined in a response, the Government's specific course of action in support of the people at Pukatawagan and Brochet? Can he indicate whether any concrete action has resulted from his response, if in fact he has given one?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I am aware that my colleague, the Minister of Northern Affairs (Mr. Downey), met with the Mathias Colomb Band last week and I believe that the Minister of Environment (Mr. Cummings) is meeting with them very shortly. I believe something has been set up. I recall the correspondence. I believe that I did respond to it, but not having a copy of the correspondence before me, I will have to take that as notice.

### Northern Flooding Court Action

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, the people of Pukatawagan and Brochet and perhaps Native people across this province are wondering about the commitment of this Government to their issues, the protection of their environment, their water quality.

My question is to the Minister of Northern Affairs (Mr. Downey). The Minister of Northern Affairs did in fact meet with one representative from the bands affected. However, the indications are that the meeting was nothing but hot air.

Can the Minister of Northern Affairs indicate whether he has responded to the question of whether they are going to be supporting the court action that the Mathias Colomb Band is contemplating? Are they prepared to give financial support and legal support to a justifiable action on the part of the people of Pukatawagan and Brochet?

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, let me first of all, for the information of a man who should know what all is involved, there are more than two Indian Bands. There are also some communities which are within the provincial jurisdiction that we care about as well. We care about the total communities involved, just not selective as the former Minister. That is extremely important. Last Tuesday we had representations in my office meeting with them to discuss their concerns. Yes, there is a commitment to support them all we can as a province.

My colleague, the Minister of Environment (Mr. Cummings), may have more to add. He has as recently as yesterday met with the Saskatchewan Minister of Environment to discuss that very issue. When there is more information which can be provided, a meeting will be arranged with the Minister of Environment, with all the communities to support them on their interests that had been neglected - (interjection) - for 15 years.

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

### Northern Flooding Court Action

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, on April 25 I was given an unequivocal letter from the Minister of Natural Resources (Mr. Enns) indicating that the province would use court action if necessary. I ask the Minister of Natural Resources or the First Minister (Mr. Filmon), are they now reneging on that promise? Are they not going to support the people of Pukatawagan and Brochet? Are they going to try and talk this issue to death and wait until the dam is constructed before they act?

**Hon. Harry Enns (Minister of Natural Resources):** Mr. Speaker, I can hardly embellish on the forthright answer given to this question by my colleague, the Minister responsible for Native Affairs (Mr. Downey). I, along with the rest of my colleagues, am endeavouring to do

our very best to bring resolution to this long-standing priority. I remind all the Members of the House, this dam was built by another jurisdiction in Saskatchewan some 35-40 years ago. It is left to this Government to finally bring some redress and some justice to this situation, and we are up to it.

### **AIDS Prevention Programs Needle Exchange Program**

**Mr. Gulzar Cheema (Kildonan):** My question is to the Minister of Health. Mr. Speaker, as AIDS continues to grow, and last week media reports confirmed what we have said for months, that a number of street kids are using needles for drug abuse and thus exposing themselves for greater risk of getting AIDS, can the Minister of Health tell us why he is resisting the idea of needle exchange program in Manitoba?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, my honourable friend brings up the issue of street youth and their risk of exposure to AIDS. The provincial Government and my department, in consultation with many groups having ability to serve and currently working with those individuals, have joined with the Department of Health to develop what I think will be a welcome initiative that I know my honourable friend will support in terms of new programming and new direction to bring the message of AIDS prevention and education to those street people who may not have had the same opportunity to take advantage of the very well-received advertising campaign that we have just recently completed.

**Mr. Cheema:** Mr. Speaker, we have asked this question three times. Why is he resisting the program for needle exchange in Manitoba? Can he give us the rationale, not the circumstantial evidence? Can he tell us why he is resisting that idea?

**Mr. Orchard:** Mr. Speaker, my honourable friend, who is I would hope knowledgeable in recommended methods of AIDS prevention, would know that there is no evidence—and my honourable friend referred to evidence—that is the most effective approach to AIDS prevention. In fact, no provincial jurisdiction in Canada is sponsoring a needle exchange program and my honourable friend, as a critic for Health, as a practising physician, ought to concern himself about evidence before suggesting to Government that they embark upon programs.

**Mr. Cheema:** Mr. Speaker, the Minister of Health should just simply consult his provincial counterparts and he will know.

### **AIDS Treatment Terminal Care Facilities**

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, my final question is, at present we do not have any terminal care community-based facility for AIDS victims in Manitoba. Can he tell us when he will establish such a program to save money for tax dollars?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, my honourable friend's preamble is incorrect. I have as recently as six weeks ago met with my provincial colleagues and the information I gave to him is accurate. His information, if it differs, is inaccurate. I simply ask him to pick up the phone and call the Department of Health, the Ministry of Health in Ontario if he wishes confirmation of that, or the Ministry of Health in British Columbia if he wishes confirmation of what I have just shared with him in the House. His facts are simply not correct.

### **Lynngold Resources Inc. Closure**

**Mr. Jay Cowan (Churchill):** My question is to the Minister of Energy and Mines. As the Minister knows, a possible closure of the Lynngold mining and milling operations in the Lynn Lake area is fast approaching as we move closer to November 6. Can the Minister at this time provide an update as to the status of the discussions and the negotiations that he has been holding with Lynngold, with the United Steel Workers of America, Local 5757, and other affected parties with respect to trying to prevent the closure of this very important industry for northern Manitoba?

**Hon. Harold Neufeld (Minister of Energy and Mines):** Mr. Speaker, I think we should say first of all the decision to keep the mine operating or close the mine will be that of the company and not of the Government of Manitoba. It is true that the company has come to the Government for some help in enabling it to continue the operations. The Government has put an offer on the table and it is up to the company now to decide whether or not it is prepared to continue the operations in the light of that offer.

**Mr. Cowan:** Mr. Speaker, that is not good enough. Given that the company has just embarked today or yesterday upon locating or obtaining a large number of locks, links of chain, hasps, which they will use to lock up their operations and houses in the community and they are now running through their checklist for closing the operations, will the Minister do something more than just say this is a company decision, and call the company immediately to make certain that this operation does not shut down, throwing out of work hundreds of individuals and their families and having a tremendous negative impact on the economy of northern Manitoba and the economy of the province as a whole?

Is he prepared to live up to his responsibility to help develop the North rather than stand idly by and watch it go down?

**Mr. Neufeld:** Mr. Speaker, it should be said first of all, the Government has not stood idly by. The Government has been in constant consultation with the company, with the people in the community, with their union since sometime toward the end of May. The decision, as I said, to continue the operations will be that of the company. The company owns the assets; the company must decide what it must do with them.

The Government cannot, it is not in a position, Mr. Speaker, to prop up the gold price around the world. The gold mine at Lynn Lake, Manitoba, would not be open today if it was not for the high gold price of a couple of years ago. The low gold price of today makes the operation uneconomic and, as I said earlier, the decision will be that of the company. The Government will do everything it can to see that the operations continue and, if it does not continue, to do everything possible for the people of the community.

\* (1410)

### Lynngold Resources Inc. Payment of Wages

**Mr. Jay Cowan (Churchill):** Mr. Speaker, the Minister of Energy and Mines (Mr. Neufeld) has obviously turned his back on that community. I direct a question to the Minister of Labour (Mrs. Hammond) to determine if she will live up to her ministerial responsibility a bit more adequately.

The company has informed employees that they will not be entitled to their termination pay or to their holiday pay until after this matter is resolved, which is in direct conflict and violation of The Payment of Wages Act. Will the Minister contact her department to contact the company immediately to tell them that even though they may be contemplating closing the mine, and even though this Government may refuse to help them or the community, they still have to live up to their legal obligations of The Payment of Wages Act and treat their employees fairly?

**Hon. Gerrie Hammond (Minister of Labour):** Mr. Speaker, our department has been in constant contact with the mining community. The labour adjustment unit has been going for some time and these matters are being looked after.

### Red River City of Winnipeg

**Mrs. Gwen Charles (Selkirk):** Mr. Speaker, we all recognize that Toronto Harbour is known for its degree of pollution, and yet this last year in February students from the University of Winnipeg compared the level of pollutants in the Red River to the Toronto Harbour. The Red River is about 100 times worse than Toronto Harbour. This, even with some allowances for discrepancies in the students' testings, is not acceptable.

My question is to the Minister of Environment. What are his plans with the City of Winnipeg? Can he detail them and table the procedures?

**Hon. Glen Cummings (Minister of Environment):** Well Mr. Speaker, again it would appear that the Liberal Party is trying to consistently get provincial politics embroiled in even today, election day in the city of Winnipeg. I have to tell you that I have indicated a couple of times in the Legislature that I am working with the City of Winnipeg, that I expect there will be

announcements that will be made shortly, and they will be of the nature that will be considered important news environmentally. Those announcements will be made in due course.

**Mrs. Charles:** Mr. Speaker, this is a provincial matter, it is not in the middle of the city politics. If he does not know what his responsibilities are, then he should relook at his books.

Mr. Speaker, the question is to the Minister of the Environment (Mr. Cummings). You keep promising these plans and yet there is such a low level of interest in the City of Winnipeg. What is he doing to make this deplorable degree of pollution made aware to the public and the citizens of Winnipeg?

**Mr. Cummings:** I do not agree, Mr. Speaker, that there is a deplorable lack of interest on the part of the people of the City of Winnipeg. It seems to me that the City of Winnipeg is becoming very environmentally conscious. That is where a lot of the leaders in environmental matters reside and take their interest from.-(interjection)-

Well, I hear a crack from the third Party saying that it is the Minister who is not interested. Where were they for the last five years?

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**Mr. Speaker:** Order, please; order, please. The Honourable Member for Concordia, on a point of order.

**Mr. Gary Doer (Leader of the Second Opposition):** My point of order, and it is a very technical legislative matter, if you will bear with me in terms of our rules. The Bill was passed in July of '87, it was proclaimed on March 31, 1988, and the Minister has been breaking the law ever since. It is a very simple fact.-(interjection)-

**Mr. Speaker:** Order. The Honourable Member does not have a point of order. A dispute over the facts is not a point of order.

**Mr. Cummings:** Does he have a point of order, Mr. Speaker?

**Mr. Speaker:** The Honourable Member does not have a point of order.

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**Mr. Cummings:** Unfortunately when we came to office, this province was rated nationally as 10 out of 10 in being concerned about environmental matters.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, order.

**Mr. Cummings:** I reiterate my concern and my willingness to work with the City of Winnipeg, and I want to reassure the Member for Selkirk (Mrs. Charles) that we have the attention of the City of Winnipeg and

the process of bringing the city outfalls into licence will go ahead.

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

## INTRODUCTION OF GUESTS

**Mr. Speaker:** Prior to Orders of the Day, I would like to draw Honourable Members' attention to the gallery, where we have from the Hugh John Macdonald School, twenty Grade 9 students, and they are under the direction of Cynthia Manswell. This school is located in the constituency of the Honourable Member for Logan (Ms. Hemphill).

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

## ORDERS OF THE DAY

**Hon. Clayton Manness (Acting Government House Leader):** Mr. Speaker, today the order of Bills that will be debated is as follows: Bills No. 56, 27, 32, 31, 42, 34 and 53. Following the completion of these Bills, the House will proceed to Bill No. 6 and the remaining Bills as they appear on the Order Paper.

Further to that, Mr. Speaker, the Government House Leader probably will want to give further direction as to Private Members' Hour before five o'clock.

Further to the Orders of the Day, I wonder if I can make -(interjection)-

**Mr. Speaker:** Order, please. I am sure Honourable Members will want to hear this announcement.

**Mr. Manness:** In fairness to all Members of the House, and I think there is a common agreement between the Parties that the House should rise at five o'clock.

**Mr. Speaker:** Is there agreement to recess the House at five o'clock? (Agreed)

Yes, we will be adjourning the House at five o'clock. I would like to thank the Honourable Acting Government House Leader for that announcement.

## SECOND READINGS

### BILL NO. 56—THE WORKERS COMPENSATION AMENDMENT ACT (2)

**Hon. Edward Connery (Minister of Co-operative, Consumer and Corporate Affairs)** presented Bill No. 56, The Workers Compensation Amendment Act (2); Loi no 2 modifiant la Loi sur les accidents du travail, for second reading, to be referred to a committee of this House.

#### MOTION presented.

**Mr. Connery:** It is indeed a pleasure to speak on second reading on Bill No. 56. Mr. Speaker, as we all know the operation of the Workers Compensation is one of our most important functions in the province to deal

with injured workers. So it is indeed a pleasure to speak shortly on this Bill.

\* (1420)

The Bill is divided into two main components. First of all, the Bill deals with governance and the appeals provisions, and secondly it deals with the technical and the administrative matters.

I think it is important to indicate to the House that subsequent to the passage of this Bill, we will be bringing forward another Bill to address the major benefits packages and other matters such as the indexing of pensions for workers so we do not have to bring forward a Bill every two years.

Mr. Speaker, I think it is very important to recognize that the WCB is a very significant institution. It serves both the employees and employers. There are approximately 400,000 employees affected under the employ of some 22,000 employers. They come from all walks of life and all sorts of working endeavours.

(Mr. William Chornopyski, Deputy Speaker, in the Chair)

The Workers Compensation Board has been around for some 75 years. The intent of the Workers Compensation Board is to protect employees against financial losses arising from accidents and illness occurring at the workplace. In turn, the employees gave up their right to sue employers in cases where they were injured.

Mr. Deputy Speaker, the WCB really strives to rehabilitate injured workers and also provides pension to disabled employees and the dependents of workers injured in workplace accidents.

No one argues against the existence of the WCB. Without such a plan, our economy would not be as stable nor would employees be as protected. Mr. Deputy Speaker, I do think the Workers Compensation Board does an adequate job of protecting workers, and we are striving very hard to make it that much more efficient to better protect injured workers and to rehabilitate them.

This Bill would better provide for the WC's operational independence from Government, assist in its independent setting of rates and policies, somewhat different from what the previous Government did where they dictated the assessment rates, and better provide for the WCB to meet the statutory requirements to live within its means, features seemingly lost during the time of the last Government.

Mr. Deputy Speaker, the Lyon Government left the WCB with a situation in 1981 where there were balanced books. There was surplus of operation—something over \$30 million in surpluses. There were low assessment rates, and there were up-to-date appeal processes. People did not have to wait a significantly long time to have their appeals heard. It was indeed an independent and part-time board.

Mr. Deputy Speaker, when we took over, this Government was greeted with very poor service levels.

We had misleading books. In fact the books were very poorly kept. We had extreme deficit operations; we had high assessment rates and forecasts of even higher assessment rates. The five prior years to us taking over there were increases of some 20 percent a year, and the appeal backlogs were very, very long.

I am very pleased to say that I had a call from Mr. Brian King only a couple of weeks ago indicating that everyone who wanted an appeal to the board of commissioners had a date set, and in fact there were openings as early as November 6. The reason the opening was there was that those wanting their appeals heard were not ready to go before the board of commissioners. So we think that while we are not exactly where we want to be, we have come a long, long way to resolving the backlog in appeals.

Mr. Deputy Speaker, there was evidence of Government involvement in board operations. I think that all Parties recognize that this is an independent body and Government interference is not acceptable and will not be good for the operations. This Government has kept to a statutory role responsibility for the Act, board appointments, and monitoring of operational adequacy. There has been much progress. This Bill would provide and prepare for even more.

Mr. Deputy Speaker, let me talk about the—I gather you are having trouble hearing too, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** I wonder if we might have a little bit of order in the House, please, a little order.

**Mr. Connery:** I am very pleased to see the Member for Radisson (Mr. Patterson) here who is the critic for Workers Compensation. The critic for the third Party is in the loge. I wish he would be over here and be able to listen very carefully as to what is happening.—(interjection)— Well, we are dealing with the Workers Compensation and the Member is the critic, and I think it is a very, very important piece of legislation that the Member—

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**Mr. Deputy Speaker:** The Honourable Member for Dauphin.

**Mr. John Plohman (Dauphin):** Mr. Deputy Speaker, the Minister has been around here enough already, I believe. On a point of order, he has been around —(interjection)—

**Mr. Deputy Speaker:** Order. Order, please. On a point of order.

**Mr. Plohman:** He has been around here long enough to know that it is not appropriate, not proper parliamentary procedure or ethics for him to refer to the presence or absence of Members or where they may be located in the Chamber at any particular time, and he should withdraw and apologize for making those comments.

**Mr. Deputy Speaker:** The Honourable Member for Thompson, on the same point of order.

**Mr. Steve Ashton (Thompson):** Thank you, Mr. Deputy Speaker. I think it would be appropriate for the Minister to withdraw those comments. I have been talking to the Minister of Health (Mr. Orchard) on a very important matter related to the Department of Health budgets. I am also the critic for the Department of Health. I am talking to the Minister of Health at his request, and I think it is totally inappropriate for the Minister to suggest anything, whether I am listening or not to the Bill. I have read the Bill; I will be commenting on the Bill. I would be falling through on my responsibilities as Compensation critic, but I find it offensive that the Minister would put those kinds of comments on the record when I have been meeting with the Minister of Health at his request.

**Mr. Deputy Speaker:** I have not heard what was really said. There was too much noise in the House at the time. I will however take that under advisement and come back with a decision.

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**Mr. Deputy Speaker:** The Honourable Minister has the floor.

**Mr. Connery:** Thank you, Mr. Deputy Speaker, and I appreciate the attention of the two critics in this most important piece of legislation.

First of all, I would like to speak on governance and appeal provisions. Mr. Deputy Speaker, the governance and appeal amendments signify the first modernization of board governance in nearly 70 years. Since assuming office I have become acutely aware of problems arising out of the board commissioners structure, problems that have slowed progress despite numerous positive steps; steps such as the appointment of a second appeal board and the actions of a committed WCB management team.

The five main problems with the present structure are: the appeals board or boards could disagree on policy and act interpretations with each other or with the board as a whole. This would lead to uncertainty for both employers and injured workers. Appeal commissioners may be influenced by fiscal considerations reducing the fairness of appeal decisions. Appeal backlogs could become a growing problem if commissioners again became involved in administration and policy matters.

I do appreciate the efforts of the two appeal commissions. I asked them to devote all of their time to the appeals backlog so that injured workers would indeed have their appeals heard quickly and a decision rendered within a very short period of time, and I can say, Mr. Deputy Speaker, that they are co-operating very, very well, and I give them thanks for that.

The structure reduces the ability to recruit senior industry and labour leaders to consider board policy and directional matters in an objective manner. The way it is today, having to be a full-time chairman does not allow other people to become part of it, and with the changes and allowing for part-time people, Mr. Deputy Speaker, we will indeed allow just about anybody

from labour or management to be on the board and to lend their expertise in resolving problems with the Workers Compensation Board or developing policy. The relationship between the administration and day-to-day activities, and the stewardship role of the board is still rather undefined and uncertain.

\* (1430)

The WCB is a large and important Manitoba institution, important to overall society but more importantly to individual employees and their employers. It requires a modern organizational structure. The weakness and problems experienced in Manitoba had been noted elsewhere in Canada. Other provinces already have moved to modern structures. Such provinces as Quebec, Ontario, Alberta, British Columbia, Newfoundland, and New Brunswick now differentiate between a board of directors and their appeal process. This Bill, Mr. Deputy Speaker, is consistent with the action of other jurisdictions.

I would now like to highlight some of the main provisions of the amendments. The right to appeal, which to date is not structurally provided, is stipulated in legislation; that was not there before. Basically, it was done by matter, by routine, but now it is stipulated in legislation. The tripartite nature of the board balancing the interests of society, employers and employees are enshrined. The current Act, it should be noted, does not provide statutorily even for a bipartite approach. It is currently based on tradition, not statute, and I think it is important to enshrine these in statute.

These amendments create a nine-person board, three representatives of the public interest, three each of employer and worker interest; a neutral chairperson is statutorily required. These amendments establish a tripartite appeals commission, separate rosters for public interests, employer and employee interests. One of each is required to form a panel. With the additions to the appeals commission, it now becomes possible to appoint people in the North from the employer and employee side to adjudicate claims in the North by sending up an independent chairperson along maybe with some staff.

We can now have Northerners adjudicating on those injured in the North, and I think this is a very important function. The structure can be somewhat more along the lines of the Manitoba Labour Board where different people can be appointed, not necessarily full time. We do believe it is important to have some full-time appeals people there, and those would likely be situated in Winnipeg.

Mr. Deputy Speaker, these amendments establish a policy committee with representatives of each broad interest group. There is provision for the possible appointment of one employer and one employee representative from the appeal commission to serve on the board of directors. If appointed, these two commissioners would bring their full-time observances to the board. So we maintain that very important link of full-time people being on the larger board so that they would bring their expertise and their concerns in hearing appeals.

We are concerned that the appeals commissioners not be on the policy so that we do not get the concern for adjudication involved in policy setting. They are not allowed to sit on the policy committee, but there will be two from management, two from labour, two from the committee at large, and the chairman who will be on that policy committee. So it will be truly tripartite.

Mr. Deputy Speaker, rosters would be established outside of Winnipeg, as already mentioned, and we could also have even some in Brandon. It does not only have to be from the North, but we could have people from the -(interjection)- well, the Member for Thompson (Mr. Ashton) says satellite offices. We are looking at satellite offices, that is possible, or they could be involved with other departments that will allow us to keep the costs at a reasonable level. Our first concern is service to the injured worker. That will be foremost in our minds when we make these important decisions.

The amendments provide for the solicitation of nomination to the board of directors and the appeal commission from the employer and worker constituencies. Many of these will serve part time, bringing even more independence of thought to the WCB. These amendments honour the Government's commitment to ensure balanced development at the WCB. These amendments recognize the desire for a day-to-day separation of adjudication and policy. That was not there in the past, and there was some overlap and it created some problems with dealing with policy as it related to injured workers.

There is the desire to avoid conflicts of interest. The desire to have a statute given right-of-appeal within a tripartite organization ensuring that worker, employer and tripartite, the community at large are represented. It is important to recognize with the addition of the community at large representatives on that board making it tripartite. Really, it is the community, the consumers of goods, that pay in the long run for the cost of Workers Compensation. It is important to have them represented and also to bring the total community into focus when we are dealing with injured workers.

In summary, Mr. Deputy Speaker, these governance and appeal amendments honour a commitment of this Government to bring clarity and good organizational practices to the WCB. These amendments would be proclaimed, hopefully, January 1, 1990.

Now dealing with the technical amendments, the other amendments, the technical amendments remedy long-standing deficiencies. Some were noted in the recommendations of the Legislative Review Committee, others by legal advisors and WCB staff.

The proposed amendments reflect and strengthen the balance of the Act between the interests of employers, labour and society. Several consequential amendments are also being made to The Criminal Injuries Compensation Act, which mirrors The Workers Compensation Act in some particulars.

Mr. Deputy Speaker, the four main areas in which provision stabilized the social balance between the interests of employers and labour are antiquated provisions that have been eliminated, such as those

that require the employer to pay for ambulance service, and those that impose restrictive and detailed stipulations respecting hernias. Overall fairness has been advanced, such as through modifying the composition of medical review panels so that each party may nominate a physician of choice to the medical review panel, but the physician may not have treated the worker nor be the company's doctor.

The medical review panels have been made generic with the elimination of special panels for neurosis. Also, parallel treatment is accorded to employers and workers in that both can be charged with making false statements to the board. In the past, the stipulations that were present were directed at employers alone.

Safety and prevention activities of the board are expanded through allowing the board to make grants to safety associations, for example, the Manitoba Health Organization and associated unions are in the process of submitting a bipartisan application for funding of safety programs and confidentiality provisions are strengthened and apply to worker and employer information.

Mr. Deputy Speaker, in talking about safety associations and Workplace Safety and Health, it is indeed the primary goal that we would prevent accidents from happening. We would be delighted if the role of Workers Compensation diminished significantly because there were no injured workers and, of course, that is the foremost goal that all of us have in this House is to work very hard to preventing injuries.

Mr. Deputy Speaker, a number of provisions will be attractive to employers without diminishing benefits to workers. The most important of these are the fiscal responsibility of the board has been strengthened through allowing for prudent reinsurance which protects the considerable sums employers have contributed to reserves by allowing for interest to be charged, refunded on overpayments or underpayments, and by allowing for the collection of accounts from firms which have been sold or have passed into receivership.

Certain, non-Canadian residents working for non-Canadian companies may be excluded from applications of the Act. Mr. Deputy Speaker, this involves truckers coming into Manitoba or Canada who already have Workers Compensation in their home jurisdiction and are covered in Manitoba, so it eliminates that—not only a nuisance but an added burden, with no real benefit to Manitoba.

Restrictions have been placed on the powers of the board to force entry to a business. Mr. Deputy Speaker, this particular section complies with the Charter of Rights, but it is also important that we have access to ensure that injured workers get the proper adjudication, so we have included that.

Amendments affecting labour: Mr. Deputy Speaker, four amendments will be particularly attractive to labour without restricting the rights of the employers. The amendments remove a number of historical irritants at very little cost to the program.

Mr. Deputy Speaker, the definition of spouse is modernized so as to be consistent with The Family

Maintenance Act. Children who are dependent on a fatality will receive benefits to the age of 18 rather than 16, consistent with the age of majority. Emergency benefits may be provided to family members of a worker so as to be compensated, for instance, while attending on a worker in a hospital. The calculations of average earnings is made fairer for workers declared to be employees of Government. At the same time, these provisions are applied to casual emergency workers, such as volunteer firefighters and ambulance personnel which has the effect of increasing their benefits.

\* (1440)

These housekeeping amendments are beneficial to both stakeholders of the board. They will take effect when proclaimed over a period of time as the board is administratively ready. I am assured that this will take place very quickly. If adopted, they signal the commitment of this Legislature to remedy serious technical weaknesses in the Act which have persisted for many years.

A number of these weaknesses, as well as governance and appeal matters, were the subject of intense scrutiny and comment by the Legislative Review Committee which reported in May 1987.

The LRC Report contained 178 recommendations. Many of these recommendations related to matters of policy, practice or organization at the board. A significant number of such recommendations have either been adopted or are under consideration in making as recommendations regarding Act amendments. The LRC wrote "the actual function of redrafting a complex law involves an ongoing and dynamic process."

So we are, Mr. Deputy Speaker, in the process, but once we have completed the amendments, we will continue on to improve the Workers Compensation. In recognition of this fact, the present package of amendments is, in the view of the Government, but one step in this continuing process. The Government intends to bring forward at an appropriate time further amendments related to other matters of interest to both employers and workers such as revisions to the benefit provisions.

It is interesting to note the Member for Thompson (Mr. Ashton), the critic for the New Democratic Party, saying "small steps." We think these are significant steps. He tried to insinuate that it would be two years before we brought in legislation because he read an article in the newspaper. Mr. Deputy Speaker, we are very pleased to have come in very quickly with these amendments and very thankful to the two Opposition Parties for having adopted very quickly the indexing of those pensions which allowed for people to have their indexes very quickly.

Although I was criticized for not coming in sooner, and it was October when those cheques went out, we have to recognize that we did not sit from the end of June until the 18th of September, and the previous year, even though we sat through July and August, never went out until September. So I think we did fairly well, and I thank the Members opposite for their speedy

passage of the Bill which was so crucial to injured workers.

Mr. Deputy Speaker, we also deal with the amendments substantially consistent with the LRC recommendations. I would like to point out sections of the legislative package which are consistent with 15 important recommendations of the LRC:

The LRC in recommendation (1) recommended the Act be written in simple, comprehensive language. Nearly 20 sections of the Act, not otherwise amended for some standard reasons, have been deleted or reworded for the purpose of simple clarity.

The LRC recommended (2) that outdated sections be removed such as references to specific diseases and conditions, hernia, dermatitis, neurosis, silicosis, and the mortality clauses. This has been done except that to some extent the provisions related to silicosis remain where they provide for considerations not otherwise available under the Act.

The LRC recommended that reporting obligations of employers should remain. With these amendments we have continued with the employer reporting obligations.

The LRC recommended that the board negotiate new medical reporting protocols and fee schedules with the Manitoba Medical Association. The present amendments provide for clear authority on the part of the board to set a fee schedule and also to provide for a broader group of medical professionals including chiropractors, osteopaths, nurses, and hospitals to provide suitable reports.

The LRC recommended that the board take some action to reinsure its liabilities. The Act has been so amended.

The LRC recommended that the surviving dependant children be entitled to benefits age 17, rather than 16, and we have gone to age 18.

The LRC recommended that the board's powers to divert benefits from the worker to his/her spouse be revoked, and this has been done.

The LRC recommended that the power to inflate a minor's average earnings be revoked, and this is being done.

The LRC recommended that those sections of the Act dealing with survivor benefits which discriminate on the basis of marital status should be amended to provide equal treatment. The treatment of one or more dependant spouses under the Act has been thoroughly revised in several ways: the definition of "spouse" has been expanded and remains similar to that in The Family Maintenance Act; moreover, if there is more than one dependant spouse, such as a common-law spouse and a legally separated spouse, then benefits may be divided among them.

The LRC recommended that the Board of Commissioners be tripartite in nature. The tripartite nature of the Board of Directors, the Appeal Commission and the policy committees is indeed established.

The LRC recommended the Government closely consult with the respective interest groups on all

appointments to the Board of Commissioners. This requirement is in the statute.

The LRC recommended that the Board of Commissioners define as functions as policy development, strategic management which would leave the running of the day-to-day operations to the staff at the board. Under the proposed statute a specific policy committee is established. It is a mechanism for receiving reports from the chief executive officer who is a non-voting member.

The LRC recommended that the College of Physicians and Surgeons should replace the Manitoba Medical Association as the appropriate body to supply the board with lists of medical specialists. This has been implemented.

The LRC recommended that an appropriate fee schedule be negotiated between the WCB and the MMA. Under the statutory amendments, the WCB will have the authority to establish fees. The LRC recommended that all final appeals should be heard by a three member panel composed of an Appeals chairperson, one labour member of the Board of Commissioners, and one management member of the Board of Commissioners. The Appeal panels are to be structured in this way.

Amendments partially consistent with the LRC recommendation: the Government has partially accepted six further recommendations. The LRC recommended that injured workers should have access to speedy appeals within defined limits. Other than granting precise time limits in the legislation, the amendments propose to grant the right of appeal and to establish a clear process for appellants to pursue.

The LRC recommended that the chairperson and one member each from the business community and the labour community be appointed full time. As things stand now, the members of the appeal bodies, functioning at the board, are appointed full time and the legislation would certainly allow this to continue if workloads demand it.

The LRC recommended that there be four additional part-time members appointed to the board, two each from the business and labour community. As well, the LRC recommended that two alternative members be appointed, one from business and one from labour, to serve only in the absence of a member of their constituency. The Government has simplified these two recommendations and combined them into one, in effect, by appointing a 10-person board of directors.

The LRC recommended that three part-time appeal chairpersons, acceptable to both labour and management, be appointed by Government. The Act provides for neutral chairpersons to be appointed, based on a roster of appeal commissioners appointed in the public interest. Such individuals may serve part time or full time, depending on workload and may be in a position to travel around Manitoba joining locally-based part-time panel members in deliberating on appeals. Once again, as I said earlier, we could have members on the Appeals Commission from the North, from other parts of Manitoba, and this would facilitate

those hearings and also ensure that the injured worker has been given adjudication consistent with the climate under which they work.

The LRC recommended that the appeal persons not be voting members of the Board of Commissioners, but be invited to attend policy and planning meetings of the board. The statutes provide that the appeal chairpersons not be members of the board.

Mr. Deputy Speaker, the LRC recommended that a quorum for appeals at the Board of Commissioners level be a tripartite panel of three members. Under the proposed amendments the quorum has been set at two; however, the chief appeal commissioner has been left with the authority to direct an item from one panel to another, so that any possible injustice can be eliminated.

The Government has not yet accepted one recommendation. The LRC recommended that professionals with relevant knowledge should be included on medical review panels. This recommendation has not been implemented at this time as further consultation is required. However, the composition of medical review panels has been amended to be less adversarial in that the worker's own physician and the company's doctor may not be nominated.

Although the present amendments are not intended to address all matters of concern with the Act, I am very pleased to note that in 21 particular areas specific recommendations of the Legislature Review Committee have been adopted, either substantially or partially.

Progress noted: Before concluding, I would like to inform you of the considerable progress achieved at the board since the spring of 1988. A cohesive, experienced and committed management team is in place. Mr. Deputy Speaker, we think that we do have indeed a committed team of workers at Workers Comp who are striving very hard to improve the system at Workers Comp and it is moving very quickly. We have a planning department that is functioning; consultations are ongoing with the stakeholders.

\* (1450)

Mr. Deputy Speaker, to that effect I had a meeting inviting all of the union members. We had a meeting in the Convention Centre and I think there were some 70 union members that met with myself and the chairman of the board, Judge Bob Kopstein. We listened to all the concerns that they had and some of those concerns resulted in changes that we made along this line, especially in the structure of the governance. Mr. Deputy Speaker, modern technology is being put in place and this goes on from computers, et cetera. The telephone system is being modernized. In the past you just could not get through on the phone, it was an archaic system, and it took a lot of work for the MTS to put in a very modern and updated system. Now, I think most people can get through usually on their first call, and I have tested it out many times myself just to see if we could get through and lately I have not had a busy number.

The facilities have been updated and there has been a lot of renovating and moving around in the Workers

Comp to make the flow work. Policies and procedures are being written. There was a problem with the old board where with the polarization we did have some difficulty in getting policy put through.

We have a training department in place. Mr. Deputy Speaker, one of my concerns was when I spoke with the management that the bottom line was not the key issue with the Workers Compensation, the key issue was the servicing of injured workers. I said, if additional employees are required, then that is the route that they should take. They have hired some 30 employees the last time I asked the CEO, Mr. Graham Lane, and some of these are adjudicators and all the way through to ensure that the flow is much quicker.

The infrastructure required for a modern organization is being put in place after seven years of severe neglect. As well, primary adjudication, claims processing has been streamlined. Many injured workers received their first compensation cheques much faster. Mr. Deputy Speaker, I am told that now within five days 45 percent of injured workers, where there will be a time loss, are adjudicated within five days. I said earlier that the backlog of appeals, everybody is being heard and there are openings for other hearings to take place.

Rehabilitation efforts have been intensified. I can remember reading reports that if anybody was not at work for a year or more the chances of them going back into the work system was 10 percent or less, and this was not acceptable to us, and I do not think it is acceptable to any Party in this Chamber or any Member in this Chamber.

Employment Services have been enhanced. The telephones work, complaints are thoroughly investigated. Mr. Deputy Speaker, we have a WCB ombudsman. This gentleman is a lawyer and he is there for any injured worker to go to to complain. If they are not happy or satisfied with the way their case is being handled, they will get a third-person look at it to ensure that it has been. The ombudsman is an impartial person who is independent of the Workers Compensation Board.

More employees are covered and the Act is being administered. In the case of the employees, independent contractors is one where we have brought in a lot more employees who prior were not being covered.

Financial responsibility is also important. The WCB is the steward of funds committed to it. The books must meet and are meeting acceptable standards. Private sector rates have declined, as we have said earlier, five years in a row at 20 percent increases, and those 20 percent increases did not cover the cost incurred by the Government at that time or by the WCB.

Public sector employers are no longer subsidized by private sector employers; this was very important, is the separation. Balanced operations have been achieved at no cost to injured workers. Today we are paying the future pensions of workers injured in the workplace today, and in our next package we will be looking at addressing the deficit that is in place, a deficit, depending what you put all into it, of over \$200 million.

So after incurring a \$260 million deficit from 1982 to the spring of 1988, a little over five years, the program is meeting the legislated requirements to break even on a year-to-year basis. The WCB is becoming less of a factor in the expansion and relocation decisions of employers. A level playing field is being provided. Assessment appeals are drastically down. The WCB is a far better place than it was in the spring of 1988 and the accomplishments have occurred without Government interference in assessment of claims issues. Mr. Deputy Speaker, that is very important. That decision was made unilaterally by the Board of Commissioners.

They have also tight-fisted restraint on needed administrative components. Needed staff have been added where required, but they have administrated very frugally to keep the cost down. As I said earlier, that the cost is borne by society and by consumers, so any waste on behalf of the WCB is paid by the consumers and by the workers of Manitoba.

The WCB now has an organization and a plan. It has the opportunity to further improve and perhaps look to more universal coverage to cover more of the workplace, co-operation with employees, employers, WS&H and reduced accidents, eventually better use of investment pool to build a growing Manitoba, an integrated disability assurance plan for all Manitobans, this covering 24 hours a day, may at some point be possible.

Mr. Deputy Speaker, this Bill is only another step on the road to a fully effective program but an important step, and I recommend it to you.

In closing, I want to say that the No. 1 concern that I have as the Minister responsible for Workers Compensation, the Government of Manitoba and I know from both Opposition Parties that the injured workers are the No. 1 concern that we have. We may have some disagreements on the direction we are taking. I am prepared to talk with Opposition Members. We will be having briefings made available for them so that our lawyers and staff can sit down and explain various sections of the legislation to them so that they fully understand the legislation. We want to ensure that the debate on Workers Compensation is very comprehensive and in a learned and knowledgeable way so if there is any requirements from the Opposition of expanded knowledge, we will afford them that opportunity.

Mr. Deputy Speaker, with that I recommend Bill No. 56 to the House.

**Mr. Kevin Lamoureux (Inkster):** Mr. Deputy Speaker, with leave, can I ask the Minister one very short brief question?

**Mr. Deputy Speaker:** Agreed. Proceed.

**Mr. Lamoureux:** Thank you, Mr. Deputy Speaker, and I thank the Chamber for granting me the leave.

I was just going to ask the Minister if he knows in terms of what number we are at a backlog at the Review Committee? From what I understand there is the initial

adjudicator, then it goes to a Review Committee, and then to the board itself for the final appeal. I understand that has been cleared up. I am just curious to what the backlog is currently at the other middle level.

**Mr. Connery:** Mr. Deputy Speaker, I do not have that on hand. We do have our staff here, and we can get that information for you very quickly. At one point they were right caught up, there was somewhat of a backlog at the review sector, but we can get that information. I would be pleased to get it for you. It is available, I just do not have it with me.

**Mr. Ashton:** I also have a request for clarification, Mr. Deputy Speaker. It does not require leave. Our practice in the House has been to allow for short questions on Second Reading.

I just would like to ask the Minister, he referenced the fact that 15 of the Review Committee's recommendations are included in this Bill. I am wondering if he could indicate to the Members of this House how many recommendations were included in the Review Committee overall. I believe it was 178, and I would like to ask him what action, if any, is going to be taken on the remaining recommendations of the Review Committee, and why many of those important Review Committee recommendations were not included as part of this Bill?

**Mr. Connery:** Yes, I am somewhat amazed at the memory of the Member but, nevertheless, the Board of Commissioners using the recommendations of the LRC, their experience, the experience of the CEO and the staff at Workers Compensation, will be making recommendations to me on an ongoing basis. We hope to have available for the next Session if that is possible, I do not know if it is.

We have to do all of the consultations with labour and management, but many of those recommendations will likely be coming forward. I am not going to comment on them until I receive the recommendations from the Board of Commissioners. It would not be appropriate. They are the ones who are recommending to me. It is the Government that makes the final recommendation to legislation, but I will be awaiting that Board of Commissioners to make those recommendations to me.

\* (1500)

I can assure you, with the calibre of people that we have on there now and with the expansion of the board to include more representatives from management and indeed more representatives from labour, we will have a truly tripartite input into those recommendations for injured workers. I look forward to them, and I am sure this House will be very pleased with what they bring forward.

**Mr. Ashton:** Perhaps, Mr. Deputy Speaker, I can just focus it a bit because the Minister did not deal with the basic question I had. He referenced a number of Review Committee recommendations that are included in this Bill and he mentions 15. He says there were six other partial recommendations. How many other

recommendations have not been included as part of this Bill? Apart from the general process, are we ever going to see some of those recommendations, the well over 100 other additional recommendations that have not been acted on, many of which are legislated? That was my specific question, if he can give me the exact number of recommendations that still remain to be acted on.

**Mr. Connery:** Mr. Deputy Speaker, 16 and six subtracted from 178 and you get the numbers, but many of those recommendations of the LRC might be coming forward in recommended legislative change which the Board of Commissioners will be bringing forth. I explained to the Member for Thompson (Mr. Ashton), the critic for the NDP, that labour will have full input at all times to the policy development.

So his concerns, if they are concerns and I am sure that he will submit them to labour members and I hope not only to the labour members, to all members of the Board of Commissioners, because once these people are appointed to the Board of Commissioners they do not represent client groups any more, they are there to adjudicate in the best way they can injured workers and that is the role of the Board of Commissioners.

I look forward to the recommendations they bring, and I can assure the Member for Thompson (Mr. Ashton) that they will be in the best interest of injured workers.

**Mr. Allan Patterson (Radisson):** Mr. Deputy Speaker, I would move, seconded by the Member for St. James (Mr. Edwards), that debate be adjourned on Bill 56.

**MOTION presented and carried.**

## DEBATE ON SECOND READINGS

### BILL NO. 27—THE FISCAL STABILIZATION FUND ACT

**Mr. Deputy Speaker:** On a proposed motion by the Honourable Minister of Finance (Mr. Manness), Bill No. 27, The Fiscal Stabilization Fund Act (Loi sur le Fonds de stabilisation des recettes), standing in the name of the Honourable Member for Osborne (Mr. Alcock), the Honourable Member for St. James.

**Mr. Paul Edwards (St. James):** Mr. Deputy Speaker, I would ask for leave of the House to speak on this Bill and leave the Bill standing in the name of the Member for Osborne.

**Mr. Deputy Speaker:** The Honourable Member does not need leave to speak. Is there leave to have the Bill remain standing in the name of the Honourable Member for Osborne? (Agreed)

**Mr. Edwards:** Thank you, Mr. Deputy Speaker. It gives me great pleasure to stand today in abject opposition to this Bill. The Fiscal Stabilization Fund, when it first came forward in the Budget Speech a few months ago, the first thing that rang into my head was the Budget Stabilization Fund, also known as the BS Fund which the Government of British Columbia tried to perpetrate

on those people and which the people of British Columbia rightly saw as a scam, tricky bookkeeping, and in fact very much close to a fraud on the people. This has basically been patterned on that experience. This Government thinks that they can do what the Province of British Columbia tried to do to the people of British Columbia. I think that they are wrong, because the tricky bookkeeping, the scam that they are attempting to do by fooling people into thinking that there is in fact a deficit, to show a graduated deficit, which is what they would like to do, is not believed.

(Mr. Speaker in the Chair)

The fact is that my Tory friends, and I do have Tory friends, lots of them, and they tell me, they say, Paul, we see through this. They say, we are not fooled by this, so I do not think this Government is fooling even its allies, even the people who are out there, saying that they support this Government, do not support this Bill. They know what it is about, it is a Cabinet slush fund.

I will talk about my NDP friends later on, I just thought I would start speaking about my Tory friends and the fact that even though they support this Government they see through this Bill. They saw through it five minutes after it was spoken about as I met them out in the hall after the Budget Speech, the first thing that they said was, well, this is tricky bookkeeping and it really does not mean much. What it is is \$200 million set aside for the Cabinet to spend when and if they feel like it.

Mr. Speaker, I want to look specifically at the Bill because I think it is important to read the specific operative sections even though it is a very short Bill. Section 2(2) headed Purpose of Fund: The purpose of the fund is to assist in stabilizing the fiscal position of the Government from year to year and to improve long-term fiscal planning. I do not think you could have drafted a more open, broad, discretionary power in a Government, in fact in a Cabinet, for the expenditure of funds.

Then we go over to Section 4, Transfers Out of the Fund. The Minister, in this case the Minister is defined as the Minister of Finance, may for the purpose mentioned in subsection 2(2), which I have just read, and—

**An Honourable Member:** You cannot reference sections in second readings.

**Mr. Edwards:** Well, the Member for Churchill (Mr. Cowan) says I cannot reference sections in second reading. This whole Bill has 11 sections. I am only going to read two, surely the Member for Churchill will let me specifically talk about Section 4 of this Act. I think the Member for Churchill is a bit embarrassed about this Act and the fact that his Government has spoken at length haranguing on about how bad it is for the people of Manitoba and then came up with the famous "but" which the people of this province have heard a few times, the "but" heard round the province.

In any event, without reading the specific words in Section 4—

**An Honourable Member:** Do not even mention "section," do not mention it. "A part of the Act says . . . ."

**Mr. Edwards:** I will not mention it. A part of the Act on page 2 of the Act says that in effect the Lieutenant-Governor-in-Council may, on the advice of the Minister of Finance, make transfers out of the fund, in this case \$200 million, and in this case of course, some of those funds were spent right off the bat.

In any event, Mr. Speaker, the key is that this is a Cabinet fund which is set aside for the Cabinet to use. They do not need the approval of the House to spend this money, and this money has a very broad discretionary power by which it can be spent and rests solely in the hands in fact of the Minister of Finance, and on his advice, the Lieutenant-Governor-in-Council is obliged to pay the money out.

Mr. Speaker, as I have said, I think that the Government in this case did manufacture a deficit to get graduated deficits over a period of time because it looks better. The fact is, it is not the truth. It is tricky bookkeeping to show that gradation of lowering deficits at least in these first two years. Revenues which have come in from what was called the single largest tax grab in the history of this province have added to our position fiscally, as well as high prices of certain minerals which have brought in revenues from the mineral tax, as well as some unusually high transfer payments from Ottawa which I gather are quickly coming to a close.

Those attributes which have come to this Government through no doing of their own have led this Government to the enviable position of having a lot of cash. What did they do with it? They hid it, they buried it, they attempted to defraud the people of this province by tricky bookkeeping and showing that they somehow had to set up this fund for the Cabinet to spend at their own discretion, any time they pleased.

This Government has been known to criticize at length the Jobs Fund, which was in effect the New Democratic Party's form of the same idea. Call it what you will, the more lily-white the name, the better, but the fact is the fund is the same thing. It is a fund which can be used by the Government to prop up its own support in the community without the review at the time of expenditure by this House. I think that is, as I have said, in effect tricky bookkeeping and an attempt to fool the people of this province but they are not fooled.

\* (1510)

Mr. Speaker, the Member for Churchill (Mr. Cowan) yells from the loge, when am I getting to him, to his Party, I assume he means by the word "us". I will be getting to them in due course and perhaps he would like to stay for that part of my speech, I assure him it will be enlightening.

Mr. Speaker, I want to go on to say that on the two areas with which I am most acquainted with in this Government, and I act as critic for the Departments of Labour and Justice, I think that it is relevant to this Bill to talk about the administration in those departments. We can see in those departments

expenditures of funds which add to the principles behind this Bill. The principles being that more and more monies are going to be spent on administration and to put aside for the executive use of the Government, and less and less funds are actually going to get to the people which is where the money came from in the first place. We all know what a burden that is, that the people in this province labour under in terms of their tax burden.

Mr. Speaker, specifically then, turning to some of the budget Estimates which came out in the Department of Labour under the heading of General Administration, Executive Support went up 13.6 percent. Other Expenditures did not go up at all, and we see again that throughout the Department of Labour the actual funds that end up in the people's hands is minimal.

Of course, as I have referenced and in fact grieved on in the House many times, the Labour Adjustment Branch is of particular concern to me, given the free trade era which we have entered and which has wrought its course in this province already since this Government took office and started seeing the handiwork of their federal counterparts. There is no question that we have now entered a free trade era which is going to move through this province like an incipient hurricane. It is going to cut a swath across this province, I fear, which is going to affect almost every industry and almost every worker in this province.

Mr. Speaker, the total increase for the coming year in labour adjustment is \$60,600.00. That is somewhere less than 10 cents per Manitoba worker, given the massive layoffs we have suffered already in the tenure of this Government, given the prediction of the de Grandpre Commission which spoke from a federal position. It was set up by the federal Government, the proponents of free trade, and that commission itself said that the provinces and the federal Government had to get serious about labour adjustment because they said even if there ends up being more jobs in Canada, there is definitely going to be upheaval in the labour market of an unprecedented scale in this country. We have yet to see this province come anywhere near taking labour adjustment seriously, and that is despite the warnings of the de Grandpre Commission, that is despite the obvious downturn in our economy here in terms of the labour sector and the massive upheaval which our workers in this province have faced and are going to continue to face, I fear.

In the area of Workplace Safety and Health referenced earlier, in fact today by me and many times prior to that with the Minister for Labour (Mr. Hammond), the Workplace Safety and Health division again has faced, in effect, the neglect of this Government. Let me correct that—more than neglect—this Government saw fit a few months ago to reduce standards in workplace health and safety, an absolutely bizarre thing to do, given what the rest of the world is doing, expanding the number of chemicals that we know are hazardous in the workplace and expanding and increasing the surveillance and the enforcement of Workplace Safety and Health standards. This Government saw fit to reduce standards. Now they backed down on that, thank goodness, Mr. Speaker, however we -(interjection)-

Well, the Member for Churchill (Mr. Cowan) says who brought that issue forward and why did they back down? In fact, I was very pleased to bring that issue forward along with the Leader of the third Party. We started it on the same day in this House and we continued harping on the Minister. She eventually saw fit to accept the words of her Premier (Mr. Filmon) and decided to bring back what was the obvious correct position which was that we should be looking at getting rid of any detectable dangerous levels of chemicals in the workplace.

Mr. Speaker, given that this Government in the area of labour seems to be not only not doing anything to provide for future needs but withdrawing what had been achieved in the past, I find it passing strange that they can find \$200 million to put in a slush fund.

In the area of justice, and I am not going to go through all of the many areas in which I see problems—

**An Honourable Member:** Oh, please do.

**Mr. Edwards:** The Minister for Northern and Native Affairs (Mr. Downey) is asking me to go through them. In consideration of other Members who may wish to speak on this Bill, I will work to curtail my remarks, and I refer the Minister for Northern and Native Affairs to Hansard, as most of my comments have indeed been put on the record previously, although there will be more which will no doubt hit the record in the future.

Let me touch specifically on an issue which I raised last week which I find very important, and that is the issue of crime prevention. I am not asking for large expenditures in this area. What I asked for was the setting up of a Crime Prevention Council. That, in my estimation, would cost roughly what the Victim's Assistance Committee costs this province which is somewhere in the neighbourhood of \$50,000.00.

I attended a conference two weekends ago because the Minister of Justice (Mr. McCrae) had been invited and decided he did not want to go and that he did not have time to go. More than that, Mr. Speaker, he not only decided he did not have the money to go, or the time to go, he decided he did not want to send an alternate. This was very strange given that this was a conference by invitation only, there was no charge. The only thing he had to do was get there and that would have cost him somewhere between \$300 and \$400.00. I will leave that to the Members here to figure out how many hours of interest that is on the slush fund.

The fact is this Minister decided it was not worth his time to attend a conference of legislators from around the world discussing the very important issue of crime prevention, an issue which he had said for many, many months was a priority with him. The fact is when given the chance, he showed that it is not a priority. It is not worth half a day on a Friday to go down to Montreal and spend 24 hours there, primarily over a weekend in which the House was not sitting, to discuss this matter with people from around the world. It was an unprecedented opportunity, and I was very pleased to have been given the opportunity to go by the organizers in his stead so that Manitoba would be represented.

In any event, Mr. Speaker, last week I was able to bring forward a position on this issue. It came from my own research and thinking in this area, as well as what I had learned at that conference. I might add that I have gained the support of experts in the area in this province for the establishment of a Crime Prevention Council and the showing of leadership by the provincial Government in the area of crime prevention.

The beauty of crime prevention, Mr. Speaker, is that the vast majority of the good work done in crime prevention is volunteer work. It does not cost a cent. What happens is individual crime prevention councils throughout this province, some of which have already been established but many more need to be established, are set up with representatives from the police and the courts and housing experts and educational experts and experts from the social welfare system, representing as much as possible the people in the community who have their finger on the pulse of crime and its causes. That allows that council to show leadership in that community and do things which oftentimes do not cost a cent but have an enormous impact on the reduction of crime.

The beauty of crime prevention as well as being largely done by volunteers, and let me say there are many volunteers out there who are looking to get involved in crime prevention and want to enhance and preserve the residential nature of their communities and the safety of their communities, the other significant attribute of crime prevention is that there is no victim. If you can stop a crime, you do not have a victim. You also do not spend the money. It is an enormous sum of money to put people through the trial system and through our correction system which costs us all a lot of money. With the recidivism rate we know that they come back oftentimes worse than they went in. Society loses, loses, loses, all the way down the line. So I can tell you an investment in crime prevention of the minor amount suggested by me would be well worth the time of this Government.

\* (1520)

The Fiscal Stabilization Fund, Mr. Speaker, is \$200 million which has been set aside to feed the egos of the Members opposite as they sit around their Cabinet table and decide how they are going to dish out the bucks. I hear from the Leader of the third Party (Mr. Doer) "Keynesian economics." Well, when you are paying an interest rate that is higher than the one you are investing at, you call it what you like, I call it stupid. If you are going to put money in and make less than you would if you paid down your debt, I mean, even if you do not spend it, you would have paid down your debt and you would be farther ahead. I mean, it is like you and I having a VISA account and winning some money. What do we do with it? Do we put it in a separate account so we can spend it? Or do we pay down the VISA account which has a higher interest rate?

Mr. Speaker, the Leader of the third Party (Mr. Doer) is chirping from his seat, he can hardly talk. He was the Member of the Government that set up a Jobs Fund which went around this province building the egos of the Members of his Government and putting money

into constituencies to buy votes. The use of that fund was absolutely disgraceful in that it set up people to have very limited job experience for a very few weeks to push them off to the federal Government to the Unemployment Insurance Program.

Mr. Speaker, that is clear and every Manitoban knows what that fund was all about. It did nothing for full-time employment of a long-term nature in this province, and when I hear Members of the third Party standing up and haranguing and drivelling on—

**Mr. Speaker:** Order, please. The Honourable Member for Churchill.

**Mr. Jay Cowan (Churchill):** Mr. Speaker, I wonder if the Member would submit to a question.

**Mr. Edwards:** Mr. Speaker, I would be happy to answer a question at the end of my remarks—

**Mr. Speaker:** If there is time remaining.

**Mr. Edwards:** —on the understanding that it does not cut into my 40 minute time.

**Mr. Speaker:** That is right.

**Mr. Edwards:** Thank you, Mr. Speaker. Also, I may be making some more comments which the Member for Churchill (Mr. Cowan) may wish to ask about so I want to make sure that he gets all the questions together before he asks them. I do not want to have him asking a few questions at once. I am sure what I have to say further in my speech he will also perhaps want to ask some questions about.

Mr. Speaker, I want to go back to the “but” that was heard around the province issued by the third Party speaking on this Bill. They saw fit to stand up, as they have on successive budgets and say, well, the Government is betraying the people of this province, they are not spending money where they should, they are fiscally irresponsible, their principles are all wrong, they are deserting the North, they are deserting the working parents in this province, they are doing everything that we do not want to happen and we did not do, they say.

Again and again and again comes the crunch for the third Party. After 39 and a half minutes of speaking we hear the famous “but” it is not that bad, we will prop them up again.

Mr. Speaker, that indeed has been heard around the province, and I suggest to the third Party that they learn their principles and stick to them because the fact is that they have successively, in the tenure of this Government, whored their principles in order to not face the voters. They have desperately attempted to stay out of the polling stations in this province, and I suggest that the people of this province will remember that and know what this third Party is all about. They are about propping up a Tory Government until they think they can do a little better in the polls. That is what they are about.

Mr. Speaker, the Leader of the third Party says we are dropping too quickly. Well, I can tell you we are not dropping anywhere near as quickly as he is.

Mr. Speaker, the Leader of the third Party is a little hurt, he has not caught on—

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order. The Honourable Member for St. James has the floor.

**Mr. Edwards:** Thank you, Mr. Speaker. May I ask how much time I have remaining?

**Mr. Speaker:** Eighteen minutes.

**Mr. Edwards:** Thank you, Mr. Speaker. I believe I will have time for some questions. I simply want to go on, and it is a very short Bill, I feel it is of grave importance for this province and this Government because I think it is going to hang them. I think that this Bill in its very few pages is an absolute indication of what this Government is all about. They are no better than the last Government and in fact this marriage which is a marriage of convenience is based on the same principles, the principles of fiscal irresponsibility and bad management.

Mr. Speaker, the Leader of the third Party chirps from his seat about fiscal responsibility. He can hardly call himself Mr. Fiscal Responsibility. He is the Member of the Party that squandered millions on the sands in Saudi Arabia that all of a sudden, oh, there was a major deficit at the Workers Compensation Board, MPIC is out of control. This Member for Concordia (Mr. Doer) was a Cabinet Minister in a Government that had the unenviable distinction of being probably the worst financial managers, next to Sterling Lyon, this province has ever had. In order to make up for their incompetence they had to, in the correct words of the now Premier, mastermind the largest tax grab this province has ever seen.

Mr. Speaker, I do want to leave time to respond to my friends in the third Party, and I will certainly respond to the question which the Member for Churchill (Mr. Cowan) I am sure is working on right now.

Let me reiterate that it is a great pleasure for me to stand in opposition to this Bill. I will look forward to reading its contents hopefully to the people of this province in a forthcoming election. I hope that election is forthcoming, given that the principles of the New Democratic Party I think bind them to vote against this Bill, and I look forward to their turning back on a mistake. I think they will see that it was an error, and I think that it is necessary for their survival in this province and for the standing to the principles which they have always espoused that they look hard at this Bill and see it for what it is, and in fact what they have called it which is very much a slush fund. Thank you, Mr. Speaker.

**Mr. Speaker:** Order, please. There was leave here. The Honourable Member for Churchill.

**Mr. Cowan:** Yes, I wonder if the Member would now submit to the question he indicated he would. (Agreed)

I enjoyed listening to the Honourable Member for St. James (Mr. Edwards), Mr. Speaker, because it is so

difficult to determine what Liberal policy in this province actually is, and the Member for St. James gives us insights and clues by his faux pas and innuendoes during his speech. I would just like to clarify one thing that I heard him say today. I would ask him directly if he is opposed to the Jobs Fund and the work that it did throughout the Province of Manitoba during the time that the New Democratic Party was administering that fund to the benefit of many northern, rural and suburban and urban communities?

**Mr. Edwards:** Mr. Speaker, I am certainly not opposed to any fund which creates long-term, full-time jobs in this province. What I am opposed to is a fund which in many cases was used to put people onto the federal payroll because all it ever did was give people short-term employment. It did not train them for future full-time employment, it gave them short-term employment which was transitory and which put them onto the federal coffers, and that is what this past Government called a Jobs Fund.

The fact is it did not put people full time to work in this province because, as we all know, it is necessary to have a much more cohesive, much more sophisticated strategy, to jobs in this province, to full-time jobs in this province, for the long term for Manitoba workers. The Government today is doing nothing to combat the tragedy which has been reaped on this province and this country by their federal counterparts in free trade. We are seeing the start of that now, I could tell you we have just seen the start, it is the tip of the iceberg. Thank you, Mr. Speaker.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order. Order, please. The Honourable Member for Churchill.

**Mr. Cowan:** Mr. Speaker, I would ask if there is still time for another question?

**Mr. Speaker:** The Honourable Member still has time. The Honourable Member for Churchill.

**Mr. Cowan:** It might be myself in not understanding fully what the Member said or it might be the fact that he did not quite concisely articulate the answer. But I would ask him, is he opposed to the Jobs Fund as it was constructed and implemented by New Democratic Party administration? He had all sorts of criticism of it, but he did not say whether he would have supported it or opposed had he had the opportunity to do so.

**Mr. Edwards:** I support the idea of a Jobs Fund. I do not support the fact that in the case of this Jobs Fund, put up by this Government, there were many, many people who were not served by that Jobs Fund and who were pushed onto the federal coffers. Thank you very much, Mr. Speaker.

**Mr. Speaker:** Is the House ready for the question? The question before the House is second reading of Bill No. 27—the Honourable Member for Inkster.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I understand that there was leave given to leave it

standing in the name of the Member for Osborne (Mr. Alcock).

\* (1530)

**Mr. Speaker:** Thank you. As previously agreed, this matter will remain standing in the name of the Honourable Member for Osborne.

### BILL NO. 32—THE CITY OF WINNIPEG AMENDMENT ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Urban Affairs (Mr. Ducharme), Bill No. 32, The City of Winnipeg Amendment Act; Loi modifiant la Loi sur la Ville de Winnipeg, standing in the name of the Honourable Member for Concordia (Mr. Doer), is there leave that this matter may stand in the name of the Honourable Member for Concordia? Leave? (Agreed)

### BILL NO. 31—THE LABOUR RELATIONS AMENDMENT ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Labour (Mrs. Hammond)—Order, order. 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 St. Johns (Ms. Wasylycia-Leis). Stand. Is there leave that this matter remain standing? (Agreed)

### BILL NO. 42—THE RESIDENTIAL TENANCIES ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Housing (Mr. Ducharme), Bill No. 42, The Residential Tenancies Act; Loi sur la location à usage d'habitation, standing in the Honourable Member for Churchill (Mr. Cowan). The Honourable Member for Churchill.

**Mr. Jay Cowan (Churchill):** Mr. Speaker, The Residential Tenancies Act or Bill No. 42 is probably one of the most important pieces of legislation to come before us this Session. I am not saying that it is the most important, but it certainly ranks among the more prominent pieces of legislation that the Government has indicated it will be bringing forward during this legislative Session.

That significance is intensified by the fact that Bill No. 42 will touch so many Manitobans with respect to one of their most primary and basic needs, the need for shelter. We all require housing of one sort or another. We all expect that housing to be safe, healthy, affordable and secure. Those expectations are not unreasonable, and in most instances they are fulfilled or even exceeded by the accommodations which we find for ourselves.

There are instances, Mr. Speaker, where that is not the case. There are circumstances where the secure and affordable shelter we all seek and we all deserve,

is not possible for one reason or another. That situation is most likely to arise with regard to shelter that is rented rather than that which is owned. That is why it is so important that we have legislation, that we have policy, and that we have comprehensive programs to protect renters and landlords in certain instances where they require such protection from their Government.

Those three protected pillars, legislation, policy and program are the foundation of any well thought-out and soundly-structured governmental activities in this area. Governmental actions must reflect and respond to the way in which our rental housing market is structured and operated within the context of those three protected pillars. In order to do so they must acknowledge certain basic premises and accomplish certain basic objectives.

Firstly, Government policy must identify basic, affordable, safe and healthy housing as a universal right for all Manitobans. Each and every one of us is entitled to secure shelter no matter what our social or what our economic circumstances might be at any given time. Each and every Manitoban deserves affordable and adequate housing no matter where they may live in this province, Mr. Speaker. If we accept that the first principle is universal accessibility to such housing, then at the same time, we as legislators and the Government as a collective body, must accept the responsibility that flows from that premise.

That responsibility is to provide such housing through public housing programs where it is needed and to set the framework and the guidelines for the provision of private-sector housing where that approach is more suitable or more prevalent. So that is the first premise which must guide us in reviewing this particular legislation.

There is another premise or supposition and that is that not all things are necessarily equal in the realm of landlord and tenant relationships. As a matter of fact, in the absence of legislation it is most likely, I would say it is inevitable, that there would be very little equality between the two at all. If there was no legislation as there has been in our history, it would be the landlords that would indeed be the lords, and it would be the tenants who would be their subjects. That is a reality in which legislation has been developed and will be continued to be developed over time.

That supposition is not idle speculation on my part, but I believe it is a rather accurate reflection of how things once were structured. That sort of feudal relationship, between a landlord and a tenant, continued until there was a point in time in our history when Government stepped in to redefine the traditional relationship and to do so by developing social policy and legislation that undercut and undermined the purely economic relationship that put such immense power in the hands of those who own the land and those who rented the buildings upon it to their tenants.

Early housing legislation sought only to protect tenants from abuse by some unscrupulous landlords. I say "some" quite purposely, because it is only some who are unscrupulous and the vast majority of landlords are in fact not unscrupulous in their affairs with their tenants at all.

The fact is that there was abuse, and the early legislation in seeking to only protect tenants from abuse was more reactive than pro-active. It did not really provide actual power to the tenants, but rather it only put some reins or dampened somewhat the power that landlords could exercise through their massive economic clout and their ownership of the land and the buildings. That initial policy in legislation, while it was protective it was not pro-active, and that was its failing. What it did do, which I believe has led successively to success over time, is that it set the stage for a greater sharing of power to be incorporated into policies and programs as they were developed.

(Mr. Mark Minenko, Acting Speaker, in the Chair)

If we accept this premise, then this legislation follows an evolutionary path. For that reason I believe it should affect the traditional relationship between landlords and tenants by giving more power to the tenants at the expense of the landlords and giving that power to them with a purpose in mind, and that purpose be to improve their own living conditions. If that is the case, by definition, landlords must lose some of their historical and arbitrary power over their tenants. That has to be built into any legislation that is indeed evolutionary and continues on traditions that have been incorporated in many housing Bills that preceded the one before us today.

The third reality that should shape housing legislation is that there are both good and bad landlords, and it has to be said there are both good and bad tenants. To take it a step further, it would probably be fair to say that there are more good landlords and tenants than there are bad landlords and tenants. The fact that the good outnumber the bad provides only statistical solace. It does nothing to resolve specific problems nor correct individual injustices where they occur.

For the most part, legislation therefore need not concern itself with the landlord and tenant relationship between the good landlord and the good tenant, other than to define general obligations and responsibilities so that they both know and understand what to legitimately expect each from the other. Now that is one purpose of legislation when you are dealing with good landlords and good tenants.

At the same time there are some bad landlords and there are some bad tenants. Legislation must go a step further and protect each from the other given that our social structure, the economic environment and the philosophical framework within which we live means that landlords are generally more powerful than their tenants.

The law must afford more protection to tenants than landlords. In other words, if it does seek to correct an injustice, equalize power or to deal with an imbalance, then it must by definition be biased towards the tenants more than the landlords, because that is where the least power occurs in the natural state. At the very least it must seek to prevent any abuse that might flow from that historical imbalance, and I would go a step further. I would suggest that to be truly effective, it must seek to correct that imbalance through empowerment and through education, both activities being required.

\* (1540)

Finally, in determining whether or not this legislation is good or bad legislation, consideration must be given as to whether or not it will work. Firstly, it must be written so that it will stand the test of the courts, who will ultimately interpret it in the context of existing legislation and legal traditions. It must be drafted so that it can be easily understood by those who are most affected by it. It must be written so that it can be easily administered by those in the bureaucracy who must put the language to work at the street level, and that is not just those in the direct Government bureaucracy but those in Legal Aid, those working for landlords in their capacity as agents in those working for tenants in their capacity.

So it must be well-crafted, but it also must be well communicated to both landlords and tenants who can only effectively abide by it and profit by it and use it to its maximum effect if they are fully aware of the legislation and they understand what it purports to do on their behalf and to them.

It is within that overall context that we must review and ultimately judge Bill No. 42, The Residential Tenancies Act, but before doing so perhaps we should put the Bill in a more recent historical perspective for those who were not involved in this Legislature in the work that went around and about this Bill in years previous.

The genesis of Bill No. 42 actually flows out of work started by the previous New Democratic Party administration. That administration struck a committee comprised of representatives of landlords and their organizations, representatives of tenants and housing activists, and Government officials. They struck that committee to review the serious housing problems that had been identified by those very same individuals over a long period of time. That committee began its work in September of 1985, if my own personal recollection of the circumstances is accurate.

It was a year and a half later, 18 months from that time, that the committee made its report, and it made its report after a lot of hard work, some even harder discussions around irreconcilable differences and a great deal of consensus building. The committee presented to the Government of the Day, which was still a New Democratic Party administration at that time, 139 recommendations and 16 issues where a consensus was nearly reached but not quite achieved. They completed that work in 1987.

At the time the Government received that report work was immediately begun on developing comprehensive legislation to address those problems that brought the committee into existence in the first instance and to put in effect its recommendations. That internal drafting which takes a period of time in the normal course of events, although this was highlighted as a priority it still took a period of time, lead to the development of a major Act of over 100 pages and 150 clauses, which was developed by the previous NDP for introduction in the 1988 Session.

I hold in my hand the second draft of that legislation, which indeed does comprise over 100 pages and 150

clauses. It was dated February 29, 1988, which means in fact that legislation was nearing the stage where it could be brought into the House. I make that point, and I digress for one moment to address the criticism from the Liberal Housing Critic, the Member for Inkster (Mr. Lamoureux), when he spoke about this Bill in this House the other day. At that time he suggested that the New Democratic Party took too long to develop that legislation.

Now I can appreciate the fact that his legislative experience is short, and the primary legislation that he has worked on consists of a three page amending Bill. For that reason he is understandably not very knowledgeable about how legislation is developed and how long it takes to put together. Now his ignorance in this area is understandable and probably something for which we should not fault the Member for Inkster.-(interjection)-

(Mr. Speaker in the Chair)

Well, the Member says from his seat he has never gotten so much attention before, but I have to tell him that sometimes there is attention that is positive in nature, and sometimes there is attention which one might not seek to bring down upon themselves. In this instance I do not know how to tell him this, but this is probably not positive attention. The fact that he did not take the time to try to understand how the process works and the time it takes to unfold legislation demonstrates that he was much more interested in conjuring up I believe unfounded criticism of the NDP than he was in providing constructive criticism of the legislation before us.

Now let it be clear, I am not suggesting he is more interested in politics and productivity in this Chamber, but that is a charge that he has left himself vulnerable to by his own prioritization during his own comments.

I do not want to spend too much of my time today on the Liberal Housing Critic's comments. They are on the record, they speak for themselves, but it must be noted, in trying to identify them thematically, that they are more self-congratulatory than constructive and they are more self-serving than productive.

I also want to make the point that we do not believe we need any lectures on how to develop legislation to protect tenants from a Liberal Housing Critic whose biggest regret, as expressed by himself the other day, is to be sorry to say that he is not nuts. That is a direct quote right from the mouth from the Member for Inkster (Mr. Lamoureux) when speaking to this Bill the other day. I think it does betray a somewhat confused attitude with respect to the role that we play in this House.

Mr. Speaker, the fact is that legislation was developed by the previous New Democratic Party administration, and it was ready for the 1988 Session. The fact is that unfortunately, from my perspective at least, intervening events precluded that legislation from being brought forward. So it is important to note that while the Conservative Bill and that previous NDP Bill do share some common beginnings, and are similar in some areas, they are not the same legislation.

There are some significant differences in approach between the proposed New Democratic Party Act and

the revised legislation as brought forward by the Conservatives, and that should not be a surprise to anyone. Those differences are based on philosophical differences that have always differentiated the two Parties, Mr. Speaker.

I say two Parties, and I say that when it comes to philosophy, because I believe there is very little difference of substance between the Liberals and the Conservatives in this particular area. Actually that is more than a personal belief. I say it is a supposition imposed from the fact that both the Liberals and the Tories are dependent upon a number of large landlords or their corporations for significant monetary donations.

I want to be clear. I am not suggesting that there is anything untoward about them accepting those donations. We all accept political donations. I make the point because I believe the fact that those landlords consistently financially support both the Liberals and the Tories suggests that the landlords themselves believe that the Liberals and the Tories think alike in certain instances.

\* (1550)

Further to that, they like the way they think in certain instances and that is why they donate money in large sums to those two political Parties. The fact that they do not consistently donate large sums of money to the NDP suggests to me that we do not share the same extent of commonalities with the landlords as do their political friends in the other Parties. I reinforce the fact that there is nothing wrong with the donations, but they are symbolic of a meeting of the minds that transcends any monetary transactions, but just indicates that there are groups that think alike.

Mr. Speaker, I make the philosophical point because it shows why one would expect this legislation, the Conservative Bill No. 42, to be different under different Governments, and that is exactly what has happened. The differences, while they exist, do not necessarily mean that this legislation is all bad. It is obviously not.

I do want to give some commendation to the Minister of Housing (Mr. Ducharme) for bringing forward a comprehensive Act. I think it took some courage on his part. I think that he has met with some opposition within his own caucus and his Cabinet, and within some of his friends, personal or otherwise in the industry, and yet he has indicated that this is important enough to him that he is going to win the day and bring forward this legislation and pass it through this House and improve conditions for both tenants and landlords. I believe, on balance, this Bill will improve conditions for both tenants and landlords.

Those words—actually let me back up one moment, I may have overstated the case. I believe that it provides the opportunity to improve conditions for landlords and tenants. I want to be very careful about how I choose my words because what this legislation does is establish a legislative regime in which progress is possible. It does not guarantee that progress will be made. This legislation will only be good legislation if it is fully and fairly implemented, Mr. Speaker.

We in the New Democratic Caucus will be monitoring, evaluating, making suggestions and recommendations

to the Minister in many different formats and many different ways on an ongoing basis as the implementation of Bill No. 42 occurs. While the wording may be good and the intent may be positive, a lot of the test will only take place after it has been passed and implemented. Given the opportunity contained within Bill No. 42 to address many significant problems in the rental housing sector, my caucus, the New Democratic Party Caucus, is conditionally supporting this new legislation.

Mr. Speaker, at the same time we believe that the Bill, as presently structured and drafted, contains some serious gaps and can be improved by constructive amendments at the appropriate stages in its passage through the legislative process. We intend to make those amendments as required, as it passes through the House and through the committee at the appropriate time.

We believe that the committee hearings on this Bill are especially important to gain a better understanding of how this Bill is going to be perceived by both landlords and tenants, and we will be listening carefully to the comments which are made by the general public and interest groups during the committee stages to determine how we can actually improve the Bill to the greatest extent possible.

I have had this conversation privately with the Minister of Housing (Mr. Ducharme), and I want to thank him by the way for the briefing which he provided to members of this House on this particular legislation. I think it went a long way in helping people understand the intent of the legislation. It does not mean that we necessarily agree with all of it, but we had an opportunity to dialogue in an informal setting which was I think a productive dialogue. At that time I indicated to the Minister that I thought there were some gaps in the legislation and I also thought that there were some drafting faults in that the actual wording of the legislation was somewhat defective in some areas and did require improvement.

The New Democratic Party, and I am certain the Liberals as well, will also be providing advice on how that might be done throughout the consideration of the legislation. Now, I am not going reference specific clauses, especially after I previously called the Member of St. James (Mr. Edwards) to order for referencing specific clauses in second reading, and I note that the Member for Inkster (Mr. Lamoureux) did so in his speech on second reading on this and that is not allowed in the rules, Mr. Speaker, but I guess we can understand that those rules take a bit of time to be fully understood and fully followed in this House. But I will commit the NDP Caucus to bringing forward constructive amendments based on specific clauses at the appropriate time.

Our second reading is the time for addressing the broad principles, objectives and concerns with legislation such as this and I want to identify some of our specific concerns in how to relate generally to Bill 42 as presently drafted.

The Labour Critic said, as he went to obtain a glass of water, Mr. Speaker, and I just heard it off to my side

that I was a greenhorn in this House at one time too, and he is absolutely right, and there are probably some areas where I am still quite green. I can tell him when I was a greenhorn I did not lecture well-established and well-experienced legislators on how to conduct their business and how to -(interjection)-

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

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, on several occasions the Member for Churchill (Mr. Cowan) has made reference to my conduct in his imputing motives. I would ask and request, with all due respect, that he withdraw those remarks just recent and previously. If the Member for Churchill has any class, he will do that.

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

**Mr. Cowan:** Mr. Speaker, if the Member for Inkster would reference specific comments I made with respect to him that were unparliamentary, I would be glad to consider withdrawing them if I felt in fact they required withdrawing, but I do note that you indicated that he did not have a point of order and that the learning process goes on.

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

**Mr. Lamoureux:** Mr. Speaker, I do believe that it is improper for a Member to impute motives and the Member from Churchill has imputed motives on my behalf. I do not believe that it is in his place to stand up and say such things. I still insist that he should withdraw the comments.

**Mr. Speaker:** The Honourable Member of Concordia, on the same point of order.

**Mr. Gary Doer (Leader of the Second Opposition):** Mr. Speaker, I am convinced, having heard the debate, the excellent debate from the Member for Churchill, that there was absolutely no imputing of motives. I am sure when the Honourable Speaker reads the speech he will find it is probably an issue of sensitivity and principles, not an issue of motives.

**Mr. Speaker:** Order, please. I have listened carefully to the advice of Honourable Members and I am of the opinion the Honourable Member for Churchill did not impute motives. There is no point of order. The Honourable Member for Churchill.

\* (1600)

**Mr. Cowan:** Mr. Speaker, this reminds me of the LAMC meeting but I cannot speak about that, so I will not. However, Mr. Speaker, if the Member takes offence when I suggested that, because of your determination that there was no point of order, that he is learning, then I would withdraw any imputation of learning on the part of the Member for Inkster.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, order. The Honourable Member for Churchill has the floor. Order. The Honourable Member for Churchill.

**Mr. Cowan:** Mr. Speaker, perhaps we will get back to the main intent of the Bill.- (interjection)- The Member for St. James (Mr. Edwards) says from his seat to the Member for Inkster (Mr. Lamoureux) that they, referencing the NDP, are our enemies. I am glad that they understand that. We feel that we have two enemies in this House. They are the old line Parties that work together to the benefit of land developers, to the benefit of landlords, to the benefit of the wealthy and the privileged and quite frankly—

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**Mr. Speaker:** Order, please. The Honourable Member for St. James, on a point of order.

**Mr. Paul Edwards (St. James):** I could not let the Member for Churchill (Mr. Cowan) continue to misrepresent things which are said. My reference was to him being involved in a coalition with the present Government and that is exactly the fact of the state of affairs in this province.

**Mr. Speaker:** Order, please. There is no point of order. A dispute over the facts is not a point of order. The Honourable Member for Concordia on a new point of order.

**Mr. Doer:** Yes, Mr. Speaker, on a new point of order, I clearly heard the Member for St. James (Mr. Edwards) make the same comments as the Member for Churchill (Mr. Cowan) referenced. I guess when one looks at the campaign contributions of both the Liberals and the Conservatives, one will see that the Member for Churchill was indeed correct in terms of the coalition.

**Mr. Speaker:** Order. The Honourable Member does not have a point of order. There is no point of order. I said there was no point of order. The Honourable Member for Churchill.

The Honourable Member for St. James, on a point of order.

**Mr. Edwards:** I simply want to say the Minister of Health (Mr. Orchard) now says, what happened to our coalition? My point is proven that the coalition in this province, Mr. Speaker—

**Mr. Speaker:** Order. Order.

**Mr. Edwards:** —and in terms of this House that we are the isolated Party—

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please. Order. I would like to remind all Honourable Members that points of order are used to draw to the attention of the Chair some

breach of order in the House. They are not to be used as a way to convey or to have some sort of a debate. The Honourable Member for Churchill has the floor.

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**Mr. Cowan:** Mr. Speaker, it is difficult to keep track of my time with all the points of order. Could you please indicate how much time I have left to make some rather substantive points on this Bill?

**Mr. Speaker:** The Honourable Member has 12 minutes remaining.

**Mr. Cowan:** Mr. Speaker, in the New Democratic Party we believe that this legislation must have as its general objectives the protection of tenants against those landlords, however many there may or may not be, who are negligent in keeping their buildings in good, safe, and healthy repair. That is one general objective, one basic principle that we have that must be met by this legislation.

Second, we believe that it must provide for effective measures to repair unsafe or unhealthy accommodations as soon as they are discovered, by whatever means is required. If the landlord can do it and is willing to do it then fine. If the landlord cannot then there has to be a fast, effective, and efficient means of conducting those repairs which go around the landlord but do not absolve him or her from the responsibility for those repairs.

Third, we believe that this legislation must reduce disputes over the return of security deposits through greater protection of those deposits.

Fourth, we believe that it must reduce the same disputes over deposits by ensuring common evaluation of any conditions that might effect their return.

We believe that the legislation must result in a streamlining of the dispute resolution process so that where irreconcilable differences are unavoidable, they are at least dealt with as fairly and as expeditiously as possible. We believe that the legislation has to ensure that both landlords and tenants understand their rights and obligations through increased education and provision of information.

(Mr. William Chornopyski, Deputy Speaker, in the Chair)

We believe that as an objective, this legislation must increase compliance with the overall legislation through appropriate and speedy prosecution when required. We believe that the legislation must allow for fair rents and fair returns on investments on an ongoing basis within a commonly understood and socially acceptable framework.

I have to tell you, Mr. Deputy Speaker, and I commend the Minister on this, most of those basic objectives have been met at least partially by Bill No. 42, and I know he has put in a lot of work to ensure that a lot of those objectives are met. However, I think for one reason or another, he has not gone quite far enough in some areas, or he has not developed the most logical

and appropriate process to do so in some areas, and the objectives therefore are not completely fulfilled.

Members of the NDP Caucus will be recommending amendments we believe will help make this legislation both stronger and better throughout the debate.

I have to tell you that I was a bit surprised the other day when the Member for Inkster (Mr. Lamoureux) suggested that I should speak to the Bill immediately following him and we should pass it through the committee right away, or by this Wednesday.

Quite frankly, I know there are many Members on our side who believe very strongly that this is probably one of the most important pieces of legislation we will deal with this Session, and they believe so because they know the problems that are created for their own constituents by legislation that does not work to the greatest benefit of both landlords and tenants, and they want to involve themselves in the debate to ensure those concerns are made known and to ensure we have a thorough discussion on this Bill.

So I can tell you there will be other speakers from the New Democratic Party Caucus on this Bill. It may take a bit of time, but I can also assure you, Mr. Deputy Speaker, that it is our intent to see this Bill passes through to committee within an appropriate time framework, and that it gets thorough discussion at committee, and that it passes third reading and is put into affect as soon as possible.

We are not prepared to pre-empt our Members' rights and our Members' obligations to speak to important legislation of this sort in order to rush it into committee. There will be time for that to be done.

Members of the New Democratic Party Caucus will also be recommending amendments that we believe will help make the legislation better at committee stage. In general they will be designed to ensure that the chief commissioner is fairly appointed and fully accountable throughout his/her term. In this specific instance we will be looking at the method of appointment, the term of office and the procedures for removal for cause. We want to ensure that security deposits are truly held in trust, amendments will be brought forward to that effect. We will bring forward or support amendments that provide for mandatory condition reports, because we believe that is required and will benefit the process.

It is important that mandatory condition reports are provided for, and the Member for Inkster (Mr. Lamoureux) may appeal some ownership of that issue by the fact that he introduced a Private Members' Bill in the House in that regard and so that may be. I have to tell him that also in the February 29, 1988 draft of the legislation, before he was elected to this House, there was provision in that legislation for mandatory condition reports. So while he may have some pride of ownership, I hope that does not prevent him from supporting the earlier legislation which may have been drafted just a bit more comprehensively than his own.

We will also provide amendments to call for more time in return of security deposits. We will ask for amendments to clarify the process for ensuring landlords correct unsafe or unhealthy conditions or, if

necessary, make the necessary repairs under other provisions. We will call for amendments to improve the provisions regarding the charges a landlord may impose for providing certain improvements in services. We will put forward amendments that we hope will clear up some possible ambiguities with respect to the termination of tenancy provisions in the legislation. We will provide some discussion points, if not amendments, to ensure that recourse to the Court of Queen's Bench and the Court of Appeal does not become a way to avoid subjecting disputes to the commission. I think there is a possibility of that happening with the way the legislation is now drafted.

We will ask for clarification of the official status of the general guidelines and procedural manuals with respect to decisions by the commission, and provide amended changes for consideration if required. We also want to make certain, and we may do so by amendments, that all the decisions of the commission and its agents are fully open to the public.

Mr. Deputy Speaker, there are also some drafting oddities that may require some reworking. As I had indicated before the wording is somewhat faulted. There is a suggestion that was discussed in our meeting and was brought to the attention of the House by the Member for Inkster (Mr. Lamoureux) the other day that certain illegal activities under this Act are considered to be more illegal than others. We think that is inappropriate. For example, I am just using examples now to point out where we think there are some obvious drafting oddities that need consideration, there is a requirement for a person who dies under this Act to give at least a one month notice if they intend to terminate their tenancy arrangements.

Now, there may be a reason for that. If there is, I think the wording can be made to better reflect the intent of the Government. As it is now drafted, it does leave open the question of why a person, who is going to expire or die, would have to give a one month notice to terminate their tenancy. It seems to me that that is a redundant provision in at least a number of instances.

\* (1610)

I also want to put this legislation into the overall context. I have been fairly I think constructively supportive of the Minister and his efforts here with respect to bringing this legislation forward. I know that he is going to be under considerable pressure by some of his colleagues. He already has been, and he is going to be under considerable pressure by landlords and their organizations to backtrack or to weaken or to water down this legislation. Well, I do not think that he is going to succumb to that pressure, but I want him to know that he has our support in fighting off any attempt by anyone to weaken this legislation or to water it down. As a matter of fact, we will be providing to him ways and suggestions on how to improve it and how to make it stronger and how to make it better. He has already indicated privately—and I give him credit for this—that he is prepared to seriously entertain, consider and hopefully support those provisions when they are put forward. That is a positive.

I also have to be somewhat negative about some of the things that are happening in housing policy within

the department generally. I am not going to spend much of my time on it during this debate to make those points, but I do think it is important to state that this legislation has to be put within the context of overall Government policy. Where we are conditionally supportive of what the Minister is doing here, we are quite disappointed at what is being done in some other areas, such as elimination of the Critical Home Repair Program, such as some of the reductions in social housing, such as some of the reductions in the way in which co-op housing can obtain grants and subsidies under provincial programs. We will be using other opportunities to make certain that those issues are brought to the attention of the public as well.

So, in closing, I thank the Minister for the co-operative approach that he has shown to date with respect to this legislation. I hope we can return that co-operation by our own co-operative and constructive actions to help improve the legislation. We look forward to it getting timely passage through this House after every Member who wants to speak on it and believes it is important to speak on the legislation has had the opportunity to do so. We can then hear the general public and the specific interest groups that are affected by the legislation during the committee stage, and I am certain that we will be able to pass the legislation this Session and have it in effect in a timely fashion.

**Mr. Doer:** Mr. Deputy Speaker, it is a great deal of pleasure to rise on this Bill and speak with the independent research I have just been given.—(interjection)— Well, I think it would be a better speech than perhaps you would write yourself, the Member from Seven Oaks (Mr. Minenko). We are a social democratic Party that believes in sharing, and you are quite welcome to have the speech upon the completion of it. We believe in sharing and caring. We believe in the values of families and co-operation, rather than the marketplace values of profit and greed and unpredictability. So the New Democrats will have absolutely no problem speaking on that.

First of all, the Member from Pembina (Mr. Orchard) and I are very close acquaintances. He got us into Saudi Arabia and I had the responsibility of getting us out, but in between that time, boy, there was a lot of trouble for one Minister I know.—(interjection)— Well, we call it book ends. That is why the 22 beds are still alive and well in a respiratory section in the Health Sciences Centre. I will put as a testimony to the truth of the New Democratic Party that 22 beds are in the respiratory section of the Health Sciences Centre. Because you will look back on the comments of the Member from Pembina and you will see all kinds of comments from the Member of Pembina dealing with the fact that those beds were inviolate and would not be touched. When we asked the question whether they turned offices, we were told we were fearmongering.

I would take any Member of this Chamber on a truth mission to the same hospital that we pointed out some months ago, Mr. Deputy Speaker. When you go to that place you will not find beds, you will find offices. Where you have patients, you will find bureaucrats, health bureaucrats. Where people were being treated and respiratory patients were being dealt with, you will find

potted plants, Mr. Deputy Speaker. Therefore we have a living monument to the contentious arguments we have in the House in the Health Care budget.

I am very convenient in my timing to speak on this Bill because we have a recent issue of Maclean's magazine that I think really illustrates why this country needs some protection and legislation, and why the province needs protection in housing. I would refer you to an article written by Allan Fotheringham, an article called "A Small Compact of Rich Families." I think this article, more than anything I have read in the last three months, makes my blood boil and makes me feel more and more how the people, through a Government that believes in public participation, must take control of this country back from the nine or 10 families that have been allowed under former Liberal Governments and Tory Governments to take control of the finances of this country.

Mr. Deputy Speaker, and I speak of course on the Housing Bill because it speaks to the issue of public participation and regulation. I think there is no greater example of what we have had happen in this country than to look at the situation where families in Canada have been allowed to create billionaires under a tax system that allows wealthy Canadians to rip off the resources of this country, and Canadians not to reap one cent in taxation and revenue back for our collective resources.

Mr. Deputy Speaker, he talks about the Irving family who has survived through Liberal and Conservative Governments in New Brunswick, and Liberal and Conservative federal Governments over the last 25 years, primarily the Liberal tax system, but continued on by the Mulroney system.

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

**Hon. Harry Enns (Minister for Natural Resources):** Our rules and traditions of this House allow for considerable latitude in discussing the principle of a Bill that is before the House. I have listened with some interest to the Honourable Leader of the New Democratic Party (Mr. Doer) speaking on this specific Bill that is before the House having to do with Housing, and I have yet to make a connection, Sir, with his comments and those rules and traditions of our House that suggests that the Members ought to address themselves to the principle of the Bill before us. I make that point and I await the Honourable Leader of the New Democratic Party, who I know respects the rules and traditions of this House, to come to the principle of the Bill that is under discussion. Thank you, Sir.

**Mr. Deputy Speaker:** I thank the Honourable Member for that advice and would advise the Honourable Member for Concordia to try to stick to the subject matter, if possible. On the same point of order, the Honourable Member for Churchill.

**Mr. Cowan:** Yes, not wishing to reflect in any way upon your suggestion, I did find the comment from the Minister of Natural Resources (Mr. Enns) to be

somewhat appropriate. He, being one who has given many speeches in this House that have throughout the course of the debate not appeared to be entirely relevant at any point in given time, but at the end came to a conclusion perhaps even a crescendo in some instances that drew all these different strings together into one compact of relevancy that could not be denied. So I would hope that he would allow the Member for Concordia (Mr. Doer) the same opportunity to do so as he has been allowed on so many occasions in this House.

I am certain, Mr. Deputy Speaker, that the relevancy of what is being said by the Member for Concordia (Mr. Doer) will in fact culminate in such a crescendo during the course of his debate here today, and I would hope he would be given latitude as have all Members of this House been given the same in the past.

\* (1620)

**Mr. Deputy Speaker:** I thank the Honourable Member for Churchill for the advice and his comments. The Honourable Member however does not have a point of order. The Honourable Member for Concordia has the floor.

**Mr. Doer:** Thank you, Mr. Deputy Speaker. I would like to thank all Honourable Members on their suggestions. I feel I have had a lot of pressure placed upon me in my speech because I have watched the Member for Lakeside (Mr. Enns) tie Chile and Afghanistan into almost every speech in The Highway Traffic Act. I do not believe I have the kind of elder statesperson kind of capacity as the Member for Lakeside (Mr. Enns) to carry off that kind of crescendo, especially as I have done so much research on housing, but I would not have that same capacity, Mr. Deputy Speaker. I thank the Member for Churchill (Mr. Cowan) for his comments, but I will tie it together a bit, not with the crescendo that I am used to from the Member for Lakeside in dealing with Afghanistan and Highway Traffic Act amendments, but I will try to do some connection.

Mr. Deputy Speaker, we have a tax system in this country that has allowed wealthy Canadians to have \$10 billion of assets without paying any taxes. We have a system in Canada where individuals control police forces bigger than the provincial police forces. They have tugboat companies, and pulp and paper companies, and sawmills, and ironworks, and we, as "stupid politicians," Mr. Fotheringham suggests, have allowed this system to develop in our country in such a way that the average Canadian family is getting shafted with proposals like the GST when wealthy Canadians are able to use the loopholes that have developed in our tax system over the last 25 years to not pay taxes.

I could connect this to the housing situation, Mr. Deputy Speaker, because the most serious critical shortage of housing is in Eastern Canada. One of the same families in Canada that has been able to develop one of the top billionaires in this country, that it has been able to develop tremendous holdings of land and property because of this loophole in the tax system,

has been the Reichmanns, who have tremendous real estate in New York, in Toronto, in London, and have net worth of \$6.9 billion. They are able to amass this real estate through a combination of very, very poor housing policies and totally inadequate taxing policies.

So when we look at the whole issue of fairness, which should be part of the tenet of any housing and residential tenancy Bill, or Bill 42, we must look at the whole financial situation where in Canada today many wealthy Canadians are able to amass fortunes on the Canadian real estate market and not even pay any taxes for it. Now we are getting stuck with a 9 percent tax. You cannot look at one issue of public policy in terms of fairness without looking at another part of our public policy.

As the Member for Churchill (Mr. Cowan) has so accurately pointed out, we require in our housing policies a number of key principles, and that is the way in which we will be examining this Bill, both in this Chamber on the principles of second reading, and also at committee as we look forward to the many presentations that we know will come from the commercial sector in housing, the tenancy sector, and housing advocates that will play a very important part of our deliberations. Of course with that people that are renting and people that anticipate to rent in the future I am sure will come forward on this Bill, because obviously housing is a key right of a democratic society, and we respect that.

As the Member for Churchill (Mr. Cowan) has pointed out, the criteria that we will be looking at in this Bill is the capacity for safe, healthy, affordable, and secure housing. We feel those are reasonable expectations, and we will be looking for those principles in any Bill or the fulfillment of any Bill for the public of Manitoba in their housing needs.

We believe that this legislation must have in place the policy and protection for those principles, Mr. Deputy Speaker, for both tenants and landlords. As the Member for Churchill has pointed out so correctly, the three protective pillars on the foundation of any well thought out and soundly structured Government activity in this area are the ones that we had outlined in our previous comments, that the Government policy must identify basic, affordable, and safe and healthy housing as a universal right, we believe, for all Manitobans. Each and every one of us is entitled indeed, no matter what our social or economic circumstances might be, to affordable and adequate housing in this province.-(interjection)- Yes, there certainly is, Mr. Deputy Speaker.

We will also be looking and examining the bill, and in our -(interjection)- well the Member for St. Norbert (Mr. Angus) talked about the hollow sounds of rhetoric, and I can recall, and I am going to bring out the statements from the former deputy mayor from the City of Winnipeg on his perception, his feelings, his strong and animated feelings on the role of Governments, and the Deputy Speaker probably remembers this, the role of the provincial Government to be involved in planning in the City of Winnipeg.

The Member for St. Norbert (Mr. Angus) said the province should have absolutely no role in planning

the City of Winnipeg that the elected representatives from the City of Winnipeg should have the total role in the planning of the City of Winnipeg. He nods from his place, and that the province should have absolutely no part in planning.

Under that provision, we would have the approval of suburban sprawl in west Winnipeg that the Liberals commented in a different way in this Chamber. We would have suburban sprawl in other areas of this city that the Minister has so correctly denied in terms of planning.

Mr. Deputy Speaker, we cannot talk about housing and housing policy in Bill No. 42 without talking about planning and planning policies in municipal and urban Governments. One of the huge components of rent is the land-servicing costs, the costs of doing business with the City of Winnipeg, and the cost that large residential dwellings must bear through their residential taxation.

(Mr. Speaker in the Chair)

The whole issue of planning, which the New Democratic Party believed was a strong part of urban planning and municipal planning, is in fact a residential tenancy issue. It does affect the rent in which people pay in our province. It does affect the rents that people pay and, Mr. Speaker, it is one of the issues that arbitrators will have to look at when they look at the different criteria that is available under this Act for renters and Manitobans in the future.

Mr. Speaker, we do believe in orderly planning. We have stopped urban sprawl. We had the gang of 19, the Conservative and Liberal coalition at City Hall, completely object to our involvement in the attempt to have orderly planning in this city, and we know that orderly planning keeps rents down.

We do not believe you could have a policy on Urban Development and Planning that is so totally contrary to the bleating one puts in one's pamphlets when one goes door to door in apartments about the sensitivity to renters, Mr. Speaker.

We know the assumptions that were made by the city planners in the early '60s have not followed through by the year 2000. We do not have a population of 700,000 in the City of Winnipeg. We do not have the population we thought we would have in Brandon. We do not have the population we thought we would have in rural Manitoba. Those demographic projections cannot be used by cities or provinces for purposes of urban planning, whether it is inside or outside Winnipeg, because they lead to equations and infrastructure development that is way beyond the capacity of the average taxpayer to sustain it, Mr. Speaker.

That is one of the reasons why Winnipeg has one of the highest residential taxation levels in the country. It is not because of provincial support. It is not because of the services people should have and require. It is because we have expanded this balloon to be too wide without enough of a structure, Mr. Speaker, and not as much of a taxation base for the geographic area. That is why renters are being clobbered.

So we fundamentally disagree with the Liberal Party on the issue of planning, and we await the specific

proposals on The City of Winnipeg Act for purposes of planning in dealing with the City of Winnipeg legislation before us today. The Member says they are coming. They are not tabled in this Chamber yet, and I think they should be a component part of what we are dealing with in The City of Winnipeg Act, but we will discuss that as we move along in the next couple of weeks.

Mr. Speaker, we also believe when one is dealing with planning one must look at the other issue of planning, northern housing, or when one is dealing with Bill No. 42 we must look at northern housing. Yes, this Government has done a bit of work to move some housing to the local communities. Yes, we did some work before them to move some housing to the communities, but anybody that has looked at the North and anybody that has visited many of those communities knows that it is an absolutely terrible situation, the quality of housing, the access to housing, and the whole ownership of housing that takes place, based on our federal/provincial jurisdictions, and the inability of all of us to work in a way that is co-ordinated and delivers back to those communities.

\* (1630)

I would certainly welcome any advice from the Minister on northern housing and where we can go, because obviously some of our attempts to lay housing on to a federal jurisdiction, from the provincial level, has not worked. Obviously our way of keeping land so restrained in some of those communities, those northern communities, where people have to build their new houses, whether it is federally funded or provincially funded, away back in the community instead of on the lakes and rivers where many of these communities reside, I think, is another mistake.

The fact that we have bottled some of these communities in such a narrow bit of land that they cannot build out along the water and out along the natural environment. Mr. Speaker, it is tragic when you fly for hundreds of miles to get to a community and you get there and you find out that the reserve is so restrained, and there has not been any success with the federal Government at getting more expanded reserve land or Crown land out of the reserves, that we are cramming people way, way back from one of the most beautiful parts of their community. Yes, they have isolation, but they cannot get on the water or on the lakes or on the rivers, because of our outdated and 120-year-old policies on the land development.

So I would ask the Minister to look at that issue as well. Yes, it is federal jurisdiction but to me there are Manitobans living in those places, they reside in our province, they buy goods from our communities, they use our companies, they pay taxes in stores when they go to those communities and I think it is very important the Minister look at that situation because it did not seem to make sense to me.

I would also look at the whole issue of critical home repair, Mr. Speaker. We have asked this question in the Chamber last June, to the Minister. There is no question that the Critical Home Repair Program was

a program whereby seniors and others could stay in their homes longer and we could also create jobs through improved houses. We do not believe that the Minister should have cut back on the funding in critical home repair. I know he says the program is still there, but when we phoned the office we were told the Critical Home Program was gone, gone. Well, that is not my words, that is not the Member for Churchill's words, that is the Member's own department that said the program was gone. We have some new program with less money, but it is gone, and if you have an emergency situation, or "hard luck" situation you can get some money. Well, the old Critical Home Repair Program, Mr. Speaker, had the ability to apply on the basis of affordable housing and seniors in housing, not on the basis of some "hard luck" story.

The Member mentions RRAP. He knows the withdrawal by the federal Government in the RRAP program.—(interjection)—The operative term is—the Member mentions—I cannot keep up with his comments. He confirms that it was a withdrawal, but he says—(interjection)—The rental RRAP, what is wrong with renters?—(interjection)—Put by the Core, the Core Area Agreement expires in two or three years, Mr. Speaker, and—(interjection)—Well, this Minister got it put back in, he put a band-aid on it and I am sorry he did not have a greater success at his Cabinet level with some of the other issues that the Cabinet yanked away from this Minister. I know he would not have wanted to cut back on the Critical Home Repair Program, he got it yanked back, I suggest, by the October group of the front bench who do not necessarily share the same philosophy of need for the Critical Home Repair Program for seniors.

But, Mr. Speaker, we did our homework and we phoned his office and there was absolutely no answer, there was no program. No program, we phoned the office and they said it was gone, they have cut it, they have gotten rid of it, they have gotten out of it, period.

**An Honourable Member:** It is deceased.

**Mr. Doer:** It is deceased, that is right. So the Member mentions that there were a couple of band-aids put on, one is Core area, one is somewhere else. Well, Mr. Speaker, you are offloading federal programs which we opposed under the Core Area Agreement. That is wrong, that is wrong to let the feds double-charge, and the Minister has just admitted another defeat with the federal Government. Every time the federal Government kicks sand in your face you retreat, and offload, and that is wrong.

**Hon. Gerald Ducharme (Minister of Housing):** Mr. Speaker, on a point of order.

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

**Mr. Ducharme:** I will supply the Member for Concordia a letter that I sent to the Minister, the federal Minister—

**Mr. Speaker:** Order, please. What is your point?

**Mr. Ducharme:** —and I will also show him the correspondence of how this Minister—

**Mr. Speaker:** Order, please. The Honourable Minister does not have a point of order, it is a dispute over the facts. Order. The Honourable Minister, kindly take his chair, please. The Honourable Member for Concordia.

**Mr. Doer:** Thank you, Mr. Speaker. The bottom line is the Minister said the feds withdrew. We cannot even keep up to the amount of losses the Members opposite have. When do you get tired of them kicking sand in your face? When do you say stop it? When do you start fighting back? When do you start achieving something? You know, there is a bottom line, Mr. Speaker.

They cut back \$100 million of Medicare, what does the Minister do? He laughs, he laughs. He goes to the wagon wheel and says well, well, what can we do with them? They are our federal cousins, you know. We do not really like Medicare that much anyway. We cannot say that, it is too unpopular. They cut back \$50 million, they cut back \$50 million in post-secondary education. They hit him over the head with a wet letter. They cut back on their obligations on RRAP. They hit them over the head with a wet letter. They cut back child care \$7 billion, what do they do? A wet letter.

**Mr. Speaker:** Order, please. The Honourable Minister of Health.

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I wonder if my honourable friend might permit a question at this point in his remarks.

**Mr. Speaker:** Is there leave that the Honourable Minister of Health—leave.

**Mr. Orchard:** Mr. Speaker, at the onset of my honourable friend's remarks, he indicated that this was a well-researched speech provided to him by his friend, the Member for Churchill (Mr. Cowan).

Is the last diatribe from my honourable friend from Concordia (Mr. Doer) part of the research that the Member for Churchill does?

**Mr. Doer:** Mr. Speaker, yes, it is very much part of the research we have done, because we have kept track of every capitulation and every surrender and every retreat and every time this Government gets down on its knees to the federal Government, we have kept track of that. You know what, sometimes we even find out more things from a Member's seat that we can put on to the retreat and surrender and capitulation list of this Government with their federal cousins.

I thank the Member for Pembina (Mr. Orchard) for his question and I hope I answered it in the style that he is accustomed to, but it is part of our research and, Mr. Speaker, we do not believe in allowing the federal Government to withdraw from programs, and secondly, it is a very serious issue when the federal Government is able to take dollars that we negotiated with them, the New Democratic Party negotiated with them, take those dollars and rewrite them in such a way that they are able to offload their obligations because every time this Government picks up a federal program in the

Core Area Agreement that was not already anticipated they have given the federal Government back some of our tax dollars probably to be used for Bombardier or Lavalin or some other Quebec plant and it has taken it away from the City of Winnipeg and the people of Manitoba.

So that is part of what we will fight for every time they withdraw, and every time something is put back onto the Core Area Agreement it means we have allowed them, the federal Government, to offload, and that is a very important part of the federal program.

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**Mr. Speaker:** The Honourable Member for St. Norbert, on a point of order.

**Mr. John Angus (St. Norbert):** I was wondering if the Member would advise me of what Bill he is addressing in his comments.

**Mr. Speaker:** The Honourable Member does not have a point of order. The Honourable Member for Concordia.

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**Mr. Doer:** Mr. Speaker, it is Bill 42 dealing with housing, and as the Member has pointed out, residential housing is a component of housing.

Mr. Speaker, co-op housing is another issue and we are really looking forward to dealing with the co-op housing in this Bill. The Member for Churchill (Mr. Cowan) has a number of good ideas about co-operative housing as it relates and interrelates to the rental market in this province and as the Party that developed the most advanced co-operative housing system in Canada, the best system too, the best record, we look forward to discussing that part—

**An Honourable Member:** . . . environment, ten out of ten.

\* (1640)

**Mr. Doer:** Anybody that did not have the City of Winnipeg covered under the Environment Act as the environment affects tenants in the City of Winnipeg should have been condemned, and I accept the condemnation prior to the former Environment Act being passed. But to have the largest municipality in the province not having to follow the law, I think is a disgrace for all Members of this Chamber and all tenants and any residents in the city and that is a tragedy.

Speaking more specifically to the Bill, Mr. Speaker (interjection) the Member for Radisson (Mr. Patterson) is making a lot of noise. I cannot hear myself think. I am sorry. I withdraw that. It was the Member for Portage la Prairie (Mr. Connery), I could not tell which one it was. I should have known it was the little guy from Portage la Prairie. I am sorry, I do withdraw it.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** The Honourable Member for Concordia has the floor.

**Mr. Doer:** Mr. Speaker, the other issue I am sure the Minister has not dealt with in this Bill and has not dealt with in his housing policy generally is the whole effect of the GST on the housing market in this province. We have heard very little from our housing Minister about the effect of the GST on the housing market of Manitoba. We have heard from other housing Ministers across the country about the effect of the GST. We have heard from other housing Ministers of the effect of the GST on tenants—on tenants, Mr. Speaker. We have not heard anything from the present Government on the impact of the GST on housing, both in terms of housing itself and the development of housing and on tenants. We believe this is a serious issue for this Minister and we wish he was speaking out very loud and clear on the effect of both residential tenant housing and on the effect of new housing.

Mr. Speaker, the technical report on housing has been called, to use a charitable term by the housing industry in this country, dishonest. They have taken the projections in the federal Government's technical paper that was released in August and have said that those numbers are dishonest. They have said that the amount of cost that the federal Government is projecting and the rebate system is incorrect and falsely portrayed to Canadians. The house builders of Canada and the residential tenancy groups have said that the whole effect of the GST would be three times more on the housing market than what the federal Minister projected.

One cannot speak about this Bill and the impact of housing on Manitoba without talking about the dire consequences of the federal Tory GST on Manitobans and the housing market. Mr. Speaker, the Member for Churchill (Mr. Cowan) talked about the specific parts of the Bill. It is up to some other Members to put other comments on the record dealing with the whole housing market. The Members may not realize it yet but this is a holistic issue. I know the Member for Pembina (Mr. Orchard) would probably think holistic medicine is part of a Communist plot, but holistic housing approach is the way the New Democratic Party approaches it.

Mr. Speaker, 17,000 less housing starts when the GST comes in. That will impact on the pressure, even though there is a 4 percent vacancy rate in our province now, on residential housing, tenancy housing. There will be 17,000 less housing starts. There will be thousands more housing workers unable to work with this Tory tax. It will create a difficult situation for our normal housing market, which has already suffered tremendously under the Tory tough times of the existing provincial Government.

Mr. Speaker, there are tremendous loopholes in the GST for renters in the housing market. It first of all will cost renters considerably more money to rent when the GST is in just to operate an apartment or live in an apartment or another rental accommodation when the GST comes in. I am sure the Minister has studied that, but I have not heard any comments from the Minister about the effect on renters of the GST.

Second, there is a tremendous discrepancy between those who rent on a monthly basis and those who rent on a weekly basis. Low income people and transient

people that are required to rent on a weekly basis are not eligible for rebates under the GST. Some of our poorest people, and I am sure the Minister of Family Services (Mrs. Oleson) is aware of this, and I am sure the Minister of Family Services has passed this on to the Minister of Housing (Mr. Ducharme) or the Minister of Finance (Mr. Manness)—I am looking for any nod on that issue. The Minister of Family Services will know that the people who are on welfare will not be able to have their rental accommodation of a weekly basis rebated in any way, shape or form, Mr. Speaker, that will affect the welfare rates or the income security rates and will impact I believe on the housing situation in this province as well.

So I think the GST and the effect of the housing market should also be a major concern to this Minister, and I take this opportunity under Bill 42, to register those comments. We believe the Housing Bill is important, the Bill 42.

We have commented on Bill 24, the Liberal Bill, because of its inadequacies and its small portion to it. We believe housing is a key issue and in terms of this Bill we believe that—I am looking for my notes—this legislation will only be good and effective legislation if it is fully and fairly implemented. As the Member for Churchill (Mr. Cowan) stated, the legislation is one part of the Bill for tenants and landlords, but the implementation of that legislation is indeed another part of this Bill.

We believe that monitoring and evaluating of its implementation is a key part of our role in this legislation. Given the opportunity that it is contained within Bill 42 to address many significant problems in the Housing Bill and in the rental housing sector, the NDP will conditionally support this new legislation. At the same time, we believe that the Bill, as presently structured and drafted, contains some serious gaps and can be improved by constructive amendments at the appropriate stages in its passage through the House and through the committee.

We believe the actual wording of some of the provisions of this Bill is somewhat faulted and requires improvement. We will be providing advice on how that might be done throughout the consideration of the legislation.

I am not going to reference, as my colleague the Member for Churchill (Mr. Cowan) has done, the specific clauses that are deficient or defective at this stage as did the Member for Inkster (Mr. Lamoureux)—

**An Honourable Member:** Because it is against the rules.

**Mr. Doer:** That is right. - (interjection)- the Member for Pembina (Mr. Orchard) quite accurately stated that the Member for Churchill (Mr. Cowan) never breaks the rules. I remember last year a number of feisty exchanges between the two Members, and I am sure I can use your comments in future reference when the Member for Churchill holds the Member for Pembina, the Minister of Health, accountable as time moves on.

As the Member for Churchill stated we will be bringing forward constructive amendments, and our caucus has

already started to discuss with the public, with renters, with other groups in our society, constructive amendments that we can bring forward at the appropriate time.

The second reading is a time for addressing the broad principles of legislation, objectives and concerns with legislation, and certainly the Member for Churchill has done that in a very adequate way. We believe that Bill 42 must have legislation—(interjection)—yes, it was, yes it was, Mr. Speaker, yes, he did. This legislation must protect tenants against those landlords, how ever many there may be, who are negligent in keeping their building in good repair.

We believe that a Bill 42 and a Housing Bill must provide for effective measures to repair unsafe or unhealthy accommodations as soon as they are discovered. That is the relevance of some of the other sections we have been talking about dealing with CRSP and Housing. We believe the Bill should reduce disputes over the return of security deposits through greater protection of those deposits.

We believe that Bill 42 should reduce the disputes by ensuring common evaluation or any conditions that might affect their return. We believe that Bill 42 should streamline the dispute resolution process so that where there are differences, and where those differences are unavoidable, they are at least dealt with in a fair and expeditious way possible.

\* (1650)

We believe Bill 42 should ensure that both the landlords and the tenants understand their rights, their responsibilities and their obligations through increased education. We believe in the increased compliance with the legislation through appropriate and speedy

prosecution when required. We believe that an economy, a social structure, and a housing market should work together to allow for fair rents in a fair society, which is the broader social issue of taxation, planning, CRSP, northern housing, and co-operative housing that we talked about.

Therefore, Mr. Speaker, we will be bringing forward recommendations to deal with the broader issues. We will be bringing forward recommendations to deal with some of the drafting issues. We thank the Minister for the presentation of this Bill, and I thank the Member for Churchill (Mr. Cowan) for the very, very positive contribution he continues to make for renters and all housing issues in Manitoba. Thank you.

**Mr. Speaker:** Is the House ready for the question? The question before the House is second reading of Bill No. 42, The Residential Tenancy—the Honourable Member for The Pas.

**Mr. Harry Harapiak (The Pas):** I move, seconded by the Member for Interlake (Mr. Uruski), that debate be adjourned.

**MOTION presented and carried.**

**Mr. Speaker:** Is it the will of the House to call it five o'clock? As previously agreed, this House is adjourned—the Honourable Government House Leader.

**Hon. James McCrae (Government House Leader):** I think we are calling it six o'clock, actually.

**Mr. Speaker:** There was agreement previously that at five o'clock the House would be adjourned. That has been agreed to. Therefore, the hour being 5 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. tomorrow (Thursday).