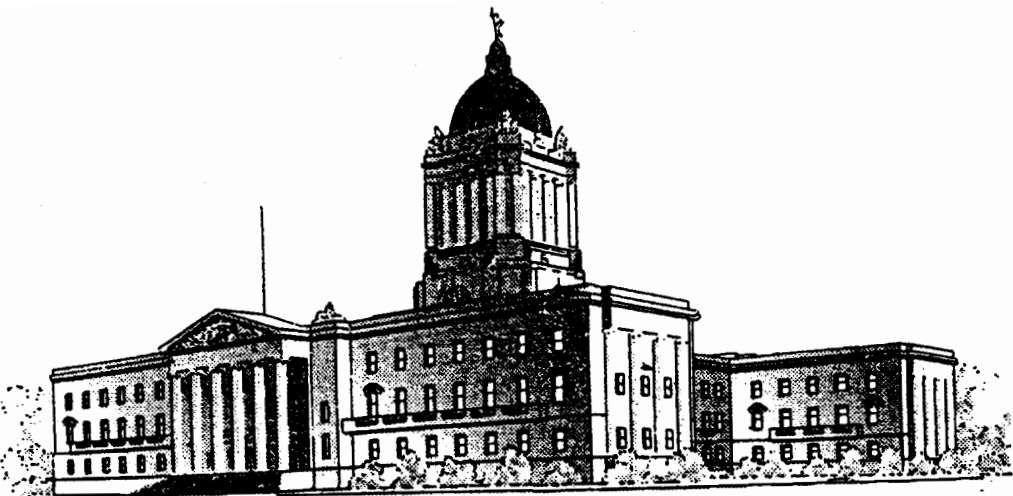




Fifth Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
(Hansard)

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
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
KOWALSKI, Gary	The Maples	Liberal
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MACKINTOSH, Gord	St. Johns	NDP
MALLOWAY, Jim	Elmwood	NDP
MANNES, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCORMICK, Norma	Osborne	Liberal
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
ORCHARD, Donald, Hon.	Pembina	PC
PALLISTER, Brian	Portage la Prairie	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROBINSON, Eric	Rupert's Land	NDP
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
SHELLENBERG, Harry	Rossmere	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary, Hon.	Fort Garry	PC
WOWCHUK, Rosann	Swan River	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, June 24, 1994

The House met at 10 a.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Railway Traffic Safety

Mr. Leonard Evans (Brandon East): I beg to present the petition of Barbara Martens, Robert Braun, Viola Fast Braun and others requesting the Legislative Assembly request the Minister of Highways and Transportation (Mr. Findlay) to review this issue of railway traffic safety with the federal Minister of Transport to enhance and promote a greater degree of safety in the vicinity of railway trackage with particular reference to small children.

ACCESS Program Funding

Mr. George Hickes (Point Douglas): I beg to present the petition of Carol Koscielny, Janett Ross, Vivian Ledoux and others requesting the Legislative Assembly to request the Minister of Education and Training (Mr. Manness) to consider restoring the funding to ACCESS programs.

Ms. Jean Friesen (Wolseley): I beg to present the petition of Rose Skoropata, Darren Jeanson, Darcy Jeanson and others requesting the Legislative Assembly to request the Minister of Education and Training (Mr. Manness) to consider restoring the funding to ACCESS programs.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Standing Committee on Municipal Affairs

Mr. Jack Penner (Chairperson of the Standing Committee on Municipal Affairs): Mr. Speaker, I beg to present the Second Report of the Standing Committee on Municipal Affairs.

Mr. Speaker: Dispense.

Your Standing Committee on Municipal Affairs presents the following as its Second Report.

Your committee met on Thursday, June 23, 1994, at 10 a.m. in Room 254 of the Legislative Building to consider the March 31, 1993, annual report of and matters pertaining to the North Portage Development Corporation.

Mr. Kent Smith, general manager, provided such information as was requested by members of the committee with respect to the annual report and business of the North Portage Development Corporation.

Your committee reports that it has considered the March 31, 1993, annual report of and matters pertaining to the North Portage Development Corporation.

Mr. Penner: I move, seconded by the honourable member for La Verendrye (Mr. Sveinsson), that the report of the committee be now received.

Motion agreed to.

MINISTERIAL STATEMENTS

University Education Review Commission

Hon. Clayton Manness (Minister of Education and Training): Mr. Speaker, I would like to make a ministerial statement.

Mr. Speaker, it gives me great pleasure to rise in the House today and to announce the government's response to the report of the University Education Review Commission.

In July '92, the University Education Review Commission chaired by the Honourable Duff Roblin was established with a broad mandate to do a comprehensive review of university education in Manitoba.

Earlier this year, the commission submitted its report entitled Post-Secondary Education in

Manitoba: Doing Things Differently. Today I rise to respond to the report.

I would like to take this opportunity to thank the Honourable Duff Roblin and members of the commission, Kathleen Richardson, Sid Gordon and Kevin Kavanagh for their efforts and dedication.

* (1005)

As the report has made clear, we live in challenging times requiring that we do things differently and creatively. All sectors of our society are undergoing significant changes and adjusting to the impact of major social transformations, a difficult fiscal environment, national and international competition and modern technologies. There is a broad recognition that our society is in the midst of unprecedented change. The emerging society is driven by information, technology and innovation.

This new environment compels our post-secondary institutions to embark on a process of change which will allow them to respond to the demands of a very different society. The challenge to our institutions is to change the way they do business, establish program priorities, transforming the learning and research environments by emphasizing multidisciplinary approaches, redefining scholarship, using information technologies, creating active partnerships with the public and private sectors of our society, co-operating with other post-secondary institutions and providing quality education on campus, at home and in the workplace to full- and part-time students.

To meet the fiscal challenge and simultaneously respond to the demands of the community will require nothing short of re-engineering and redesigning the education enterprise so that universities and community colleges can improve their contribution to the social, cultural and economic development of the province.

The government's agenda represents a challenge to the governing boards of our post-secondary education institutions and provides direction for the change process. It identifies challenges which

require attention, namely, setting institutional priorities, creating centres of specialization, redesigning how universities conduct their internal affairs, designing an effective accountability framework, developing mechanisms for greater co-operation, co-ordination and articulation between and among universities and community colleges, exploring more aggressively interprovincial co-operation, adopting communications technology as a means to greater efficiency and effectiveness in the learning process, ensuring accessibility to those who wish to pursue post-secondary education.

We believe that, through their leadership, universities will respond to the challenges placed before them and will be in a position to report back to government within six months.

The challenges, Mr. Speaker, very briefly. Boards of governors of each university are being asked to establish program priorities for their respective institutions. Boards of governors will identify potential centres of specialization related to the government's Framework for Economic Growth and to such other areas deemed important to the province. Boards of governors should explore and experiment with new management arrangements which will assist in redesigning the internal university environment.

Boards of governors should explore the development of a process of institutional co-operation which will result in a greater degree of sharing of resources and program rationalization in the province. Boards of governors should invest resources for the broad application of communication and learning technologies to the learning process both on and off campus. This investment should be consistent with the government's overall strategy in the area of telecommunications.

Specific actions include the following:

Through a process of consultation over the next 18 months, government will develop a broad-based accountability system for post-secondary education. Institutions should also provide plans for greater accountability. A funding

formula will be developed concurrently for consideration.

Government is of the view that creation of a council on post-secondary education is an option worth considering for the long-term integration of the post-secondary systems. Government will therefore consider this matter over the course of this year as a post-secondary education strategy evolves. In the interim, government will ensure greater collaboration and closer interaction between the Universities Grants Commission and the Colleges Secretariat to ensure that developments of a systemic character are undertaken jointly.

Government has directed that the Universities Grants Commission and the Colleges Secretariat of Advanced Education and Training develop, over the course of this year and in consultation with post-secondary institutions, a process of credit transfer and program recognition in order to facilitate better movement of students between and among institutions and, furthermore, has directed that all program proposals coming from post-secondary institutions be evaluated with the view to possible linkages with programs in other institutions.

The government will explore interprovincial program rationalization, especially with other western provinces.

Government directs the Universities Grants Commission and the Colleges Secretariat, in consultation with post-secondary institutions, to identify those areas where new diploma programs should be developed and determine how they should relate to new or existing university programs.

Community colleges will assume an increasingly important role in the education and training of our citizens. Community college expansion of diploma programs will remain a priority of government. Government directs the Universities Grants Commission and the Colleges Secretariat, in consultation with post-secondary institutions, to develop those areas where new diploma programs should be developed and

determine how they should relate to new or existing university programs.

Government believes that Keewatin Community College should become the co-ordinator of post-secondary education in the North. It is important, however, that there be a fair hearing of all interested parties on such a major policy change. It is especially important the new board at Keewatin Community College be given the opportunity and over time have the capacity to respond to its new role.

* (1010)

Through the process of consultation, government will develop a tuition fee policy for post-secondary education in the province within the next 12 months.

Government will review funding for provincial accessibility initiatives with a view that it be based on the principle of assisting institutions in modifying their procedures and practices in order to better integrate underrepresented groups within regular programming.

Mr. Speaker, in closing, the general direction set out above identifies specific areas which government believes are important to the future development of post-secondary education in the province. This direction is presented as a challenge to the boards of our post-secondary institutions so they can develop an appropriate strategic direction outlining how they intend to meet the challenge.

Our investment in post-secondary education provides a concrete expression of the importance government assigns to this sector. Our challenge as a province is to make the best possible use of the resources, while at the same time offering a long-term direction which will benefit all Manitobans. Thank you.

Ms. Jean Friesen (Wolseley): Mr. Speaker, I thank the minister for presenting this before his press conference this afternoon. I welcome that in the House. It is not always every government minister who does that, and I think that is something which he committed himself to and has done.

We welcome any move in post-secondary education which would enhance the opportunities of young Manitobans and indeed older Manitobans who are finding that they are out of work and must retrain for any new jobs that might come to Manitoba. So that expansion of opportunities and the expansion of accessibility of post-secondary education was something which we had looked forward to from the Roblin commission and also from this minister.

At first glance, Mr. Speaker, I will say that I am greatly disappointed by the government's response. We are now six years into the government's mandate. They have had six years to look at post-secondary education. After six years, this is the first response we have had in a formal sense from the government on post-secondary education colleges and universities in Manitoba.

To look at that response in that sense, Mr. Speaker, of a six-year delay, I think is very significant, because in some cases what is happening here is, in fact, further delays of 18 months to look at KCC and to look at opportunities for integration of particular programs between universities and colleges.

What we have here, in fact, is a restatement of many of the proposals that Roblin made, that Roblin asked the government to look at: the proposals to link with industry; the proposals to link more clearly the programs of community colleges and universities; the direct proposal for a college and university secretariat to bring together those two areas again under a single ministry or at least a single cabinet committee. Roblin had some very direct recommendations for this government, and they have chosen, in their response—the first one after six years—to simply restate that list. I find that very disappointing.

What we must do in the end is to judge this government not by its statements but by its actions on post-secondary education. Roblin said very clearly: Enhance the ACCESS programs; increase the money for ACCESS programs correspondingly with the increase in the funding for universities. Roblin said very clearly: Make KCC the centre for university studies in the North. The minister has

delayed it yet again. Roblin made very clear his desire, and I think a correct desire for the doubling—he is very specific about his numbers—of students and places in the diploma programs, the two-year diploma programs in the community colleges. I see no response for that in this government, and that would have been the most significant.

Of course, as we look also at the record of this government in post-secondary education we see the diminishing of ACCESS programs for the most disadvantaged Manitobans. We see also the ending of many community college programs in all areas of the province that they have finished over the last three to four years. We saw the reduction of \$10 million in community college programs several years ago. We have seen the rise in student fees at incredible amounts over the last few years, so that when this government came into power in 1988 student fees were accounting for approximately 13 percent of university expenditures. They are now over 25 percent and are now creeping over the national average.

Those are the implications of the policies and actions of this government, and I believe it has diminished the opportunities for young Manitobans. I am very disappointed that this response, after six years, does not show us any specific expansion of those opportunities for young Manitobans.

* (1015)

Ms. Avis Gray (Crescentwood): Mr. Speaker, I am pleased to rise today and respond to the Minister of Education's (Mr. Manness) statement. Finally we see—I am not sure if I will call it a plan, but we see at least a written response from this minister in regard to the work that was put in by the Roblin commission.

First let me say that I agree with the member for Wolseley. It is a long time coming. Six years without a real policy on post-secondary education has left, I think, people who want to go to post-secondary education wondering what the government's role and vision is in this area. Unfortunately, I think with this particular statement by the minister, one of the things that is

still lacking is a clear role and mission as to where does the Department of Education want to go, where do they see post-secondary education heading in the future.

There are some positive things about this report, Mr. Speaker. Albeit late, I think it is important to put on the record that there are some good things I hope will be happening in the next 18 months. I am pleased to see the minister supports the idea of looking at interuniversities co-operation. I know in conversations with the universities here in Manitoba that they see that, in fact, there can be more co-operation and looking at the various programs that they offer, and I see them as being very willing to do that. I see that as a positive comment in this report.

We are also pleased to see that the minister has recognized that there is a need for interuniversities co-operation amongst the prairie provinces. This is something we have been calling for, for a number of years, and I am pleased to see that the minister supports this, and he is prepared to move ahead in this direction.

I notice that the time frame seems to be 18 months. That is to make sure that a number of these recommendations are put in place, including developing an accountability system for post-secondary education. That seems like somewhat a long period of time. I would hope that, in fact, there could be a shorter period of time, because this is a priority, and education should be a priority for all Manitobans and for this government. So I was hoping that we would see a different time frame in that area.

The other gaps that I see in this particular report, Mr. Speaker, is that some of the recommendations in the Roblin Commission talk specifically about ensuring that there were policies in place for specific client groups. We have not seen that dealt with in this report. We are still waiting for the Hikel report. We do not have information as to what Hikel has said in regard to ACCESS programs. I see that missing in this particular report.

One of the recommendations, as well, that was clearly identified by Roblin, was that there should be an aboriginal focus and possibly looking at a First Nations post-secondary authority being set up. I do not see anything like that in this report.

We are pleased that there is going to be an emphasis on community colleges. The minister has talked about an expansion of programs. However, it is clothed in generalities, and I am concerned because of what kind of resources are going to be available so that we actually do see an expansion of community colleges' programs. There are no dollar figures attached. There are really just generalities.

I hope, in fact, that this will come to fruition, that we will see an expansion of programs at the community college level, and that there will be more of an integral tie between business, industry and post-secondary education.

With those comments, Mr. Speaker, I hope that, in fact, what we see here is actually an action plan, that this just is not more talk by the government and more delays, so that 18 months down the road when we have gone through an election, the government has not produced any of what they have said. But I really do hope they are serious about looking at the co-operation amongst universities, the co-operation interprovincially.

I also hope that we will still see a statement, and perhaps we will see this this morning from the Minister of Education (Mr. Manness) in the press conference, about what does the Department of Education, what does this government really view as the future of education in Manitoba. I would like to hear a role and mission statement from this minister. Thank you.

* (1020)

Burns Committee Report

Hon. Gary Filmon (Premier): Mr. Speaker, I have copies of a statement and the Burns committee report for the House.

Mr. Speaker, I rise in this House to formally table the position paper that was prepared by the

Implementation Committee, chaired by Mr. Jim Burns and delivered to my office yesterday.

Let me first acknowledge what I am sure all members know, that the Winnipeg Jets helped put Manitoba on the map throughout North America and indeed throughout the world. Mr. Speaker, I have been on trade and economic development missions in places like Russia and Japan, where people who may not have known very much about Manitoba knew of the Winnipeg Jets.

Before discussing the Burns report, I would like to briefly talk about the history that brings us to today. In 1985, the City of Winnipeg, through the Winnipeg Enterprises Corporation, entered into a partnership agreement with the Winnipeg Jets that committed Winnipeg taxpayers to fund the Jets' losses or the team was free to leave, taking with it significant economic benefits and direct tax revenues which accrue to all levels of government.

In 1991, this government was approached by various interested parties, including the City of Winnipeg, Winnipeg Enterprises, Winnipeg Jets and private citizens, to help the team shoulder its obligations and to find a long-term solution to the future of the Jets in Manitoba.

We participated in these discussions, Mr. Speaker, because at that time, there was a bona fide offer to purchase the Jets and to move the team out of Manitoba. It was clear that the operation in its existing facility could not sustain rising costs without enhanced sources of revenue. Those new revenues were to be derived from a new facility, thought to be essential to the long-term success of the franchise. Unfortunately, the analysis required to support such a decision, including the capacity of the city and the province to support an NHL franchise, had not yet been undertaken.

Our willingness to enter into a short-term agreement was predicated upon receiving more in tax revenues throughout the six-year period than would be paid out funding losses. This short-term period was intended to give Manitobans a window of opportunity to complete the proper financial analysis upon which a sound decision could be made.

I emphasized then, and I repeat, that while our government could be a modest participant in a long-term solution, the taxpayers of Manitoba could not and should not be the primary funder of any long-term solution.

An interim steering committee chaired by Mr. Art Mauro was tasked with confirming the economic contribution of the Jets and determining the capacity of Winnipeg and Manitoba to support an NHL franchise during a period of rising operating costs and rapidly escalating players' salaries.

I wish at this time to publicly thank all members of the interim steering committee for their time, energy and passionate commitment to this community and this project.

Further to that report, an Implementation Committee, chaired by Mr. Jim Burns, whom I also wish to publicly recognize and thank for all their time and effort, was formed to follow up on recommendations from the Mauro report and assess, firstly, private-sector lending and investment interest in a new arena, and, secondly, the cost efficiency and viability of facility proposals, while maintaining the least cost to the taxpayers of Manitoba.

During the course of their analysis, the Implementation Committee retained Ogden Entertainment Services, a recognized international leader in the field of facilities development and management as an adviser.

Mr. Speaker, I want to share with this House the main findings of the Burns committee report. Perhaps most significant among their conclusions is the confirmation that \$30 million of public sector money will not be enough to build the facility. Directly or indirectly, the taxpayers must fund the entire amount required for a new facility. Simply put, the taxpayer will have to fund, either by way of direct capital grant or by way of loan guarantee, the full facility cost, estimated to be \$111 million.

The report assumes that the maximum exposure to government on a guaranteed interest rate would be considerably less than the anticipated ongoing

losses of the hockey club. However, in less than six years at current interest rates, the interest costs to the taxpayer on \$111-million debt would have exceeded the projected losses of the Jets to June 30, 1997, and those costs would continue indefinitely as long as the debt is outstanding. As well, the report leaves unaddressed the issue of repayment of the principal debt of a government-backed bond.

* (1025)

Notwithstanding the significant expectation placed upon the taxpayer to fully fund a new facility, the committee has also concluded that hockey operations will not be viable, unless Manitobans are prepared to spend considerably more than they are currently spending. In fact, ticket revenues, including premium seating, would have to double from their current level of approximately \$14 million to \$28 million annually.

Even with controlling costs and these increased revenues, profits will be so marginal that any slippage in either revenues or costs will put us right back where we are today. For example, with players' salaries increasingly being paid in U.S. dollars, Canadian exchange rate fluctuations pose significant risk.

There are, Mr. Speaker, highly charged and strongly divided opinions in the community and indeed in this House about what is the right course of action. We have from the Leader of the Opposition (Mr. Doer) the absolute declaration that the arena should not be built without substantial funding from the private sector, and indeed, that no new tax dollars should be put into an arena.

At the same time, we have the Leader of the Second Opposition (Mr. Edwards) suggesting that we should just go ahead and issue a bond for \$111 million. He has not made up his mind whether he wants us to guarantee that bond or not. In essence, what he wants us to do is to take the amounts we are funding under the short-term agreement and continue to fund them indefinitely as interest costs.

Divided opinion aside, Mr. Speaker, and in full recognition that there are significant economic spin-offs, I cannot in good conscience expect Manitobans to fund a \$111-million facility and also double their current spending on the Jets without greater confidence that this proposal will preserve NHL hockey in Manitoba.

Unfortunately, as the Burns committee stated, no private sector investors have expressed interest in purchasing the hockey club because of the existence of excessive losses and the potential for continued losses in the future.

However, if there are any solutions from the members opposite or the citizens of Manitoba that meet the test of minimizing the level of taxpayer contributions to the facility, we would enthusiastically be prepared to listen.

Thank you, Mr. Speaker.

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, I thank the Premier for the statement in the House today. We await the actual copy of the Burns committee report.

Mr. Speaker, everyone has always acknowledged that this was a challenge for all of us in this Legislature and all Manitobans. We know that all of us want to keep a professional hockey team in our community, in our province, and we know that the public does not want to see their tax dollars go to supporting a hockey team, a professional, privately owned hockey team.

We also know that the situation becomes much more serious for people when, on the one hand, people are paying for the operating losses of a privately owned professional hockey team and, on the other hand, the government is cutting back on health care, on education and other public services that is the role of this Legislature to provide. It is rather ironic, I think, to the public that the agreement that was originally signed by the Premier would, in essence, have the nationalization of losses of a privately owned hockey team at the same time we are debating issues like the privatization of home care under programs like We Care. It just does not make any common sense to the public of Manitoba.

Mr. Speaker, I thought the Premier (Mr. Filmon) referenced the great contribution this hockey team makes to our community, and there is no question about that. There is absolutely no question at all. There is no question that this is a difficult situation, and we have said this before to the Premier across the way and to all members of this Legislature.

Mr. Speaker, we were opposed to the government stepping in and dealing with the 1985 agreement from Winnipeg Enterprises. In the Auditor's report which attaches the rationale for the former Minister of Industry, Trade and Tourism getting involved in the Winnipeg Enterprises agreement of 1985, it says the primary motivation for the province to get involved in this '85 agreement was that Winnipeg Enterprises had signed such a weak agreement that we the taxpayers were not covered.

My question to the Auditor and to the government all along was: Why were we in the province going in to bail former members of Winnipeg Enterprises out for an agreement they signed when we had absolutely no liability? None. The Premier indicated that he wanted to create a window of opportunity, but I believe that this window of opportunity has unfortunately become a window of deceit, and that is where I part company with the Premier.

* (1030)

I do not believe for one moment if the government had a short-term solution to the problem with the Winnipeg Jets—I believe in October of 1991 when the minister was negotiating this deal, when Mr. Bessey, who had negotiated previous deals, was the lead negotiator, when Mr. Bessey was reporting allegedly to the Finance minister and the former Minister of Industry, Trade and Tourism and the Premier, when the cabinet had a briefing in October of 1991 of the projected losses of \$43.5 million, you had a moral obligation in this window of opportunity to open up the window for all of us to see what the losses would be. Now, if it was defensible at that point to cabinet, surely it would have been defensible with the public, and the window of opportunity would

have been a public window of opportunity rather than a private window of opportunity to cabinet.

The government then created a blue-chip committee with Mr. Mauro, a person whom I have a great deal of respect for, and it came back with a recommendation in July of 1993. The recommendation in July of 1993 called for a \$30-million public investment to lever private investment to deal with the ownership of the team.

I was very, very concerned that the government sat on that report and sat on that report because we had a June 30 deadline, a week away. Why did it take from July of 1993 until December of the same year, clearly five months, to create the next blue-chip committee, the Burns committee and put us in this situation now where we have one week for the Premier to find—as he is saying on the radio—a, quote, white knight to solve this problem? He has put us right in the corner with the date that he has signed by fiddling around for five months between the July date and the Burns committee.

We have serious concerns of how one blue-chip committee can say it will require a \$30-million investment and another blue-chip committee that is created by the Premier now says it is \$111 million of public investment. Between a period of literally one year, within one year, the projections have gone up over \$80 million of public support.

The real question remains, what is the Premier going to do about the agreement that he signed originally, because now we have a situation that if no solution is found, for every month this agreement is in place, it may represent a loss of \$1 million for the taxpayers till the year '97, Mr. Speaker, under the so-called window of opportunity, and secondly, there is no guarantee in '97 that the team will stay in Winnipeg and not relocate.

Mr. Speaker, this is not good news for the city of Winnipeg and the province of Manitoba. The Burns committee was unable to find a solution. It, in fact, has given us a greater challenge than the Mauro report of a year ago, and certainly the

Premier (Mr. Filmon) has not given us any time really to deal with this issue with seven days to go.

I regret that, Mr. Speaker, but I thank the Premier for his statement today, and I wish Manitobans all well in the next seven days to try to find the so-called white knight that we have not been able to find for two and a half years. Thank you.

Ms. Avis Gray (Crescentwood): Mr. Speaker, I would first of all like to say on behalf of our caucus that we do commend the work of the Burns committee. This report has been a while coming, but we recognize the fact that their task was not an easy one. We also look forward to seeing the actual report and the details of that, but we must say publicly that we do commend them for the work and the difficult task that they had.

It is quite interesting that there are startling differences between what the Mauro report said and what this report has said. It will be a challenge within the next seven days for Manitobans and for the government to look at what solution is possible in regard to keeping the Jets in Winnipeg, because I believe that there is no disagreement from members of this Legislature and indeed with most Manitobans who believe that we would like the Jets to stay in Winnipeg, that they have added to our city, not only on a national basis but on an international basis. So the challenge is certainly there.

* (1035)

The First Minister (Mr. Filmon) has talked about our position of a bond issue. I think, Mr. Speaker, it should be noted that, of course, when we presented that potential solution in the fall, we were not aware that the operating losses could be as much as \$43 million. It is always good to have as much information as possible. Unfortunately, information from this government on this issue and on other issues has not been forthcoming.

I think, however, that there is still some merit, that we can look at a proposal to have a bond issue. It may not be a permanent or an ultimate solution, but it may be short term, because one of the things that needs to be dealt with is the capping of salaries

for NHL players. That is one of the issues that has to be looked at.

I look forward to an opportunity for our caucus and the opposition and the government to sit down with the city to review this report to see what possible solutions we can look at over the next number of weeks.

Thank you, Mr. Speaker.

INTRODUCTION OF BILLS

Bill 217—The Public Health Amendment Act

Mr. Dave Chomiak (Kildonan): Mr. Speaker, I move, seconded by the member for Broadway (Mr. Santos), that leave be given to introduce Bill 217, The Public Health Amendment Act; Loi modifiant la Loi sur la santé publique, and that the same be now received and read a first time.

Motion presented.

Mr. Chomiak: Mr. Speaker, this is the third of three bills introduced by members on this side of the House dealing with improvements to our health care system. We introduced The Health Reform Accountability Act. We introduced The Health Care Records Act, and this is the third, The Public Health Amendment Act.

This bill recognizes mandatory reporting of adverse reactions to vaccinations and calls for information on both the benefits and the risks of vaccinations to be provided. The bill accepts that immunization has been a factor leading to reduction of many diseases, but recognizes the evidence linking vaccinations with disability and death in some healthy infants. Like the previous bill, this bill proposes to ensure that active involvement by consumers in our health care system leads to more informed consent, decision making and enhanced quality of health care services.

I acknowledge the support of all members in this House and look forward to debating this bill and passage of this very important amendment dealing with the improvement of our health care system. Thank you, Mr. Speaker.

Motion agreed to.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I direct the attention of honourable members to the gallery where we have with us this morning from the Applied Linguistic School, 27 adult students under the direction of Mrs. Margo James and Mrs. Susanne Thiessen. This school is located in the constituency of the honourable member for St. James (Mr. Edwards).

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

ORAL QUESTION PERIOD

Burns Report Government Position

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, on June 21, 1991, I had the privilege of standing up and paying tribute to 25 years of elected service for the member for Lakeside (Mr. Enns), and today I want to pay tribute to the member for Brandon East (Mr. Leonard Evans) who will be serving 25 years tomorrow with his 25th anniversary in this House.

Mr. Speaker: Congratulations, Len.

An Honourable Member: Question.

* (1040)

Mr. Doer: Well, it is funny, in 1991, you asked me whether I was going to ask a question on Oak Hammock Marsh when I stood up.

Mr. Speaker, my question, obviously, is to the Premier arising from the statement tabled in the Chamber today. We have a report now that radically contradicts the original Mauro report that was received by the government in July of 1993. The report from our first perusal of the Premier's statement indicates that the public investment must be total in the new facility, as opposed to the Mauro report which I recall recommended a tripartite \$30-million basis for achieving some resolution for this facility.

Why was the Mauro report recommending a \$30-million investment in this new facility? Why do we have such a huge discrepancy, some \$80 million in discrepancy, between the one blue-chip

committee created by the Premier and the other blue-chip committee that reported today to the Premier?

Hon. Gary Filmon (Premier): Mr. Speaker, I thank the Leader of the Opposition for that question, and it demonstrates why some of the comments he has made in the past appear so foolish today, because he has said in the past, of course, that we should have just made the decision in 1991 and get on with it. In fact, when he was on the Vic Grant open-line talk show, he said, I would have built the arena.

Mr. Speaker, the situation has changed so dramatically, even in three years. The escalation of players' salaries has become so dramatic that today the situation is very, very different than it was even a year ago, even three years ago. What this indicates is that there is a rapidly changing scenario out there in the operations of the National Hockey League. People are being paid \$4 million, \$5 million annually. A player who did not play two-thirds of the games for the New York Rangers was paid \$850,000 U.S. to sit the bench, for the most part. This kind of thing has changed dramatically.

So the whole scenario has changed, and the circumstances are changing and changing dramatically. I think that what Mauro was proposing was based on what they assumed could be raised by way of public money, by private money. Today obviously even that scenario is not valid, and that is why the Burns committee, made up of, I think, a lot of people who are involved very much in the finance community and raising money capital for investments, had to prove whether or not there was that availability of private capital. And I quoted in my statement today of the unavailability of private capital for such a venture.

Winnipeg Jets Agreement Contingency Plan

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, and all along we have been opposed to the operating agreement that the Premier had signed in secrecy with the operating losses. We have called before, both in the Premier's Estimates

and also in Question Periods in this House, of what their contingency plan is.

I would like to ask the Premier, what is his contingency plan dealing with his agreement, his signature on an operating loss agreement that would require the public, as pursuant to the Premier's statement about the huge increases in costs, to pay about a million dollars a month between the city and the province for the next 36 months with no guarantee of the team staying here?

What action is he going to take on the agreement that he signed on behalf of the people of Manitoba in 1991 without any public debate and without any public scrutiny?

Hon. Gary Filmon (Premier): Mr. Speaker, I know it is difficult for the Leader of the Opposition to understand this, but I will just put on the record for him so that he does at least know that it is on the record. He can distort it, he can misrepresent it if he wants, but here is what is on the record.

We have been three years into this agreement, and the agreement has cost us \$2.5 million to keep the Jets here. In the next year, it will cost us—\$5 million is the best estimate of what it would cost us.

The fact of the matter is that given the information in this report and given the fact that we have said we are not going to take up the option on the Jets, the team is now free to seek a buyer and to be transferred out of here, and we are not going to be responsible for the losses after a certain period of time.

So all of those projections that he takes great delight in making are false information, will not materialize because under these circumstances the options are very clear for the team to be sold and us to be out of the obligation on those losses.

So all of his gleeful projections will not be true, and the value of our shares in the sale during the next year or so will more than exceed the amount of money that we have committed to keeping them here.

Mr. Doer: Mr. Speaker—[interjection] Well, the former Minister of Finance who agreed to this original proposal, perhaps he should have been asking more questions at the time this proposal came back from the—[interjection] The Minister of Highways (Mr. Findlay) may want to write the figures down because he and his cabinet have agreed to a \$43.5-million loss agreement which they never made public to the people of Manitoba. [interjection]

I am just shocked, Mr. Speaker, that the Premier now would say that these numbers are false when they come from the Provincial Auditor and the Department of Industry, Trade and Tourism. I am absolutely shocked that the Premier would call the Auditor's numbers false. I trust the—

Point of Order

Mr. Filmon: On a point of order, Mr. Speaker, I am saying that the Leader of the Opposition's information is false and inflammatory over and over again. He is basing it on projections that, given this information and this agreement, will not materialize.

Mr. Speaker: The honourable First Minister does not have a point of order. That is a dispute over the facts.

* * *

Mr. Doer: Mr. Speaker, the Premier knows the team could stay in Winnipeg till 1997. The Premier knows that the team could incur operating losses. The Premier signed an agreement that would cover the operating losses, and then the team can leave in 1997 or change ownership in 1997 and we are liable for the losses. Why is he trying to fool the public again?

I would like to know from the Premier, what contingency plan does he have in place to deal with an agreement that would require us to pay close to \$1 million a month for the next three years with no guarantee the team will stay here, at a time when his government is cutting back on health and education in the province of Manitoba?

Mr. Filmon: Mr. Speaker, that is the point. The point is that the team will not stay here once the

option period is over. If the team does not stay here, then we are not responsible for the losses. That is the point that the Leader of the Opposition cannot seem to understand.

I will make it very plain to him. If the team is removed, we are not responsible for the losses. Under those circumstances, all we are responsible for are the losses incurred to the end of when they remain here. [interjection]

The Leader of the Opposition is not listening, Mr. Speaker. I will take it slowly for him so that he will understand. The asset will retain its maximum value only so long as the team can sign players to long-term contracts and they have a good team that they can sell. The longer they stay here without an intention of permanency, the more that the players will not sign long-term contracts and their asset deteriorates, so it is in their interest to get on with the sale of the team. Therefore, we will not be responsible for the losses.

* (1050)

Winnipeg Jets Agreement Operating Losses

Mr. Jerry Storie (Flin Flon): Mr. Speaker, changing the question to the First Minister, the First Minister is now trying to tell us that because of the agreement, the \$43.5 million which is estimated could escalate because of the exact scenario the Premier has painted for this Legislature in terms of players' salaries and the ability to sign long-term contracts.

Will the First Minister at least confirm for the public that the \$43.5 million is an obligation—apparently a minimum obligation now from what the Premier is saying—that the taxpayers of Manitoba are going to have?

Will he now tell us what he intends to do with respect to the agreement that is in place which is going to provide no assurances of a team being here? It is only going to provide assurance of us paying the losses regardless of how large they grow.

Hon. Gary Filmon (Premier): Mr. Speaker, the member for Flin Flon does not understand that, No. 1, it was a worst-case-scenario projection. We

did not say it was a minimum. Number 2 is that the agreement calls for a control over the total amount of salaries that can be paid out because of the fact that they are limited as to their budget levels under the agreement to the lower third of all of the teams' budget in the NHL.

The fact of the matter is that the projections are still valid in terms of worst-case scenario, but it is in the team's interest, obviously, in ensuring that its asset is at maximum value when it sells it. Its asset will only be at maximum value if it is in a position to sell in the near future when it still has strong player contracts as part of its asset.

Mr. Storie: The private owners have a guaranteed return on investment. They have a guaranteed coverage of losses.

My question to the First Minister is: What is he going to do to extricate the people of Manitoba from a deal that this First Minister signed in 1991, with no public consultation and not even consultation with his own cabinet? What is he going to do now?

Mr. Filmon: The member is putting false information on the record, and he ought to strike it from the record about not informing cabinet. That is a false accusation, and he ought to withdraw it immediately.

In addition to that—[interjection] I cannot believe the fools that we are dealing with. Even the member they referred to, the former member for Rossmere acknowledges he was not at the meeting.

An Honourable Member: And you did not tell him?

Mr. Filmon: He had special briefings, believe me.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order, please.

Mr. Filmon: Mr. Speaker, we get back to the point that even if the worst-case scenario in the agreement is achieved, that in direct tax dollars to the three levels of government we get back twice as much in revenue as we pay out under the agreement. Even under the worst-case scenario, the taxpayer gets back twice as much in direct tax

revenue as it costs to keep the team here. That is the understanding that we have.

That is the understanding that members opposite cannot achieve. That is why they spent \$30 million in Saudi Arabia with no benefit to the taxpayer. That is why they spent \$36 million getting into a heavy-duty high-risk reinsurance scheme with MPIC. That is why they spent hundreds of millions of dollars on short-term, make-work jobs that did nothing for this province.

Government Action

Mr. Jerry Storie (Flin Flon): Mr. Speaker, the MTX executives who signed the Saudi Arabia deal were fired. Perhaps the First Minister will acknowledge that it is time to look at his record in terms of this deal that is going to cost \$43.5 million.

My question, Mr. Speaker, to the First Minister is a simple one. When is this government going to announce its policy on the new deal? If the losses of the Winnipeg Jets escalate, as they may, beyond the \$43.5 million, what is going to be the action of the government?

Hon. Gary Filmon (Premier): Mr. Speaker, the member opposite keeps repeating \$43.5 million. The governments, all three levels of government, get revenues of \$90 million in return for the \$43.5 in direct taxation.

Winnipeg Jets Agreement Government Action

Ms. Avis Gray (Crescentwood): Mr. Speaker, my question is for the Premier.

Now that we have the Burns report—and we know that we have a pending June 30 deadline. We also know that the city is a partner with the province in this Jets agreement.

My question for the Premier is, over the next day or so, is he prepared to sit down with city officials and the mayor and discuss the issues surrounding this particular report to see if, in fact, they can come up with a co-ordinated strategy to look at the future of the Jets in Winnipeg?

Hon. Gary Filmon (Premier): Mr. Speaker, we have laid the facts on the table, and we have invited people who have solutions to come forward. We have indicated that from our perspective, taxpayers' dollars cannot be the sole solution to this problem. Under the circumstances, there is the scenario of whether or not the public is willing to double their contribution to keep the Jets here.

The price of tickets, selling out the arena at double the current cost of tickets, that is challenge No. 1. Challenge No. 2 is finding a way even to pay for the cost of the team itself, the capital cost of the team itself without major taxpayers' dollars, because the best scheme that is being touted would have a tax cost to two levels of government of \$18 million.

The next scenario is, what do you do then with the \$111 million that is required for the arena, and, finally, what do you do to guarantee the losses that still may accrue, because this is a razor-thin deal with all sorts of risks implicit in it.

With all of those things, those questions have to be asked and answered. We need, obviously, response from everybody, whether it be members opposite who maybe finally have to take some responsibility for solutions instead of just for criticism, and also from the public at large and from the private interests of this city and this province to see whether or not there are people with real money, risk capital that they are willing to put in this venture.

Ms. Gray: Mr. Speaker, with a supplementary to the Premier: The Premier has laid out the facts as he sees them and what is indicated in the Burns report, but my question still remains, what exactly is the minister going to do over the next 24 hours, the next few days, to actually answer some of the questions he has laid out? What is your process? What are your next steps?

Mr. Filmon: I have indicated that I am quite prepared to accept suggestions, commitments from private investors, from private individuals, recommendations and proposals from whomever, whether it be people involved with the City of

Winnipeg Council or people involved with this Legislature or the public at large.

But, Mr. Speaker, the only solutions that have been put forward to date involve government guarantees. We know that, as a result of a government-guaranteed debt in the SkyDome, there was \$322 million written off by the government of Ontario because they got into that project on the basis of guaranteeing debt loans on that building. So we know all the pitfalls that are out there, and we have not seen any solutions that answer the questions that we have about this.

Ms. Gray: A final supplementary to the Premier: The Premier has indicated that taxpayers' dollars are not the sole solution. Can the Premier indicate today, is his government prepared to look at putting in any more dollars? Is the Premier prepared to look at that?

Mr. Filmon: I have said very openly throughout this debate that if it could be contained to something like a \$30-million contribution from the three levels of government, that could be a doable deal, and we would be committed to go that far. That remains on the table.

If people can put together solutions surrounding that commitment and put together a deal that does not expose the taxpayer for all of the additional risk and all of the additional capital input, we are still there. But we need to see some response from somebody that indicates that there is money out there to help keep the Jets here.

* (1100)

Post-Secondary Education EPF Funding

Ms. Jean Friesen (Wolseley): Mr. Speaker, a fundamental change for all post-secondary institutions is in the continued federal withdrawal of EPF funding for post-secondary education as indicated in the federal budget plan. In the case of Manitoba, this is going to mean the loss of over \$100 million a year.

I want to ask the Minister of Education, will he tell the House how his response to the Roblin commission accounts for these proposed and very dramatic changes?

Hon. Clayton Manness (Minister of Education and Training): The member brings forward a good point. As a matter of fact, at the meeting that I called at nine o'clock this morning, attended by senior management and presidents of the universities and the boards of governors and regions, I alluded to that specific fact.

As a matter of fact, the Liberal federal government indicated in its last budget that in the next three to five years we can expect a reduction in Canada of \$1.5 billion in established program financing. Obviously, a significant portion of that is directed towards post-secondary education.

There are no magic solutions around financial problems. That is the point I tried to make over and over again to the member for Wolseley (Ms. Friesen) in Estimates review.

Notwithstanding that, that is why the challenge that I put, the government put towards boards of governors was taken very seriously this morning. They recognize full well that even though we would all like to have more money, the reality is we do not, and that we will have to find solutions within our own internal institutions. We will have to find solutions through rationalization, through picking some program areas which are of higher priority than others.

We can find a solution, and ultimately, as we go into the next century, our university institutions will be stronger for it.

Ms. Friesen: Will the minister, in his discussions with his federal counterparts, indicate that the ending of EPF could mean for Manitobans an immediate doubling of tuition fees? Will he tell us how he is responding to one federal proposal which is in fact to end those cash transfers in the next fiscal year?

Mr. Manness: Probably the question would be more appropriately directed towards the Minister of Finance (Mr. Stefanson), because the Minister of Finance of course is our lead point person with respect to these discussions. But there is no doubt the essence of the question put forward by the member for Wolseley is the central theme to all the discussion with respect to social reform.

As I indicated to a question yesterday, our government is preparing its response to whatever it is ultimately the federal Liberal government comes forward with by way of a draft change, a reform with respect to the whole social safety net. It is much greater than just established program financing, although obviously that is a large dimension of the whole equation.

Ms. Friesen: Mr. Speaker, it is a huge shift historically, and the implications for individual Manitobans and families are very immediate.

Canada Student Loan Program Government Recommendations

Ms. Jean Friesen (Wolseley): I want to ask the minister, finally, what measures is the minister recommending to the federal government to improve the Canada Student Loan Program? Specifically, will he be following the Roblin commission, which recommended that he initiate discussions with the federal government for income-contingent loans?

Hon. Clayton Manness (Minister of Education and Training): Mr. Speaker, all Ministries of Education and advanced training or advanced education throughout the country are trying to come to grips with this concept of income-contingent repayable loans. That is certainly an open question in the minds of many, because in essence all you are doing is of course taking on much greater debt of society, debt ultimately which somebody will have to pay.

There are some provinces that see potentially some benefit of greater discussion around the point. There are many provinces, of course, which just see this as an incredible offload to the citizens of the future, the taxpayers of the future. We are also internally trying to come to a greater understanding, and we are waiting again for the federal government to put forward the blueprint specifically dealing with the process as to how it might work, that process of income-contingency repayable loans.

Let me say the federal government has shown us, through their latest move basically, an offloading with respect to Canada Student Loans

because now the Province of Manitoba is required to begin to pick up its share of the first dollar. That was never the case previously. We are always of the mind that the federal Liberal government are more interested in offloading some of their additional expenditures on the Province of Manitoba.

Manitoba Telephone System Layoffs—Brandon

Mr. Leonard Evans (Brandon East): Mr. Speaker, I have a question for the Premier.

The Premier announced 99 or 100 new jobs for Brandon when he proclaimed his decentralization policy of provincial civil servants. Since then there have been a number of job losses in the provincial public sector in Brandon. We have lost seven jobs at the Employment Services office that was closed down a couple of years ago. The New Careers office has lost a few jobs. There has been a large number of job losses in the health care sector and so forth.

Now 15 jobs are to be lost at the Manitoba Telephone System—and these are high-paying technical jobs—because MTS is planning to close down the long-distance switching equipment in Brandon and is going to centralize it in the city of Winnipeg.

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

Would the Premier of Manitoba personally review this MTS decision to see if those jobs can be kept in the city of Brandon?

Hon. Leonard Derkach (Minister of Rural Development): Madam Deputy Speaker, let me say first of all that through decentralization we have been able to move 642 jobs into rural Manitoba. Many of these jobs have gone to the city of Brandon. Indeed, we think that Brandon is an important centre in rural Manitoba.

Madam Deputy Speaker, in the whole initiative of call centres we have also attracted companies from outside of Manitoba to locate in rural parts of Manitoba. In Brandon, 115 jobs have been created by GWE, a call centre that is locating in Brandon.

Madam Deputy Speaker, our commitment is to try and attract all kinds of industry and all kinds of companies into this province to invest and to create jobs. We have done that very successfully. Indeed, in rural Manitoba, through such initiatives as Grow Bonds and REDI and REA and the Green Team, we have been able to add jobs which benefit the communities and benefit rural Manitobans to live in rural Manitoba, to work in rural Manitoba and indeed to make rural Manitoba an attractive place in which to invest and live.

Mr. Leonard Evans: Madam Deputy Speaker, those comments give little comfort to the MTS employees who may be losing their jobs.

Crown Corporations Council Manitoba Telephone System Review

Mr. Leonard Evans (Brandon East): I would ask the Premier if he would ask the Crown Corporations Council to conduct an independent review of this whole matter to ensure that MTS is following the government guidelines on decentralization.

While I am on my feet, I would like to table a petition signed by several hundred people in the city of Brandon appealing to the Premier of Manitoba to save Manitoba Telephone System jobs for Manitoba's second largest city.

Hon. Gary Filmon (Premier): Madam Deputy Speaker, it is because of the NDP government that preceded us engaged in political interference with its Crown corporations. They got involved in things like MTX, and they lost \$30 million in Saudi Arabia because of that attitude, to put pressure on to try and preserve jobs, to try and do things that would avoid job losses.

They made the most foolish investments in the history of this province, lost \$30 million of taxpayers' money. We will not do that kind of thing, Mr. Speaker.

Decentralization Benefits to Brandon

Mr. Leonard Evans (Brandon East): The previous Conservative government was going to

sell McKenzie Seeds for the City of Brandon, and now they are trying to—

Madam Deputy Speaker: Order, please. I would remind the honourable member for Brandon East, this is the third and supplementary question.

Mr. Leonard Evans: Madam Deputy Speaker, will the Premier now acknowledge that the city of Brandon will not benefit from his decentralization policy of provincial staffing to the extent that he previously announced because of the steady erosion of public sector jobs in that city?

Hon. Gary Filmon (Premier): What I will acknowledge is that the city of Brandon benefits nothing from having the representation of the member for Brandon East.

* (1110)

Point of Order

Mr. Steve Ashton (Opposition House Leader): Madam Deputy Speaker, I have seen the Premier stoop pretty low. That is about the lowest I have seen.

I would ask, at least once, on the 25th anniversary of the member for Brandon East, that this Premier show at least some level of class and not make those kinds of comments about the member for Brandon East.

Mr. Filmon: Madam Deputy Speaker, I unequivocally withdraw the remark that I made on a personal basis to the member for Brandon East.

Madam Deputy Speaker: I thank the honourable First Minister for those comments.

* * *

Madam Deputy Speaker: The honourable First Minister, to address the question.

Mr. Filmon: Madam Deputy Speaker, the fact of the matter is this member for Brandon East, along with his colleagues, opposed the decentralization policies that have resulted in the entire operation of MACC being moved to Brandon, the entire operations of rural libraries being moved to Brandon, creating almost 100 jobs that would not have been there without the commitment of this

administration—no thanks to the New Democrats of this Legislature.

Child Abuse Impact on Youth Crime

Ms. Marianne Cerilli (Radisson): Yesterday, I raised questions relating to poverty as a cause of youth problems and school dropout. Picking up from there, I am concerned about the ruling in the court of Manitoba today discrediting or ignoring testimony of people who recall repressed childhood memories of abuse. It is a serious matter. I think that the ramifications of this issue are not only damaging to the young woman involved, but thousands of Manitobans and potentially across the country.

We know that child abuse and violence against children is a huge cause of youth problems, whether it is drug and alcohol abuse, suicide, dropping out of school and youth crime.

My question is for the Minister of Justice. How will the minister's program on youth justice identify and account for childhood trauma as a cause of criminal behaviour among young people?

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): As the member knows, we have embarked on a very comprehensive plan to look at the issues of youth crime and violence. It does not hold all the answers yet. We continue to work with Manitobans; we continue to work with experts. We will continue to expand the plan that we have.

If the member has recommendations that she would like to put forward that might be of assistance as we deal with the problems of youth crime and violence—these problems of youth crime and violence which are across Canada, and Manitoba has taken a very leading role in dealing with them—we would be very glad to look at them. This problem is going to take many minds around the issue.

Youth Crime Treatment Programs

Ms. Marianne Cerilli (Radisson): Does this government's policy on youth crime support the

concept that criminals, who are themselves victims of crime, particularly child abuse, need health care so that they can be rehabilitated and helped rather than merely punished and warehoused?

(Mr. Speaker in the Chair)

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): As the member knows, we, at the moment within our institutions, do offer treatment programs. We will continue to offer those treatment programs. That has always been a stated fact; however, we will be moving towards a much more rigorous confinement within our institutions because we also understand that there have been victims left behind by these offenders.

Judicial System Child Abuse Sensitivity Training

Ms. Marianne Cerilli (Radisson): Mr. Speaker, with my final supplementary. I want to reference—since the minister has said she is open to hearing some recommendations—two books that I have with me. One is entitled—

Mr. Speaker: Order, please. Time is extremely scarce. The honourable member for Radisson, with your final supplementary question, please.

Ms. Cerilli: Mr. Speaker, since the minister has asked for some input, I have two books, one entitled *Outgrowing the Pain*, a book—

Mr. Speaker: Order, please. Time is extremely scarce. The honourable member for Radisson, with your question now, please.

Ms. Cerilli: Mr. Speaker, will the Minister of Justice make a commitment today to ensure that the judiciary in Manitoba is going to be educated and informed with respect to the realities of child abuse, the increase in incidents of child abuse, the prevalence and the result—

Mr. Speaker: Order, please. The honourable member has put her question.

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Mr. Speaker, the chief judge and the judges association, those individuals themselves, certainly look at the kinds of educative programs. They also, I understand, make decisions each year on the kind of educative and professional

development work that they would like to undertake, so I am sure that the member's comments will be available to them on this very important issue.

Burns Report Premier's Discussions

Mr. Paul Edwards (Leader of the Second Opposition): Mr. Speaker, I want to start by adding my personal gratitude to the members of the Burns committee for a very long and arduous task and the many hours that they would have put in to that report. Regardless of the conclusions, I do not think anybody questions or should question the good intentions and the very hard work that was put in by all those committee members.

I want to ask the Premier, in response to his statement, whether or not there have been any discussions between him and Mr. Bettman or any of the representatives of the NHL Board of Commissioners about this report and about whether or not they are having any thoughts which might be of benefit in this critical time as we try to assist in the salvation of the Winnipeg Jets as an entity in Winnipeg. Have there been any discussions? Indeed, did the Burns committee meet with Mr. Bettman and what, if any, is his response and that of the NHL commissioners to this report?

Hon. Gary Filmon (Premier): Mr. Speaker, about two months ago, I met with Mr. Bettman along with the mayor, and although he did talk about his desire to maintain small-market franchises and to enhance their viability and without getting too deeply into negotiations that will be very sensitive later this year, certainly indicated that he felt that some form of salary management control—a structure that obviously would provide controls that currently are not available—was a necessity in the long term for most of the franchises in the NHL to survive.

All of that, of course, does not provide any assurance whatsoever that such is achievable. There is a long, rigorous and probably very, very conflict-filled process ahead if the NHL is to achieve what must be achieved in order to even meet minimum viability standards for this

particular market and, I would suggest, half a dozen others in the NHL. It is a matter of, perhaps I can say good intentions, but with little assurances.

Mr. Edwards: My supplementary question to the First Minister is, in the wake of receiving this report and reviewing it, has he had any discussions with Mr. Shenkarow or the majority shareholders to determine what, if any, are their intentions that they know at this point, because as the First Minister obviously is aware and the Leader of the Opposition (Mr. Doer) has pointed out, this agreement does continue until 1997.

What are their intentions, if any? Have they been contacted, and have they expressed any intentions as to whether or not they will be moving the team or selling it in the short term?

Mr. Filmon: Without trading confidences, I think I am at liberty to say that the Burns committee has met with Mr. Shenkarow, even recently, as a representative of the majority owners. There are three other partners involved in that 8 Hockey Ventures Inc.

I think it is fair to say that their intent is to sell. Clearly, our judgment on the report will probably spur their desire to sell rather quickly, I would think.

* (1120)

Public Consultations

Mr. Paul Edwards (Leader of the Second Opposition): My final question is for the First Minister. The First Minister, the Leader of the Opposition (Mr. Doer) and I have all traded various proposals and ideas and have been critical of each other in this process, Mr. Speaker. That is probably mostly as a result of the nature of this forum that we participate in. I think we do share a common goal to find a solution.

My final question for the First Minister: With respect to opening this up to a broader community response that would be a financial response, does the First Minister see any opportunity or indeed any reason to do that at this point, to see whether or not the community is prepared to independently put forward money through some vehicle?

I have proposed one. The First Minister has been critical of it. Perhaps he has other ideas. Is there anything that his government is currently looking at as a way to do that, to expand it and allow people to see how much money can be raised and in what fashion?

Hon. Gary Filmon (Premier): Mr. Speaker, I want to compliment and thank the Leader of the Liberal Party for taking what I think is a very positive approach to it. It is an approach that I would share. The approach is, very straightforwardly, that we do put all of these things on the table without looking for political axes to grind. The options, as we have canvassed them, all require a very significant commitment on the part of the taxpayer.

People make suggestions in which they imply that the taxpayer really is not involved. People make suggestions, for instance, that we create a trust fund in which the taxpayer is clearly involved by virtue of giving major tax benefits to the people who contribute to that trust fund. As I said earlier, a \$36-million proposal that Mr. Sweatman is putting would have a tax implication to two levels of government of about \$18 million.

There is the proposal of bonds. Bonds require either a) a guarantee or b) an assurance of return, which again is a commitment from the taxpayer.

There is a suggestion that we put out a lottery. The difficulty with that is that we know from all of the lotteries experiences over more than two decades in this province now that the lottery market is a finite one, that you do not really, by adding a new form of lottery or a new target to it, necessarily add to the pie. The pie is relatively finite. You may add very minimally to the pie. You just simply take it away from the revenues that government is already getting somewhere else. So it is really a commitment of government revenues still that we currently are getting into a new area.

There is a suggestion that we go for a new casino and several people would essentially build the arena facility for us on the basis of having a casino to justify the capital cost. The problem with that is that it still does not address ongoing losses from a

team, given all sorts of scenarios, and it really, in the long term, is a very, very difficult proposal.

I will say that, as much as we have looked at solutions that have been put forward and arrived at the conclusions that appear to make them not acceptable options, I will not reject it. I do not want to be the one who says, I am not going to look at anything. I am willing to look at anything, because I honestly believe, as I said in my opening remarks, that we should do whatever we can to keep them here, short of making it such a huge burden on the taxpayer that none of us in this Chamber can justify.

Mr. Speaker: Time for Oral Questions has expired.

TABLING OF REPORTS

Hon. Gary Filmon (Premier): Mr. Speaker, may I just have leave to table enough copies of the report—

Mr. Speaker: Does the honourable First Minister have leave to table a copy of the report? Does he have leave? [agreed]

NONPOLITICAL STATEMENTS

Honourable Leonard Evans 25 Years of Legislative Service

Mr. Speaker: Does the honourable Minister of Agriculture have leave to make a nonpolitical statement? [agreed]

Hon. Harry Enns (Minister of Agriculture): Mr. Speaker, I just want to take this opportunity to associate myself and indeed the members on this side of the House with the congratulations expressed by the Leader of Her Majesty's official opposition to my colleague the member for Brandon East (Mr. Leonard Evans) on his 25 years of service. I do so as one who shares the unique position of dating back to the '60s. It is indeed a remarkable accomplishment.

Of course, I have a particular reason for remembering the occasion of the member for Brandon East's entrée into politics. It was a nice July morning that I was cleaning out my minister's office as the Minister of Natural Resources when a certain Mr. Evans, whom I had not met before,

knocked on my door. He had just been appointed by Mr. Schreyer as the incoming Minister of Natural Resources.

So, to that extent, it always impressed upon me that, despite the vigorous nature with which we attack each other from time to time, the civility with which these transfers of governments take place—he has experienced it twice, I have experienced it twice—it is a remarkable attribute to our system which on these rare occasions is worth noting. So to the honourable member for Brandon East, my heartiest congratulations.

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

Mrs. Sharon Carstairs (River Heights): Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the member for Brandon East on the celebration of his 25th anniversary as a member of this Chamber. I have sat in this Chamber when he was in government, and I have sat in this Chamber when he has been in opposition.

I know of his accomplishments as an educator. Those, of course, are very close to my heart because I think that is one of the most important things that we do, and that is to teach others within our society, particularly young people.

He and I have had some disagreements on philosophical issues. That is the nature of this Chamber, but we have never had any disagreement about his character. He shines like a beacon. He is clearly a caring individual in terms of the representation that he has given to the citizens of Brandon East. I take great pleasure in having sat with him for eight years in this Chamber, and I wish him the very best.

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

Mr. Steve Ashton (Thompson): Mr. Speaker, I have sat with the member for Brandon East since 1981, and I realized today that as someone who has gone through four elections, that you sometimes feel like a veteran when you just even survive the

Manitoba political environment of the last number of years.

When I look at the member for Brandon East who is celebrating 25 years—and how many elections, Len? [interjection] Seven—and who is running again, it is certainly an inspiration in terms of that.

But I do want to say there are two things that always strike me about the member for Brandon East. One is just how hard he works. After 25 years in this Chamber, I think anyone who has gone through that many elections and been re-elected as many times as the member for Brandon East has could probably coast a bit if he wanted, Mr. Speaker. But not only does he not coast, he is an inspiration in terms of his energy for the rest of us.

I would say also that as someone who is a northern MLA, I think I have come to understand the role that certainly the member for Lakeside (Mr. Enns) and the member for Brandon East play, because I think in many ways they become—and I do not mean this in perhaps the way that some others might understand it—the elders of the Chamber, providing the kind of sage advice that elders do in the aboriginal culture.

I must say that I still learn a lot from the member for Brandon East, even after the 12 years, going on 13 years, I have been in the House, from his wealth of experience, his enthusiasm. I really want to pay tribute to him today on behalf, I am sure, of all of our caucus and all members of the Legislature.

The member for Brandon East, to my mind, is what an MLA should be, someone who cares about his constituency, believes passionately in his view of politics and the world, and is still a major contributor to Manitoba political life.

* (1130)

Mr. Speaker: Now, does the honourable member for Brandon East have leave? You bet. [agreed]

Mr. Leonard Evans (Brandon East): For once I am speechless. I want to thank everyone. When I came here this morning, I never gave it another thought. You know, it is another Friday, trying to ask another question, and here all these lovely,

very kind things have been said about me, and I truly am speechless.

I really want to thank everyone for their kind remarks, and to the honourable Minister of Natural Resources, I want to say this. Mr. Speaker, 25 years ago, he gave me some very good advice when I did indeed drop into his office when he was sort of cleaning out his desk. One of the first pieces of advice he gave me was that it is important to have a good secretary, and he says, I know one that has a lot of experience, an excellent secretary, and indeed, I followed his advice. It was good advice. Mrs. Marg Hewitt was his secretary for many years and was mine throughout the entire period that I was in office with the Pawley government. I thank the honourable Minister of Natural Resources for that.

As the member for Thompson (Mr. Ashton) said, I have been re-elected seven times. I just cannot believe that I have been here this number of years. There was never any grand design or grand plan on my part to be serving the public for a quarter of a century.

As a matter of fact, I was doing very nicely at Brandon University, and my family was very happy with me there. It was a more subtle life. We did not have to spend half of our waking hours on the highway between here and Brandon. At any rate, I believe that while there have been sacrifices in terms of family, sacrifices in terms of career—at one time, I thought I was going to get a Ph.D., but that went out the window once I was elected.

I would say this. I just want to make this one point, and that is public service, being elected to office today, is very much maligned, regrettably, but I believe that public service, at whatever level of government, is among the highest callings that any of us can have.

We all get a lot of unfair criticism in my judgment, particularly today. Very few bouquets are thrown. They are usually bricks being thrown at us by members of the public and so on, but it indeed is a high calling. Whether people like it or not, they have to elect public representatives to do their best, and I believe—and I was saying this just

yesterday to a colleague here, that Manitoba has been well served over the years by various parties, by various people, by various governments, governments of integrity, governments that have done their best. We may have differences of policies, but I am convinced everyone who comes here is doing his or her best to serve his or her constituents and the people of Manitoba.

While I do regret the confrontation and so on, I think basically I appreciate—and this has gone on even this morning, but basically I think we can be kind to one another, especially outside of the Chamber, although I think we should be a little more kind inside, as well.

It has been great to hear these very nice remarks. I look forward to being with some of you in the years ahead, for a little while anyway.

Just one last point, this is far better than condolences. At least, I am here to hear it. The public are always complaining about paying out pensions. Who knows, I may die with my boots on, and they will not have to pay out any pension.

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

Constable Todd Baylis

Madam Deputy Speaker: Does the honourable member for The Maples have leave to make a nonpolitical statement? [agreed]

Mr. Gary Kowalski (The Maples): Madam Deputy Speaker, I rise to ask all members of this House to join with me in sending our condolences to the family and friends and colleagues of Constable Todd Baylis of the Toronto police department.

Funeral services were held for Constable Baylis on Wednesday, June 22. This is the first opportunity that I have had to speak about the ultimate sacrifice of this young officer made in service to his community. Although this officer hails from another province, all of Canadian society should take note of this tragic event, for who can look into the faces of men and women who fill the task of law enforcement officers in

Manitoba and not think that for the grace of God, it could have been one of them.

As a member of the board of directors of the Winnipeg Police Association, I attended a number of funerals of fallen colleagues across the country. These ceremonies, as sad as they are, have benefits.

Attendance at Constable Baylis's funeral by over 6,000 police officers from around the world helps his family remember that they are part of a fraternity of police officers and their families, and some comfort may be found in that.

The respect and recognition from the community he served, the media, politicians and so on, show that his sacrifice is noted and will be remembered. It is important for civilians to remember that every day thousands of men and women put their lives on the line to maintain order and provide Canadians with a sense of security.

The gathering together of police officers helps those who carry on the difficult and sometimes thankless occupation that we have chosen, to carry on knowing that in spite of the high standard that is set, the criticism from the media and others, we still have the support of the fraternity of law enforcement officers around the world and the support of the citizens of our community.

As politicians, we pass laws that we expect the police to enforce. If the laws are imperfect or ineffective, it is often the police who receive the brunt of the criticism or ill effects of these laws.

Let us be reminded by this tragic death to be ever mindful of the legislation we pass and to ensure that we provide officers like Constable Todd Baylis with the laws that are required to fulfil their duties. Constable Mike Leone was Constable Baylis's partner on the night of his death, but as Constable Andrew Clarke of the Toronto police force stated: "Todd was a partner to every one of us."

I would add that I believe Constable Baylis was a partner to every law enforcement officer in Canada and gave his life, not just serving the community of Toronto but serving and protecting

all Canadians. We all appreciate his sacrifice and mourn his loss.

Again, I ask all members to join with me in sending our condolences to the family and friends and colleagues of Constable Baylis of the Toronto police department to show that all of Canada mourns his loss. Thank you.

Madam Deputy Speaker: Is there leave to have the honourable Minister of Justice make a nonpolitical statement? [agreed]

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): I would like to express on behalf of the government of Manitoba the condolences and our very personal condolences to the family of Constable Todd Baylis of the Metropolitan Toronto police.

As the member knows, I, too, have a very personal connection as the daughter of a now retired Metro Toronto police officer, and have experienced, as the member says, the feelings of many family members when that officer went out to work. There was always the question of would that person return.

I must commend those individuals who have chosen the career of police officer. It is one in which I believe they should take great pride, great pride in the badge they wear, great pride in the service that they offer their community. I also say to their families, we share that pride.

I know the family of Constable Baylis today is saddened beyond words by the sacrifice of that individual. However, I would like to extend condolences and also say that this is a most worthy career and to say to police officers across Canada that Canadian people do understand their efforts and also the risks that they take on a daily basis. Our condolences also to the family of Constable Todd Baylis, metro Toronto police.

Madam Deputy Speaker: Does the honourable Leader of the official opposition have leave to make a nonpolitical statement? [agreed]

Mr. Gary Doer (Leader of the Opposition): I want to join today with the Minister of Justice (Mrs. Vodrey) and the member for The Maples (Mr. Kowalski) in paying tribute to the life of

Constable Baylis and offering condolences to the family and friends.

Madam Deputy Speaker, as the member for The Maples has so articulately pointed out, the police officers in Canada are on the front lines of dealing with tremendous difficulties in enforcing our laws and keeping safety on our streets and in our communities. Often, and unfortunately, their own safety is at risk to protect the safety of all of us in our communities.

It is indeed a tragedy when a peace officer or police officer loses their life in the fulfillment of their duty in providing safety for all of us. It is a special tragedy with the recent shooting and death because of circumstances that appear could have prevented the loss of life for Constable Baylis.

I know in Manitoba this is an opportunity to remember other peace officers and police officers who have been killed in their line of duty of protecting us. I believe the last officer in Manitoba was Bill Thomas, a special constable from Peguis. There have been others before. In the early '70s there were a couple of very major confrontations and death of peace officers. I believe Constable Houston was the name of one and I believe it was Shakespeare was the other. I am just going by memory.

* (1140)

I know also in rural Manitoba, at Oak Lake, a very serious situation where again members of the Royal Canadian Mounted Police lost life in pursuit of people that again presented risk to the public safety. It is very important that we look at all aspects of our crime prevention and crime role in our communities. We are all responsible for preventing crime. We are all responsible for keeping our communities safe, and we are responsible to ensure that our peace officers and police officers in the fulfillment of their duties have the safest possible conditions to ensure their safety as well in a very unsafe job and occupation.

I want to take this opportunity to pay tribute to the numbers of police officers in Manitoba who every day protect us, whether it is the City of Winnipeg police, the rural police departments—I

believe there are three or four in Brandon and in southern Manitoba, Morden, I believe, and Winkler—I am just going again by memory—and in the RCMP and in special police forces that serve many of our First Nation communities across Manitoba. It is an opportunity for us today to say thank you and an opportunity today to pay our tribute and condolences to the Baylis family. Thank you very much.

Eva Polak—Award

Madam Deputy Speaker: Does the member for Osborne have leave to make a nonpolitical statement? [agreed]

Ms. Norma McCormick (Osborne): Madam Deputy Speaker, last evening I had the privilege and pleasure to present Eva Polak with a Member of the Legislative Assembly award.

The criteria established for this award seeks to recognize a young woman who has shown commitment to scholarship and community service and who has made a contribution to the betterment of our community.

Eva Polak fulfills each of these criteria. She has shown herself to be a strong student and has also worked hard for causes of environmental protection through organizations such as Greenpeace and the Fort Whyte Centre. Indeed, she will be volunteering her time this summer to an environmental awareness program for children at Fort Whyte Centre.

Madam Deputy Speaker, Eva Polak exemplifies the best qualities to be found in today's young people who deserve our praise and admiration. Eva is the daughter of Anna and Jiri Polak. She intends to continue her education at the University of Winnipeg this fall.

I wish to congratulate Eva Polak and her classmates at Churchill High School and indeed all students who will be graduating this month. I wish them every success as they take on the challenges of employment, of further education, of citizenship and community service. Thank you.

ORDERS OF THE DAY

House Business

Hon. Jim Ernst (Government House Leader): Madam Deputy Speaker, I would like to announce the Standing Committee on Private Bills which will meet on Tuesday, June 28, at seven o'clock to consider Bills 206, 300, 301 and 302.

I wonder if you would canvass the House to see if there is leave to introduce for second reading today Bill 28, The Off-Road Vehicles Amendment Act.

Madam Deputy Speaker: Is there leave to introduce Bill 28?

An Honourable Member: Leave.

Madam Deputy Speaker: Leave has been granted.

SECOND READINGS

Bill 28—The Off-Road Vehicles Amendment Act

Hon. Glen Findlay (Minister of Highways and Transportation): Madam Deputy Speaker, I move, seconded by the Minister of Rural Development (Mr. Derkach), that Bill 28, The Off-Road Vehicles Amendment Act (Loi modifiant la Loi sur les véhicules à caractère non routier), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Findlay: Madam Deputy Speaker, I would like to thank members of the House for leave for both first reading and second reading for this bill.

I am pleased to tell my colleagues today the amendments my department are bringing forward with regard to The Off-Road Vehicles Act. These amendments relate to the implementation of an annual registration and insurance cycle for off-road vehicles.

As you may be aware, the registration term for these vehicles is currently three years rather than the one-year term required for motor vehicles. Additionally, the vehicle registration and vehicle insurance systems are not integrated. Vehicle

insurance is obtained separately by the owner of the off-road vehicle.

In recent years, there have been calls for changes to the existing system. The primary concern has been that there is no reliable means of ensuring that the vehicle registrants maintain the required liability insurance throughout the three-year term of registration. What really happens is that they buy the licence for three years and they buy the liability insurance for one year, and then they are supposed to voluntarily buy the liability insurance for the second and third year of the licence, and many brokers have been indicating that the people are not religiously doing that to anywhere near the appropriate extent.

In response to these concerns, my department, in co-operation with Manitoba Public Insurance, is prepared to implement an Autopac style annual registration and insurance system for off-road vehicles. Under this scheme Manitoba Public Insurance will be the sole provider of basic compulsory liability insurance to be purchased at the time of the off-road vehicle registration. Public liability and property damage coverage will be limited to \$200,000. Should a vehicle owner wish to purchase additional coverage, private insurers as well as Manitoba Public Insurance will be able to provide extension insurance.

I would like to point out that off-road vehicle dealers are presently and will remain exempt from this integrated registration and insurance system. The current system for dealers will continue whereby a dealer will purchase liability coverage for his vehicles as part of their business insurance. This coverage can be purchased through either a private insurer or through Manitoba Public Insurance. When a dealer applies for off-road vehicle dealer plates and registrations they will be required to sign a declaration attesting to having obtained the required liability insurance coverage.

Initiatives such as these are indicative of my department's continued commitment to ensure the most safe and efficient transportation network in Manitoba.

Mr. Daryl Reid (Transcona): Madam Deputy Speaker, I am pleased to rise to add a few comments on this piece of legislation.

First I would like to start off by thanking the minister once again and his department for providing the spreadsheet that his department does on every occasion that he brings forward a piece of legislation. It is quite helpful to members on this side to understand the legislation itself, and it gives us some insight on the intent of what the bill was supposed to do.

The minister has taken some time in the last couple of days and explained to us the reasons for bringing in Bill 28, The Off-Road Vehicles Amendment Act, and the minister has expressed here again today that this bill was to correct a problem that has been encountered by way of off-road vehicles that have been registered for a three-year period as is the current practice, but that the insurance is only taken out for the one year, and it is subsequently that there has not been a renewal of some of the insurance policies, which leave not only the operators of the off-road vehicles at risk but other Manitobans who may have the unfortunate circumstances of having some involvement or be involved in an accident relating to not only operators of the vehicles but the vehicle itself.

I look back at the recent statistics that have been released by the Manitoba Highways and Transportation Driver and Vehicle Licensing department, Section 9, relating to off-road vehicle accident statistics. There are quite a number of accidents that do take place, Madam Deputy Speaker, relating to off-road vehicles. We have seen by the statistics here it is not only the snowmobiles but ATVs and other off-road vehicles that are involved in the accidents.

There is a fairly high number of accidents that not only involve personal injury but fatalities and property damage. There is extensive cost to the individuals and to other persons of our province that are involved in these accidents. Many of them, I look at the statistics, involve accidents during the months of December, January, and February, so I would expect to assume from those statistics,

where 52 percent of the total off-road vehicle accidents occur, must be snowmobile related, and that is unfortunate. Many of them occur not just, as one would expect, during the daylight hours where the bulk of the accidents occur, between the hours of noon and six o'clock in the evening, but a lot of the accidents occur in the very early morning hours. So there may be other circumstances relating to the causes of the accidents.

Unfortunately many people, and in particular young people in the age group from 25 to 34 have the highest incidence of off-road vehicle accidents. They are the highest accident group. These are young people just starting out their adult lives, and unfortunately for those that are killed it creates devastation to the families involved.

* (1150)

One of the causes I notice, Madam Deputy Speaker, in looking at the statistics, is the largest single cause for these accidents for the off-road vehicles is driving too fast. That is documented by the department as one of the major causes. It is unfortunate that would take place, but I imagine that has to be the responsibility of the individuals that are operating the vehicles to operate them in a safe and responsible manner. I am not sure if there are any education programs that are in place relating to the responsible use of vehicles. That is something that we can talk about when this legislation moves through to committee. I would like to ask some questions relating to that.

I think that this legislation itself is a good move in that it will provide or force individuals where they do not currently extend their insurance on the off-road vehicles to force them to carry at least the basic personal liability and property damage coverage in the amount of \$200,000, as the minister has already indicated. So I think that it is a responsible piece of legislation. It is a piece of legislation that, looking at it here and in principle, I could support, and I look forward to this bill going through to committee where members of the public will have the opportunity to come forward and express any concerns that they might have.

I know I have had some calls on off-road vehicle use and legislation in the past, and members even

of my own community wanted me to take certain steps to give them greater freedom of the use of their vehicles. In good conscience I could not do that, because I feel that it is my responsibility as an elected representative to ensure that all of the public is protected. I think this is one of the steps where we can ensure that the public will receive some assurances of at least a minimum level of protection from that.

(Mr. Jack Penner, Acting Speaker, in the Chair)

Thank you for the opportunity, Mr. Acting Speaker, to add those few comments. I look forward to this bill moving through to committee.

Mrs. Sharon Carstairs (River Heights): Mr. Acting Speaker, I rise to speak on Bill 28 and, like the member for Transcona, would like to see it go into committee as soon as possible. I also thank the minister for the spreadsheets and also for his personal visit in which he expressed the basic objectives of the bill. The basic objectives are clear, that it is absolutely essential that people who are licensed have liability insurance. Since the licensing and the insurance were not working in sync, it is essential to put them into sync. And therefore I think there is nothing more to be said about the particular bill except that it is a positive direction. It will, in fact, ensure that there is liability insurance and that not only the driver of the vehicle is protected but as much and perhaps even more important any individual who innocently finds themselves in the way of that vehicle also finds themselves with some insurance protection.

With those very few words, I recommend that this be passed into committee. Thank you.

The Acting Speaker (Mr. Penner): The question before the House is second reading of Bill 28, is it the pleasure of the House to adopt the motion? Agreed? [agreed]

Bill 22—The Statute Law Amendment Act, 1994

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Mr. Acting Speaker, I move, seconded by the Minister of Finance (Mr. Stefanson), that Bill No. 22, The Statute Law

Amendment Act, 1994; Loi de 1994 modifiant diverses dispositions législatives be now read a second time and referred to a committee of this House.

Motion presented.

Mrs. Vodrey: Mr. Acting Speaker, Bill 22, The Statute Law Amendment Act, 1994 is before us primarily for the purpose of correcting minor errors in statutes. Honourable members will note that most of the sections of the bill correct cross-referencing, typographical and other editing errors in various acts as well as some inconsistencies in the French versions.

There are a few substantive matters included in the bill, Mr. Acting Speaker, which I would like to mention. The Brandon Charter Act is being amended to add a subsection relating to residency requirements for councillors that was inadvertently omitted when the act was re-enacted in 1990. All activity that took place as though the provision were in force during the intervening period is validated. This correction is being proposed at the request of the mayor of the City of Brandon. Errors arising out of the re-enactment process have been corrected in The Statute Law Amendment Act in the past.

The bill contains a minor amendment to The Civil Service Superannuation Act which has the effect of eliminating the prohibition on investment of fund monies in common stocks when 25 percent of the investments are already in common stocks. This leaves in place the requirement that fund monies be invested only in investments that are authorized under The Pension Benefits Act.

As well, Mr. Acting Speaker, changes to The Corporations Act are included here to facilitate changes in business organization of trust and loan corporations by treating them in a manner similar to ordinary bodies corporate in this respect. This bill also includes provisions to change the name of the Credit Union Stabilization Fund to the Credit Union Deposit Guarantee Corporation.

Finally, the bill amends The Marriage Act to ensure that the act reflects a practice which is already required, that is, that both parties applying

for marriage licence must be present when the application is made.

Mr. Acting Speaker, as I have indicated, the other parts of Bill 22 deal for the most part with minor errors identified by Legislative Counsel office in the course of the year. I will be pleased to discuss this bill further at the committee stage. Thank you.

Mr. Leonard Evans (Brandon East): Mr. Acting Speaker, I just want to add one or two brief comments to the debate.

I want to thank the minister for bringing in this particular statute law amendment with particular reference to The Brandon Charter Act.

As she explained, there has been a request from the City of Brandon for this particular amendment. It was caused by some oversight from previous legislation changes, as I understand, and it is very important that this particular clause be in this bill. I am very pleased that she has been able to put it in the bill, and I trust that it would get the support of everyone in the Legislature. Thank you.

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

Motion agreed to.

Bill 25—The Statute Law Amendment (Taxation) Act, 1994

Hon. Eric Stefanson (Minister of Finance): Mr. Acting Speaker, I move, seconded by the Minister of Justice (Mrs. Vodrey), that Bill 25, The Statute Law Amendment (Taxation) Act, 1994 (Loi de 1994 modifiant diverses dispositions législatives en matière de fiscalité), be read a second time and be referred to a committee of this House.

Motion presented.

* (1200)

Mr. Stefanson: Mr. Acting Speaker, in this government's seventh and my first Budget Address, I announced our government's planned fiscal measures for the year: the reduction or temporary elimination of taxes for important sectors of Manitoba's economy, and the levelling

of the tax playing field for two large Crown corporations.

The Statute Law Amendment (Taxation) Act provides legislative authority for those changes as well as for minor technical and housekeeping amendments.

Today I will briefly describe the contents of Bill 25, and I will invite all members to express their position on its content during the subsequent debates. As my predecessors have done in the past, I will provide opposition critics with detailed explanations of the provisions of this bill prior to the committee stage.

Mr. Acting Speaker, the measures contained in this bill are contributing to the creation and maintenance of jobs in Manitoba. In sales tax and rebate for first-time buyers of new homes, Bill 25 amends The Retail Sales Tax Act to provide first-time buyers of a new house with a rebate of up to \$2,500, representing the average provincial sales tax amount paid on materials used in construction of an average new bungalow. Several hundred Manitobans will benefit by the rebates, and many others will be employed in building qualifying homes.

Members may have noticed that Manitobans are again finding employment in construction in this province thanks, in part, to this innovative program.

Mr. Acting Speaker, we recognize the importance of the manufacturing sector and its need to modernize continuously in order to remain competitive. The manufacturing investment tax credit under The Income Tax Act will be extended for another year. Qualified property acquired before July 1, 1995, will be eligible for the 10 percent credit.

Technical changes to the definitions of qualified property in the manufacturing tax credit provisions and to eligible expenditures for the research and development tax credit will eliminate possible duplicate claims for benefits. Concurrently, the research and development tax credit will be made available to research performers where they are hired under contract to perform otherwise eligible

research for another company which cannot make use of the Manitoba credit.

Direct agents—another sales tax change will afford businesses in the manufacturing sector a cost decrease due to the introduction of an exemption. Direct agents, items which are consumed in the production process, will be sales tax-exempt for all manufacturers, not only for those who used the agents up within a short period of time.

Electricity used in manufacturing and mining—action is also being taken to help take full advantage of Manitoba's renewable hydro energy advantage in creating jobs and more economic development in Manitoba. The Revenue Act will be amended to reduce the tax rate on electricity used in manufacturing to 3.5 percent from 7 percent for the period June 1, 1994, until March 31, '95, and to completely eliminate that tax after April 1, 1995. These reductions will apply to 80 percent of electricity billed, which is the portion deemed to be used exclusively in manufacturing. The 7 percent tax rate will continue on 20 percent of the balance of electricity usage, which is the deemed portion required for heating, lighting and other purposes. Manufacturers in mining operations will benefit from this sales tax reduction on electricity usage.

Small business—additional changes in The Income Tax Act will lower the small business tax rate from 10 percent to 9.5 percent for 1994 and to 9 percent for 1995 and subsequent years. For businesses with fiscal years straddling two calendar years, a prorated deduction will be enacted.

The Income Tax Act—Bill 25 also contains amendments to the Manitoba tax reduction and the cost-of-living tax credit programs in accordance with the announcement I made last December. For parents, the Manitoba tax reduction in respect to dependent children must be claimed by the spouse with the higher provincial net tax liability. In previous years, federal rules governing reporting of family allowances generally imposed this same restriction. The cost-of-living tax credit is no longer available to persons under age 18 unless

they are married, the parent of a child or eligible in their own right for a property tax credit. This prevents 16- or 17-year-old dependent children of parents whose income was so high that they could not benefit from the Manitoba tax reduction from requesting a refund in their own right.

Additionally, as announced in the Budget Address, duplicate claims for the same dependent will not be allowed either under the Manitoba tax reduction or the cost-of-living tax credit. Inmates of jail or prison, at the end of the year and who have been there for six months or more, are not eligible for the cost-of-living credit effective for 1994. No other taxpayer may claim a tax credit benefit on their behalf.

Manitoba tax reduction benefits will also be restricted for non-residents for taxation years after 1993. Up to this time, individual taxpayers resident in other provinces who earned income in Manitoba during the year were eligible for the full tax reduction, like Manitobans, even though they were taxed in Manitoba on only a portion of their income. Consequently, many had most or all of their Manitoba income tax eliminated. From 1994, the reduction will be prorated on the basis of the proportion that their income earned in Manitoba is of their total income.

Corporation capital tax—the corporation capital tax exemption will be doubled from \$1 million to \$2 million of paid-up capital. Over 600 small businesses will benefit. Manitoba Telephone System and Manitoba Hydro will be subjected to corporation capital tax effective for taxation years ending after April 20, 1994. This will put these utilities on a level playing field with their competitors, which have always been liable for this tax, and move Manitoba's practices more in line with other provinces which levy a capital tax. The definition of paid-up capital will be amended to include unsecured debt of a corporation, excluding current accounts payable.

The railway diesel fuel tax—Bill 25 provides the authority for the reduction in the railway diesel fuel tax. The motive fuel tax is reduced from 9.45 cents to 7.45 cents a litre retroactive to May 1, 1994, and to 6.3 cents a litre effective January 1,

1995. At the new rate, Manitoba's railway locomotive fuel tax will be more competitive but will still be the third highest among the provinces.

Mining tax—Mr. Acting Speaker, mining is a very important sector of our economy, particularly in northern Manitoba. Bill 25 provides incentives for the development of new mining facilities in the province. Effective for the period April 21, 1994, to December 31, 2003, a credit equal to 7 percent of investments in new mines and processing facilities in Manitoba will be provided. Credit will be deductible against a maximum of 30 percent of the mining taxes otherwise payable by the corporation for a year. Furthermore, the processing allowance of 10 percent of capital cost of processing assets is doubled to 20 percent for assets acquired for new mines or major expansions after April 21, 1994.

In recognition of the progress in resolving interprovincial allocation of corporate taxable income, the special refundable tax on mining profits will be reduced from 1.5 percent to 0.5 percent of profits for taxation years ending after April 20, 1994.

The International Fuel Tax Agreement, Bill 25, also contains technical changes to The Gasoline Tax Act and The Motive Fuel Tax Act to permit the province to enter into agreements with other jurisdictions for the enforcement and administration of fuel tax provisions. This will reduce the administrative burden and double taxation currently facing Manitoba truckers operating internationally as they become members of the International Fuel Tax Agreement.

Tobacco tax—the Tobacco Tax Act will be amended to strengthen the collection and enforcement provisions as well as to facilitate joint enforcement agreements with other provinces.

Tire tax—finally, Mr. Acting Speaker, Bill 25 amends a provision, repealing the tire tax under The Retail Sales Tax Act contained in last year's Statute Law Amendment (Taxation) Act. The sections will be repealed on a date fixed by proclamation when The WRAP Act amendments take effect.

In conclusion, Mr. Acting Speaker, I look forward to the debate on these important measures and to hearing the position of the opposition parties on these important measures to improve Manitoba's competitive position and to create more jobs in our province. Thank you.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Brandon East (Mr. Leonard Evans), that debate be adjourned.

Motion agreed to.

Bill 27—The Highway Traffic Amendment Act

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Mr. Acting Speaker, I move, seconded by the Minister of Highways and Transportation (Mr. Findlay) that Bill 27, The Highway Traffic Amendment Act; Loi modifiant le Code de la route, be now read a second time and be referred to a committee of this House.

Motion presented.

Mrs. Vodrey: Mr. Acting Speaker, I am pleased to move to second reading of The Highway Traffic Amendment Act, Bill 27, which amends the provisions of The Highway Traffic Act dealing with automatic suspension of drivers' licences and driving privileges for those persons convicted of certain Criminal Code offences.

Mr. Acting Speaker, The Highway Traffic Act presently lists certain Criminal Code offences such as drinking and driving offences and stipulates that a conviction for these offences results in a person's automatic licence suspension by the Registrar of Motor Vehicles. This bill would expand the existing list of criminal offences by providing for an automatic licence suspension for any person who has been convicted of those offences in the Criminal Code that relate to auto theft or auto vandalism. The specific offence sections relating to auto theft or auto vandalism are specified in the bill.

Based on current statistics, it is projected that for 1994 there will be 7,200 auto thefts within the city of Winnipeg alone. This represents a threefold increase in the number of automobiles stolen in Winnipeg since 1992. The rampant rise of auto

theft and acts of auto vandalism not only results in accumulated damage and destruction to our citizens' automobiles, auto thefts and auto vandalism can cause grave risk to highway safety, resulting in personal injury and even death, because these acts are so often combined with what is euphemistically known as joy riding.

In the city of Winnipeg alone, four lives have been lost and dozens of people have been injured as a result of these so-called property crimes. Many of those injured have been police officers.

A person who has been convicted of auto theft or auto vandalism, Mr. Acting Speaker, clearly constitutes a risk to our highway safety. Over 25 years ago, Mr. Justice McCrewar (phonetic), in his capacity as chair of the Royal Commission Inquiry into Civil Rights, stated, and I quote: A motor vehicle is a dangerous machine. If it is not carefully used, it is a lethal one. It is a convenience vehicle for the commission of crimes of all sorts. Those who take motor vehicles on the highway have no civil right to do so. They may do so only if they hold a licence for that purpose. That requirement is no invasion of civil rights. End of quote.

* (1210)

Mr. Acting Speaker, in addition to expanding the list of crimes that would give rise to the automatic licence suspension, the bill would double the licence suspension period for first-time offenders from six months to one year. This lengthening of the licence suspension would result in Manitoba's legislation being more in line with the suspension periods imposed by a majority of other provinces for first-time offenders. For subsequent offences, the suspension period would remain at five years.

Finally, the bill would ensure that where a young offender under 16 years of age is convicted of one of the relevant Criminal Code offences, the suspension would not take effect until that offender's 16th birthday, when he or she would otherwise become eligible to drive. Young offenders currently receive their licence suspension from the province on the date of their conviction. This is a weakness in the current

legislation, because a minor under 16 years is already ineligible to drive due to age.

The bill would continue to allow a person the right to appeal their suspension to the Licence Suspension Appeal Board unless that person has committed three or more such offences within a five-year period. Mr. Acting Speaker, I will be pleased to go into greater detail on all of these amendments at the committee level. Thank you.

Mr. Daryl Reid (Transcona): Mr. Acting Speaker, I move, seconded by the member for St. Johns (Mr. Mackintosh), that debate be adjourned.

Motion agreed to.

Hon. Jim Ernst (Government House Leader): Would you call please, Mr. Acting Speaker, Bills 16, 17 and 20.

DEBATE ON SECOND READINGS

Bill 16—The Provincial Court Amendment Act

The Acting Speaker (Mr. Penner): On the proposed motion of the honourable Minister of Housing and Urban Affairs (Mrs. McIntosh), Bill 16, The Provincial Court Amendment Act (Loi modifiant la Loi sur la Cour provinciale).

Mr. Gary Kowalski (The Maples): Mr. Acting Speaker, it is a pleasure to rise and speak to the bill. We support this bill in principle and are prepared to send this bill to committee to hear further submissions and discussion on the bill.

The bill, for the most part, follows the recommendations put forward by the Law Reform Commission in 1989. It is a shame that those recommendations had not been acted upon before the controversy regarding Judge Bruce McDonald was acted upon. The measure of the value of this bill is whether or not it maintains, or some might say restores, the public confidence in the role of Provincial Court judges.

The most important change in how complaints are handled is the separation of the investigative aspects from the prosecutorial aspects. There is no question that this is a positive step. An area of concern for me is that the first point of contact for a complaint against a Provincial Court judge is the

chief judge. This, along with the fact that upon receipt of a complaint, the chief judge can decline the complaint if the chief judge is of the opinion that there is no basis for the complaint or that a more appropriate avenue should be pursued by the complainant.

Some Manitobans, who may be less assertive than others, may be hesitant about taking a complaint about a judge to another judge—the chief judge—and if the judge declines their complaint, even though there is an appeal process, will there be some that will be intimidated from second-guessing the chief judge? In those instances where the chief judge declines a complaint, will the complainant admit if they do not understand their right to appeal?

Also there are 30 days from the complaint to appeal the decision of the chief judge. This makes the role for the administrator crucial to assure the complainants are aware and understand their rights and gives assistance in preparing both the complaint and appeal when required.

Section 28(4) of the bill is very important. I wonder if the assistance to complainants can be given upon request should have stated that assistance shall be given unless the complainant declines. This would put the onus on the administrator not just to pay lip service to this provision of the act.

We are also concerned about the cost of bringing out-of-province judges here to be on the Judicial Council. The benefit of having these unbiased Provincial Court judges from another jurisdiction has to be weighed against the cost.

We also have a concern about the Definitions section, Section 27, Complaints about Judicial Conduct, in that it defines misconduct as conduct unbecoming a judge, neglect of duty by a judge, and inability or incapacity of a judge to perform his or her duties.

While it is necessary to have a method to remove these judges who are incapacitated, is it fair to classify these judges' inabilities or incapacities as misconduct? Perhaps we could develop wording that does not equate illness to wrongdoing. We

would, for example, create a different section to carry some of the concerns of Section 27, a new section.

The other concern we have is about ID of complainants. Section 31(4) talks about that. Our concern is that it says that upon the permission of the complainant, information can be released. Well, what happens if the complainant is not the victim in a sexual matter? If it is a minority child, a child of a minority age, will the parent then be able to say, go ahead and make this information public? So I am a little bit concerned about that section.

I think one of the important elements to making this legislation work will be public education, that all the public are aware of their rights of appeal and rights of process under this. So I think it will be very important.

The range of dispositions I think is a positive step in that it allows different dispositions depending on the seriousness of the offence.

We also wonder if the appointment of the nonlawyers to the inquiry board and Judicial Council could have been by a process similar to that which is used to select judges. The purpose for this would be to maintain judicial independence from cabinet in the disciplining of judges, as is now done for the appointment of judges. If this was done, then the make-up of this council could be changed to include more nonlawyers perhaps.

We would have preferred some retroactivity in these amendments, but we do support sending this legislation to committee so that we may hear from other interested persons and further discussion. Thank you.

The Acting Speaker (Mr. Penner): I had indicated that the motion was a motion by the Minister of Urban Affairs (Mrs. McIntosh), and it is really a motion standing or proposed by the Minister of Justice (Mrs. Vodrey). I want to make that correction. It had remained standing in the name of the member for St. Johns (Mr. Mackintosh). I am wondering if the member for St. Johns would want to put a few comments on the record.

* (1220)

Mr. Gord Mackintosh (St. Johns): Mr. Acting Speaker, I understand that the member had an obligation he had to attend to and so he spoke before me.

The significance of these amendments cannot be understated. This bill goes to the very heart of our democratic institutions and specifically that of the judiciary. As a result, it is incumbent on all of us in this Chamber, and Manitobans, to pay particular attention to the changes that are proposed, because the changes proposed mark quite a departure from how judges' conduct has been reviewed in the past, but more importantly, Mr. Acting Speaker, I think the proposed changes mark a difference in how Manitobans view how judges should be accountable and who they should be accountable to.

At the outset, I would like to say that we have some regret that legislation did not deal with the method of appointment of judges and their continuing education. But given the restricted nature of Bill 16, I will confine my comments to what is in there and what changes we would like to see.

There are some good aspects to Bill 16, particularly the separated functions of the investigation and prosecution from the adjudication.

This follows a change that has been recognized as needed and has been implemented for other self-governing professions, although I want to make sure that my comments do not intimate that I see the judiciary as a self-governing profession—not in any way. So that separation of functions is very important and I think will lead to a better scrutiny of allegations of misconduct.

There are other sections in the bill that respond to recognized problems and respond I think in a fairly responsive way to difficulties encountered during the discipline process of Judge McDonald. Of course, the foundation of most of the recommendations is the Law Reform Commission report.

We do have some concerns that we will pursue in committee on relatively minor items. I have

some concerns about what happens in the event of dissatisfaction by a complainant with the investigative body decision. Perhaps the minister can comment on that issue.

We have other concerns such as whether it is appropriate that members of the public bring their complaints to the chief judge. I think that there will be an intimidation factor there. I do not think that is an accessible way of launching complaints and dealing with what is perceived to be a very distant and intimidating body in our society.

I would also like to see the role of the administrator of the court enhanced. I had some concerns emanating from the McDonald matter about the accessibility of complainants when the complaints must be in writing, but I have considered that very carefully and I think the best way to deal with that is to ensure that there is assistance offered to possible complainants to ensure that they can express themselves and that they feel comfortable in coming forward. So I would like to see that enhanced as well.

We also have some other concerns about the composition of the Judicial Council in the event that out-of-province judges cannot be obtained, and some other points that we will raise.

Now I want to get to the main part of our presentation. Essentially, Bill 16 is a betrayal. Over the course of two Justice ministers, there have been promises that the Judicial Council would be made more accountable to the public. I think Manitobans—and certainly I expected to see amendments brought into this House that would enhance the role of the public in reviewing allegations of misconduct against judges—expected to see enhanced independence of the judiciary from the cabinet. The government has failed on both counts.

With regard to the Judicial Council, there has not been increased accountability to the public at all. In fact, the representation of judges on the Judicial Council has increased. This bill makes judges more accountable to judges, Mr. Acting Speaker. As well, the number of public representatives has decreased because of a reduced

size, from three to two, and all of the public representatives on the Judicial Council are to be appointed by the cabinet. Well, we think there is an improvement that out-of-province Provincial Court judges will be on the Judicial Council.

We continue to question the continuing role for a lawyer on the Judicial Council, but we mainly have concern about the reduced public accountability under this bill, and this is unacceptable.

It is a perpetuation of the old boy's stuff that Manitobans are fed up with, and it is a betrayal, particularly to Manitoba women and aboriginal peoples, who have looked at the conduct and allegations of misconduct on the bench and have expressed concerns about how that is reviewed.

So the fact that the accountability of judges to themselves is enhanced and that the cabinet power is perpetuated, it is our position, Mr. Acting Speaker, that this bill should not be passed by this Legislature in its current form. It is unacceptable, and if the government has been trying hard to bring in noncontroversial legislation, and it has done so, that has come to an end with this bill. We will be vigorously seeking changes to address our concerns in committee.

So it is our position that the bill should go to committee, hear from the public, and then we will deal with the amendments. Thank you, Mr. Acting Speaker.

The Acting Speaker (Mr. Penner): Is the House ready for the question? The question before the House is second reading of Bill 16 (The Provincial Court Amendment Act; Loi modifiant la Loi sur la Cour provinciale). Agreed? [agreed]

Hon. Jim Ernst (Government House Leader): I think, Mr. Acting Speaker, that there is leave to ignore the clock until we deal with Bill 17.

The Acting Speaker (Mr. Penner): Is there consent to ignore the clock? Agreed? [agreed]

Bill 17—The City of Winnipeg Amendment and Consequential Amendments Act

The Acting Speaker (Mr. Penner): On the proposed motion of the honourable Minister of

Urban Affairs (Mrs. McIntosh), Bill 17, The City of Winnipeg Amendment and Consequential Amendments Act (Loi modifiant la Loi sur la Ville de Winnipeg et apportant des modifications corrélatives), standing in the name of the honourable member for Burrows (Mr. Martindale).

Is there leave for the matter to remain standing in the name of the honourable member for Burrows?

An Honourable Member: No.

The Acting Speaker (Mr. Penner): No. Leave has been denied.

* (1230)

Mr. Harry Schellenberg (Rossmere): I would like to make some comments on Bill 17.

I thank the minister for the spreadsheet which explains the changes. That was very much appreciated. This is basically a housekeeping bill, but what is needed is a total overhaul of the Winnipeg act. We support many of these amendments. We support some of the changes such as the tax credit for home renovations. This will create work on jobs and of course assist in revitalization of areas such as the inner city. Also, provisions which would allow council to use electoral lists on computers and sale of list on computers for a fee are a welcome addition.

We generally agree with this trend, where the voters list is computerized. The expansion of advance voting is also a positive amendment. The section which enables council to use automated voting is welcome. Alberta and Ontario legislation already permits automated voting. The section which permits the city to maintain the assessment and tax rolls electronically is also a welcome amendment, which modernizes and brings into line with the technological age of the 1990s.

We have, however, some problems with some of the amendments. We have a problem with the section increasing the period for the mayoral candidates. One question that I have been asked is, why not treat the candidates for mayor the same as city councillors? I realize that the mayor, people running for mayor have a large area to canvass and

need more funds to run, but this bothers many people. This issue needs a broader public debate.

Another issue that needs real public debate is tax credits for grants for conservation work of heritage buildings such as the Union Tower at Main and William, which was built in 1903. This issue of preserving heritage buildings is missing in this act. Heritage Winnipeg is one organization that wants changes in tax credit for grants to encourage the conservation of heritage buildings. City Council has written to the Minister of Urban Affairs (Mrs. McIntosh), but I am told council has been ignored by the minister. This whole area needs discussion, consultation between the various levels of government.

City Council has adopted a policy which would provide a tax credit up to 50 percent of the total cost for eligible conservation work for heritage buildings. This credit would be applied over a 10-year period against city business, amusement and realty taxes. City Council has also adopted a cost-share grant on a 50-50 basis for eligible exterior/interior conservation work for a designated heritage structure.

The pros and cons of these policies adopted by the City Council should be discussed in an open debate, and I have raised these issues so that they are on the record.

Many people have contacted me on this matter. I am very certain that the Minister of Urban Affairs has received a letter and other information concerning tax credits and grants on conserving heritage buildings. Apparently, the information is on the minister's desk.

This bill also leaves out much regarding electoral reform. There is no ban on large sums of donations from vested interest groups. The people with the most economic power will probably elect a mayor and the majority on City Council.

There is also no independent body such as the Ombudsman to investigate by-law infractions during city elections.

Conflict of interest for The City of Winnipeg Act is also inadequate. The whole area of electoral

reform is lacking. More work is certainly needed in this area.

The inner city with its many problems is also ignored. Giving the inner city a voice on licensing of rooming houses, massage parlours, zoning, escort services, group homes, is lacking. The local community does not have any power on these issues. These issues are dealt with by another board at City Hall who are not accountable to the people of the inner city. I am told Bill 35 and Bill 78, actually gutted local government.

These are some of the concerns of people who have contacted me. The whole act needs an overhaul, not just a cosmetic change for provincial elections.

There is another issue that perturbs people and myself a little bit and that is concerning private property. People get very excited when government officials or city bureaucrats have the right to enter private property and there are a few instances. I would like to make some comments on private property. Residents or private owners get very disturbed when officials enter their private domain. For instance, the right to trim trees that are overhanging a street is now a new amendment which allows City Council to require property owners, agents and occupiers to cut their unkempt grass. Well, who judges this? Who is the judge here? People are very touchy about this issue. They think it is a bureaucrat pushing it around. It sounds good on paper, but we must be very cautious of how we implement this or how we carry this out.

I have had experiences, for instance, on Henderson Highway. I can recall an incident on Henderson Highway where a resident had some evergreens extending over the sidewalk. Now let me tell you there was trouble. I got first involved in it. The family that lived there for 18 years, there would be no problem but suddenly a city bulletin came out and stated that he was to cut his shrubs. Well, let me tell you, there was tension and the city officials certainly felt it. We can put things on paper but how to carry it out.

In general, I appreciate many of the amendments. Many of them are progressive, but as

far as I am concerned the amendments did not go far enough. Thank you, Mr. Acting Speaker.

Ms. Avis Gray (Crescentwood): I am pleased to rise and put a few comments on the record in regard to Bill 17. Although one could go on for hours about the concerns and the problems of The City of Winnipeg Act, I am going to confine my remarks to the particular amendments of The City of Winnipeg Act. Let me say that again as my colleague the MLA for Rossmere (Mr. Schellenberg) said, we are pleased that the Minister of Urban Affairs (Mrs. McIntosh) gave us the opportunity to review the bill with her staff and go through it. That was indeed very helpful and we appreciate that.

Obviously the amendments in this bill really deal with three areas, civic election procedures, property tax credits for home renovations and the collection of taxes.

First of all, we know that it was the City Council who were concerned and asked for changes in respect to civic elections and there was an ad hoc committee that was established and there were public meetings that were held. What has occurred as a result of that is that, in this particular bill, there is a suggestion that mayoralty candidates should require a minimum of 250 signatures in order to file their nomination papers. I certainly do not have difficulty with that. I think when we look at other levels of government in terms of requirements there are a fair number of signatures that are required, and I do not see difficulty with that.

I think, however, that this does not necessarily mean there are going to be fewer candidates that may run in any particular election, but certainly if someone is interested in running as mayor and can get 250 signatures I would suggest that is reasonable. This is not the same for those individuals who want to run for councillors and I wonder why we could not re-examine that issue of how many signatures are required to run as a city councillor.

I look forward at the committee stage to hearing from not only potential candidates, existing councillors, past councillors, but other community groups and organizations to see what their opinion

is in regard to these changes with the civic election procedures.

* (1240)

There are other provisions which we see as improvements in terms of looking at more advanced polling in places. There are some other changes with respect to the timing and closing of nominations, and we will, again, want to hear from the public with respect to those.

One of the issues that was not dealt with, and again it may be a controversial issue, but I am hoping that it will come up at the committee stage in terms of discussion, is the ability for candidates in the civic election, when they receive funds for the election, to have that as a tax credit for the individual who is contributing. I know a number of the city councillors have wanted to see that in this particular legislation. We have not seen it, and I think it is something that should be considered at the municipal level, so I look forward to, again, hearing at the committee stage the reasons why we should look at this or why we should not.

The other amendments in this particular piece of legislation are an amendment that would allow the City Council to pass by-laws that would permit them to offer tax credits for home renovations, and I think on paper the concept of this is a good one, Mr. Acting Speaker. I know in my own constituency of Crescentwood oftentimes I have had people who are living in the older neighbourhood who have said that right now you are penalized as a home owner to actually upgrade your home, a lot of the older homes in the Jessie, Warsaw, Mulvey area as one example in the city. People want to improve their property values, they want to improve their homes, but they feel that, in fact, if they go ahead and do that they are, of course, penalized immediately because their property tax value increases and their assessment changes. So if the City Council is to look at a by-law which would allow some sort of a tax credit for home renovation, I think that is a positive step, and I would see that homeowners would be supportive of this.

It would be interesting to see how exactly that would be done and the value that they are going to

place on which kind of renovations. That would be up to the city to work out in their by-laws, but I do see this as a positive step for the city to be able to do that.

The other concern is in regard to the city having the ability to do upgrades or changes for private properties such as cutting grass, trimming trees, et cetera, should it become a nuisance. I have thought, actually, that the city already had the ability to do this. Whether in fact they actually have the ability to charge the owner on their tax bills, I do not know, but certainly the city at this point does have the right to cut hedges that are blocking sidewalks, et cetera. This legislation, I understand, would give the city the ability to do this.

I think there are some areas of this bill that the amendments are controversial. Our caucus is prepared to send this bill to the committee stage, and we really would like to hear from the public on this particular bill to see what their concerns are, to hear the two and three and four sides of the issue to ensure that whatever amendments we ultimately do pass are in fact in the best interests of Manitobans and reflect what, in this case, Winnipeggers are interested in.

Thank you, Mr. Acting Speaker.

Ms. Marianne Cerilli (Radisson): Merci beaucoup, Monsieur président. I am pleased to rise to speak on Bill 17, The City of Winnipeg Amendment Act. There are a number of things in this act that I feel compelled to comment on.

First of all, with respect to the parameters for financing the mayor's election, I just want to say that I think we have to have some basic principles applied here. One of the principles, I think, is ensuring that there are not economic barriers put in place that are going to prevent any citizen of the city of Winnipeg from seeking the office of mayor. So that means that we have to make sure that any parameters for fundraising are going to be fair and are going to not put economic barriers in place so that we prevent the average citizen from being able to be elected as mayor.

We have seen examples of huge campaigns that cost millions of dollars that have been waged in the city, and I think that we have to be conscious of how we are setting up a system to finance campaigns so we are not going to make it impossible for a cross section of the community to seek election at the civic level.

One of the other areas that I want to comment on is with respect to nuisance, noise and related matters, in particular, Section 48(1)(d), which is allowing owners to have their private property open for the City of Winnipeg to cut their lawn or shrubbery or ground cover. This opens a whole can of worms, Mr. Acting Speaker, that I am not sure that we want to get into. I know that the City of Toronto has had many, many long public meetings and debates on this issue, and I am surprised that this is coming from the Conservative government with their position on property rights because what this is allowing to happen is that the state can come in and decide how tall your grass should be.

There are all sorts of environmental ramifications for this. I know that there are a number of people in the province who are transplanting their lawn into tall grass prairie. Some people grow wild flowers in their yard. I am one of those people. I do not know if they are going to come and cut down my flowers now, Mr. Acting Speaker. I do not know if this means that someone can come in and uproot potatoes, if people want to grow potatoes in their front lawn, or tomatoes or other kinds of vegetables.

The intent perhaps is to control mosquito breeding grounds, which long grass can be, but I think that this is really worthy of close scrutiny and consideration. Some people think that already the City of Winnipeg has the authority to do this.

Mr. Steve Ashton (Thompson): The lawn police are out to get you.

Ms. Cerilli: I do not know, as the member for Thompson says, if the lawn police are out to get us. But it is ironic that on the one hand, we are having a public debate about people's right to have handguns and pellet guns and, then, on the other hand, they do not have the right to grow their lawn

to the height that they want to grow their lawn, Mr. Acting Speaker.

So I think that we have to look at these things with some common sense and to step back and realize that this act is opening up, as I said, a can of worms, no pun intended.

Mr. Acting Speaker, I also want to refer to the section similarly that deals with overhanging shrubbery. Similarly, are we going to have some clarification on if there is danger to hydro lines or telephone lines? There is some common sense in the city's ability to control their utilities and any danger to the utilities, but I think that this also can open the door for all sorts of local disputes that can occur with respect to one person's interpretation of what are shade-bearing trees and the kind of vegetation they want to have around their homes and another neighbour's interpretation.

Similarly, the door is being opened with parking vehicles on private property and again the city being able to not even just tell you but to take action with respect to vehicles being parked on your property or not. I think that again a lot of people feel very strongly about what they can do and what they cannot do in their own backyard. We have a government that has brought in legislation with respect to rural Manitoba and farming and the right to have certain practices occur in the farm communities that are by some people seen to be a nuisance and interfering on their right to enjoy their own property. So I think that we just have to be cautious about what we are doing with the legislation here.

Last but certainly not least, Mr. Acting Speaker, I am really surprised that we have this bill coming in with the reference to the mosquito control program in the city. We have in the city of Winnipeg one of the most Neanderthal and prehistoric approaches to mosquito abatement, and we now are having it enshrined in legislation, where we can have the city do anything it wants within a distance of 15 miles of the city. So we are going to have Malathion spraying going on all around the perimeter, all of this, and I do not think there has ever been an environmental impact

assessment done on the use of Malathion by the City of Winnipeg.

I know that we have had a previous mayor in the city of Winnipeg saying that this is done for psychological reasons, to make people think that there are less mosquitoes or make people think that the city is doing something about the mosquitoes. But I think that, again, we have to take a look at the realities of what is happening in other parts of the world and in other cities. We are the only city in the country that still uses malathion, spraying it all across willy-nilly, and I know that we are also the city that has the highest rate of asthma. We have an incredible rate of allergies. We have high rates of respiratory problems. Also, I think we are starting to see that there are problems with vegetation in the city, and it can be related to the kinds of chemicals that we are spraying to get rid of weeds and insects.

* (1250)

I will not go into the long relationship, Mr. Acting Speaker, of how the mosquitoes feed the birds who feed other creatures that we may have in our urban ecosystem, but I think that there are perhaps other ways that we could employ to deal with mosquito abatement. There are, I think, a number of things that this government and the City of Winnipeg could consider that are going to have less detrimental effect on our health and would, in fact, be less costly to the City of Winnipeg.

But I do not understand why we need to have this enacted in this amendment to The City of Winnipeg Act when they already are doing this. I do not know if they are feeling pressure from residents. Their program to try to give people some right to say if they want mosquito abatement spraying in their community has been a failure, I would suggest; and I do not know if this amendment section is a response to that.

But I just will end my comments there. I am looking forward to the chance to hear any concerns regarding this bill from the City of Winnipeg, and I thank the House for the time today.

The Acting Speaker (Mr. Penner): Is the House ready for the question? The question before the

House is the second reading of Bill 17. Agreed?
[agreed]

Hon. Jim Ernst (Government House Leader): Mr. Acting Speaker, I believe there is a will to not see the clock in order to complete Bill 20. Would you please call Bill 20?

Bill 20—The Municipal Amendment Act

The Acting Speaker (Mr. Penner): On the proposed motion of the honourable Minister of Rural Development (Mr. Derkach), Bill 20, The Municipal Amendment Act (Loi modifiant la Loi sur les municipalités), standing in the name of the honourable member for Interlake (Mr. Clif Evans).

Mr. Clif Evans (Interlake): Mr. Acting Speaker, I would just like to make a few comments on Bill 20 and discussing this amendment with the Minister of Rural Development (Mr. Derkach), and also knowing very well that this amendment is quite important to the municipalities in southwestern Manitoba.

The Minister of Industry, Trade and Tourism (Mr. Downey) is very anxious to have this bill go to committee and on to third reading so that communities in his area and municipalities will be able to obtain the taxes that are in arrears in their communities, the taxes on the oil and gas facilities within the province of Manitoba. I do not have a problem with that, knowing fair well how important it is to be able to provide municipalities with a better opportunity to be able to collect taxes, whether it be on oil and gas facilities or on other issues within their municipalities. I think that is important.

We know very well that over a period of time there are not only oil and gas facilities, there are different situations and issues within municipalities that have created for the municipalities a tax problem, collecting taxes and then creating a financial burden on the municipalities and so forth, allowing people to be able to get away with not paying them, saying let us take it to court and then in fact it is going to cost the municipality even more money, and the next thing you know there are tax sales, and the

municipality really suffers and is not able to collect that money that is due to them.

Of course, now we do know that the taxes and the bases in the municipalities in rural Manitoba have decreased. The tax bases in municipalities have decreased due to businesses moving, people moving, empty buildings. So I would think that this bill would provide an opportunity for municipalities.

According to the amendment itself, it is basically targeted right now for communities in southwestern Manitoba who have the greatest amount of this type of problem. I would like to also think that we would be able to do something for the municipalities and look at the act further, and amend perhaps, to see what else can be done for the municipalities that in fact have the same type of problem with other issues and other situations.

So, Mr. Acting Speaker, we on this side would like to proceed with it going on to committee, and I would definitely appreciate hearing from some of these municipalities who have requested the government to bring this about and hear what they have to say specifically about this act. So on those words, I would like to say let us go on to committee with this.

Mr. Neil Gaudry (St. Boniface): Oui, Monsieur le vice-président, Mr. Acting Speaker, it gives me pleasure to rise to put brief comments on this bill. I would like to thank the minister for having called to explain the bill. He even offered that we sit down, but we had looked over the bill already, and we are prepared to support it. Part of the bill, of course, is housekeeping, but the major part of the bill is to allow the collection of taxes on oil and gas facilities from the purchasers of oil and gas produced in those facilities.

This amendment had been requested by the Union of Manitoba Municipalities, the Manitoba Municipal Administrators Association and by a number of individual municipalities in the southwest region of the province where the Minister of Industry, Trade and Tourism (Mr. Downey) is a representative. He is pleased to see—like he said a few minutes ago, his re-election depends on this bill. So we will be prepared to send

it to committee so that he can be re-elected in the next election. [interjection] The member for Thompson (Mr. Ashton) says maybe we should debate it. So if, with leave, you let me speak for an hour, I will do so.

Before this amendment, municipalities were required to take legal action to collect arrears. Saskatchewan has similar legislation which permits a municipality to collect arrears from the purchasers of the gas and oil, and I think it is important because the bill gets the money into the municipalities' hands faster, which ultimately saves money for all taxpayers and gives municipalities more money in their hands to do what they can, no longer due to government cutbacks so that is a—[interjection]

Yes, this government is known for cutbacks, so I mean—[interjection] Yes, Conservative cutbacks. Mr. Acting Speaker, we would like to see this bill go to committee and a quick passage so that—like I mentioned before, the Minister of Industry and Trade (Mr. Downey), it means a lot to him, and we will support this bill.

Thank you very much.

The Acting Speaker (Mr. Penner): Is the House ready for the question? The question before the House is second reading of Bill 20. [agreed]

House Business

Hon. Jim Ernst (Government House Leader): I would like to announce that Bill 28 will be referred to the Standing Committee on Economic Development for its meeting on Tuesday, June 28, at 9 a.m., and that Bills 16, 17 and 20 will be referred to the Committee on Law Amendments for its sitting on Tuesday, June 28, at 7 p.m.

I wonder if you would seek unanimous consent of the House in order to change the Estimates order

as follows in the House. I have provided you with a list. In the House: the Department of Labour; the Civil Service Commission; Department of Urban Affairs; Department of Culture, Heritage and Citizenship; the Sustainable Development Innovations Fund; the Department of Justice; and the Department of Health with capital related items.

Mr. Acting Speaker, in the committee: the Urban Economic Development Initiatives; the Canada-Manitoba Infrastructure Program—Capital; the Employee Benefits and Other Payments; Internal Reform, Workforce Adjustment and General Salary Increases; the Canada-Manitoba Enabling Vote; the Allowance for Losses and Expenditures Incurred by Crown Corporations; Allowance for Salary Accruals; and the Emergency Expenditures fund.

Followed by Seniors, Natural Resources, Fitness and Sport, Legislative Assembly, and the Department of Highways.

The Acting Speaker (Mr. Penner): Is there unanimous consent that the Estimates sequence would be altered so that on Monday in the House the—[interjection] Pardon? Agreed?

An Honourable Member: Agreed.

The Acting Speaker (Mr. Penner): Agreed to what the honourable House leader requested? [agreed]

Mr. Ernst: Mr. Acting Speaker, I believe it is 12:30.

The Acting Speaker (Mr. Penner): The hour now being 12:30, the House stands adjourned and remains adjourned till 1:30 on Monday. Have a good weekend.

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, June 24, 1994

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