



First Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, July 27, 2000

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

**PRESENTING REPORTS BY
STANDING AND SPECIAL COMMITTEES**

Committee of Supply

Mr. Conrad Santos (Chairperson): Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the Honourable Member for Selkirk (Mr. Dewar), that the report of the Committee be received.

Motion agreed to.

**Standing Committee on Law Amendments
Seventh Report**

Mr. Tom Nevakshonoff (Chairperson of the Standing Committee on Law Amendments): Mr. Speaker, I beg to present the Seventh Report of the Committee on Law Amendments.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Law Amendments presents—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Your Standing Committee on Law Amendments presents the following as its Seventh Report.

Your committee met on Wednesday, July 26, 2000, at 10 a.m. in Room 255 of the Legislative Building to consider bills referred. At that meeting, your committee elected Mr. Nevakshonoff as the Chairperson and Mr. Santos as the Vice-Chairperson.

Your committee has considered:

Bill 23—The Jury Amendment Act; Loi modifiant la Loi sur les jurés

and has agreed to report the same with the following amendments:

MOTION:

THAT section 3 of the Bill be struck out and the following be substituted:

3 Section 23 is repealed and the following is substituted:

Minimum notice

23 Unless the judge in special circumstances orders otherwise, a summons served under section 22

(a) if delivered under clause 22(a), must be delivered at least 12 days before the day the appearance must be made; and

(b) if sent under clause 22(b), must be sent at least 17 days before the day the appearance must be made.

MOTION:

THAT the following be added after section 3 of the Bill:

3.1 Clause 46(a) is amended by adding ", having been personally served with the summons or having acknowledged receipt of it," after "who".

Your committee considered:

Bill 36—The Summary Convictions Amendment Act; Loi modifiant la Loi sur les poursuites sommaires

which had previously been considered by the Standing Committee on Law Amendments on July 24, 2000, at 10 a.m., and has agreed to report the same with the following amendment:

MOTION:

THAT the following be added after proposed subsection 17.1(2), as set out in section 3 of the Bill:

Reduction or waiver of penalty

17.1(3) Despite subsection (1), a justice may reduce or waive a penalty at a hearing de novo requested under subsection 17(6) if the person satisfies the justice that exceptional circumstances exist.

NOTE: Bill No. 23—The Jury Amendment Act; Loi modifiant la Loi sur les jurés was reported in the Sixth Report of this committee as being agreed to, in error. Bill 23 had not been considered clause by clause at the meeting of the Law Amendments Committee of Monday, July 24.

Mr. Nevakshonoff: Mr. Speaker, I move, seconded by the Honourable Member for Burrows (Mr. Martindale), that the report of the Committee be received.

Motion agreed to.**TABLING OF REPORTS**

Hon. Jean Friesen (Minister of Intergovernmental Affairs): I would like to table the Annual Report for 1999 for the Municipal Board.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the gallery where we have with us Myrtle and Gordon Anderson from Bayonet Point, Florida, who are the guests of the Honourable Member for St. James (Ms. Korzeniowski).

On behalf of all honourable members, I welcome you here today.

ORAL QUESTION PERIOD**Labour Management Review Committee
Labour Legislation**

Mr. Ron Schuler (Springfield): Mr. Speaker, on July 17, the Minister of Labour (Ms. Barrett)

said: "I will stand in this House and state unequivocally that I have been giving the Member a full, complete and truthful comment about the Labour Management Review Committee."

A letter dated July 20 from the Chair of the LMRC management caucus: It is not accurate for the Minister to state that every element of Bill 44 was sent to the Labour Management Review Committee or to in any way imply that management caucus was given an opportunity to review the provisions of Bill 44.

I ask the Premier: Who is telling the truth?

Hon. Gary Doer (Premier): Mr. Speaker, as the Minister has stated on a number of occasions, the matter of days lost to strike and lockout was referred to the Committee.

Mr. Schuler: I ask the Premier for a simple yes or no. Are you accusing the Chair of the LMRC management caucus of being a liar?

Mr. Doer: Mr. Speaker, I have a great deal of respect for the Chair of the LMRC.

Mr. Schuler: Mr. Speaker, the Premier still will not answer the question. Is the Premier saying the Chair of the LMRC management caucus is wrong in his letter?

Mr. Doer: Mr. Speaker, as I recall correctly with Bill 26, the same Chair of the same committee made a number of recommendations that had consensus, which were too moderate for members opposite when they were in the Government, so they had to go away over to the extreme position of the recommendations from the Chair of the Labour Management Review Committee.

Perhaps, Mr. Speaker, in some of the areas we are dealing with today, if members opposite, when they were in government, had not been too extreme, there would be less matters in front of this Legislature today.

Mr. Speaker: The Honourable Member for Springfield, with a new question.

Mr. Schuler: Mr. Speaker, I would like to direct my question to the Minister of Labour.

On July 17 the Minister said in this House: I will stand in this House and state unequivocally that I have been giving the Member a full, complete and truthful comment about the Labour Management Review Committee. From a letter dated July 20 from the Chair of the LMRC management caucus, I quote: It is not accurate for the Minister to state that every element of Bill 44 was sent to the Labour Management Review Committee or to in any way imply that management caucus was given an opportunity to review the provisions of Bill 44.

I would like to ask the Minister of Labour for a simple yes or no. Are you accusing the Chair of the LMRC management caucus of being a liar?

Hon. Becky Barrett (Minister of Labour): No.

Mr. Schuler: Mr. Speaker, there is then a contradiction between the caucus. I ask the Minister: who then is telling the truth?

Ms. Barrett: Mr. Speaker, under no circumstances, at no time either in the House or in any discussion I have had with any group or any individual have I ever stated that the Labour Management Review Committee reached consensus on all issues. I have always stated that there was disagreement. I have also always stated that unlike in 1996 when the former government brought in Bill 26, under those circumstances the Labour Management Review Committee, again made up of representatives of the labour community and the business community, came to consensus among themselves on several very contentious issues. It was a very difficult job. They managed to do it. They gave the former government consensus positions on a number of the issues that were brought before them in Bill 26, and the former government and the former minister of Labour ignored every single one of those consensus positions, something we have not done with Bill 44.

Mr. Schuler: Mr. Speaker, I ask the Minister if she will stand behind her comments of July 17 in which she says, and I quote: "Every single

element of Bill 44 was sent to the Labour Relations Committee, every single element," because the management caucus says she did not.

* (13:35)

Ms. Barrett: Mr. Speaker, we sent to the Labour Management Review Committee a number of different issues, a number of different issues—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Barrett: Thank you, Mr. Speaker.

—one of which was a request of the Labour Management Review Committee to look at an alternate dispute resolution mechanism.

Labour Management Review Committee Labour Legislation

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): Mr. Speaker, my question is for the Premier. Mr. Premier, I want to quote from Hansard on July 17 of 2000 where his Minister of Labour indicated: "Every single element of Bill 44 was sent to the Labour Relations Committee, every single element."

She goes on to say: "I will stand in this House and state unequivocally that I have been giving the Member a full, complete and truthful comment about the Labour Management Review Committee."

Mr. Speaker, we heard the Minister of Labour today say that she sent some things to the Labour Management Review Committee. If Hansard is reviewed, we will note that she has changed her mind today, indicating that her answers on July 17 were not truthful.

My question for the Premier is: Are he and his minister accusing the management caucus Chair of lying in his letter that he sent to both the Premier and to the Minister?

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, I would like to address the preamble of the question of the Interim Leader of the Official

Opposition and reiterate that in my answer to the Member for Springfield (Mr. Schuler) I stated that some issues were sent to the Labour Management Review Committee. Every single issue that was sent to the Labour Management Review Committee was sent to the Labour Management Review Committee. The list included an alternate dispute resolution mechanism issue that was raised. Every single one of the issues that was sent to the Labour Management Review Committee is reflected in Bill 44.

* (13:40)

Not all of the reflection of Bill 44 is reflective of management's position. Not all is reflective of labour's position, and some of the elements are reflective of the Government's decision, based on the responses and the recommendations of the LMRC.

Point of Order

Hon. Gord Mackintosh (Government House Leader): Under Rule 37, I would ask that the Member for Springfield table the letter he quoted from.

Mr. Speaker: Would the Honourable Member for Springfield wish to table the letter he quoted from?

Mr. Ron Schuler (Springfield): Mr. Speaker, the letter dated July 20, 2000, from the Chair of the LMRC management caucus disputing the Minister, I would table it with pleasure.

Mr. Speaker: That takes care of the point of order raised by the Honourable Government House Leader. I thank the Honourable Member for Springfield.

* * *

Mrs. Mitchelson: The letter from the Chair of the LMRC management caucus was certainly copied to the Minister of Labour (Ms. Barrett). I would have hoped that she would have taken it seriously and responded to the questions that were raised.

Mr. Speaker, the letter from the Chair of the management caucus goes on to say: Manage-

ment caucus did not receive the proposals from government or from the Department of Labour, was not given an opportunity to consider the proposals and does not in any way concur with them.

I ask the Premier today: Is he indicating that the Chair of the management caucus of LMRC is not telling the truth when he answers questions in this House and defends his Minister of Labour who has given contradictory responses to what the Chair states?

Hon. Gary Doer (Premier): Mr. Speaker, I think it is pretty obvious to all of us that there are areas of consensus that came out of the Labour Management Review Committee. There are areas of non-consensus that are being opposed by "the management caucus" of the Labour Management Review Committee. I think we know what those issues are. It is the certification, return to the '96-97 provisions of certification. I think it is dealing with the definition of the role of the Labour Board after a dispute, pursuant to the allied trailer case in the courts. I think the third issue is the issue of how best to reduce strikes, days lost to strike and lockout.

We, I think, on this side, have acknowledged that there are areas of consensus and there are areas of disagreement. For example, Mr. Speaker, on the 65 percent, it was reported on the weekend, and I think I have mentioned this in the House before, that labour would prefer to go to the 50% threshold that exists in the federal jurisdiction and many other provinces. Business would prefer the status quo being post-'97 status quo as opposed to pre-'97 changes in the Act. We acknowledge those as honest disagreements that are worthy of debate in the Legislature.

Mrs. Mitchelson: Mr. Speaker, but the Premier did not answer the question, and this is an extremely serious issue. I want to quote again from the letter, a direct quote from the Chair of the management caucus of the Labour Management Review Committee. I would like the Premier to listen because it is incumbent upon him to answer the question openly and honestly. The management committee Chair said: Management caucus did not receive the

proposals from government or from the Department of Labour.

They did not receive the proposals; it is not a dispute over the facts. It is a fact that they did not receive the proposals, were not given an opportunity to consider the proposals and do not in any way concur with them.

Mr. Speaker, I ask the Premier to answer the question. Obviously someone here is not telling the truth. Is it the Chair of the management caucus or is it his minister who is not telling the truth?

Mr. Doer: I have never heard in this Chamber the Minister of Labour (Ms. Barrett) purport to say there was 100% consensus on all the items contained within Bill 44. The Minister has acknowledged there were areas of consensus in some areas and there were areas of disagreement in other areas. Some of that disagreement was labour proposing different alternate dispute mechanisms. Some of that disagreement was labour proposing 50 percent, like the federal system. Other parts of the disagreement were management proposing the status quo post-'97 as opposed to the status quo pre-'96, the status quo pre-'96 being a condition that the former minister of Labour called "very fair" as government labour legislation. That is clearly on the record, Mr. Speaker.

Mr. Speaker: The Honourable Interim Leader of the Official Opposition, with a new question.

Mrs. Mitchelson: Again, the Premier did not answer the question. The question was not was there consensus. The question was: Did in fact the proposals go to the management caucus? Mr. Speaker, they are indicating clearly that they did not receive the proposals and did not have an opportunity to comment on them.

* (13:45)

Mr. Speaker, either the Chair of the management caucus is not telling the truth or the Minister of Labour is not telling the truth. I ask the Premier to answer the question: Is he accusing the Chair of the management caucus of not telling the truth?

Mr. Doer: Mr. Speaker, the Minister of Labour in this House has said over and over and over again that there are some areas of consensus and there are other areas of disagreement. It is the tradition of this Legislature that the actual recommendations that come from the LMRC, the whole LMRC, are taken as advice to the Minister of Labour and may or may not form part of the legislation, which are called proposals, before this Legislature.

Members opposite, when they were in government, chose not to take any of the advice of the Labour Management Review Committee. This minister chose to take some advice, which is contained within the proposals, and to develop proposals that did not have a consensus. That is clearly on the record, Mr. Speaker.

Mrs. Mitchelson: Mr. Speaker, again, the Premier skirts the issue, is trying to weasel out of answering the question, and I want to quote from his Minister of Labour in *Hansard* on July 17, 2000, and she said: "Every single element of Bill 44 was sent to the Labour Relations Committee, every single element." She repeated it twice and later indicated that she was telling the truth. The Chair of the management caucus of the Labour Management Review Committee says: Management caucus did not receive the proposals from government or from the Department of Labour.

I ask the Premier again, do not skirt the issue, do not try to change the issue in his answers, a direct answer to the question of who is lying and who is telling the truth. I ask the Premier to come clean and give us a straight answer.

Ms. Barrett: Mr. Speaker, what was sent to the Labour Management Review Committee was a series of issues, recommendations, suggestions dealing with issues that came out of Bill 26, and a second component that was sent to the Labour Management Review Committee was an identification of the issue, was a request for recommendations on the element, issue or element, I have used both words in this House, of a collective agreement alternative dispute resolution mechanism. Those are the two major components that were sent to the Labour Management Review Committee. The request

that went to the Labour Management Review Committee on the alternative to collective disputes, bargaining disputes, was not spelled out. We wanted to give the Labour Management Review Committee the opportunity to discuss among themselves ideas because this would be a new idea.

Mrs. Mitchelson: Mr. Speaker, my question is for the Premier because we have heard different answers from this Minister of Labour on this question in the House. I hope he listened to the answer that his minister just gave in this House, and again I ask the Premier to stand up today in this House and answer the direct question: Is he accusing the Chair of the management caucus of lying in his letter, or who is telling the truth around this issue?

* (13:50)

Mr. Doer: Mr. Speaker, I am "accusing"—the members opposite may want to use that language and point fingers. I personally believe the record is clear, the Hansard is clear. The reality of the legislation is the proposals in the legislation, upon the advice of the Labour Management Review Committee, are before us.

I think the real issue here is there are some differences in our community on the proposals that are before the Legislature. There are some differences that we readily acknowledge. I think that is the challenge for us as we go forward: How do we manage these disagreements? How do we deal with the fact that the situation is in our economy.

I am particularly pleased that Stats Canada just yesterday stated that private capital investment in Manitoba has been revised to go up by \$123 million since February. Manufacturing investment is projected to be up 6.8 percent since February; wholesale trade is up 10.9 percent; finance and insurance is up 16 percent; mining and oil and gas extraction, which we cannot take credit for, but I am delighted to report is up 113 percent. We had the announcement at the fibre manufacturing plant a couple of days ago in Crystal City. We had 300 jobs announced a couple of other days ago at the Polo Park operation. Let us be positive about our future.

Labour Management Review Committee Labour Legislation

Mr. John Loewen (Fort Whyte): Mr. Speaker, I can assure the First Minister that we on this side of the House are very proud of the record of the previous government in allowing this economy to be strong, in allowing this economy to continue to roll.

Mr. Speaker, the question is the integrity of this minister, and I quote from Hansard on July 17: "Every single element of Bill 44 was sent to the Labour Relations Committee, every single element." That was her quote in response to a question from the Member for Springfield (Mr. Schuler). The letter from the Chair of the management caucus of the LMRC: We clearly stated that any changes to the existing provisions ought to be properly presented to the LMRC for a thorough review and in such a way to enable the appropriate consultation with stakeholders.

How do we reconcile those statements? Who is telling the truth?

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, I believe on July 12 in Hansard I stated: "The issue of an alternate dispute resolution mechanism situation was sent to the LMRC." That is what I said on July 12. What was sent to the Labour Management Review Committee on May 31 was a package that included areas of Bill 26—

An Honourable Member: Now it is "areas."

Ms. Barrett: Well, elements of Bill 26, elements, issues, elements of Bill 26, issues arising from Bill 26 and asking for the Labour Management Review Committee to look at these specifics because they were part of a current piece of legislation. In addition, we also asked for the Labour Management Review Committee to review and comment on the following. The second component of the package was collective agreement resolution recommendations. What we said in that second package was we believe that too many days have been lost to strike and lockout; we believe there must be a way to work together to reach a collective agreement.

Mr. Loewen: Mr. Speaker, I would ask this minister, who seems to want to quibble between what is an area and what is every single element, and Hansard is clear, "every single element of the Bill" is what she stated—we have the management caucus saying that they are being sandbagged. I would ask this minister: How can we reconcile the differences between her statement in Hansard and what we have today in a letter addressed to her, copied to her, from the Chair of the management committee of the LMRC? How can we reconcile those two statements?

* (13:55)

Ms. Barrett: We asked the Labour Management Review Committee to address the issue of an alternative dispute resolution mechanism, to bring forward suggestions and recommendations, if they were able to do so, about this very serious matter. They were not able to reach consensus on this issue, but in their report back to me they stated that both sides recognized that this was a very critical issue, was a very critical issue. So there was not agreement on a mechanism, but there was agreement that it was a serious issue. We have been in consultation since then with members of labour. We have been in consultation with members of the business community. We are continuing to meet both individually and in groups with anyone who wants to meet with us and would like very much to get these issues into committee so that we can hear from more Manitobans in putting together a final piece of legislation that reflects the balance that we need to have in this province.

Mr. Loewen: Mr. Speaker, my final supplementary. I would ask the Minister: If that is the case, if the consultations have happened, if it was presented to LMRC in a proper fashion, why would the Chair of the management committee write and ask, and I quote: We request that you contact the Minister of Labour to address the manner in which this played out before the LMRC and particularly our concerns about not being consulted on these fundamental changes, to ensure that she fully understands the context of the proposals that were made by the labour caucus. Why was this minister not forthcoming with this information?

Ms. Barrett: As I have said before in the House today and in previous days in this Chamber, we could go through each section of each part of Bill 44 and refer directly back to one of the elements, issues, suggestions, recommendations that were sent to the LMRC. There is not one element in that bill that is not reflective of one of the issues that was sent to the LMRC, whether there was consensus or not on the piece of legislation. There will not be, I have stated before, unanimous consensus on things that are dealt with in labour relations. That is the nature of the game.

What we did with the LMRC was begin the process of consultation with the LMRC. We have been carrying on that process of consultation since Bill 44 was put in to the House, since it was tabled, and we will continue to do so and really would like to come to fruition in getting the Bill into committee so we can really carry on this consultation that we have begun, I believe quite successfully.

E. Coli Bacteria Balmoral, Manitoba

Hon. Jon Gerrard (River Heights): My question, Mr. Speaker, is for the Minister of Conservation. Alarming high levels of E. coli have been found in the drinking water in Balmoral and in the R.M. of Beausejour. In Balmoral, the contamination of multiple wells suggests that there is significant groundwater contamination and that the aquifer may be contaminated.

Will the Minister please tell the Legislature the status of the investigation by the Government into E. coli in Balmoral, and what he is doing about it?

Hon. Oscar Lathlin (Minister of Conservation): I thank the Member for the question. The Department of Conservation is aware of the problems that Balmoral is experiencing in terms of their water supply. Our people, the Conservation hydrologists, are on site today reviewing the situation. They are at Balmoral. They are assessing the situation around the community, as well as taking a number of samples. The town personnel are also sampling

the west side of the community where no sampling had been done before.

* (14:00)

Staff from the Health and Conservation departments will also be meeting in the immediate future to discuss whatever information has been collected to date to determine what course of action should be taken once those meetings have taken place.

Mr. Gerrard: My supplementary: Will the Minister confirm what I hear, that the first definite presence of E. coli was at least a month and a half ago, explain why the first notification officially to the residents of Balmoral was last week, and why the first presence of his staff out there is today instead of a month and a half ago?

Mr. Lathlin: Mr. Speaker, as I said, I believe, a day or maybe even yesterday to the Member, we continually receive calls, letters, alerts from the different communities in Manitoba, particularly in the southern part of Manitoba where people are quite naturally concerned about the quality of their water supply. Since Walkerton, Ontario, people have been quite aware. They have been pretty particular as to how their water supply is being looked after. So any little thing that develops, we get the calls, and we respond accordingly.

Mr. Gerrard: Slowly, it would appear.

My supplementary: Since we understand that children may have been sick, going back to the beginning of the year, from drinking this water, which was contaminated, and including contamination of the water in the school, I ask the Minister what he is doing to ensure that there is regular testing of all schools where there is well water to make sure that this situation does not happen again.

Mr. Lathlin: Again, Mr. Speaker, I want to advise the Member that, yes, indeed, we are sampling water from the community facilities such as the schools to which he is referring.

Flooding—Winnipeg Disaster Financial Assistance

Mr. Jim Rondeau (Assiniboia): Mr. Speaker, on July 7 many homes and businesses in rural municipalities and the city of Winnipeg experienced flooding. In particular, Assiniboia constituency has had severe flooding, with residents of Wharton Boulevard, Freemont Bay, North Lake Drive, South Lake Drive being affected in great numbers.

My question to the Minister of Highways is: What is the number of claims, extent of the damage? What are the measures that this government is proposing in response to this flooding?

Hon. Steve Ashton (Minister of Highways and Government Services): Mr. Speaker, I appreciate the question from the Member. I know his constituency has been impacted. In fact, 25 Manitoba communities were impacted by the high degree of rainfall and overland flooding.

I can indicate we have received 17 motions for disaster financial assistance. Our preliminary estimate of damage, outside of areas that would be covered through insurance, and my understanding is that those claims are over \$11 million, is \$8.8 million.

I can indicate to the Member we have been moving very rapidly. I hope to be able to have an announcement very shortly on ways in which we can help the many Manitobans who were impacted by that overland flooding in those 25 municipalities. I thank the Member for a very important question.

Labour Management Review Committee Labour Legislation

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): We have asked several questions in this House today about the credibility of this Minister of Labour. On July 17, she stood in this House and indicated, and I quote again: "Every single element of Bill 44 was sent to the Labour Relations Committee, every single element." She was confident enough on July 17 to state "every single element" twice in one sentence.

Today in this Legislature she has not stood up and said that every single element was sent. She has said several times in her answers that elements were sent.

Mr. Speaker, my question to the Minister of Labour: Will she stand up today in this House and indicate whether her answers on July 17 were true or whether her answers today were true?

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, I am not being inconsistent in any way, shape or form. We sent a package, and I have explained the package of suggestions, of recommendations, of elements, of issues that were sent to LMRC. That is the universe of elements that was sent to LMRC. That is the hundred percent of the elements, the issues that were sent to LMRC.

Included in that was a request for LMRC to discuss the issue of alternate dispute resolution mechanisms. We asked LMRC to give us some suggestions. We did not provide them with any specifics, because it is a new concept.

All of those elements that were sent to LMRC are reflected in Bill 44. We got recommendations back on 100 percent of the elements that we sent to LMRC. We reflected to one degree or another those recommendations or that discussion that came from LMRC on Bill 44. I can parallel each and every element that was sent to LMRC. I do not understand.

Mrs. Mitchelson: Mr. Speaker, the Minister of Labour talked around and round in circles, just like when she talks about consensus and partial consensus, and nobody understands what she means.

My question again for the Minister, because she did not answer the question I just asked: On July 17, she said, and I quote: "Every single element of Bill 44 was sent to the Labour Relations Committee, every single element." Can she stand up today in this House and repeat those words? Can she stand up today and say that every single element was sent?

Ms. Barrett: Mr. Speaker, I have stated before in the House, and I will state again today—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Barrett: Thank you, Mr. Speaker. I have explained in I think quite great detail and fairly clearly and certainly not circularly that issues, elements, concerns, proposals, all of those, a group of elements, a group of issues, a group of proposals were sent. We sent a package of—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Barrett: Thank you, Mr. Speaker. Every single element that was sent to LMRC was reflected in Bill 44. That includes the area that the Chair of the management part of LMRC is referring to in his letter, which was the alternate dispute resolution mechanism. I explained in the House today that that element was not clearly defined because it is a new concept. So we wanted to ask LMRC for their recommendations ahead of time.

Minister of Labour Resignation Request

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): Mr. Speaker, it is clear today that the statements that were made on July 17 where the Minister said "every single element of the Bill was sent," and today her comments in that answer that said "every single element that was sent," a clear difference—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

* (14:10)

Mrs. Mitchelson: Well, Mr. Speaker, members of the Government benches may laugh, but this is a very serious issue because it does talk about confidence. It talks about integrity and confidence and telling the truth, something that this minister does not seem to understand. There is no confidence in this minister, and I would ask today that she stand up and resign for not telling the truth to Manitobans.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Hon. Gary Doer (Premier): I reject the Member's proposal.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Smoking Cessation Program

Ms. Bonnie Korzeniowski (St. James): St. James strikes out, not up. The smoking cessation support group at the St. James Assiniboia Senior Centre is another one of those splendid why-do-we-not initiatives. In this case, it involved a Deer Lodge Centre educator Kim Warner and a senior centre nurse Terry Desautels.

When they discovered that they were both trained Freedom from Smoking facilitators they said, why do we not get a smoking cessation group going at the centre, and so the venture came to be just last January, even though neither Kim, Terry or the centre itself receives any additional funding support for the program.

St. James Assiniboia Senior Centre joins the Youville Centre, the Women's Health Clinic and the Manitoba Lung Association in helping Winnipeggers overcome the difficulties of butting out. Its program is unique, however, in that it is loosely structured and offered at no cost, except for a nominal \$2 contribution for each session. It is also unique in that it is open to anyone of any age, regardless of where they live.

The facilitators believe that every smoker comes to the group with experiences, advice and encouragement to share. I would like to commend Kim, Terry and the St. James Assiniboia Senior Centre for providing a service that will enable more Manitobans to live longer and healthier lives, and thank them warmly. Thank you.

Coalition of Manitoba Businesses

Mr. John Loewen (Fort Whyte): Mr. Speaker, today I witnessed something that is truly

unprecedented, something that I have not seen in my 25 years in business in Manitoba, and that is that 12 provincial and national groups representing thousands of businesses and thousands of workers formed a coalition to fight Bill 44.

Today the Coalition of Manitoba Businesses launched their alliance against the Doer Government. The coalition is very concerned that the business community was not consulted on the specific clauses included in Bill 44. This coalition consists of the Canadian council of grocery distributors, the Canadian Federation of Independent Business, Canadian Federation of Independent grocers, Canadian restaurant and food services association, the Manitoba Chamber of Commerce, the Manitoba Community Newspaper Associations, Manitoba Homebuilders Association, Manitoba Hotel Association, Manitoba Motor Dealers Association, the Manitoba Restaurant Association, the Manitoba Trucking Association, and the Retail Council of Canada.

One can tell from the members that this is a very broad group representing a large number of businesses, both national and local, and representing the views of a tremendous number of employees in this province. This coalition is concerned about three particular aspects of their proposed legislation, the elimination of the democratic process for union certification, the introduction of an unbalanced resolution mechanism to settle work disputes and the reduction of protection against worker violence on the picket line.

This coalition has been formed to bring the attention of this government to the serious consequences that will result if they are determined to push this legislation through in the middle of summer. Mr. Speaker, I would like to congratulate the forward-thinking business people of this group who have come together to form a coalition to expressly point out their views to this government. Thank you.

Art City

Mr. Conrad Santos (Wellington): Mr. Speaker, I am pleased today to draw members' attention to an important community project supported by our government. The Winnipeg Development

Agreement, a tripartite funding arrangement among the three levels of government, provincial, federal and city, is providing \$40,000 to Art City. Art City uses art as a medium to allow youth to focus their energy in a creative and productive way. Children benefit from artistic training and skills development, learning from professional artists, building confidence and increasing community consciousness. It is an extraordinary example of artists taking time to bring the gift of imagination and creativity to young people in a community.

Art City fits well with our new provincial Neighbourhoods Alive! program. Through Art City, we are helping youngsters awaken their talents and develop a greater sense of community involvement. The Art City program is a positive example of how community members can work together to promote urban renewal. We are privileged to be able to support the efforts of Art City staff and volunteers. Thank you.

Minister of Labour

Mr. Jack Penner (Emerson): Today we have witnessed where the trust of a minister is severely in question in this House. All of us in this Chamber depend, when we ask questions of ministers, on receiving answers that do not cross the line of integrity. I think we have, today, experienced in this House an increased awareness of what trust really means. I think when one takes the oath of office and when one commits to representing the people of this province, be it as a member of this Legislature or a member of cabinet, of Executive Council, be it the Premier's Office, one commits to ensuring that the information that will be presented, especially in this Legislature, is a matter of sincere integrity.

That sincere integrity has been called into question today, Mr. Speaker. It saddens us, because it reflects on all of us. It reflects on each and every one of us. Politicians do not have a great reputation as it is. For a minister of the Crown to cast further shadow on that and to cause further doubt of the integrity of those of us who are called politicians is sad. I think we have witnessed today again a demonstration by a

minister of the Crown who has tried to weave her way out of—and the Premier supporting that.

So, I say to you, Mr. Speaker, I think we need to encourage everyone in this House, including the Minister of Labour (Ms. Barrett), to be sincere and to be honest.

* (14:20)

Tax Reductions

Mr. Stan Struthers (Dauphin-Roblin): The Honourable First Minister (Mr. Doer) recently cited the favourable review of the Manitoba economy made by a Scotiabank economist Mary Webb. The review was summarized in a Scotiabank media release to business editors, entitled "Manitoba phases in tax cuts to support broad-based manufacturing and service sectors, says the Scotiabank economist."

I would like to quote from an interview conducted by a Winnipeg radio station with Mary Webb on July 13 which elaborates on what the interview called "an almost stunningly positive report." Here are some of her remarks: Manitoba is keeping pace with tax cuts and so it is moving on its small-business tax rate. It is chipping away at the property taxes. It already had in place a personal income tax cut from last year that this year you will feel the benefit of. So it is trying to move across a broad range of taxes to keep it environmentally competitive.

It is taking a step-by-step, multi-year approach, and that is going to keep Manitoba's environment on an improving path. It sends a definite message to business that Manitoba is committed over the longer term to reducing taxes as much as possible. The provincial budget provided a major stimulus through tax cuts and also spending, and there is a role for government in maintaining good infrastructure.

Manitoba was one of a number of provinces that also tried to support innovation and research and education. And, you know, Manitoba is now committed to doubling positions in its community college system in order to make sure that there is a trained labour force ready for new industry. I quote these remarks, Mr. Speaker, because I speak without ambiguity and without

partisanship to the balanced, responsible approach we have taken in our approach to governing. Thank you.

Committee Changes

Mr. Peter Dyck (Pembina): Mr. Speaker, I move, seconded by the Honourable Member for Seine River (Mrs. Dacquay), that the composition of the Standing Committee on Law Amendments be amended as follows: Emerson (Mr. Jack Penner) for Springfield (Mr. Ron Schuler).

Motion agreed to.

Mr. Peter Dyck (Pembina): Mr. Speaker, I move, seconded by the Honourable Member for Charleswood (Mrs. Driedger), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Steinbach (Mr. Jim Penner) for Charleswood (Mrs. Driedger); Arthur-Virden (Mr. Maguire) for Minnedosa (Mr. Gilleshammer); and Turtle Mountain (Mr. Tweed) for Emerson (Mr. Jack Penner).

Motion agreed to.

Mr. Gregory Dewar (Selkirk): Mr. Speaker, I move, seconded by the Member for Wellington (Mr. Santos), that the composition of the Standing Committee on Law Amendments be amended as follows: Transcona (Mr. Reid) for St. Vital (Ms. Allan); Thompson (Mr. Ashton) for Riel (Ms. Asper); Fort Rouge (Mr. Sale) for Brandon West (Mr. Smith); Rossmere (Mr. Schellenberg) for Dauphin-Roblin (Mr. Struthers); Flin Flon (Mr. Jennissen) for Lord Roberts (Ms. McGifford).

Motion agreed to.

Mr. Gregory Dewar (Selkirk): Mr. Speaker, I move, seconded by the Member for Wellington (Mr. Santos), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Thompson (Mr. Ashton) for The Pas (Mr. Lathlin). This change was moved and agreed to last night in committee. I am now moving it in the House so that the change can be properly reflected in the House records.

Motion agreed to.

Mr. Gregory Dewar (Selkirk): Mr. Speaker, I move, seconded by the Member for Wellington (Mr. Santos), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Dauphin-Roblin (Mr. Struthers) for Rossmere (Mr. Schellenberg); Wolseley (Ms. Friesen) for Thompson (Mr. Ashton); The Pas (Mr. Lathlin) for The Maples (Mr. Aglugub).

Motion agreed to.

ORDERS OF THE DAY

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I would like to seek leave of the House for the Standing Committee on Law Amendments to sit concurrently with the House this afternoon and to continue to sit at the Committee's discretion.

Mr. Speaker: Is there leave for the Standing Committee on Law Amendments to sit concurrently with the House this afternoon at the discretion of the Committee? *[Agreed]*

Mr. Mackintosh: Mr. Speaker, I would like to announce that the Standing Committee on Law Amendments will meet at 2:45 p.m. this afternoon to continue consideration of bills 12, 42, and 45.

Mr. Speaker: It has been announced that the Standing Committee on Law Amendments will meet at 2:45 p.m. this afternoon to continue consideration of bills 12, 42 and 45.

Mr. Mackintosh: Mr. Speaker, would you please call report stage of the bills as listed on the Order Paper, excluding two bills, bills 26 and 33?

* (14:30)

REPORT STAGE

Bill 5—The Wildlife Amendment Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the First Minister (Mr. Doer), that Bill 5, The Wildlife Amendment Act; Loi modifiant la Loi sur la

conservation de la faune, as amended and reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

Motion agreed to.

Bill 8—The Enforcement of Judgments Conventions and Consequential Amendments Act

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 8, The Enforcement of Judgments Conventions and Consequential Amendments Act; Loi sur les conventions relatives à l'exécution des jugements et modifications corrélatives, reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 10—The Cooperatives Amendment Act

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Finance, that Bill 10, The Cooperatives Amendment Act, Loi modifiant la Loi sur les coopératives, reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 13—The Taxicab Amendment Act

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 13; The Taxicab Amendment Act; Loi modifiant la Loi sur les taxis, reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 15—The Water Rights Amendment Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Finance, that Bill 15, The Water Rights Amendment Act; Loi modifiant la Loi sur les droits d'utilisation de l'eau, reported from the

Standing Committee on Public Utilities and Natural Resources, be concurred in.

Motion agreed to.

Bill 20—The Farm Machinery and Equipment Amendment Act

Mr. Speaker: Amendment 1, standing in the name of the Honourable Minister of Highways (Mr. Ashton).

Is there leave for the amendment to remain standing in the name of the Honourable Minister of Highways?

An Honourable Member: No.

Mr. Speaker: Leave has been denied.

Is the House ready for the question? The question before the House is the proposed amendment to Bill 20 by the Honourable Member for Emerson (Mr. Jack Penner),

THAT Bill 20 be amended by striking out the proposed section 16.1 as set out in section 5 of the Bill and amended in committee, substituting the following:

"Mainline vendor" defined—

An Honourable Member: Dispense

Mr. Speaker: Dispense.

THAT Bill 20 be amended by striking out the proposed section 16.1, as set out in section 5 of the Bill and amended in Committee, and substituting the following:

"Mainline vendor" defined

16.1(1) In this section, "mainline vendor" means a vendor who

(a) manufactures or distributes new combines and new tractors with engine capacities of 100 horsepower or more; or

(b) is a member of a related group of vendors

(i) at least one member of which manufactures or distributes new combines, and

(ii) at least one member of which manufactures or distributes new tractors with engine capacities of 100 horsepower or more.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Mr. Speaker: All those in favour, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Nays have it.

Mr. Marcel Laurendeau (Official Opposition House Leader): You said that the Yeas had it, did you not?

Mr. Speaker: No.

Mr. Laurendeau: I am sorry. Yeas and Nays, then, Mr. Speaker.

Formal Vote

Mr. Speaker: Call in the members. A recorded vote has been requested.

The question before the House is the proposed amendment by the Honourable Member for Emerson (Mr. Jack Penner) to Bill 20, The Farm Machinery and Equipment Amendment Act,

THAT Bill 20 be amended by striking out—dispense.

THAT Bill 20 be amended by striking out the proposed section 16.1, as set out in section 5 of the Bill and amended in Committee, and substituting the following:

"Mainline vendor" defined

16.1(1) In this section, "mainline vendor" means a vendor who

(a) manufactures or distributes new combines and new tractors with engine capacities of 100 horsepower or more; or

(b) is a member of a related group of vendors

(i) at least one member of which manufactures or distributes new combines, and

(ii) at least one member of which manufactures or distributes new tractors with engine capacities of 100 horsepower or more.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Cummings, Dacquay, Driedger, Dyck, Enns, Faurshou, Gerrard, Gilleshammer, Helwer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Reimer, Rocan, Schuler, Smith (Fort Garry), Stefanson, Tweed.

Nays

Aglugub, Allan, Ashton, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers.

Madam Clerk (Patricia Chaychuk): Yeas 21, Nays 29.

Mr. Speaker: I declare the motion lost.

* (15:30)

Bill 20 - The Farm Machinery and Equipment Amendment Act

Mr. Speaker: On the amendment to Bill 20, The Farm Machinery and Equipment Amendment Act (Loi modifiant la Loi sur les machines et le matériel agricoles), standing in the name of the

Honourable Member for Emerson (Mr. Jack Penner), who has 31 minutes remaining.

Is there leave for the Bill to remain standing in the Honourable Member for Emerson's name?

Some Honourable Members: No.

Mr. Speaker: Leave has been denied.

The question before the House is the amendment to Bill 20, The Farm Machinery and Equipment Amendment Act:

THAT Bill 20 be amended by striking out the proposed section 16.8 as set out in section 5 of the Bill and amended in Committee.

Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is report stage of the amendment to Bill 20. Is it the will of the House to adopt the motion?

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

Mr. Speaker: All those in favour, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Nays have it.

Mr. Marcel Laurendeau (Official Opposition House Leader): On division, Mr. Speaker.

Mr. Speaker: On division.

* * *

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 20, The Farm Machinery and Equipment Amend-

ment Act (Loi modifiant la Loi sur les machines et le matériel agricoles), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Mr. Speaker: It has been moved by the Honourable Government House Leader (Mr. Mackintosh), seconded by the Honourable Minister of Finance (Mr. Selinger), that Bill 20, The Farm Machinery and Equipment Amendment Act, as amended and reported from the Standing Committee on Law Amendments, be concurred in. Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Mr. Speaker: All those in favour, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Yeas have it.

Mr. Marcel Laurendeau (Official Opposition House Leader): On division.

Mr. Speaker: On division.

Bill 22—The Court of Queen's Bench Surrogate Practice Amendment Act

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 22, The Court of Queen's Bench Surrogate Practice Amendment Act (Loi modifiant la Loi sur la pratique relative aux successions devant la Cour du Banc de la Reine), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 24—The Personal Property Security Amendment and Various Acts Amendment Act

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the

Minister of Finance (Mr. Selinger), that Bill 24, The Personal Property Security Amendment and Various Acts Amendment Act (Loi modifiant la Loi sur les sûretés relatives aux biens personnels et d'autres dispositions législatives), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 25—The Interpretation and Consequential Amendments Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 25, The Interpretation and Consequential Amendments Act (Loi d'interprétation et modifications corrélatives), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

* (15:40)

Bill 27—The Correctional Services Amendment Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 27, The Correctional Services Amendment Act (Loi modifiant la Loi sur les services correctionnels), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 28—The Northern Affairs Amendment and Planning Amendment Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 28, The Northern Affairs Amendment and Planning Amendment Act (Loi modifiant la Loi sur les Affaires du Nord et la Loi sur l'aménagement du territoire), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 30—The Social Services Administration Amendment Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of

Finance (Mr. Selinger), that Bill 30, The Social Services Administration Amendment Act (Loi modifiant la Loi sur les services sociaux), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 32—The Victims' Rights Amendment Act

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 32, The Victims' Rights Amendment Act (Loi modifiant la Loi sur les droits des victimes), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 34—The Statute Law Amendment Act, 2000

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 34, The Statute Law Amendment Act, 2000 (Loi de 2000 modifiant diverses dispositions législatives), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 39—The Insurance Amendment Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 39, The Insurance Amendment Act (Loi modifiant la Loi sur les assurances), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 40—The Business Names Registration Amendment, Corporations Amendment and Partnership Amendment Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 40, The

Business Names Registration Amendment, Corporations Amendment and Partnership Amendment Act (Loi modifiant la Loi sur l'enregistrement des noms commerciaux, la Loi sur les corporations et la Loi sur les sociétés en nom collectif), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

**Bill 41—The Balanced Budget, Debt
Repayment and Taxpayer Protection
Amendment and Consequential
Amendments Act**

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that The Balanced Budget, Debt Repayment and Taxpayer Protection Amendment and Consequential Amendments Act (Loi modifiant la Loi sur l'équilibre budgétaire, le remboursement de la dette et la protection des contribuables et modifications corrélatives), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

House Business

Mr. Mackintosh: Mr. Speaker, it is our intention to move a few stages, move to the distribution of the Bill on Interim Supply before debate on second readings of the following bills: No. 35 continuing from this morning, No. 48, No. 18, No. 44.

Hon. Greg Selinger (Minister of Finance): I move, seconded by the Minister of Justice (Mr. Mackintosh), that Mr. Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

Motion agreed to.

Mr. Speaker: Mr. Deputy Speaker, please take the Chair.

COMMITTEE OF WAYS AND MEANS

Interim Supply

Mr. Chairperson (Conrad Santos): The Committee of Supply will come to order, please. We

have before us for our consideration two resolutions respecting the Interim Supply Bill. The first resolution reads as follows:

RESOLVED that a sum not exceeding \$3,285,944,805, being 55 percent of the total amount to be voted on as set forth in Part A - Operating Expenditure of the Estimates, be granted to Her Majesty for the fiscal year ending the 31st day of March, 2001.

Does the Minister of Finance have any comments?

* (15:50)

Hon. Greg Selinger (Minister of Finance): No.

Mr. Chairperson: Does the Opposition Finance critic?

An Honourable Member: No.

Mr. Chairperson: Is the Committee ready for the question?

An Honourable Member: Question.

Mr. Chairperson: Shall the resolution be passed?

Some Honourable Members: Pass.

Mr. Chairperson: The resolution is accordingly passed.

We have two resolutions. This is the second one.

RESOLVED that a sum not exceeding \$29,700,000, being 55 percent of the total amount to be voted on as set out in Part B - Capital Investment of the Estimates, be granted to Her Majesty for the fiscal year ending the 31st day of March, 2001.

Shall the resolution be passed?

An Honourable Member: Okay.

Mr. Chairperson: The resolution is accordingly passed.

Committee rise. Call in the Speaker.

IN SESSION**Committee Report**

Mr. Conrad Santos (Chairperson): Mr. Speaker, the Committee of Supply has adopted two resolutions respecting Interim Supply, directs me to report the same and asks leave to sit again.

I move, seconded by the Honourable Member for The Maples (Mr. Aglugub), that the report of the Committee be received.

Motion agreed to.

Hon. Greg Selinger (Minister of Finance): I move, seconded by the Minister of Justice (Mr. Mackintosh), that Mr. Speaker do now leave the Chair and the House resolve itself into a committee to consider of Ways and Means for raising of the Supply to be granted to Her Majesty.

Motion agreed to.

COMMITTEE OF WAYS AND MEANS**Interim Supply**

Mr. Chairperson (Conrad Santos): The Committee of Ways and Means will come to order, please. We have before us for our consideration two resolutions respecting Interim Supply. The first resolution reads as follows:

RESOLVED that towards making good the Supply to be granted to Her Majesty on account of certain expenditures of the Public Service, for the fiscal year ending the 31st day of March, 2001, the sum of \$3,285,944,805, being 55 percent of the total amount to be voted as set forth in Part A - Operating Expenditures of the Estimates for the fiscal year ending the 31st day of March, 2001, laid before the House at the present session of the Legislature, be granted out of the Consolidated Fund.

Does the Minister of Finance have any comments to make? Does the Opposition Finance critic have any comments to make?

Is the Committee ready for the question?

An Honourable Member: Question.

Mr. Chairperson: Shall the resolution pass?

Some Honourable Members: Pass.

Mr. Chairperson: The resolution is accordingly passed.

The second resolution reads as follows:

RESOLVED that towards making good of the Supply to be granted to Her Majesty on account of certain expenditures of the Public Service for the fiscal year ending the 31st day of March, 2001, the sum of \$29,700,000, being 55 percent of the total amount to be voted as set out in Part B - Capital Investment of the Estimates for the fiscal year ending the 31st day of March, 2001, laid before the House at the present session of the Legislature, be granted out of the Consolidated Fund.

Is the Committee ready for the question?

An Honourable Member: Question.

Mr. Chairperson: Shall the resolution pass?

Some Honourable Members: Pass.

Mr. Chairperson: The resolution is accordingly passed.

Committee rise. Call in the Speaker.

IN SESSION**Committee Report**

Mr. Conrad Santos (Chairperson): Mr. Speaker, the Committee of Ways and Means has adopted two resolutions respecting Interim Supply, directs me to report the same and asks leave to sit again.

I move, seconded by the Honourable Member for The Maples (Mr. Aglugub), that the report of the Committee be received.

Motion agreed to.

INTRODUCTION OF BILLS**Bill 51—The Interim Appropriation Act, 2000 (2)**

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of

Justice (Mr. Mackintosh), that leave be given to introduce Bill 51, The Interim Appropriation Act, 2000 (2); Loi no 2 de 2000 portant affectation anticipée de crédits, and that the same be now received, read a first time, and be ordered for second reading immediately.

Mr. Speaker: It has been moved by the Honourable Minister of Finance, seconded by the Honourable Attorney General—and there is leave required. Is there leave? [*Agreed*] Leave has been granted—that leave be given to introduce Bill 51, The Interim Appropriation Act, 2000 (2) (Loi no 2 de 2000 portant affectation de crédits) and that the same be now received and read a first time and be ordered for second reading immediately.

Is it the pleasure of the House to adopt the motion?

An Honourable Member: Agreed.

Mr. Speaker: Agreed and so ordered.

* (16:00)

SECOND READINGS

Bill 51—The Interim Appropriation Act, 2000 (2)

Hon. Greg Selinger (Minister of Finance): I move, seconded by the Minister of Justice (Mr. Mackintosh), that Bill 51, The Interim Appropriation Act, 2000 (2); Loi no 2 de 2000 portant affectation anticipée de crédits, be now read a second time and be referred to the Committee of the Whole.

Mr. Speaker: It has been moved by the Honourable Minister of Finance, seconded by the Honourable Attorney General—leave is required. Is there leave? [*Agreed*] Leave has been granted—that Bill 51, The Interim Appropriation Act 2000 (2) (Loi no 2 de 2000 portant affectation anticipée de crédits), be now read a second time and be referred to the Committee of the Whole.

Is it the pleasure of the House to adopt the motion?

Mr. Marcel Laurendeau (Official Opposition House Leader): I move, seconded by the Honourable Member for Lakeside (Mr. Enns), that debate be adjourned.

Motion agreed to.

DEBATE ON SECOND READINGS

Bill 35—The Planning Amendment Act

Mr. Speaker: To resume debate on second readings, on the proposed motion of the Honourable Minister of Intergovernmental Affairs, Bill 35, The Planning Amendment Act (Loi modifiant la Loi sur l'aménagement du territoire), standing in the name of the Honourable Member for Lakeside (Mr. Enns), who has 40 minutes remaining.

Mr. Harry Enns (Lakeside): I am delighted for the fact that I see the Minister sponsoring the Bill, at least for the time being, is with us, because I have some very serious concerns about this bill.

First, Mr. Speaker, I would like to take the opportunity, the first I have, to correct a mistake that I made yesterday while speaking to another bill. I pride myself as being a somewhat amateur historian, particularly in political matters, and I do want to confess and correct the record that I was wrong in attributing a much later date to the transformation of the old CCF party to the New Democratic Party in comments that I made to the House. I was challenged by several members, notably the Member for Elmwood (Mr. Maloway) on that issue and the Member for Dauphin (Mr. Struthers). They were right and I was wrong, wrong by about, in one case, five years and in one case nine years. It was 1961 when that transformation took place. So I want to correct the record on that.

Mr. Speaker, on Bill 35, my first and initial comment is the discriminatory nature of this bill. It just is dumbfounding to me. This bill sets out a host of steps and procedures that are required if a farm producer, livestock producer, does something, but, for instance, none if another Maple Leaf plant, a \$100-million Maple Leaf plant were to be built along the shores of the Assiniboine or if Simplot were to double its fertilizer plant, you know, \$100-million plant, anywhere in the province, or if some other development that has serious environmental issues, that maybe burns tons of sulphur emitting

oil and coal, none of the provisions of this act apply to them.

A municipality is left in full authority to issue the necessary planning permits for those kinds of operations. I would just think about this, because at the time the Maple Leaf plant was built it attracted a lot of attention from the environmental community in the province of Manitoba. The Government is comfortable in allowing municipal, local governments making that decision, as Brandon did. But if a farmer or a group of producers want to create a livestock production, then the full ramifications of Bill 35 apply. I think that is discriminatory, and I think it is going to come to create very serious problems for the ongoing expansion of the livestock industry in the province of Manitoba.

Mr. Speaker, prior to the lunch hour adjournment, my colleague from Emerson put on the record some of the history and some of the reasons why livestock production is becoming as attractive to Manitoba as it is. He drew to our attention the fact that the disappearance of the Crow benefit played a big role in that. He was absolutely right when he reminded all of us that, although the Crow benefit, the \$700 million, is often referred to as an agricultural subsidy, the farmers received none of that money. That money went to our railroad companies, the CNR and the CPR, all of it.

Let me go back a little further. One of the reasons why those of us—certainly I identify as then having been Minister of Agriculture of the province, why I insisted on an appropriate phase-out period and appropriate compensation, an adjustment period, not what the federal government gave us, roughly speaking, a billion dollars, a billion and a half dollars over a three-year period. We were talking, along with my colleagues from Saskatchewan and Alberta, a phase-out period of 10 years and overall phase-out monies of upwards of \$7 billion.

That was agreed to in Regina, at the Regina conference, to give the producer time to make his adjustments from primary grain production to other productions, higher value crops in the province. That was the position of the ministers of Agriculture from Alberta, from Saskatchewan, from Manitoba. That was the position that was supported by our farm organization, to give us a sufficient period of

time to make those adjustments on our farms. That regrettably did not happen. We did get some support, I acknowledge it. The Liberal Government did provide upwards of a billion dollars over a period of three years to help cushion the change. And what was the change?

The change, I remind us all, particularly our urban colleagues who have to understand it, on July 31, 1995, I think, when the Crow rate ended, my good friend, the Member from Arthur-Virden could ship a tonne of barley or grain to the Lakehead or to Vancouver for about \$8.50, \$9 a tonne. The next day, the same tonne cost him \$35, \$37, \$40. A massive, massive cost, a massive change in his whole business plan, and that is what is driving the understandable, logical conclusion to the extent possible to ship the grain to not pay those charges. So what do you do with the grain then? You feed it to livestock, you feed it to chickens, you feed it to cattle, and you feed it to hogs.

* (16:10)

Very shortly thereafter, in a very extensive study undertaken by a group of organizations, including the private sector, I think the CIBC bank was involved, the Manitoba Pork Producers contributed to it, four or five sponsoring organizations looked at the cost advantages of producing pork on the Prairies and they showed in a very clear way that, as a result of these changes in freight costs, Manitoba and eastern Saskatchewan particularly would become overnight, as they did in '95, the best place, the most economical place to raise livestock of any sort that has as a main proponent of its production grain. That is what is fuelling the hog industry in Manitoba and that is what should be fuelling it and is, to some extent, the feeding of livestock, of beef animals in this province. And when we finally unclutter ourselves from the national supply and management programs, it is what will increase egg production, broiler production, turkey production here on the Prairies.

Mr. Conrad Santos, Deputy Speaker, in the Chair

Furthermore, Mr. Deputy Speaker, you are going to see what we have not seen for 50 years.

You are going to see the introduction of more and more grain processing taking place and oilseed processing taking place here on the Prairies, as you see at Harrowby, as you see at the first flour mill to be built on the Prairies in 50 years, built in my constituency at Elie. Why? Because it is now more attractive not to pay those inordinate freight rates of moving the grain to where 90 percent of Canada's flour is milled in Vancouver, Toronto and Montreal, but to mill the flour where the wheat is grown. Does that not make sense? Of course, it makes sense.

Our American friends, they did not interfere governmentally in this whole process. So they have their flour milling operations processing the grain where the grain is grown, in Kansas, in Nebraska, and that is what is going to evolve here once we unclutter ourselves of many of the governmental regulations that have been put in place in the last 30 or 40 years.

You have to understand, Mr. Deputy Speaker, and I do not want you to take offence at that, you may not have an occasion to be fully aware of it, but when this great country of ours was put together, confederated in 1870 when Manitoba, Saskatchewan and Alberta joined the Confederation, the folks down East in central Canada, Ontario and Québec, looked at Manitoba and Saskatchewan and Alberta as being nothing but the hewers of wood and the drawers of water. That is why they were quite prepared to put up the money and to guarantee that the wheat and the pork and the beef would all be shipped at reasonable freight rates to Toronto where the processing took place and, of course, with the processing, came the jobs.

So that is how our economy developed. That is how we got into a Crow rate to begin with. But there were always those on the Prairies who looked a little further and said this is really not in the interests of prairie development. That is why I make no apology for accepting, quite frankly, the courageous move at that time of the Liberal Government, under the leadership of Mr. Goodale, that brought the Crow rate to an end.

I fought viciously and hard for a fairer deal for our farmers, for a longer period of adjustment, but I did not fight the principle. Members of the Opposition, the current Minister

of Agriculture (Ms. Wowchuk) from time to time accuses me of that. I plead guilty because it was long seen by previous governments, federal governments, that the Crow had outlived its usefulness, particularly as far as western Canada was concerned.

Charlie Mayer in the Progressive Conservative government tried to move in that direction but, quite frankly, did not have quite the political will. The Liberal Government chose to move in that direction, and while I find enough reasons to find fault with them, I have not particularly ever found it in my heart to criticize them for moving in that direction because in the long run, if the Minister of Intergovernmental Affairs (Ms. Friesen) does not keep introducing bills like this, it spells nothing but better times for Manitoba and for the Prairies generally.

Why do I pick on the Minister of Intergovernmental Affairs? Well, I will begin. Bill 35, for instance, means there will be no Schneider's expansion in the province of Manitoba. She had better have a chat with her colleague the Minister of Finance (Mr. Selinger) and with her Premier (Mr. Doer), who, just a few months ago, made banner glowing headlines about welcoming the expansion of pork processing in the province of Manitoba with the thousands of jobs that would come to St. Boniface, with a hundred million dollars of investment. Bill 35 effectively kills that plant.

An Honourable Member: Mr. Deputy Speaker, I would ask the doors be closed. I would like to have a quorum called, please.

Mr. Peter Dyck (Pembina): I would ask that you do a quorum call, please.

Mr. Deputy Speaker: I would ask that all members present rise in their places and ask that the Clerk at the table call out and record the names of those present.

Madam Clerk (Patricia Chaychuk): Honourable Mr. Mackintosh, Honourable Ms. Friesen and Ms. Barrett; Mr. Struthers, Mr. Aglugub, Mr. Nevakshonoff, Mr. Enns, Mr. Dyck and Mr. Santos.

Mr. Deputy Speaker: As there is not a quorum present—

* (16:20)

Point of Order

Hon. Gord Mackintosh (Government House Leader): Mr. Deputy Speaker, a point of order.

Mr. Deputy Speaker: Point of order being raised.

Mr. Mackintosh: Mr. Deputy Speaker, I note the rule with respect to quorums. It advises in the rule that the Speaker may adjourn the House. In other words, it does not appear to be mandatory that you adjourn the House.

The reason I raise that, Mr. Deputy Speaker, is because we have by leave of the House a standing committee meeting at the same time, in addition, of course to the other responsibilities. So it is a unique circumstance. Surely by implication that the Standing Committee and its work ongoing at the time will have an impact on attendance in the House, I ask, Mr. Deputy Speaker, that you take that into consideration given the unique circumstances that were agreed to by all members of the House.

Mr. Deputy Speaker: Does the Honourable Member for Pembina wish to speak on the same point?

Mr. Dyck: Yes, thank you, Mr. Deputy Speaker, on the same point, under the information that we have received from the House Leader, I would concur that because there is another committee going we will resume the debate on Bill 35.

Mr. Deputy Speaker: We have a problem here. There should have been that agreement before the quorum counts. After the quorum count there is no qualification whatsoever in the rule. In the absence of an agreement, the rule says, in the absence of the quorum the Legislature has to rise.

Mr. Mackintosh: Is there leave of the House to continue debate, Mr. Deputy Speaker, on the understanding that the quorum issue will be dealt with?

Mr. Deputy Speaker: There are two prerequisites. First we have to ask for leave to waive the quorum roll call. That being done, we can ask for leave again that the debate continue. Is there leave on the part of this House to waive rule 4.(1) relating to quorum. *[Agreed]* Is there leave to continue debate on Bill 35? *[Agreed]*

* * *

Mr. Enns: The Honourable Minister of Inter-governmental Affairs asked from her seat why I am concerned about Bill 35 impacting on ongoing and continued expansion of the pork industry in Manitoba and the subsequent cancellation of what was a very positive announcement by the Premier and by the Minister of Finance about having concluded an agreement with one of our major processors, Schneider's, to considerably expand their processing plant in St. Boniface. The simple fact of the matter is, for Schneider's to make that commitment there has to be more than just reasonable assurance that the hog supply will be, in fact, available for that expanded plant. I maintain, Mr. Deputy Speaker, that the provisions in Bill 35 will make it very difficult for that to continue.

I am well aware that this government is sensitive to a growing lobby. In fact, they were reminded of that when this session first started with an interruption, as you will recall, from the gallery of some of those citizens of Manitoba who feel very strongly that there ought not to be any more hogs grown in Manitoba, that there should be a moratorium placed on all future barns to be built in the province of Manitoba. In my opinion, Bill 35 makes it likely that will happen.

We have a well-organized and, I might add, a well-financed, group of people who are opposing that. Any group that can take out full-page ads in the *Winnipeg Free Press* demonstrates that. I recognize some of the players, the lawyer that is involved, from other skirmishes on other environmental issues. The way Bill 35 is set up, the kind of notice that is now required, mandatory something like that, it does not make it very difficult for this well-financed group to zero in on any application that

any municipality has in front of it and see that it does not get passed.

I have no difficulty with the one provision of the bill that makes it mandatory for any future hog, livestock expansion of this size being required to have the technical review committee's approval and look-see into the operation. But I am also aware, Mr. Deputy Speaker, that it is the Minister or her colleagues that appoint the members of the technical review committee, just as you—and I do not fault you, quite frankly—to your boards and to your commissions, you appoint people who are friendly to your philosophy and to your outlook on politics. So it can be a very skewed review when all that power is in your hands. That is my concern.

That concern is already being felt out there, and that is too bad, because it goes far beyond the production of hogs. We have the land base that can easily accommodate this in a responsible and an environmentally friendly way. But if we forego it, we are not just hurting the hog producers, we will be hurting all our grain farmers, because our grain farmers have no other option, other than providing the feed for these—and I will name it—factories. Let me come to that term, because that term gets used a great deal, particularly by the opponents, by the Member for Interlake (Mr. Nevakshonoff) and people like that.

I take some encouragement when I read this week's or this month's Manitoba Chamber of Commerce paper, the *Focus*, and they talk about Russell. They congratulate the Russell district: Soon we will get Manitoba's largest feedlot, and there is a fine picture of our Minister of Agriculture in there, Ms. Rosann Wowchuk. She says that she is very much in favour of this because it dovetails with what her government wants to do. Well, this is a beef factory. They are talking about 20 000 steers on 2 acres of land or 10 acres of land. That is a beef factory. Mr. Deputy Speaker, nothing wrong with that. That is how agriculture is developing. All our livestock is developing that way. All our chickens are grown in factories. All our broilers are grown in factories. All our eggs are grown in factories.

An Honourable Member: Are you opposed to them?

Mr. Enns: Not at all.

An Honourable Member: Well, then why not make it mandatory.

Mr. Enns: Not at all, but I know that there is a great deal of—you are opposed to it, and a whole lot of people are innocently opposed to it. I say innocently because they really know not of where they speak, and I will come to it in a minute. But it surprises me again how discriminatory we are. We all shop at Safeways or at the Superstores, but we forget about, hey, that is how the retail grocery business has come together. In western Canada, we only have three grocery stores. In eastern Canada, there are two more, a couple in Quebec.

An Honourable Member: What do you mean, three stores?

* (16:30)

Mr. Enns: That is right, that sell 85 percent of the groceries. Superstore, Safeway and another chain. We pass comment on it, but that just happens to be the way it has developed.

Mr. Deputy Speaker, I want to tell my colleagues one of the reasons why it has developed that way. We have these people coming to these committees, and they are coming to the Government's committee that is doing this review on livestock right now. They talk nostalgically about the family farm. These are people who have long been removed from the farm. They have not even come from a farm, but now they want to talk about the family farm.

Well, Mr. Deputy Speaker, do you know one of the reasons why livestock production is being concentrated in these bigger units? One word, one word only—lifestyle. People think that 25 000 farmers should all have 40 or 50 hogs in their backyard, five or six cows, and maybe like my wife, some sheep and goats or something like that. But the minute that you put livestock on your farm, you are tied to that farm seven days a week, including Christmas and New Year's.

These family operations, you cannot afford hired help, so it is the husband, the wife and the kids who have to do the chores on these farms, particularly since the end of the Second World

War and as our kids have come back from colleges, from universities, they have come home and said, dad—they realize as their urban cousins, they see them driving by on our highways on their way to the cottages, on their way to the lakes, on their way to enjoy themselves for a weekend, but the farm families could not do that because there is bossy to be milked. There are three porkers to be fed in the back of the barn. It is very often the youngsters who would come home from college, something like that, and would say to their parents, dad, mom, get rid of these animals so that you can enjoy a better lifestyle. You can enjoy something closer to a 40-hour week with weekends off, with holidays off.

That is what happened. That is why from the period of 1972 to 1995—I use that period because I had a hand in and was accused of—pardon me, yes, '95 and '96 when I took away the single selling desk of Manitoba Pork, that I aided and abetted in the ruination of the family farm. In 1972, there were 12 000 individual hog farms in the province of Manitoba. By '95, it was reduced to something like 1400, 1800. What has changed is people simply saying, hey, I do not want to bother; I do not want to be bothered with the chores of looking after 25 or 30 hogs, and they got out of it.

The same thing has happened with dairies. The same thing has happened with chickens. Let me talk to you a little bit more about chickens, because the consumer really has a bit more to do with it. A lot of people, like those armchair people, very urban people, would like to tell farmers that we should all go back to the family farm where we had nice little flocks of chickens and where the kids go out to gather the eggs and stuff like that.

One of the reasons why that has changed is because you the consumer would not buy those eggs, because those eggs would come in different shapes and sizes. Some would be soiled; some had manure on them. Some would have cracks on them. No, we want factory-produced eggs of the highest quality, clean, graded. If you are a medium man, you get a medium. If you are Grade A large, you want Grade A large. That is what pushed egg production into factory production.

So let us not have in this whole debate on hog farming, this nostalgic kind of reverie that is aided and abetted by members opposite, that somehow, if we can get rid of these big factory farms, you are going to convince 10 000 to 15 000 Manitobans to start raising 20 to 30 hogs again in their backyard. That is not going to happen, Mr. Deputy Speaker, and it should not happen.

What Bill 35 is going to make sure happens, though, is it is going to make Manitoba a very, very difficult place to continue producing hogs in a responsible manner. I can only put those words on the record. I believe that the first kind of initial jolt that this government will feel as a result of Bill 35 is when Schneider's or Smithfield cancels out on their \$100-million-plus expansion plans and over a thousand jobs that were promised that would come with that plant when they cancel out of that agreement.

That is going to come as a bit of a surprise to the Minister of Industry. It is going to come as a bit of a surprise to the Minister of Finance, who is already counting on the tax revenue that he is going to get. Just figure out 7 percent on a \$150-million plant on provincial sales tax. That is a pretty nice chunk of change. Just figure out what you get on income tax from over a thousand employees. That is a pretty healthy chunk of change.

An Honourable Member: What is the price of no regulation, Harry?

Mr. Enns: What do you mean, no regulation? We have the best regulations in the country. We have among the best regulations in the world. I am not saying it is not being enforced as well as it should be, and I will be as supportive as I can about that. But do not pit the majority urbanites against the farm community, which you do with this bill. Yes, you are. Absolutely. Absolutely you are doing that.

In that case we know we are in the minority. We will always lose. That is what is the focus of this bill. What is discriminatory about it is that an aluminum plant can come to Hanover and want to build a big aluminum smelter there. They are not considered a problem, an

environmental problem. They are not covered under this act. Hanover or Brandon can issue a conditional use permit. If Simplot wants to double their fertilizer plant on the banks of the Assiniboine River, they get a conditional permit. They get a permit from the municipality of Brandon.

Mr. Deputy Speaker, I am breaking the rules of the House. I am supposed to be addressing my comments to you and not be engaging with honourable members across the floor.

This bill is discriminatory; this bill is anti-development; and this bill will create unheralded difficulties for not just the hog producers because, as I said earlier, it is the outlet for our entire grain economy to have available to them means where they can dispose of their feed grain.

Many non-farm friends ask me: If it just does not pay to grow barley or feed oats or wheat with the freight rates that are now in effect since the loss of the Crow, why do farmers grow that crop? I will tell you why farmers grow that crop. They would like to grow the higher value crops of special crops of beans and of potatoes and of canola. They do in ever increasing numbers. We have become in the last few years since the Crow the biggest bean producer in the country. We took that title away from Ontario just a couple years ago. We are Canada's second largest potato producer. We have great potato production. But you need rotation and soil husbandry. You cannot go canola, canola, canola, potatoes, potatoes, potatoes. You have got to in between grow a rotational crop.

The crops that usually come to mind are feed grains, barley and wheat and oats so that we will always have, if we want any kind of agriculture, if we want any kind of successful agriculture in this province, we will always have humongous piles of barley to feed, and hemp if we could get a processor. I was very encouraged and did a great deal of encouraging of introduction of that crop into the province of Manitoba. We will, in any event, always have huge amounts of feed grain in the province of Manitoba.

In the current situation, the only way that they can be profitably exchanged or brought in

the system is through livestock. That is why I am glad and I am supportive of the efforts that the people of Russell are doing here in bringing back the feeding industry into Manitoba, which, to a large extent, we lost to Alberta. Once we have a few more 10 000 and 20 000 head feedlots in Manitoba, then soon a beef processor will come to Manitoba, not before.

I object to the kind of hypocrisy that is involved in here. Nobody really worries too much that we have farms with half a million chickens under one roof, or 100 000 chickens. Well, Ms. Vicki Burns objects to it. I know that. In livestock farming, it has become a concentrated business. It is not bad because, in these businesses, 10, 12, 14, 15, 20 families are finding year-round employment. I will conclude with this. The kind of employment is what the traditional family farm could not offer. It offered them an acceptable lifestyle for the year 2000. It offered these people regular weekends off. It offered these people regular hours. It offered these people security. It offered these people some of the other benefits that we urbanites take for granted, in some instances, pension considerations, in some instances, medical plan supports, all of these things that are all too often alien to a farm worker and, in many instances, can help rejuvenate our ailing rural communities.

* (16:40)

I know of some of these reviled hog factories that have 12 or 14 people working with them, including families. Their kids are going to their schools. Their kids are adding to the community. What we lack in rural Manitoba is the declining numbers. It is not surprising at all that the portion of Manitoba that, over the last several decades, has shown growth and continues to grow both in economic and in numbers is the southeast part of our province, Steinbach, Niverville, in that area there, where 75 percent of our livestock is grown. When I use the term "livestock," I am inclusive. I mean all livestock: dairy cattle, chickens, turkeys, beef cattle and, of course, hogs.

I serve warning on this government, serve warning on this Minister that, when she is bowing to the pressure, in many cases unreasonable pressure and misinformed pressure,

she has an opportunity of replacing. I ask her to be concerned about the \$200-million worth of chemical fertilizers that we use in agriculture and replace them with a much more acceptable organic fertilizer, hog manure. It has to be done right. It has to be applied right. It has to be applied under regulations, in a way that it does not do the kind of damage that opponents like to attribute to it, and it is being done that way.

I will let honourable members in on another little secret. I am going to speak kind of softly because I do not even want the farm community to hear this, except, of course, anything I say can get back to them.

Mr. Speaker in the Chair

If the truth be known, it is these large operations, these factory farms that are most compliant and most careful about the environment. It is the small family farmer who is still dumping his hogs when there are mortalities in the back of the bush. It is the small feedlot farmer that is still running his cattle feedlot on the banks of a river and letting the effluent flow into the river. It is nobody with a multimillion-dollar livestock operation who would dare jeopardize their investment by being in non-compliance with the regulations. I have no difficulty in greater enforcement of the regulations, more refinement of the regulations. These refinements have been refined in the last half dozen years and they will continue to be. But I do not hear from members opposite the kind of support for the industry, the kind of positive outlook for the industry. With that attitude and with the kind of legislation that Bill 35 is, it does not take long for it to become oppressive and effective in helping to shut the industry down. Thank you, Mr. Speaker.

Mr. Glen Cummings (Ste. Rose): I want to take this opportunity to put a few remarks on the record around this bill. I would be the first to acknowledge that on the surface a quick reading of this bill will not raise a lot of concern to the average person who glances through it until they perhaps begin to sit back and think about the process or have had some experience in the process out there of siting a livestock operation. Basically, the title probably references where we

need to focus our attention: proposed amendments of livestock production operations.

I have heard a few remarks from government benchers about—well, I just heard a couple of remarks about lagoons: One leaks; one overflows. I am not sure whose operation he is talking about, but he should remember he is now government. If he knows one that is leaking and one that is overflowing, call the Minister of Conservation. Do not be chipper from the back benches and say that you know a lagoon that is running over, that you are going to blackball all of us. Tap the Minister on the shoulder and say: Send your officers out to look at that lagoon. That is what speaks to be done. As my colleague from Lakeside said earlier, very often, and that is why we took such umbrage at some of the material that was put forward regarding the review that is out there right now.

I know the Minister of rural development now probably would not be pleased to have me remind her of this, but I felt that the manner in which the pamphlets went out where they referred to Louisiana and some of the disasters that have occurred in some of the production units in the States, that raised an unnecessary level of concern in this province. We have to have 10, maybe 15 times—I know 10 at a minimum, but 15 times the density of hogs in this province before we come anywhere close to the types of operations that were pointed to in that promotional material for the review that is going on currently.

I want to go on the record as saying I understand that Mr. Ed Tyrchniewicz, Professor Tyrchniewicz, is doing a marvellous job of chairing those committees. I would give the Government credit for having put him in that position because a lesser chairman might not have been able to keep this on an even keel. But I have always been concerned that there is a propensity to say: We have a problem, and how are we going to solve it? Far too often we do not identify the problem so much as we have a perceived problem. The Province of Manitoba, and I am going to embark on a little self-congratulation, I suppose, because frankly this province has developed over the last half a dozen years some of the best regulatory format in North America for the establishment of hog

operations and, to some extent, cattle operations, but more directly hog operations. It does come down to a situation where there is a perceived problem right now.

We have had presentations at that committee, as I understand it, worried about water quality and pointing to certain problems that undoubtedly must be the problem of the livestock industry. There is a high nutrient loading in some of the rivers and streams. Well, I do not want to broad brush any part of agriculture. I am partial to the Department of Agriculture responsibilities, the department of environment regulatory responsibilities, but I would suggest that science will show that the problem is a lot different than the perceived problem, in terms of sources of pollution in our ground water and in our surface waters.

I can go into streams in my area right now where there has been virtually a flash flood because of heavy rainfall events. I see algae bloom on running water. Wherever there is an eddy, the algae is already starting to bloom, a perfect sign of nutrient loading. That is a seasonal stream. Where did it get the nutrient loading from? There is no livestock operation on those streams, or if there is it is a small family operation, the only one I know of. I know these streams quite well and it runs into the town of Neepawa's drinking water. So I suggest before we take a broad brush and condemn the livestock production as a total problem within agricultural production that we may have not seen the full impact of all agricultural production and/or the management of effluent from our urban centres.

* (16:50)

There is a name that will be well-known to some of the members on government benches. I know she is well-known to those on this side, because she sat as a member of a number of boards and commissions and has become a bit of a thorn in the side for the current administration on whether or not they have been willing to live up to their sustainable development responsibilities. Christine Common-Singh I believe. If I quote her incorrectly I will apologize in advance, but I recall her and others on committees who came and gave me advice. If we want to look at

the most significant sources of pollution in our province, we probably need to be starting with our urban centres. Unfortunately, the impact on the environment is probably no where more evident than at the corner of Portage and Main, or Mountain and Main in Neepawa, if you will. There is where environmental impact is at its maximum.

But what does that have to do with this bill? I imagine the Minister of—I keep wanting to refer to her as the Minister of rural development—Intergovernmental Affairs (Ms. Friesen) is saying so what is Cummings talking about? How can this bill generate this kind of a response or concern? I think the Member for Lakeside (Mr. Enns) set the tone in terms of concerns that the public is developing about the direction and the general thrust of how this government is approaching agricultural regulation. We start off by saying well, it must be those big hog farms. Then this government came into office also saying well, they were going to be better than those darn Conservatives. They were going to slap Schneider's around. They were not going to let them have a staged development licence for their plant. Staged development is a dirty word. It came many times from the now government when they were in opposition of how opposed they were to staged developments.

Now staged developments in relationship to this bill is perhaps drawing a bit of a long bow, but it is related to environmental development. In many cases where there is a known impact, where it is known that there is an ability to deal with the volumes of manure, let us say, or there is a known separation distance from existing operations or residences, where there is a known soil quality, where there is a known amount of water that is available, this bill very clearly says that no production or development can occur unless all licences are in place, all approvals are in place. It is going to put the onus back on the Government to be able to supply some kind of yes or no answer in the course of a reasonable amount of time to give these investors the opportunity to go ahead.

I can tell you there are municipalities out there, municipal officials who have said many times in my presence: I was elected to represent the people of my municipality, my ward specifi-

cally, and I believe that I have a mandate on behalf of that electorate to approve or disapprove the type of community that we are going to develop; in other words, the type of development that will occur in the community. We see a little bit of an extension of that in this bill or an extension in the sense that maybe that statement just cannot be held up as being a real possibility anymore because there is going to be provincial involvement, and the overriding aspect of the Province's involvement will be to provide the approvals.

Now, I know there are areas, particularly on this side of the province but in a number of communities across this province, in agricultural parts of Manitoba, where there has been mixed development, where there has been rural residential development, if you will, where councils of the day said we would like to see some of the tax money that comes from having quarter-million dollar houses developed in the area where we believe that we have seen enough depopulation.

You know, there are also councils out there right now that are looking at livestock opportunity as an opportunity to repopulate their communities. If this bill does anything to discourage that type of thinking and having them take advantage of that development, then there will be a reaction to this bill. I will have some questions that I will be seeking answers to in committee regarding this bill, as I know some of my colleagues will have, because depending on how those answers are forthcoming or whether or not they can answer the concerns that are being raised and whether they can prove, if you will, that the concerns are unfounded, then there is reason for some concern with the concept and with the approach that is being taken here.

But, nevertheless, what I want to touch on while I am speaking to this bill, Mr. Speaker, goes beyond just the aspects of this bill, and if somebody in the House here wants to call me on the relevance, I invite them to go ahead, because what I see here is an approach that raises flags, raises flags on the processing end, raises flags on the production end, raises flags in the manner related by my colleague from Lakeside that agricultural Manitoba is running out of options. It is seeing some of the livestock production as

being a real option with a real opportunity for repopulation.

Let me talk about how a facility is developed and how it can provide to the lifestyle and, frankly, how it can provide to the environment if it is properly managed. It can repopulate by bringing children into the community, children of the employees.

I do not have the clipping with me, but I did have in my possession when I was in government a clipping from a small town in Saskatchewan where, as it happened, I knew the person who was being hired to manage the new large hog operation that was being built in the community. This family has five children. When they moved into that community, here was a young family, five children, and the population of the local school went up by 10 or 15 percent. I mean, this is a remote—not remote in the sense of northern Manitoba but distant from other large centres where, other than bus their kids for three-quarters of an hour or an hour, they are able to maintain a smaller school. That gives you an idea of the size of the community.

I know that someone who has the qualifications, the background and the training and the wherewithal to bring their skills up to the level of management that is needed today in these hog operations, that they will command something about equivalent to what we as MLAs are making in this House for salary. They are not cheap jobs. They are not McJobs, as members of government when they were in opposition often referred to some jobs that we saw in other parts of society. The manager's job will be a significant job. He will have a residence usually juxtaposed to the operation. He will have employees. The operations of the size that I have in mind probably employ full-time six to seven people, plus the trucking, plus the feed, plus the medicine or health care professionals that they have to hire, so you are looking at a significant spin-off in a community where one of these facilities can be established.

You have a local aspect that has to be dealt with. I know that is what the Minister and her staff of Intergovernmental Affairs were probably considering when they talked about making these changes. If the Minister sees this as an

improvement to the putting in place of a technical advisory committee to assist the municipality, if it is seen as better access to information, if it is seen as making the process clearer to both sides so that they can deal with the issue frankly, and the Minister may be able to explain this in committee, but I look at these amendments and most of them seem to be more balanced towards the side of those who might oppose development of a large livestock operation as opposed to those who want to develop one.

* (17:00)

What the community who wants further development will be looking for is a clear yes or no, a clear time frame. I see there are some time frames established in here for access to a yes-or-no answer, so they can get on with their planning. These facilities probably require most of a year's advance planning today before cement is in the ground, although the facilities themselves can become somewhat of an off-the-shelf type of construction as far as the engineering goes. I take it that the Government felt that there were people who were opposed to livestock production in their community, who simply were not being given an opportunity to either stop it or feel that they had a comfortable amount of information for approvals.

I can tell you that the Minister has to be careful on how she proceeds with this regulation or with any other regulation regarding large livestock operations. They should not go willy-nilly on the landscape, but the municipalities should be the ones who dictate what the nature of their municipality, the nature of their local community is going to be, and "dictate" is the wrong word. They should have the authority to do that planning.

There are municipalities who today have made the clear decision they do not want urban development or urban sprawl. To their credit, they made that decision. They want to be agricultural. They may now decide that they want to be because they have much more open space, less rural residential development—they could well decide that is where they want to see some large livestock operations established. You

could argue that on the surface there is nothing in this bill that would prohibit that.

What I want the Minister to answer, when we get into committee, is what the intent is beyond tinkering and whether or not there is thinking behind this that she has related to planning across the province of Manitoba. I would argue that wherever there has been a planning board and a plan in place, it has not been difficult to site a livestock operation if they have juxtaposed their plan relative to their long-term development opportunities within their municipality. I would cite a couple of examples without offending any municipality. Perhaps I should leave the names of the municipalities out, but I believe you will find that there are municipalities not too far from fairly large residential centres who will have almost all of their land in agricultural conditional.

As a farmer, I find that distressing, and I would suggest that that type of a situation probably in the long run will never allow itself to be a host to very many livestock operations. I heard some comments in the House here today from people who said, well, you cannot be putting hog barns in swamps. Interestingly enough, engineers can put hog barns in swamps because you might find that the ground water is not going to get contaminated because a swamp generally, surprisingly—the reason it is a swamp is that it has no access to the ground water because of hardpan or other structures depending on the nature of the area.

There is far too often that broad, sweeping comments are made that do not recognize the reality of the environment that the operation is proposing to go into by the very nature of the fact that a number of people do not want to live close to a hog operation or any large livestock operation. Some people would argue that poultry and cattle operations can have a more objectionable odour than a hog operation, to tell you the truth, and that, I would acknowledge, is true unless it is very carefully managed.

So I look to those areas that are not developed. One of the reasons they are not developed is because they do not have productive land perhaps, but that does not mean that that land is not suitable for uses that can

lend itself towards heavy livestock production if it is conditioned and if it is managed correctly. An example, very often we see livestock production going in near heavy grain production because that is where the market is. We see people on less-quality land, however, who are seeking alternatives because of the less valuable land that necessarily does not lend itself to cattle pasture, but they want something more intensive and potentially more profitable without going to a huge land base. Those people, currently, if they can scrape together the finances—and there are lots of organizations out there who are prepared to finance large livestock operations—they then need to be able to convince that siting it is not the main impediment.

One of the concerns that I have noticed between people who want to invest in the hog industry, first of all, they would not invest because they were not close enough to a slaughterhouse operation in this province. The previous administration went to great ends to establish hog-slaughtering operations in this province. That was key to the long-term development of the hog industry in this province.

The challenge the Minister of Intergovernmental Affairs (Ms. Friesen) has on her hands is if she is going to introduce this legislation or any other, along with the Minister of Conservation (Mr. Lathlin), that deals with this industry, they will have to be sure that they do not tip what is a very fine balance, because if we do not aggressively develop the hog industry in this province—I challenge this government, you cannot be half wet on this one. You either are in or you are out, because we already have a fairly strong regulatory system. I have argued that it is one of the best in North America. You can improve it, fine, but we have two large slaughter operations in this province right now, and one of them has already gone to a reduced work week because, despite all of the hullabaloo about hog production in this province, they are still not getting the growth in the hog industry they need to supply those plants.

If indeed the current government sees itself as a friend of those who are employees as opposed to management, there are 2000 jobs out there that are affected both ways by whether or not we have development of this industry. They

are decent jobs. I will not spend any time going beyond the observation that not everybody wants to work in a hog plant. But let us remember that this does require all legs of the stool to be strong or the stool will tip over. The large investors that have built the hog plants here, and some of us on this side have jokingly said that there could be trouble on the horizon if we send the wrong signals, but they are bringing in hogs from Saskatchewan now. They are bringing hogs all the way from Alberta in order to supply the plant.

* (17:10)

Let us remember our history when we deal with the regulation of these industries. Alberta took the cattle-killing industry out of Manitoba. As a result they got the feed yards, they got the employment, they got the market for their grains. They even paid a subsidy to take barley into Alberta to feed the cattle.

Manitoba, if it was going to have any place in the livestock industry in western Canada, had to change that thinking for the hog industry. We could not buy back, or we should not buy back the cattle industry. Buying would not be the right way to go, but by creating a climate here that encourages the production and makes it so that it is viable for the processors to be here, they have to both be developed together. That is why many times we were accused of being pro hog development. I would like to see this Minister of Intergovernmental Affairs (Ms. Friesen) stand up at some point and say on the record that she is pro-development for hogs. It would be the best signal. I will stand up and applaud her if she will say that, because that would be the best signal that can be sent to the agricultural community in this province today.

No one has yet said we are being regulated to a halt. No one has yet said that the regulations in this province are too onerous, but I have not heard anybody in this government other than the Minister of Agriculture (Ms. Wowchuk), who came close in that article that **was** referred to by the Member for Lakeside (Mr. Enns) to complimenting a large feedlot operation, integrated operation, by the way, one that has huge opportunities for marketing of grain, huge opportunities for marketing of livestock, many

of which are produced in my riding, for that matter, and a huge opportunity for the by-product, and the by-product is not necessarily the manure. The by-product is from the processing of the feed in the design that is setting up that plant.

Well, the Minister of Intergovernmental Affairs is keeping her counsel to herself, and I appreciate that. I think that she has an opportunity as a minister responsible for this portfolio, which encompasses what used to be Rural Development. She has an opportunity during the debate on this bill to send the right signals, because I would argue that that is more important right now in the development of this industry than anything else. That is why I challenged one of her colleagues earlier.

If you have a problem with an operation somewhere that you think is breaking the law, the Pork Council, the Hog Producers Association, everyone would respect those who say here is an operation that needs to clean up its act, but if we target or if we brand all of these entrepreneurs—every time one of these facilities is built, there are mega million dollars invested. That is just the reality of how they are today. There are very few hog operations left where they are mom and pop operations unless they are part of an integrated system. Integration, there is a word probably that some people would hope does not rear its ugly head, but when you need that much money to develop a consistent product, to develop a production level that is economic, then you very likely do have to seek the cash input from the feed processor. You have to seek the cash input from the community probably where you plan on investing, and you have to seek cash input from those who hold the genetics, in this case, on hogs. All of those things have to come together to make these profitable investments.

These investments can occur in Saskatchewan. Neepawa and Brandon will get lots of hogs out of Saskatchewan. Winnipeg will get hogs out of Saskatchewan if we send too many of the wrong signals to those who would invest in these operations. I would say to the Minister of rural development, while I am sure she would deny having any acrimonious feelings towards the livestock or the hog industry, as the

Minister of rural development, which she still is even under a new name. Look at some of the communities in this province that are the most progressive, aggressive and the ones who are paying taxes, who are growing, who are rolling with the punches, and you will find that in many cases if they have the land, they are diversifying into specialized crops, higher value crops, but they are also diversifying into other areas of value-added, which very often includes livestock production. Even Russell, which is, as we referred to earlier, one of the more aggressive agricultural communities on that side of the province next to Brandon and, I would submit, Neepawa for that matter, is one of the more aggressive development areas.

I can see they are totally enthralled by my comments, but that is okay. I will invite other members of the House to read my comments in Hansard if they cannot hear me.

It is important in the world of economics that the right signal be sent, and if it is not the Minister of rural development who plans on sending that signal out there—and it cannot be the Minister of Agriculture (Ms. Wowchuk) alone. It could be the Premier (Mr. Doer), but you know I have a little problem with how the Premier has handled this thus far. That is why I am appealing to the Minister responsible for Intergovernmental Affairs, and I would argue still responsible for rural development despite the name change. When the Premier was in Brandon, he was joking about doubling the size of the hog plant there. When he is in Wolseley, he is not talking about hog production; he is talking about the problems with environment, the licensing process, the regulations and so on. That is a bit of a mixed message.

The Minister is the Member for Wolseley (Ms. Friesen). Perhaps you have to judge your comments by the crowd, but this minister can prove to me that she is genuine about the feeling of responsibility and concern that she expresses about this particular aspect of rural development, if you will, if she is prepared to defend it in her own riding.

Frankly, the agricultural community, those actively involved in agriculture now are under 10 percent in many respects. Although you go

into rural Manitoba, we will argue in Neepawa, Minnedosa and Dauphin that if agriculture is not buoyant, the whole economy goes in the tank. That drives up the percentage of people who derive their jobs directly from agriculture. Then you get up into the 25 percent to 30 percent of the population and higher in some of our communities.

So, when we debate bills like this, and I am looking over my shoulder here to see who is going to be speaking to this bill following me, but I would argue that we are sending a signal. It will surprise you how often people stop you in places you would not expect and say: I had copies sent to me of what was said in Hansard about different issues. People in the health care system can through computer systems today highlight the debates that may have affected their areas. Education: they know what we are saying on the record because people make a point of researching it.

The same thing is becoming more and more true in terms of the investment community. There is nothing that would drive the investment community to greater heights in rural Manitoba, the part of Manitoba that I represent, than if we had a minister or more ministers or a general statement from this government about what their true intent is around livestock production, because, as I said earlier, with the review that is going on, with the change in these pieces of legislation, people are saying, well, look, we had one of the more progressive and aggressive regulatory regimes in North America and now some people have come to office and said, well, maybe it needs to be reviewed right away; does it need to be tightened up? What kind of signal does that send to those who are going to invest their equity in a livestock operation?

I think it bears some discussion—and I apologize if this sounds a little bit abrasive to the Minister of Intergovernmental Affairs (Ms. Friesen), and I will try to soften my comments, but I would suggest that the best thing that could be done in terms of an understanding of the point some of us are trying to make on this side of the House, one of the best things that she could do is to go to one of these operations and spend some time looking around. You will not get into the barn because of health requirements, but you can

be on the grounds to see how the manure is managed.

You know, I was involved in a discussion with an entrepreneur who was talking about an investment in a hog operation. We discussed what the regulations might have been about the development of his manure storage. He said, well, I do not have to go to a clay pit, I can go to cement. I will put up a Harvestore, a vertical-storage, steel, glass-lined Harvestore-style storage. He says when you get into a \$5-million or a \$6.5-million development, another \$200,000 or \$300,000 or \$400,000 is not going to make it or break it. I just need to know.

So if this bill assists with that, then my comments will certainly change. As I said, I will be making comment and asking questions in committee. I will give the Minister credit if she can answer these questions in a positive way, so that we can, in fact, go to that investment community and give them some confidence.

* (17:20)

When someone can say more money than my net worth is not a problem for this project, just let me get on with it, then I have to take—they want to build facilities to produce goods that we export, that we process, to produce jobs. I see the Member for Brandon West (Mr. Smith) listening carefully and I appreciate that because a lot of the jobs will be in his community and in Neepawa, where the Springhill processors are.

In Winnipeg, another thousand jobs are still important. In fact, Winnipeg was king. This was the Chicago of the north in terms of livestock processing. I would encourage this government to remember that because you can return this city and this province to some sense of glory if those—now you might argue those were old economies, but people are still eating pork in massive amounts and there is a tremendous export demand for it. That is why we can do it. I see nods of agreement, and that is good.

Mr. Speaker, I am going to leave my comments there because I will be pursuing any of this, beyond the comments that I have made, in committee. I will just close by really encouraging the Minister of Intergovernmental

Affairs (Ms. Friesen) to, over the weekend, think about what she might do to send a signal to rural Manitoba about the type of development that she thinks is appropriate. If there is a hog operation—there is no hog operation in Wolseley, but if there is a hog operation anywhere in this province or a PMU operation or any of these large livestock facilities that this minister or any of her colleagues want to have a look at, I think it would send a very good signal to those who are considering investing.

Thank you, Mr. Speaker.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to speak on Bill 35, The Planning Amendment Act, and to put a number of comments on the record in relationship to this act.

First of all, I think that there is a clear need in this province for a provincial role in planning which is clearer and which is precise but which follows principles that we might call subsidiary, where each government plays a role which is most consistent with the strengths, the position and the ability of those governments.

There is little that has made it clearer of the need for a provincial role in planning than the events of the last few days where we have had E. coli contamination in Balmoral, E. coli contamination in the R.M. of Beausejour, E. coli, very high levels, in Sturgeon Creek. When it happens with the sort of frequency that we are seeing it, it raises the concern of how many more communities are we going to have to worry about E. coli contamination? How many more creeks and rivers and streams are we going to have to worry about E. coli contamination?

After the events in Walkerton earlier this year, there is a high level of awareness of the reason we should be concerned about E. coli contamination. It is something that we need to pursue in Manitoba, and we need to pursue it and let people know promptly the circumstances, not waiting for two weeks or three weeks or four weeks or five weeks, as indeed has happened in recent times. It would appear two weeks wait for Sturgeon Creek. It would appear, based on the evidence at the moment, that there may have even been a five- or six-week wait before

residents of Balmoral were provided formal notification. Clearly this kind of delay is not acceptable, and residents of Manitoba should expect much more quick notification of contamination by E. coli with the potential for serious problems.

One of the major concerns in Walkerton and the incident which occurred there was indeed the delay in notification. While we hope and trust that none of the E. coli bacteria which we are seeing in Manitoba are of the strain that caused the very severe problems in Walkerton, it does raise the concern, and a very serious concern, that heightens our awareness and means that procedures should be in place for very quick notification, rather than what appears to be happening at the moment.

While supporting an improved planning framework and indeed supporting those things which can be done efficiently at a provincial level, and I think a technical review may be quite a good area for provincial responsibility, but, given that, I think that there are certain things which need to be clarified in order to have this process work effectively, efficiently and provide the kind of environment that we need in this province.

There is a lack at the moment of a clear framework for what the technical committee will be evaluating. There is a lack of a precise framework for what will be acceptable and what will not be acceptable. There may be provincial guidelines existing at the moment. Is that what the technical committee is going to base its judgment on? Is there going to be an arbitrariness in the decisions of the technical committee?

There is a lot of nervousness, I think, by business, by hog producers, by agricultural operators about precisely what the technical committee will be ruling on. Clearly, as quickly as possible, we need to have some clarification, and I hope the Minister will provide some at committee stage, of the level that the technical committee will be working and that there will be a level of consistency in application of technical criteria, so that businesses which are starting up and continuing to operate will know precisely where they stand and what technical measures

they need to meet, rather than being at the whim of a committee which might decide one thing one day and another thing another day.

The livestock industry is an industry that we want to promote and develop in this province. It is the outflow of diversification. It is an industry which has been a good industry for this province. Yet, talking about need to develop this industry, one of the critical limitations in the development of this industry at the moment is the environmental concerns, the concerns which have been raised at hearing after hearing around the province of practices, of contamination related to E. coli and a variety of other aspects.

Until citizens will know that there will not be environmental problems, there will continue to be major resistance to growth of the hog industry and the livestock industry in Manitoba. One of the things that we can do is to provide those assurances and provide the critical path, so that, in fact, all people in Manitoba can be assured that we have an environmentally appropriate framework for development of the industry which will not put in danger citizens who live in communities like Balmoral or Tyndall, other centres around Manitoba, not give us the concerns of many along the Assiniboine River about pollutants.

What is needed is the right framework, consistent framework, so that citizens can be assured the environment will be well looked after and so that business knows quite clearly the criteria, the technical criteria which they will need to meet so that they can plan and work within a very clear framework of guidelines and standards and expectations.

Business needs clear expectations. Business needs an understanding of where they need to be, business to develop because there are added costs of adapting an environmentally sustainable world where we have to pay very close attention to environmental needs. There may be technological developments; there may be cost concerns. So it is important that government not only sets the technical rules, but that government is ready to work in partnership with business in ensuring that businesses are not harmed, financially or otherwise, by arbitrary decisions of government which impose, all of a sudden,

huge burdens of cost without providing the support, the support in terms of assistance to make that transformation, that transition which is so critical.

* (17:30)

It is in this context that it was rather disappointing to contrast the speed with which the NDP Government moved to provide millions of dollars to Schneider with the slowness with which the same NDP Government has moved to provide support to small operators in Manitoba who are interested in facilitating this transformation, who are interested in providing technological approaches which, in fact, will overcome the objections that were raised by the Member for Emerson (Mr. Jack Penner). The view of the Member for Emerson was that for ever and ever it would appear that when manure is spread on the ground, there must be odour, smells and problems.

Clearly there are examples of individuals in Manitoba and companies in Manitoba who are working very hard at deep injection opportunities in which there is not odour. There are not problems with spray or manure being loosely applied but indeed deep injected in a way that gets around many of the problems. There are indeed operators, companies, places, and municipalities in Manitoba and elsewhere which, instead of using open lagoons, use other approaches which are closed.

I think that the Minister needs to understand that to make the kind of change that we desire in Manitoba, it is not just a passive regulatory role that is needed. It is a role for government which is proactive and quite different from what her government has done to date, which is to stall and stall and stall in terms of considering or supporting technological advance to improve the delivery of technology and the development of technology in this province.

Clearly, one of the major concerns in this act is that the process which is being set up is a process which will result in a lot of delay, a process in which the Minister may set up a large bureaucracy. As a result, we will have a situation for business where there is a lot of uncertainty because of the time frames within which

business may have to work and the uncertainty with which those time frames will be met. It is in this context that I have recently raised some major concerns about the government itself not meeting the legal deadlines or delivering its full sustainable development strategy and not meeting the legal deadlines for delivering a procurement strategy in sustainable development, not meeting the legal deadlines for having meetings of the Round Table on Sustainable Development.

If the Government itself cannot deliver on legal time lines, then it raises all sorts of questions in the minds of citizens as to whether this government will be able to deliver on time lines which it is putting in this act and whether in fact those time lines will not slip, whether this is not a government which does not consider time lines very seriously as it would appear. Indeed, we will have a bill and a process which has all sorts of problems because of the delays, because of the circumstances around the procedure and the process which is to be put in place which will lead to a lot of arbitrariness, which will lead to a lot of circumstances where indeed the time frames, the ability to produce on time is not taken very seriously. Business people in agricultural industry will then have delays.

The Government sadly has lost a lot of credibility on its ability to produce on even legal time lines as are in The Sustainable Development Act. Clearly, it is a problem in bringing forward legislation like this which, if it is going to work well, decisions have to be made not only well but promptly so that businesses and citizens can be assured that procedures are going to work well, they are going to work within time frames, and indeed we are going to have circumstances where the Bill will not create a process which is quite problematic and full of difficulties for people in rural areas and indeed people who live not only on farms but in rural communities and in cities as we are seeing in circumstance of Sturgeon Creek in the last few weeks with high levels of E. coli potentially coming from the rural environment nearby.

I believe that one of the understandings or one of the aspects which is important in the development of environmentally appropriate industries in this province, industries which are

building with a lot of promise, industries which are building considering environmental technology and using environmental technology—one of the issues that is quite important is the issue of liability and the liability of whether it is industry, whether it is government, for pollution of waterways and pollution of ground water. Certainly, that is one of the things that should be clarified so that individuals and businesses and governments and municipal governments will understand what they are liable for if they do not follow good environmental practices. The recognition that you may be liable for major penalties, major costs, if you do not behave environmentally in a sound and appropriate way, is certainly one of the things that will bring businesses, individuals, government into line with making sure that we do not have environmental liabilities down the road.

I was very sad earlier this session when I asked the Finance Minister what the provincial environmental liabilities were, and the Finance Minister was totally unable to provide an answer. He said he did not know. Environmental liabilities are like debts that we are passing on to future generations. They need to be recorded and known so that, as we plan in a sustainable way, we know whether we are building up or paying down those liabilities. We know the size of those liabilities. We can, in fact, plan appropriately and with a solid framework. Clearly, what we need to do is to know the liabilities, not only for governments the size of the liabilities, but we need to have clearly stated who is liable for what.

At the moment we have a circumstance where we have pollution, where we have E. coli contamination. The position in the past all too often has been that, where ground water is contaminated, aquifer is contaminated and so on, in the end, we have a situation which is so cloudy and muddy and with responsibility and blame flying, but in which nobody is really held adequately accountable. Because there is not that accountability, there is not the understanding of what the liability is. There is not the mechanism not only for understanding it, but for pursuing it. We have a circumstance where we create indeed, as a province—and I talk with the Government and business and citizens cumulatively—additional environmental, poor-circumstances

contamination without recognizing that in fact there are major clean-up costs. With those major clean-up costs somebody has to be responsible for and accountable for, and those costs need not only to be understood, as the Government should be clearly working hard to understand what those costs are, but indeed those costs should be known.

* (17:40)

Bills like this, which deal with planning, should consider aspects like liabilities and have a statement in here which has got some clarification on the procedure that the Government will be taking where there are liabilities or potential major problems.

Let me talk for a moment about the issue of subsidiarity, because it is quite important here. There is clearly a role for the Province and a role for the rural municipalities. In this circumstance, it is important that each level of government play a role which is most consistent with their size, their ability to act in a framework which is most suitable to the knowledge base and the capacity for action.

So there are certain things which really should be done and need to continue to be done at the level of the local rural municipality. There are some things which need to be more clearly the responsibility, the path of action for the provincial government. But in acting, the provincial government should be very careful about trying to get in the position where it does the final licensing for everything. The provincial government needs to be very careful in ensuring that it does not set up a process which is unnecessarily bureaucratic. The provincial government needs to be careful that it does not set up a process which is not consistent around the province.

One of the clauses in this act deals with the setting up of not one technical review committee but in fact a technical review committee for each region of the province. Clearly, in setting up a technical review committee for each region of the province, it would appear that the Minister is expecting that there will be large numbers of applications under this process and that a single technical review committee for the whole

province would not be enough. I would submit that perhaps the Minister could consider the possibility of having just a single review committee which could be consistent throughout the whole province rather than different committees which might rule differently in different areas and create a playing field which is not only unlevel, but a circumstance which is clearly more arbitrary in terms of business investment and business decisions.

The reason for having a review committee in each part of the province might be that the technical review committee would be expected to have a huge role. Clearly if the requirements of the technical review committee are well specified, are very clear, and are very consistent this process can proceed quickly without the kind of cumbersomeness that would require a very elaborate evaluation in each part of the province, without the kind of cumbersomeness that you would have if you were going to have the potential for arbitrary decisions which might be quite different in one part of the province versus another.

I think with those comments, Mr. Speaker, we will close our remarks at this point. I think that there are some aspects of this bill which have promise. I think that there are some real concerns about aspects of this bill. I look forward to the comments that come at the committee stage and the presentations by citizens from Manitoba.

Mr. Jim Penner (Steinbach): Mr. Speaker, I would like to add a few comments to The Planning Amendment Act, Bill 35. I think there are times when we refer to this as the hog act, because I think it is targeted at hog producers specifically. It is not going to address any problems or changes in the poultry business. It is not going to address any problems or changes in the beef business. So it is rather discriminatory. It is aimed and targeted, really, at the hog producers. As we know, there is a growing amount of hog production in the province of Manitoba. I think it is legitimate to be concerned about sustainable development. We are hoping that probably through modifications or amendments that the Bill will address the sustainable development in a fair and balanced manner.

I am very concerned about the environment. I have acreage close to Steinbach, and less than just over a half a mile from my farm, a 10 000-hog barn unit is being proposed. Naturally my farm will not be suitable anymore for wiener roasts, and it will not be suitable for my grandchildren. But we have approved of this project because we do not think that hobby farmers should stand in the way of legitimate farming. I do not know if all the processes have been approved for that farm.

I recall speaking in the House not long ago about a farm in the Grunthal area where I know there was some concern whether the First Minister's comments or the Minister of Conservation's comments, which one of those was going to be taking effect. I understand that, after some discussion, the scientific approach is going to be used instead of the political pressure approach, and that a legitimate decision is upcoming. I can see where a lot of people are concerned about the environment, mostly, I think, because of the odour and the challenge to the aquifers where the disposal is not adequate to be in fact sustainable.

During the election last September, I visited many, many farms. I visited elk farms. I visited bison farms. I even visited a place that was raising hedgehogs and guinea pigs. We talked to farmers who were raising bison. I understand there are now more bison farmers in Manitoba than there are poultry farmers. Obviously, there has been a lot of consolidation of farming in the industry.

I noticed, in one of the parts of the Bill, that any farmer who exceeds 400 animal units is required to go through a process of a sustainable development study. What I really found interesting is that there are small farmers that are slowly growing. They do not even know when they have exceeded 400 animal units. They have improved their facilities from time to time. They have expanded the barn a little bit here or there. They have increased their capability of animals in the pasture. In the process, I can see where a small farmer could have 600 animal units and he would not even know it.

It seems somewhat that there is something missing in this bill that would address the family

farm that is slowly growing in capacity for production, the family farm that is slowly growing through acquiring additional property or whatever. All of a sudden, after building the farm to a certain level, whoa, the brakes have to come on. Now we have to start over. If that person who has the investment and who has the expertise and who has the family farm is discouraged from keeping his farm economically viable through a difficult process, I could see where this would appear to be very, very discriminatory for such a person.

* (17:50)

When we think of sustainable development, I believe that the scientific approach needs to vary, contrary to the speaker before me; it needs to vary considerably by area. When I go to the southern limit of our province, and I have flown over the hog barn development along the U.S. border, just neighbouring to the U.S. border, I see land that has probably no prospect of use for anything else than what the hog farmers are using it for. Certainly, the rules for sustainable development would have to be different in that environment than they would in the close vicinity of a densely populated area. I would expect that the main concern for sustainable development would be that the environment was not being depleted or destroyed for the generations to come.

I look at the process and I notice that throughout the process the time limits for the technical review committee and the time limits for advertising the results of the technical review committee, and the conditional use applications, are all subject to approval by the Minister who appoints the technical review committee, and they answer back to the Minister. Also, when the municipality receives the application for a farming project in excess of 400 animal units, that application must also be forwarded to the Minister.

When I look at this from an administrative and organizational and management standpoint, it seems to me that a tremendous amount of onus is being placed on one person, the Minister. The application goes to the Minister. This amendment that is being proposed is added to ensure that the Minister is notified of the decision of

council respecting an application for a large livestock operation. It also requires that a technical review committee which is appointed by the Minister, that the results of that review go to the Minister.

It becomes ominous, I think, in a sense, that the Minister is the centre of all of this activity, particularly looking at near the end of the bill: The Minister will communicate appointments of the regional TRCs by way of a letter to all municipalities. There is a tremendous amount of authority being put into the Minister's hands. It says: For administrative efficiency, municipalities will be directed to refer that application directly to the regional director, chair of the region, with a copy to the Minister of Intergovernmental Affairs.

So constantly we have a very small focus. The technical review committee, as I said, was appointed by the Minister, and the committee reports back to the Minister. The end result, it is almost like we have a kind of dictatorship arising in the land where we claim to have freedoms and democracy. It is going to be confusing to separate scientific study from political will. I would say that the challenge to the Minister is going to be significant to create an atmosphere of fairness where one person will get a permit and another person will not.

I believe that we would like to challenge the Bill further in committee, so at this point I refer this bill to the Committee at this stage.

Mr. Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 35, The Planning Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

House Business

Hon. Jean Friesen (Minister of Intergovernmental Affairs): I would like to announce that the Standing Committee on Public Utilities and Natural Resources will meet on Monday, July 31, at 10 a.m., to consider the following bills: Bill 35 and Bill 43.

Mr. Speaker: It has been announced by the Honourable Minister of Intergovernmental Affairs that the Standing Committee on Public Utilities and Natural Resources will meet on Monday, July 31, 2000, at 10 a.m., to consider the following bills: Bill 35 and Bill 43.

* * *

Mr. Peter Dyck (Pembina): Is it the will of the House to call it six o'clock?

Mr. Speaker: Is it the will of the House to call it six o'clock? *[Agreed]*

The hour being 6 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, July 27, 2000

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