



Fourth Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

STANDING COMMITTEE

ON

PRIVILEGES AND ELECTIONS

42 Elizabeth II

*Chairperson
Mrs. Shirley Render
Constituency of St. Vital*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Tuesday, April 27, 1993

TIME – 5 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mrs. Shirley Render (St. Vital)

ATTENDANCE - 11 – QUORUM - 6

Members of the Committee present:

Hon. Mrs. Mitchelson, Hon. Mr. Praznik

Mr. Ashton, Ms. Barrett, Messrs. Helwer,
Lamoureux, Martindale, Penner, Mrs. Render,
Messrs. Rose, Sveinson

MATTERS UNDER DISCUSSION:

To discuss the organizational process for public hearings for The Freedom of Information Act.

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Madam Chairperson: Will the committee on Privileges and Elections please come to order. This afternoon the committee will be discussing the organizational process to establish public hearings for the review and operation of The Freedom of Information Act.

This organizational meeting will follow a different process since the primary goal is to establish further committee meetings to hear from the public regarding The Freedom of Information Act. Because of the unusual nature of this committee, I will highlight the details concerning the process to be followed for the committee. For the committee's benefit, copies of the agenda and additional appendices have been distributed.

I think that, before we go any further, I would just like some guidance from the committee. Shall we proceed with any opening comments or just go right into the agenda? Into the agenda? Okay, review the agenda.

Adoption of the agenda. Is it the will of the committee to adopt the agenda? Agreed? Agreed.

The second item on the agenda—motion. I would just like to draw attention to the motion passed by this committee on June 11, 1992. The motion is included for the committee's benefit; however, items

listed in the motion will be discussed later on in the agenda.

Third item on the agenda is the setting of dates and times for public hearings.

Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Citizenship): Madam Chairperson, I would like to move, that the Standing Committee on Privileges and Elections advertise extensively within Manitoba, that public hearings be held in Winnipeg on Monday, May 31, 1993, and written submissions regarding the comprehensive review of The Freedom of Information Act be accepted by the Clerk of the Committee up to and including June 7, 1993.

Ms. Becky Barrett (Wellington): The minister was sent a letter from our caucus on the 14th of April responding to the suggestions made by the minister as to how to deal with The Freedom of Information Act public hearings. One of our major concerns was the fact that the minister is suggesting that public hearings be held only in the city of Winnipeg. Our recommendation was that there be a session in Winnipeg and that it be on a Saturday, not a Monday, that there be a session in Brandon and one day in northern Manitoba.

We understand that this is different from the normal routine of public hearings for legislation. However, we think that because The Freedom of Information Act is such an important piece of legislation that this is a legislative requirement, that after five years the people of Manitoba have the opportunity to make comment and suggestions about the operation of The Freedom of Information Act; that it is important that we extend the public hearing process and make it extremely user friendly, which is why we are suggesting two different changes from that in the minister's motion. That is to have it not on a Monday, which is a workday for many people, and instead have it on a Saturday, which is not a workday for the majority of people, and also extend the locations of the hearings from just Winnipeg to Brandon and northern Manitoba.

We feel that this could be accomplished without a great deal of additional cost to the government, and we feel that any additional cost that would be incurred by this expansion of the public hearing process would be money well spent and would certainly say to the public of Manitoba that the government is truly interested in hearing first-hand and discussing the issues that may be raised by the people of Manitoba in the operation of the first five years of The Freedom of Information Act.

Written submissions do not allow for that interactive process to take place, and public hearings physically outside the city of Winnipeg would allow for a much broader representative sample of the people of Manitoba to be heard. So we will be strongly in opposition to the minister's motion that hearings be held on a Monday, No. 1, and that they only be held in the city of Winnipeg.

* (1710)

Mr. Doug Martindale (Burrows): I would like to speak in support of the recommendation that has already been made. I think that this is an opportunity for us as legislators to give an important and positive signal to the public. As we all know and experience, there is a great deal of cynicism about us as legislators these days. I believe a lot of that is misplaced, but I think it is also understandable. I think there is something that we can do about it and that is to give the public the signal that we believe in as much openness in government as is absolutely possible.

We already have legislation in place to do that to a great extent, namely, The Freedom of Information Act, and I think that by travelling around the province in a very limited way to Brandon and one location in northern Manitoba, we can illustrate, by being accessible to the public and more accessible to people outside Winnipeg, that we want to hear the public's concerns, we want to hear input and suggestions from the public, we want to publicize the fact that there is a Freedom of Information Act and that people can make suggestions to improve it and that people do have access to information within government through this act.

I think that would be an important signal for us as legislators to convey to the public, and the way to do it is to get out of this building, get out of this city and take this committee meeting to Brandon and to one location in northern Manitoba. So we would like to see the original suggestion changed and

amended and made much broader and therefore more accessible to more Manitobans.

Thank you.

Mr. Kevin Lamoureux (Inkster): Madam Chairperson, I just want to maybe say a few words. I am somewhat sympathetic in terms of changing the date, let us say, from a Monday to a Saturday. I think the member for Wellington (Ms. Barrett) brings forward a number of valid points with respect to it.

Every one of us would no doubt like to see as much public input on this particular issue, and we can try to do whatever it is that we can do. I am concerned on a couple of points, and maybe what I will do is just ask the minister a couple of questions if that would be the appropriate time to ask.

The first one is, in fact it is on the Monday or the minister were to okay on a Saturday, is it limited to just the one day, or what is she looking at doing if there are more requests to speak that would take more than one day?

Mrs. Mitchelson: Madam Chairperson, I believe that the ad only has to indicate one day, and then as people start to call in and register for the hearings, if there is a large number or a number in excess of what we might be able to hear in one day, we could certainly extend and ask whether presenters would like the option of another day or additional days, but I think, rather than advertising three or four days and getting two presentations on each day, we would like to look towards trying to make the committee as efficient as possible.

Mr. Lamoureux: That addresses a major concern that we do have, that we do want to ensure that anyone that wants to make presentation is able to make the presentation. In terms of the costs, as I say, it would be wonderful if, not only with this particular issue but other issues, we could go outside of this building. I think that the idea in itself is a good one, to consult with the public.

On this particular issue, I am not aware of individuals—at least they have not approached me through the caucus or anything of this nature. I do not see a great outcry to have this particular issue going into rural Manitoba, and I like to believe that I am just as sensitive as others about having that input, but if we are allowing for written submission—I am concerned in terms of having a cost by having the whole committee going out into rural Manitoba, and if the concern is just to try to get that one-on-one

contact with individuals, I would much prefer seeing a representative from each caucus going out if in fact there is interest.

That might be something that we can look at as an alternative, for example, if we get a number of requests from, let us say, the town of Thompson, but just given the response that we have had thus far with this particular issue, I do not see a number of interest groups, at least they have not identified or come to me.

I am wondering if the members for Wellington or Burrows can indicate who has been approaching them, or is there a reason why they are suggesting that this has to go out into rural Manitoba other than the fact that it would be nice to be able to get the rural input?—because we all agree that it would be nice to get the rural input, but it would be nice to get rural input on every piece of legislation that passes this Chamber. I am wondering if there are some groups that are in fact approaching the NDP caucus that are suggesting that we do need the committee to come out as opposed to a more informal group, a member from each caucus, in order to save the taxpayers some money, given the times and so forth.

Ms. Barrett: Madam Chairperson, I think the very nature of this legislation mitigates against interest groups per se coming forward and wanting to speak on it. The freedom of information requests are made by individuals. They are not necessarily made by interest groups. So it is not the kind of legislation that comes under a particular interest group in the sense that a piece of legislation that deals with multiculturalism, a piece of legislation that deals with labour, a piece of legislation that deals with pension. Most of the legislation that we deal with has a narrower universe. Freedom of information requests and concerns can be raised by any individual in the province, covering virtually any department of the government.

That is, I believe, one of the reasons why—and this piece of legislation is, if not completely unique—certainly I do not know of another piece of legislation in the Province of Manitoba that has required a review of this nature after five years. I think because of the special nature of this legislation that it is incumbent upon us to make sure that the individuals—maybe precisely because we do not have a lot of identifiable special interest groups that have talked to us individually. So my response is that we do not feel that we need to have a huge

number of special interest groups or groups per se having contacted us.

We feel that there is inherent importance to an ability for the people of Manitoba to access this committee because it is a special committee that is looking at the implementation of this very vital piece of legislation that goes straight to the heart of our democratic process. If this is not working or if there are concerns about this piece of legislation, we need to know that, and the best way we can get to know it is to be user friendly in these public hearings. Not to have it on a Monday morning in the city of Winnipeg. That is the least possible user-friendly timing that you can have for public hearings, for individuals to come before this committee hearing. So that is why we are saying we think that it is not essential nor even is it likely that you will have gotten a lot of interest groups responding to this. First of all, nobody knows yet or virtually nobody knows yet that this review is going to take place, and I think we need to plan for as broad a representation as possible.

Mrs. Mitchelson: Madam Chairperson, there are a couple of points that I would like to make in response to some of the comments that have been put on record by both parties.

First of all, and I know that the member for Wellington and the member for Burrows were not members of the Legislature, indeed, when legislation was introduced and passed by their colleagues, I guess, the New Democratic Party in 1985, which by the way was not proclaimed until there was a new administration in 1988.

* (1720)

I do want to indicate that the legislation itself, I think, was a very critical piece of legislation that did look at openness. I have to give the NDP government of the day some credit for trying to be an open and accountable government, but indeed they did not look to the people of Manitoba and travel around the province when they introduced that very important piece of legislation.

I know the member for Thompson (Mr. Ashton) was a member of the Legislature and a member of the government at that time, and he may have made recommendations to his caucus or to his Leader or to the cabinet of the day that public hearings should be held in Thompson so that the people in his constituency might have the opportunity to make presentation at public hearings, but obviously they

did not listen to him, because they did not travel around the province and they did not give people outside of this building the opportunity to make presentation. So I think that it would be extremely precedent setting.

What we are doing here is reviewing that legislation. Obviously, the legislation was introduced back in 1985. It was passed. It was proclaimed in 1988, and we are now presently just going through a review process.

People of Manitoba do know that there is a piece of legislation, there is an act in place. They have had the opportunity to attempt to access the information through government. What we are indeed just doing now is reviewing that process. So it will probably be the people that have had the opportunity to use the act that will make presentation.

If we advertise extensively and let Manitobans know that there are hearings here in Winnipeg, like the hearings that were held when the act was introduced in the past, I believe Manitobans will be well served.

Hon. Darren Praznik (Minister of Labour): Madam Chairperson, first of all, I understand there has been occasion in the past where Legislative Assemblies have gone outside the city. They are rare. I think there is a bit of a debate ensuing here between two members as to some history long before I was in this Legislature. But the point made by the member for Wellington and the member for Burrows is that somehow this piece of legislation has a uniqueness that requires hearings across the province. On that particular point, I have some difficulty with that point just as a matter of principle, because I think that many of the pieces of legislation that I have seen in my five years in this Assembly are very, very important, affect individuals, pension legislation, Workers Compensation that I have been involved in.

Ultimately, the Legislature has not conducted hearings across the province in those particular matters. We have conducted hearings here in our Legislative Building in Winnipeg. We have taken and we have received written briefs from people who were not able attend at those hearings. Those briefs were certainly considered. That vehicle is certainly available to anyone.

I have some difficulty with establishing precedent as to what is and what is not important legislation

that requires a legislative committee to travel outside of this province.

I was involved with the Constitutional Task Force, which was not a committee of this Legislature, with a task force with an outside chair on probably one of the most serious matters a Legislature can deal with, and that is the Constitution.

In that particular case, we did travel throughout the province to meet with Manitobans. One difficulty we found in doing that was that you do not necessarily get into all of the areas of the province. So you may expand your base somewhat in terms of geographical areas that you can attend, but you certainly do not provide an equal coverage to all of the province.

The North, for example, is just one part of the province where travel distances, et cetera, as the member for Thompson (Mr. Ashton) has pointed out on many occasions, make it very difficult. I appreciate that, but because one holds one hearing in northern Manitoba does not necessarily mean that you have provided better access to the people of the North all of the time, given the travel.

It depends on where you hear it. I know when we were in Island Lake for our hearing there, there were no presenters from Thompson or Churchill or other areas that came to those hearings. In fact, the airline that serviced that particular community was a route that was from Winnipeg to Island Lake and back. So I am just saying, it is not the perfect answer all of the time.

One issue, of course, that this committee cannot deal with today is how many people are actually interested in making presentations. In chatting with some of the minister's staff, I think they have had less than a dozen or so inquiries about the specific act. I understand that there were some who wished to raise the issue of application to municipalities, et cetera. That may be raised. If they certainly have that interest, they should make known to this committee when it considers the issue. I know, as an MLA, I have not had one inquiry from my constituency regarding The Freedom of Information Act in the five years I have been a member.

So we have a number of issues. One, of course, is the precedent of taking committee outside the Legislature. We know that on very, very important matters like the Constitution, we have taken a task force. We know it is not perfect coverage. The question is: Is this act so unique, so different from

all the other often very important legislation this Assembly considers that it warrants that same consideration? I would suggest that no one has demonstrated to this committee to date, at least to my satisfaction, that it is so different.

The second issue that we have to deal with, Madam Chair, is whether or not there is in fact a need for those representations that cannot be dealt with in the regular fashion that we hear information from the public or representations from the public. So I feel very comfortable with the minister's proposal that we advertise, we set one date, we invite written submissions. If there is a demand, we shall see what kind of demand we get to attend before this committee.

We may want to consider more than one sitting if we can accommodate that. I know there has always been a sense on the part of committees to accommodate the people who are wanting to make presentations as best as possible. So this gives us a starting point to see the interest that is there.

Some of the issues are fairly straightforward and can be handled, I am sure, by written presentations. I know the members of my party who will be on that committee would be certainly interested in reading and perusing those written presentations. I just say, from my own experience on committees over the years, that most of our presenters do come with an oral presentation which is often just reading a written presentation. Certainly, one loses the opportunity to put some questions, but I would say let us see those written presentations, let us see what issues come forward, and if there is a need to invite someone to address the committee, then we can deal with that particular matter. But at this time, we do not know what interest is going to be there.

We certainly have not seen demonstrated to us by our colleagues from the New Democratic Party any outcry of demand to make presentations to these committees. They have not been able to put a justification forward other than a sense that some may want to come forward.

Those two issues, I think, both at this time lead to the conclusion that we should carry on with the course as recommended by the minister. If we have enough presentations or if we have individuals who cannot come in on a Monday, I would suggest that this committee perhaps look at holding a Saturday hearing to accommodate them. I would just say to members opposite, a final point I would like to make,

one of the realities in which this Assembly and our province now operates is, I think, a responsibility to the public to exercise some frugality.

In a time when budgets are very, very tight and every dollar in essence counts, any way that we can to save the expense to the Treasury and the taxpayer is certainly welcomed by the public of this province. I think if one looks back over the years, tradition has always been in this province—we are, in fact, I would point out, the only province in Canada that has a regular, open public-hearing process for legislation. No other does. [interjection]

I hear the member for Thompson (Mr. Ashton) mention doing it properly. Well, we have done it properly for many years in this province, which is having these hearings in this building in Winnipeg. No one has demonstrated to me why The Workers Compensation Act or any of the other legislation we deal with—in fact, I can tell the members that —[interjection] Well, the member for Wellington said no requirement that be reviewed, but we were reviewing the act. That is in essence what we are doing. We may not have had a requirement to do one but we were reviewing the act, and I do not recall one request that was made to me as minister to have our committee at that time travel outside the city. We had plenty of people that made presentations, some from outside the city of Winnipeg.

We certainly have not seen a justification for that region, and I say to members opposite, unless one can demonstrate some very unique circumstances—I do not think they have—to break with the precedent that has been followed by legislative committees, unless they can demonstrate to this committee that there is a huge demand out there that would necessitate such hearings. Thirdly, or in both cases, that would overcome the traditions of this Legislature and certainly our responsibility to ensure that we do not unduly use the financial resources available to this Assembly. I think we have that responsibility.

* (1730)

In all cases, no one has made the case yet convincingly, I believe, to take a route other than that suggested by the minister. The only exception I would make, of course, is that if the minister is willing and this committee is willing—I think it is—to be prepared to hold an extra day or whatever is required to hear those people who make presentations.

Mr. Jack Penner (Emerson): Madam Chairperson, I saw Mr. Ashton had his hand up, and I would be willing to let Mr. Ashton speak first, and I will speak after Mr. Ashton.

Mr. Steve Ashton (Thompson): Madam Chairperson, we are dealing with a couple of important issues here, obviously Freedom of Information in and of itself, and later on we are going to be dealing with the attempt to put time limits on. We will deal with that also, because that relates to another tradition of this House, freedom of speech before our committees.

I just want to deal with one of the arguments put forward here that there is no demand, as if that is the reason why we would not schedule hearings on Freedom of Information. Well, I do not think we can assume that, first of all, but let us make it very clear on the record, that is irrelevant to this government.

We just had the Sunday shopping fiasco where there is clearly a demand for hearings in rural and northern Manitoba—and to the Liberal House leader, if the Liberal House leader wants to look at interest groups, individuals, or whatever, there are lots of people who want hearings on Sunday shopping. This government has not had hearings on Sunday shopping either. So it is a red herring to talk about whether there is demand or there is not a demand.

Let us look at this issue, and let us look at what we are dealing with here. We are dealing with a mandated, legislative requirement for review, a comprehensive review. Let there be no mistake about the wording in the committee. For the committee, it says, review by committee and it says very, very clearly that for the purpose of undertaking a comprehensive review of the operation of this act.

A comprehensive review, why would there be a comprehensive review?—because freedom of information is an important concept. It is an important mechanism. The intent, when obviously this was drafted and passed by the Legislature, was to make sure it is working as effectively as it should be.

I want to go one step further than that. I think it is very clear the intent of the legislation. I want to reverse the arguments being put forward by the government. The government says, there is not a lot of people that have put in requests to have public hearings. Well, I would suggest that is probably the case on most issues.

I mean, Sunday shopping, how many people were asking for the current bill before it was brought in? Very few. You know, in any particular legislation, it tends to be a reactive process. When you do hold hearings, and you advertise it well enough, you will have people that will be aware of what is happening and will appear at the hearings.

I want to go one step further. I think one of the reasons we should be having hearings outside of the city of Winnipeg, in Brandon and a northern location, is to raise the profile of freedom of information. I would say, and I would agree with the minister who said that he has not received calls on freedom of information, I have not either. Quite frankly, that concerns me.

It concerns me that many Manitobans are not aware of the provisions available to them under Freedom of Information, and it concerns me that I am not getting the calls, that it is not being more heavily utilized. Because if you look even federally, there has been far greater awareness of the fact that freedom of information is available as a way for the public to find out what is going on in terms of the actions of its government.

So I think one of the reasons to have these kinds of hearings is to raise the profile, is to get the public feedback, and if necessary, even to have the public tell us why there are not more requests for freedom of information, why there has not been the public profile on this very important initiative. I really believe you will not get that if you have a hearing in Winnipeg or two hearings in Winnipeg. You have got to get outside of the city as well.

I want to say that there have been cases in the past where we have done things of this nature. In 1983, I believe it was, there were public hearings throughout rural and northern Manitoba on reassessment.

Look at the Weir Report. The minister talked about the Constitution, but obviously the Weir Report, I think, is a good example of that. There was no particular legislative proposal at the time. There was the Weir Report. A committee of the Manitoba Legislature went around the province to look and get feedback on what was happening.

I think quite frankly, we should do it more on other issues. I have mentioned it on Sunday shopping. Maybe we should do it with liquor legislation as well. We should not be having committees of the Legislature be simply reactive.

Indeed, we are the only jurisdiction to have hearings on legislation after second reading, but we are not the only jurisdiction to have committees. Many other jurisdictions, including the federal House of Commons, do hold public hearings in various locations. They have held hearings in Ottawa. They have held hearings in Winnipeg, et cetera. So the precedent is there. Hearings have been held in rural and northern Manitoba and this I think is an important issue, so I would take it one step further in that it meets that precedent.

I would suggest to the government, you know, I do not understand what the concern would be. The minister says, well, you know, if you put it in a northern community, it is not always accessible to other northern communities.

Believe you me, if you have a hearing in Thompson, it is going to be a heck of a lot more accessible to people than it is going to be if it is in Winnipeg. If you have a hearing in Brandon, it is going to be a heck of a lot more accessible to the people in the city of Brandon and the southwest and the Parkland than it is if you hold it in Winnipeg.

I can guarantee you right now that if you have hearings in the city of Winnipeg, the number of rural and northern Manitobans that will be able to attend will be negligible, and I think that would be a mistake.

We can get into the history of freedom of information, et cetera. There has been a lot of debate in the past, but I think we all can recognize how important the concept is. For that reason, I have an amendment that I would like to move to the motion that would allow for that ability for us to have hearings outside of Winnipeg as well. I would move

THAT the motion be amended by adding "Brandon and a northern location to be set by this committee" following hearings in Winnipeg—in the original motion and I have a written copy of that.

Just by way of explanation to the reason for not specifying dates in Brandon and Winnipeg, I would suggest that if the motion was passed, we could perhaps check in terms of possible dates and deal with it at a subsequent meeting as well. I am not trying to pick an arbitrary series of dates. We are quite prepared as well that, if government members wish to go back to their caucus on that, I am sure we can adjourn this meeting and arrange for a subsequent meeting. I recognize it may be something that they may wish to discuss in their caucus, but I just do not think it is unreasonable. It

is not going to be that costly, and I think it would be a major opportunity to raise the profile of The Freedom of Information Act, and get some interesting feedback as well.

Motion presented.

Mrs. Mitchelson: Madam Chairperson, I would just like to make a few comments in response to the member for Thompson, and I will reiterate that, if Manitobans do not know that there is a Freedom of Information Act, I would suggest that it was the New Democratic government when they introduced the legislation and did not hold hearings around the province of Manitoba that must be at fault for Manitobans not knowing that there was an act passed under their administration. I guess when I look at where the NDP is placing their priority in very difficult economic times, they feel that it is quite all right to spend maybe \$75,000 or \$80,000 to take a committee of the Legislature around the province to hear Manitobans, to heighten the profile of the Freedom of Information legislation.

Madam Chairperson, the opposition must be forgetting that to hold public hearings around the province, to take 11 members of a committee plus Hansard plus translation and all of the sound equipment and the Clerk of the committee, does add up very quickly to substantial dollars. In very difficult economic times when we hear the opposition, who stand up in the House and talk about the reductions that have been made in this budgetary process and talk about the poor and the underprivileged that have seen some reductions as a result of the budget that has just been introduced, place a priority on spending \$75,000 to travel around the province to heighten the awareness of The Freedom of Information Act, I wonder where their priorities are.

* (1740)

I know the member for Inkster, a member of the Liberal Party, when we put the proposal forward to hold hearings only in the city of Winnipeg, was extremely supportive. One of the issues that he did raise, too, was the cost to the taxpayers of Manitoba. So I really question where the priorities of the NDP opposition are in very difficult economic times. We have asked them many times through the Budget Debate what would be their recommendations for alternatives in the budget, and I see that they would take another \$75,000 away from Manitobans that need support in order to heighten the awareness of

The Freedom of Information Act. I am sorry, Madam Chairperson, I have difficulty with the New Democratic priorities in this instance.

Mr. Penner: Madam Chairperson, I find very interesting some of the comments put on the record, especially by the NDP opposition members. One of the references I suppose made was the reference to the Weir Report and how the assessment reform legislation was devised.

I think it is rather interesting that the NDP opposition members would sit at this committee and suggest that a committee of this House go on another junket to visit various parts of this province. I find it also interesting that they would recommend only two areas outside of this city when we all know that people from Gillam would find it very difficult to come to either Thompson, Winnipeg or Brandon to make representation to this committee.

I would suggest that the people from southeast Manitoba in the Sprague-Piney area would have equally difficult times coming to the city of Winnipeg to make presentation. I find it rather interesting that some of these members are targeting the specific areas that I suspect might have some political interest within their parties, and that might be the reason why they want to travel to those two specific areas.

I think that the reference made to the Weir Report and how assessment reform was done in this province leads me to agree with the minister when the minister questioned the sincerity of the suggestion made here or of the amendment made in this committee when, in fact, the NDP opposition, in putting forward the legislation on Freedom of Information had a perfect opportunity, before introducing a bill into this House, to travel this province and ask people what their views were on Freedom Information and how the bill should be structured and what kind of parameters should be drawn within the bill before introducing a bill such as this into the House.

They refused to do that. I have questions as to why they refused to do that, and now when we look at what the review committee is supposed to do. That is, within three years after coming into force of this section, such committee of the Assembly, as the Assembly may designate or establish for purposes shall undertake a comprehensive review of the operation of this act, not of the act, but of the operation of this act.

I think this committee is quite willing to do that and has suggested that there should be adequate public hearings allowed for under the normal development of a piece of legislation or changes of legislation. As the minister has indicated, we are one of the few provinces in this country that is as open to the public in the development and/or responding to legislation that has been introduced in this House.

Therefore, I would suggest that assessment reform—when the final legislation was finally introduced into this House, never did I hear one word from the opposition party suggesting, even suggesting, that a committee of this House should travel with that bill in this province to find out what economic impact a bill such as the assessment reform would have. They never paid any attention to that. Now we are saying, just to review the operation of The Freedom of Information Act, we shall now travel the province and find out what the people's response is to reviewing the operation. I find that extremely interesting.

Therefore, Madam Chairperson, I am led to believe that there are a few members of this House that are interested to travel this province to try and gain some political points on this at the expense of the taxpayers of this province. I deplore that kind of action, because I believe that if you want to score political points or go on a political junket, you should do so from party funds and you should not ask the taxpayer to pay for those kinds of activities.

I would suggest that we defeat the amendment and proceed with the establishment of a committee to make hearings and listen to and ask for presentations from the public in the city of Winnipeg.

Mr. Ashton: Madam Chairperson, I find it offensive that government members would suggest having public hearings outside of the Perimeter as a junket, quite frankly. I would suggest that we get out the geographic map for some government members because I would welcome going into Gillam or any northern community and asking them, what is easier, what the government is proposing, having hearings only in Winnipeg or having them in a northern location? For the information for the member, it is a little bit easier for 90 percent of northerners to be able to go to a northern location than it is to Winnipeg. Those are the facts of life.

Now in terms of the minister's indignation in terms of the cost of public hearings, I will say right now, first of all in terms of the cost factor, we can do

whatever is necessary to keep the cost down. I will drive members up. I drive that road all the time. I will give you a lift. We will save on that particular thing. If we hold the hearings currently, right now there is no out-of-session per diems, expenses, et cetera. I mean, bottom line is, let us not throw up that as a red herring either.

The bottom line in this question is whether you can have adequate hearings on Freedom of Information by having strictly a hearing in Winnipeg. I do not think you can. We made a suggestion. We have even suggested that the government members take it back to their caucus. But this is not a junket, and it is most definitely not something new for political purposes.

You know, I go home every weekend; I am in Thompson. Believe you me, having a legislative committee appear in Thompson is not going to make a heck of a lot of difference to anything that is happening politically in Thompson in a partisan sense. It is not a partisan, political event. It is a chance for the public to get plugged in to what is happening.

I go back to some of the experiences. We have had hearings for the Constitution. We had hearings, as I said, in terms of the Weir Report. If the member is saying that there are other bills that he feels there should be public hearings on, you know, I agree with him.

We are not talking about the cost factor here. I think maybe we need to review some of our expenses sometimes and make sure we do not spend unfair amounts. I find the figure put out by the minister to be outlandish in that sense. But the bottom line is we should be more accessible. We do have hearings on bills in the city of Winnipeg in second reading stage, but we are not as accessible when it comes to committees as other jurisdictions are, and the member knows that. Other jurisdictions have far more active committees than we do. One of the reasons that I am suggesting we have this kind of structure is to get it out of this building and to get it out of strictly the caucus and the partisan political discussions. This is not a political issue in the normal partisan sense. That is why I mentioned the Sunday shopping, the liquor legislation.

There are bills that to my mind everyone would sit down and say, that is not really a partisan issue. To my mind the best way of dealing with them is by

having public hearings. If you are going to have public hearings, to my mind, you have to have them not on those broader issues, you have to have them not just in the city of Winnipeg, but outside of the province.

If the member is saying that the two additional ones are not enough and has got other suggestions—he thinks that it would be difficult for other areas of the province—I am open to suggestions on that. We even put in the motion that the northern location would be indicated afterwards. The bottom line, as I said, Madam Chairperson, if there are other suggestions in terms of other locations, we can look at that.

* (1750)

If a concern is cost, we will do whatever possible to get the cost down. But what price democracy? What price Freedom of Information, Madam Chairperson?

Is that what the minister is saying at this point in time? I guess in a way I am surprised the minister is so defensive on this. I even said we can adjourn this debate right now. We do not even have to vote on this motion, and each caucus can discuss it. I think that is reasonable.

I think, you know, the Liberal member may wish to look at it again. I think if he would consult with some of the people in rural northern areas, he would probably find that people would appreciate the opportunity to become involved in that. [interjection] Well, I do not know if you may have been in rural Manitoba, not northern Manitoba—[interjection] That is right, and I was in Thompson on the weekend, too, and the weekend before and the weekend before that.

In fact, I do know that the Liberal member is probably speaking to a lot of rural and northern members right now. We will see if it lasts after June 4. I hope so.

But listen, here is a great opportunity. The Liberal member is probably going to be up there anyway. You know, I will be up there. I mean, it will not be any additional cost. I can drive people up. I will drive the member for Burrows up with me. We can take the bus.

Let us not get hung up on throwing big numbers out and the rest of it. The bottom line is, I think it would be a very useful process. Really, I do not want this to become a partisan debate. I think it is unfortunate it is getting into that.

This is a question of access, and it is a question of judgment. That is a fair comment. If people do not feel this is a bill that should do that, maybe it should be reassessment. Maybe that is the sort of priorities that should be set. I happen to think that when you have a legislative requirement—and that is unusual—a legislative requirement for review, the bottom line is, this is one time you could make the argument, I think, that the review should not just be in the city of Winnipeg.

Now we do go beyond the Perimeter. People in the North have just as much stake in what happens. Quite frankly, it is an 800 kilometre drive from Thompson to Winnipeg, and that is one of the more accessible northern communities. There are a lot of communities that do not have that advantage.

You know, it is \$600 airfare. People cannot just come in for a committee hearing and fly out. Even some of the "interest groups" cannot afford that kind of cost either. So I think it would be beneficial to people in rural northern Manitoba. I think it would be a good process.

By the way, when I said before about raising the profile of free information, I believe that too. Part of it is a review here. For example, when the members went in to Thompson on the task force we have, there was a lot of feedback on the Constitution. A lot of people had a lot of good ideas but, at the same time, there was a heightening of the awareness of the issues.

It was covered by the local newspaper, covered by local media. There were people that dropped by simply to listen to what was being discussed. That is one of the purposes of committees too. If anyone does not believe that is the case or think that is not important, let us look at the reality. That is what we should be doing.

So the bottom line is, I think this is a reasonable suggestion. I am not suggesting it be dealt with now; perhaps members wish to discuss it with their caucus. I accept the suggestions from the member for Emerson, if these particular locations are difficult, if there are other locations he feels—he mentioned Piney and a number of areas.

If he is suggesting there be hearings in those locations, that is something that the committee can look at as well. This is not meant to be restrictive. What it is attempting to do is to try and move it beyond the city of Winnipeg. That is the main intent.

I am quite willing to look at a friendly amendment on specific locations. I think that is a decision we have to make. As I said, I think we can do it at a reasonable cost.

I am not saying it facetiously about car pooling and the rest of it. I think maybe sometimes we need to do that elsewhere, be a little bit more creative and constructive in the way we deal with things. I think this is a reasonable proposition and suggest we either deal with it now or else, preferably, if the government members have some difficulty with it, consult with their caucus.

Mrs. Mitchelson: Madam Chairperson, I guess I just want to reiterate once again, because the member for Thompson keeps reminding us that this is a matter of accessibility of Manitobans to government information and their freedom and opportunity to have that kind of information.

I have to say again that when the NDP introduced this piece of legislation and did not afford the opportunity for public presentations and public hearings outside of the city of Winnipeg on the legislation, I question now why they have changed their mind and have determined that this review is of importance.

You know, the NDP like to have it both ways. When they are in government, they do one thing, but when they are in opposition and when it is politically expedient to come from a different point of view, I guess that is what you can do when you are in opposition. You can have it both ways.

You do not have to accept the responsibility, but I do just want to say one more time that what the New Democratic Party did back in 1985 when they introduced and passed this legislation was hold public hearings and ask Manitobans to come in to the city of Winnipeg to make their presentations on those hearings. We are not asking Manitobans to do anything different.

Mr. Penner: I certainly want to just put on the record that I have never been in opposition to allowing the public the right to have access to, or appear and have input before, legislative committees or, for that matter, on any issues, whether they be assessment legislation or whether it be labour legislation or whether it be workmen's comp legislation or any of those kinds of legislations that I deem to be extremely important to the general public of this province.

I think it is of the utmost importance that people must have the right to have input and, therefore, I am a great supporter of the public hearing process. However, I think we are all cognizant of the very high costs that were incurred by a process such as the Weir Commission and other travelling committees in this province.

I think that the people of this province, the taxpayers of this province, have a right to be concerned about how we spend their dollars. I know that each of us do have a caucus allocation out of the budget, and if we are as concerned as we appear to be about the gathering of information and input from others outside of the city of Winnipeg, and if we are not satisfied that written presentations are the way to proceed; then I would like to suggest we might all want to take back to our caucuses a

proposal that would see our caucuses use their funds to finance the travelling of this committee and in that way ensure that we would be within limits of the political process. If the members opposite or any of them want to make a bit of political hay on this one on the side, then let that be perfectly in order that it be done out of that because that is a political process.

I would propose that we might adjourn the committee and take these discussions back to our various caucuses and come back with a response of the proposal that I have just put before the committee.

Madam Chairperson: Is it the will of the committee to adjourn, the time now being six o'clock? [agreed]

COMMITTEE ROSE AT: 6 p.m.