

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
10:00 a.m., Friday, May 21, 1976

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to direct the attention of the honourable members to the gallery where we have 25 Grade 8 students from Laporte, Minnesota, under the leadership of Mr. Benmo. And we also have 28 students, Grade 5 standing of the Victory School under the direction of Mrs. Wilder. This school is located in the constituency of the Honourable Member for Seven Oaks, the Minister of Urban Affairs.

On behalf of all the honourable members I welcome you here this morning.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills. The Honourable Attorney-General.

INTRODUCTION OF BILLS

HON. HOWARD PAWLEY (Attorney-General)(Selkirk) introduced Bill No. 80, an Act to amend The Municipal Act (3).

MR. SPEAKER: Questions - the Honourable Leader of the Opposition.

ORAL QUESTIONS

MR. DONALD W. CRAIK (Leader of the Official Opposition)(Riel): Mr. Speaker, I had a question for the Minister of Consumer Affairs but in view of its critical nature, I'll direct it to the First Minister. I wonder if he could confirm that the government in the regulations regarding the Rent Stabilization Act are not intending to allow interest charges on mortgages as a pass-through cost. Mr. Speaker, I wonder if the First Minister could confirm that any increases in interest charges on mortgages are not to be allowed as an allowable pass-through cost.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier)(Rossmere): Mr. Speaker, I'll have to take that as notice. Offhand I would think that in the drafting of legislation of rent control there has been comparison of information and so on as between the several provinces. I would think this particular matter would have been one of the items under consideration. I'll take it as notice.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. CRAIK: Mr. Speaker, I direct a question to the House Leader and ask him whether he can advise at this time whether the Public Accounts Committee will be called during this session?

MR. SPEAKER: The Honourable Minister of Mines.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management)(Inkster): Mr. Speaker, I direct the honourable member to read in Hansard the answer which I gave him yesterday on all of these questions.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SIDNEY SPIVAK, Q.C. (River Heights): Mr. Speaker, my question is to the First Minister. I wonder if he can inform the House whether the Provincial Auditor has tabled with the government his report with respect to Flyer Coach Industries, a special study.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, in that particular regard I couldn't say that it has been tabled or forwarded to Cabinet as yet, or to the Minister. I will have to check.

MR. SPIVAK: Another question, I wonder if the First Minister can indicate whether the government has been informed of his findings and whether any action has been undertaken as a result of his findings.

## ORAL QUESTIONS

MR. SCHREYER: Mr. Speaker, the answer to the first question answers the second one.

MR. SPIVAK: To the First Minister. Has any action been taken by the government, any direction given to the Manitoba Development Corporation or Flyer Coach Industries with respect to his report?

MR. SCHREYER: In accordance with what the Minister responsible has indicated to the House, that no action has been taken of a kind that flows from the Auditor's letter. There is a report anticipated, when it's received it will be considered.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVEN PATRICK (Assiniboia): Mr. Speaker, I have a question for the Honourable Minister of Health and Social Development. Can the Minister indicate to the House if he has received a report on training of the handicapped. I believe the report was prepared by the Director of Rehabilitation Services for the physically and mentally disabled.

MR. SPEAKER: The Honourable Minister of Health.

HON. LAURENT L. DESJARDINS (Minister of Health and Social Development) (St. Boniface): Mr. Speaker, I haven't seen them. I'll have to see if it was sent to my office.

MR. PATRICK: A supplementary. Perhaps the Minister has taken it as notice. Would he be prepared to table the report?

MR. DESJARDINS: Mr. Chairman, first of all I'll see if I have the report and then I'll decide.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. My question is for the Minister of Industry and Commerce, the Minister responsible for energy matters.

I would like to ask the Minister if the new flying saucers being erected in front of the Legislature on various poles here are part and parcel of the new solar energy project.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

HON. LEONARD S. EVANS (Minister of Industry and Commerce)(Brandon East): Mr. Speaker, were our technology so advanced I'd be very delighted, but I think we're going to be depending on our good friends at Manitoba Hydro.

MR. GRAHAM: I have a question then for the First Minister. Would the First Minister consider the establishment of an all-party advisory group to the Minister of Public Works to look after the esthetic qualities of the Legislative grounds.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, such an advisory group is always in existence and my honourable friend should always feel free to give us the benefit of his unparalleled judgment of esthetic values.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L.R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, my question is to the Honourable the Minister of Labour. I'd like to ask him whether at this time significant numbers of construction workers in Manitoba are finding it necessary to leave the province to seek employment in other provinces.

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): I have no ongoing record as to those that are leaving and those that are entering.

MR. SHERMAN: Mr. Speaker, a supplementary. Can the Minister undertake to advise the House whether the labour force in the construction industry is in decline at the present time or is maintaining a normal level or is increasing? Can he undertake to provide that information?

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: I believe, Mr. Speaker, the last Dominion Bureau of Statistics' information presented in this House a short week or so ago was evidence enough of the state of the economy, particularly insofar as employment in Manitoba was concerned.

## ORAL QUESTIONS

MR. SHERMAN: Mr. Speaker, a further supplementary. In view of the fact that that information was based on . . .

MR. SPEAKER: Question please.

MR. SHERMAN: . . . based on earlier dates, can the Minister undertake to advise the House of the present situation, coming into the heaviest season of the year from a construction point of view.

MR. PAULLEY: I'm sure the present-day statistics will be revealed after they have been compiled.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I'd like to again direct the attention of the honourable members to the gallery where we have 30 students, Grade 11 standing of the Warren Collegiate under the direction of Mr. Wiebe. This school is from the constituency of the Honourable Member for Lakeside. On behalf of the members I welcome you.

ORDERS OF THE DAY

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you proceed firstly with the bills as they appear on the Order Paper.

GOVERNMENT BILLS

MR. SPEAKER: Thank you. Report stage, Bill 51. I believe the Honourable Member for Birtle-Russell took that as an adjournment on the amendment.

MR. GRAHAM: Stand, Mr. Speaker.

MR. SPEAKER: Bill 54. The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Stand, Mr. Speaker.

BILL 56 - THE FOREIGN CULTURAL OBJECTS IMMUNITY FROM SEIZURE ACT

MR. SPEAKER: Bill 56. The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I rise to speak in support of Bill 56, which is legislation requested by the Winnipeg Art Gallery which would enable them to bring part of the Russian National Art Exhibition into Manitoba. Before I make my own remarks, I would like to quote a letter from the Winnipeg Art Gallery which has been addressed to all members of the Legislature dated today, and I think it should go on the record. The letter is from Roger Selby, Director of the Winnipeg Art Gallery, subject, "Immunity from Seizure Bill", and I quote: "I ask your favourable consideration of this bill irregardless of your personal concerns or political affiliation. This is an unpartisan matter which should be considered on the advantages for the people in the Province of Manitoba. Exhibitions of Old Masters are rare in Canada and particularly rare in the Prairies. I would not have solicited this exhibition if I did not believe that the greatest majority of Manitobans would respond with enthused interest. The Canadian premiere for this exhibition will be in Winnipeg and people will be coming into this province from our surrounding provinces and from the United States. Economically this means tourist dollars.

Certainly there are problematic areas regarding this bill. However, any citizen of Manitoba who feels they have a rightful claim against Russia has been free to initiate a legal suit for as many years as they have been out of that country. They will also have the opportunity to file suite after the exhibition leaves Manitoba. In fact, bringing the exhibition here would provide them the opportunity to inspect the work closely to see if it had ever been in their family. To suspend the right to initiate legal action for six weeks out of a lifetime is not much to ask in the name of the interests

## BILL 56

(MR. G. JOHNSTON (cont'd) . . . . of the majority of the citizens. Indeed there may be works in this or any other exhibition whose title of ownership is questionable. Every country has works of art whose title of ownership could be questioned by the country of origin. For example, the Parthenon friese in the British Museum which was removed from Greece is obviously a treasure of Greece which was an intrinsic part of the Parthenon. One must also remember the treasurers from Poland that came here during the way and which were tied up in litigation for, I believe, several years. There are reasons for concern.

Thus Russia is simply asking that if you wish these works to be seen by the Canadian public, you will guarantee their return within the stipulated time. They do not ask that you endorse the claim to ownership nor that you prohibit Canadians from any future claim. Hundreds of thousands of people have rushed to see these treasurers in the United States and Mexico. The United States which has no fondness towards communists had the foresight to enact an Immunity from Seizure Bill in 1965 as it is part of the emerging realities of the contemporary world." And so on.

Mr. Speaker, I have in my hand a copy of the bill that was presented and passed through the 89th Congress on October 19th, 1965, and to quote from the explanatory proposition of the bill: "The purpose of the bill is to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibitions or for other purposes."

So, Mr. Speaker, we're really not breaking any new ground. It's my understanding that some of the great museums of the world who allow part or all of their treasures to be exhibited in other countries, request this. It's the standard procedure now. I believe that --(Interjection)-- Well I hear one of my friends on my right say, "Why didn't Canada pass this bill?" I was informed when I asked the same question that there was not time. The exhibit was in the United States for some time and it's now in Mexico. Mexico had passed a similar bill, and because of the difficulties in time, I am informed that because it's only coming to Winnipeg, that the request was made through the Art Gallery to the Manitoba Legislature by way of this bill. But I believe also that the Canadian Government should pass such a bill.

I'm sure if we examine our recent history, in almost any era of time of all the great empires, the Greek Empire, the British Empire, the Roman Empire and, as a matter of fact, the country to country relationships which have ended in wars, there has been a great deal of looting by countries in the official name of their own country. There has been confiscation of goods of the citizens of a country by its own government. So this is not new in the world, that valuable objects which are passed down from generation to generation have been stolen or taken by force by one government from another. So I think what we are looking at now is the opportunity for Manitobans and others to have a once in a lifetime chance to look at some of the great art treasures of the world, regardless of who owns them. After all, the ownership of art is only of value to those who can look at it. Those who can look at the art have as much pleasure in it as the real owner. So the chance is here for us to have a chance in a lifetime, as I said, to examine some of the great treasures in the world and I hope that the Bill will be able to go through and this will be able to take place.

MR. SPEAKER: Is it the pleasure of the House to adopt the Motion? The Honourable Member for La Verendrye.

MR. BOB BANMAN (La Verendrye): I move, seconded by the Member for Gladstone that debate be adjourned.

MOTION presented and carried.

BILL 62 - AN ACT TO AMEND THE HUMAN RIGHTS ACT

MR. SPEAKER: Bill 62, the Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY (Fort Rouge): Mr. Speaker, I rise to this bill because it gives me cause for some very deep concern. In looking over the amendments to The Human Rights Act it seems to be a classic case wherein the effort and initiative

## BILL 62

(MR. AXWORTHY (cont'd) . . . . . to protect human rights, the government is in great danger of trampling upon civil liberties and I think that these particular principles inherent in the bill have to be carefully examined before this House passes it, because there are powers that are being transferred to the Human Rights Commission that I think stretch far beyond the requirement for the enforcement of the Act, and if given these powers, could end up setting some very dangerous precedents in this province for the role and activity of any governmental commission.

Now Mr. Speaker, let me just raise three major points in this regard. First is a basic change in the powers of any officer of the Board or Human Rights Commission to enter premises to seek documents. This is an amendment against the old Act, taking away some of the protections that used to be there where an officer of the commission could enter the non-residential premises when those premises were open, when people were working in them, when they were accessible. Under the present amendment, as it now reads, any officer of the Human Rights Commission can enter at any time for any purpose to secure any documents. Now, Mr. Speaker, that comes pretty close to smacking of the old notion of search and seizure which I just think is untypical to any basic standard that we have, and the amendment really diminishes very severely whatever protections were there. Now I can understand the enthusiasm perhaps to pursue this, but for goodness sake do we pursue it to the extent where we end up trampling on some very basic rights of liberty to people in terms of the protection of their property. Now that is my interpretation of the meaning of that amendment.

Secondly, Mr. Speaker, when you get to the point where we talk about the confidentiality of the reports and documents of the Board, again the amendment contained in this bill that the Minister has brought forward diminishes the previous protections that were in the old bill, where at least before there was confidentiality of all records, documents and fact and information contained, there was the right of disclosure by the Executive-Director of the Commission with the consent of the person involved. That has now been taken away. So in effect, Mr. Speaker, this Commission doesn't have to report on anything to anybody. Everything is confidential according to the strict meaning of this Act. It can tell you exactly what it wants to do or what it doesn't want to do. Mr. Speaker, our group has spoken in this House in the past on several occasions about the problem of secrecy in government, about the necessity to maintain government as open as possible, to ensure that the best protection against the abuse of governmental power is its openness, and here we are setting up a Human Rights Commission which is designed to protect human rights of people, but we are now weakening or eroding some of the requirements of that Board for its disclosure of information. So in effect the Board can have all this information contained in its own files and not have to disclose it to anybody at all. Mr. Speaker that again strikes me as an over-zealous prosecution of the powers to protect human rights but again beginning to encroach upon some basic civil liberties and basic political liberties in this province in terms of protecting the right of citizens to know.

Now obviously in many of the cases that come before the Human Rights Commission there's a requirement for confidentiality and personal files. Mr. Speaker, it should really stop about there and that much of the information that does take place, because it does involve important aspects of the way in which our society holds together, should be required to report. And yet, Mr. Speaker, under these amendments those requirements are in part taken away. I had some reservations about the old bill, that it was almost too enclosed but certainly, Mr. Speaker, these amendments go even further to pulling the reins in even tighter.

Thirdly, Mr. Speaker, the bill gives the Minister the power of appointment of a Board of Adjudication, a very important Board of Adjudication, deciding upon very difficult cases involving very serious disputes. And The Board of Adjudication can be an ad hoc board, it can be set up and then disbanded, therefore it has no ability to develop some kind of procedure or jurisprudence according to a board, no set of precedents to work on. It simply is there today and gone tomorrow with no responsibility. The powers contained in this bill give that Adjudication Board very very high discretionary authority

## BILL 62

(MR. AXWORTHY (cont'd) . . . . to make decisions and yet, you know, we don't know who is going to be on the Board, the Minister can appoint any person to hear and decide a complaint. I presume that it may involve people in the Human Rights Commission itself, but we don't know. Here is a Board with highly discretionary powers interfering in very sensitive areas of human relationships, and yet it can be an ad hoc board without a jurisprudence, without really any continuing responsibility and without any of the kinds of procedural protections that we normally build into the courts of law.

So, Mr. Speaker, when you begin to add up the Adjudication Board, the rights of confidentiality and the right of access and entry into any non-residential premise, it begins to add up that the Human Rights Commission is taking onto itself very significant new powers, powers which are in many cases beyond the rubric or responsibility of some control or obligation to this House and to others. Mr. Speaker, it comes back I think to a point that I've raised in the past about the role of the Human Rights Commission, I do not think that a Human Rights Commission should be an agency that is responsible to government. It should be a commission that is responsible to this House, similar to the Public Auditor, that if we can indicate the requirement for some independence for an auditor who is reviewing matters of dollars and cents, surely the principle is even more important when we're dealing with the question of human relationships, and to establish a commission without that kind of independence means that these powers that were given to it first may or may not be used for ill-intended purposes. But we will never know. And I'm sure it would be only human nature for a Minister not to want to come to the House and divulge that the Human Rights Commission has been trespassing upon certain rights. And yet there is really no way for this House to determine that, other than if someone goes and snitches or something. So I would say, Mr. Speaker, that on that basis, it even confirms once again the necessity and wisdom for establishing the responsibility of the Human Right Commission on a very different organizational basis than the one that we have before us. And I think in particular, Mr. Speaker, when you look at the amendments themselves in terms of widening the powers of the Commission in terms of the areas of discrimination, it can look at - when we deal in the area of housing, the largest landlord in the Province of Manitoba is the Manitoba Government; it's the biggest landlord, has the largest number of units under its responsibility.

Now you have in a sense one government agency presumably trying to provide protection against another government agency. And surely, surely in the annals of human history we have determined that that is not always the best means of ensuring those kinds of protection, that it is much more important to have the agency responsible to the Legislature, and not to the executive, which has its own reasons for keeping information quiet, for protecting its political interests, for not divulging if things go wrong. And I'm not condemning our government for that, that's the way governments operate. But that's not the way they should operate in the way of human rights, it should go beyond that in the area of human rights, we that have to treat the area of human rights differently than many of the economic or program areas that we work in.

So here we have a situation. We're in the area of housing, and I think you could probably choose many others. We have the requirement of the Human Rights Commission to have to apply these standards to a number of activities of the government itself. I would frankly say, Mr. Speaker, that I would not think that they would be as active in their prosecution of those as they otherwise might be if they were more independent. And I would say, Mr. Speaker, that in part it would depend to a degree upon the personnel, and I have no reason for making any critique at all of the personnel or the Commission in terms of their individual . . . But there are times when personnel changes, people come on the Board or off it they have, may have more deeply ingrained political interests, they may be because they appointed by those in government - there again, whatever their sympathies or their attitudes or their feelings, working consciously or subconsciously, their interest in the prosecution of these matters may be somewhat more restrained than they would otherwise be if they had a more independent role.

So Mr. Speaker, I would say that while the basic principles of the Human

## BILL 62

(MR. AXWORTHY cont'd) . . . .Rights Bill and the Human Rights Commission I support, I find that the government has skewed the operation of this Commission to a point where much of its activity must be suspect in terms of its independence and its autonomy. And certainly this bill bringing in the kind of ungrandissement of powers and the ability for the Commission to at least have the potential of interfering very directly with civil liberties of people gives me cause for great worry and great concern, and therefore, Mr. Speaker, I can't support the bill as much as I support the clauses in the first part, those particular amendments. I would hope, Mr. Speaker, that when we get to second reading or to Law Amendments, the Minister will take a very hard look at the provisions of the bill in terms of those particular aspects and decide whether we shouldn't really seriously question whether those heavy powers are necessary for functioning, and in fact eliminate them from the bill.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, I move, seconded by the Honourable Member for River Heights, that debate be adjourned.

MOTION presented and carried.

BILL 65 - AN ACT TO AMEND THE PLANNING ACT

MR. SPEAKER: Bill 65. The Honourable Attorney-General.

MR. PAWLEY: Mr. Speaker, I would like to just say a few words in connection with the debate on the Planning legislation.

We've heard - and I appreciate the comments by the Honourable Members for Morris, La Verendrye and Fort Rouge. First I would like to say that insofar as the discussion and comments by the Honourable Member for Morris and some of the other members of the opposition there is some obvious misunderstanding. Comments were made that the bill was not operational and had not in fact been put into place, therefore it was most strange that we already had amendments prior to the bill becoming operational.

I thought it was widely known, Mr. Speaker, that the Planning Act was proclaimed on January 1st this year and has been effective ever since January 1st, 1976, so that we do have already several months of experience with the legislation. It is with that period of experience plus the comments and discussion from the meetings which were held with district representatives of the municipalities that it was clear that there was need for some amendments.

If honourable members will reflect back to the debate last June of 1975 they'll recall that I indicated to members at that time that I anticipated there would be a substantial number of further amendments this year after the consultations with the municipal people and after a few months of experience. Most of the amendments therefore are of a technical nature which arise from both the experience and the consultations.

The honourable member again refers to the fact that it is a responsibility of government to provide land-use planning leadership. I want to say to the Honourable Member for Morris that I concur 100 percent. It is because of that desire to provide legislation that this very legislation was introduced last session. Unfortunately, Mr. Speaker, I believe if I recall correctly it was passed despite opposition from the opposition at that time. It was opposed; it was voted against in this Legislature. There were suggestions that we put it over until 1976 and reintroduce it this year.

So I say to the Honourable Member for Morris that I look with some surprise and some curiosity as to the making of comments that it is up to government to provide leadership re land-use planning, yet government has not provided such land-use planning direction in the past because the fact is, Mr. Speaker, that this bill, the bill that was passed last year and became law in Manitoba was required in order that government could provide that very leadership that the Honourable Member for Morris is referring to. Without this legislation the government would be in a most inadequate position legislatively and otherwise to provide the type of leadership that the Honourable Member for Morris is calling for. Under the legislation there is a Planning Land-Use Committee of Cabinet called PLUC that is responsible for evaluating the needs for land-use planning presently in the

## BILL 65

(MR. PAWLEY cont'd). . . .Province of Manitoba; to evaluate, to study and then to announce some policy guidelines for the Province of Manitoba. In fact I am hopeful, Mr. Speaker, that now with the establishment of this committee - it has already held some meetings; it has already received a great deal of interest from municipalities in Manitoba - that we'll be able to indicate some precise and clear land-use planning direction in Manitoba within a matter of months. I agree with the Honourable Member for Morris, I think it is urgent that we do this.

I agree with the comments by the Honourable Member for Fort Rouge, that we do have a major problem particularly in the peripheral area surrounding the City of Winnipeg where the lack of planning over the past decade has created problem after problem and built upon itself, the lack of planning, great social and economic difficulties insofar as so many municipal ratepayers and residents particularly, I stress, in the some score and a half municipalities that are closest to the City of Winnipeg. Probably that is the reason, Mr. Speaker, that sometimes one receives two impressions from municipal people further away from the City of Winnipeg. There is more, not opposition - but curiosity as to why the government felt it was important to move as quickly as it did with this type of legislation. Among the municipal people close to the City of Winnipeg the reaction is you should move faster than what you are moving. I sense some degree of difference in the attitude of municipal people in respect to this issue and I think the reason is quite clear. The municipal people responsible for land-use planning, direction in the areas adjacent to Winnipeg, have found through the hard experience of knocks the damaging effects that lack of planning can have within their municipalities.

I want to say to honourable members that because of representations from the opposition and from some municipal circles we did not proceed to proclaim the legislation until January 1st and we were also anxious - so I share some responsibility for this - not to proceed until January 1st 1976, until we had some further evaluations. Reflecting back I'm not so sure whether it was entirely a good idea and I assume responsibility, I'm not trying to cast any responsibility off on the opposition. Because by not proceeding to proclaim the legislation there were many many lot splits taking place within the final months of 1975 in the area around Winnipeg, lot splits which in fact, because it was known that the Act was not yet proclaimed, gave rise to many splitting their lots on advice from legal counsel and as a result now we have scores upon scores of lot splits in different municipalities not contributing to sensible planning within those municipalities but in fact making the task much more difficult, much more difficult.

So although there were advantages in not proceeding to proclaim the legislation till January 1st, I must be quite open and frank with the honourable members, it wasn't a one-way street. There were disadvantages as well as advantages in the route that we proceeded on and it will be more difficult in some municipalities around the City of Winnipeg in order to repair some of the damage which has been done because of certain actions which did take place, in anticipation of the legislation, which created situations that will be very very difficult to resolve.

I wanted to also mention, Mr. Speaker, that we are very mindful at the provincial level that the lack of planning direction is not one that we can blame all on the municipalities and say: "Hey, it's time they put their house in order." The Provincial Government, too, has failed over the years. Both the previous government and our own government have failed up until this point, up until the beginning of last year, to put its house in order. There's a great need for co-ordination of land-use policy insofar as the Province of Manitoba, the Crown, is concerned.

For instance, many instances can be found where there is land-use conflict between one department of government and another. Whether it's Manitoba Housing Renewal Corporation, Agriculture, Renewable Resources, there is conflict and sometimes one department does something which is in conflict with the attempts by another department to develop a certain process. Certainly this is most obvious when we come to deal with the conflict between urban uses, whether it be by the private or by the Crown section, as against agricultural uses. So that it's for that reason that a branch has been established in order to deal exclusively with the issues of developing co-ordination and

## BILL 65

(MR. PAWLEY cont'd) . . . .planning direction on the part of the province itself, the Crown, so that we do not share a back seat in connection with the need to develop proper land-use planning.

The Honourable Member for Fort Rouge dealt with the legislation and made a number of suggestions which certainly we will review. But I want to say one thing because he spent some time dealing with and ridiculing the efforts to commence the development of a satellite city centre. I think, Mr. Speaker, that this controversy pertaining to satellite centres has been exaggerated out of all proportion, totally out of all proportion. It would have seemed, Mr. Speaker, from comments that were being made that the Province of Manitoba is about ready to build a satellite city 10,000 to 15,000 people within the space of 2, 3, 4 years. It was always considered, Mr. Speaker, that this was a long-term project.

Secondly, I could just comment to the honourable member the East Selkirk location is not an unwise location in that regard. I don't want to enter into a great debate because I don't think it's particularly consistent with the nature of the bill which is before the House. But I want to say to the honourable member that the East Selkirk Centre Development is adjacent to an existing settlement, it's not away out in the middle of nowhere, it's adjacent to an existing settlement. It ties in line with Highway 59, a four-lane highway, a transportation corridor right into the City of Winnipeg. There are many features upon examination which warrant serious consideration to eventual and gradual, quite gradual, and after a great deal of planning, the possibility of such a development there. But it must be gradual; it must be well planned; well thought through. That is all that the First Minister ever intended, ever intended. The honourable member was adding his voice to those that were misrepresenting the position of the First Minister. The First Minister always looked upon this as long-term development after serious study was done as to the nature by which that pace towards that centre should proceed and only after such study would there be gradual development of a centre such as that if the studies did in fact sustain the evidence pointing towards the credibility of a satellite centre in that particular place.

At the same time the province has proceeded to expand in West Selkirk, west of the CPR tracks, adjacent to the West Selkirk Centre. No criticism has ever been launched about that though it's part of the same type of expansion that was referred to in East Selkirk. Yet East Selkirk is just as adjacent to a settlement as is the expansion west of the CPR tracks in the Town of West Selkirk. So I say to the honourable member not to join with those that have tended to exaggerate. There was possibly some reason for the conclusions arrived at because I think that in the land enquiry officer's report there was some publicity which was of a nature that gave rise to some of this misunderstanding as to what the intent was.

To the Honourable Member for La Verendrye, I would like to indicate to him that I am looking at both those aspects; that dealing with shoreline reservation - his reference to it being required along creeks - I share some sympathy with the Honourable Member for La Verendrye if that is being applied in a very very extreme direction. I would want to examine that point that he raised and am presently doing so prior to our arrival at committee.

Also I want to say, Mr. Speaker, that I concur with the suggestion respecting splitting of titles. I don't think if we're only dealing with one or two titles that we should necessarily be dragged into the lengthy subdivision process as takes place for many lots in a subdivision. That is another area that in fact I've already instructed my staff to attempt to simplify that procedure and to simplify the application form used. I'm most conscious of the point raised by the Honourable Member for La Verendrye and I share his concern. I would hope that by the time we would arrive at committee stage that I'd be able to report more fully with, I think, two very legitimate concerns.

QUESTION put MOTION carried.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like the attention of the honourable members. We have 33 students, Grade 7 standing from Leaf Rapids under the direction of Mr. Stenograd and Mrs. Grelph. This school is located in the constituency of the Honourable Member for Churchill. On behalf of the honourable members I welcome you.

The Honourable House Leader. We have completed all these second readings.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable the Attorney-General, that Mr. Speaker do now leave the Chair and that the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

MOTION presented and carried and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in the Chair.

COMMITTEE OF SUPPLY - MINES, RESOURCES AND ENVIRONMENTAL MANAGEMENT

MR. CHAIRMAN: I would refer honourable members to Page 41, Resolution 86(d) Waste Management: (1) Salaries \$114,200--pass - the Honourable Member for La Verendrye.

MR. BANMAN: Thank you, Mr. Chairman. I believe I'm under the right section here when I would ask the Minister several questions in regards to the deposit of radioactive material just outside of a small town in my constituency. We brought that question up in the House about a month ago and the Minister provided us with some answers on that particular disposal site. I'm wondering if the government has any policy with regard to the disposal of nuclear waste in the Province of Manitoba, or any radioactive material. Now I just noticed yesterday that Highway No. 10 was closed down for a bit because they thought that an instrument used to measure pavement strength was damaged somewhat and they were concerned about radioactivity.

All I'm trying to say, Mr. Chairman, is that the use of radioactive materials seems to be coming more prevalent and I'm wondering if the department has any policy with regards to the disposal or the burial of nuclear waste. The Pinawa Research Centre of course is using some radioactive material, and I note from the list of stuff buried at East Braintree that some of the materials there are the chairs and equipment used in the Cancer Treatment facility over here that were considered radioactive, and I'm wondering if we are taking any other precautions of monitoring that particular site at East Braintree. The Minister said that there was a certain ongoing monitoring process. Some people have expressed the concern that we're monitoring the area above it, not taking into account that it should possibly be monitored in a sort of closed-in area without having the constant circulation of air. In other words, that they're not giving us an accurate statement, and I think basically all I'd want from the Minister is the assurance that the procedures being followed are such that they are protecting the interests and the community at large in that particular area.

MR. CHAIRMAN: The Honourable Minister of Mines and Resources.

MR. GREEN: Mr. Chairman, there was just a part at the end of the honourable member's remarks that I didn't get the full gist of. I do indicate to the honourable member that with regard to the disposal of radioactive material, we have the situation in Manitoba where the Atomic Energy Research Station at Pinawa is doing research into the disposal of radioactive waste and does have some radioactive waste disposal facilities on site. This is with respect to atomic energy research. They are responsible for examining into the best methods of dealing with this question for Canada as a whole and have been doing so for some time. I would think that the honourable member would find it interesting to go down to the site, I'm sure that they would - you've done so? Then he would be as well aware of it as I am.

There is a broader feature to this question, in that radioactive material is not the only hazardous type material that can constitute a problem, and the province is actively considering trying to dispose of hazardous material in an intelligent manner and in a way in which it could be best confined and the best methods applied, the most expensive methods let us say, but centralized rather than lesser quality methods in various places. Now the East Braintree site is something that I reported on to the honourable member in

## SUPPLY - MINES AND RESOURCES

(MR. GREEN cont'd). . . .1972, and I think that from time to time they keep searching it, and if what the honourable member is saying is that we should be advising the local people as to the results of our periodic checks, we can do that. I will ask the department to make an effort to do that.

The steps that we have taken with regard to the total global problem, and this wouldn't include the radioactive wastes that are dealt with at Pinawa, are that we have tried to make an analysis of what wastes do constitute a hazard and should be separated and should be confined to a particular area, and we are trying to elicit support from Environment Canada because we feel that the radioactive wastes and other wastes of this kind properly fall within both Federal and Provincial jurisdictions, and I guess we take that position because we are hoping for some Federal input and support to such a facility. I'm afraid if and when such a consummation is reached, that there may be some misgivings on the people in the province to know that there is a site for hazardous wastes, and I'm merely saying that we should have greater misgivings to know that there is no site for hazardous wastes; that we may as well face the question of having to deal with these matters and do it in a formal way rather than not doing anything on the basis that we don't want to raise alarm as to hazardous wastes being disposed of in the Province of Manitoba. So we are dealing with this on a global basis, and as I indicated steps have been made to the Federal Government.

Mr. Chairman, just before I sit down, the Member for Lakeside is here and I do want to indicate that I now have the orders and that I am incorrect in saying that there was one order; there were three orders, but not involving the industries themselves, involving the sewage disposal systems of various communities. The Town of Winkler, there was an order relating to their waste disposal system which said that they shall not after the 1st of January, 1976, accept the whey from Manitoba Dairy and Poultry Co-ops, that's the Town of Winkler. I believe there was one for the sewage lagoon system at Souris as well. Yes, one for the Town of Souris and one for the Village of Pilot Mound. In each case, Mr. Chairman, relative to their sewage collection system, that the sewage collection system could not operate with the continued receipt of whey to those systems, and these applications all dealt with the sewage disposal systems of those towns. So I said there was one - there were three, and they all related to towns.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Just a question on that matter and I'm prepared to let the subject matter of whey travel on its merry way and not interrupt us all that much more. Can the Minister indicate how the particular communities, Souris, Pilot Mound and Winkler, I believe indicated how they have reacted and responded to the order made by the Clean Environment Commission at that time? Have they been able to resolve the problem of disposal? Have they abided, really is what I'm asking for, have they abided by the Clean Environment Commission's order?

MR. GREEN: Mr. Chairman, I really don't know. I would assume that they would have told the industries concerned that they have been ordered not to receive their waste, and I understand that we are expecting a report from them as to what has ultimately occurred. I'm rather sorry that I wasn't fast enough yesterday to indicate to the honourable member that he was looking for a knock-out punch which is usually referred to as a haymaker, but he is doing it with a whey-maker.

MR. CHAIRMAN: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, I wanted to ask the Minister: in respect to the question of Waste Management - I'm sorry I didn't have an opportunity last night - I would like to know what the impact or effect will be as a result of the passage of Bill 18, the amendments to The Clean Environment Act, I believe it's Bill 18 if I'm not mistaken. Because under The Clean Environment Act's report of '75, of the 112 orders that were issued, over 71 were dealing with municipal matters of waste disposal. In other words, almost well over half the activity of the Clean Environment Commission were dealing with the application, adjudication and assessment of waste management problems on the part of municipalities. Now it appears under the new bill, the municipalities themselves will be able to assess whether these are going to be the problems of environmental pollution or contamination. And I just really wondered to what degree does that throw the whole Waste Management Program sort of really out of kilter, to what degree

## SUPPLY - MINES AND RESOURCES

(MR. AXWORTHY cont'd) . . . . will the department itself have to reorganize its own operation to relate to the variety of municipalities which will now be adjudicating upon their own environmental contamination or waste disposal problems? Or in fact does the Minister foresee the need to start monitoring each municipality in a different way, because the Clean Environment Commission really will not have the same powers of assessment and observation that it did before and I would be interested in knowing really what kind of management and operation there will be for the issue of waste management seeing that they are now almost exclusively a municipal concern.

MR. GREEN: Mr. Chairman, first of all may I say that I'm not sure of the number of the orders, whether those orders also include such things as sewage treatment plants and municipal treatment plants, all of which will still be required in a compulsory way to go to the Clean Environment Commission, would not affect any of the three orders that I referred to because of the runoff conditions and things of that nature which then go on to other municipalities. The order in Minnedosa would not be affected by it. The ones that would be affected by it relate really to solid waste disposal such as was done in Thompson.

On that question, Mr. Chairman, I don't expect there to be any reduction in the activities of the branch, nor any really difference in the activities of the branch. We are now not responsible for municipal drainage, but all of the municipalities come to us for advice and we give them advice as to how the municipal drainage should be conducted. And all that will happen now is that instead of giving that advice to the Clean Environment Commission direct, we would if the municipality was willing to proceed without going to Clean Environment Commission, we would be able to give them the advice directly, and the council would decide.

The other possibility is and indeed I'm advised that it is a strong possibility, although I couldn't say, that the municipality will be seeking the advice of the Clean Environment Commission. The option in the Act is that they can go to the Clean Environment Commission, and if it were not for my being convinced that sort of making a speculation on this would itself have some effect, maybe adverse effect, I am not going to suggest whether it will or will not be done. But I rather believe that the City of Winnipeg had a pretty good thing in going to the Clean Environment Commission and maybe the councillors will see it that way. I don't know. I don't know. We'll find out in about a month's time, when citizens say that they want to stop mosquitoes by spraying, and when the councillors are sitting there and realize that it's not going to stop the mosquitoes and that they are going to have to deal with the subject from a responsible point of view, and they will not be able to say "phone the province"; that they may decide on certain ways of proceeding. I don't know. But the activities of the branch will not be diminished. We have many many more difficult industrial and other problems which we have had difficulty moving, because don't forget the Clean Environment Act came into existence in '68 or '69, and that up until that time there have been all kinds of industries where no limits or standards have been set, and we will just be able to move those things a little faster. But I'm very satisfied that the Town of Thompson which is stirred to insurrection - when I see the Town of Thompson's responsible councillors stirred to insurrection because there is a Clean Environment Commission order which says that you shall have a fence eight feet high or something of that nature with regard to solid waste disposal, and councillors seeking to move politically by saying, we will disobey this order, then I say that there has to be some more intelligent way of dealing with the question. Now perhaps what I say will not occur, but I am aware that the previous situation was not a healthy one for the democratic process to operate well within this province and we will see whether a different process works better.

MR. AXWORTHY: Mr. Chairman, I'd like to follow up with the Minister with his descriptions of insurrections and rebellions taking place in the area of municipal councils. I'm wondering how well his department will relate to these variety of insurrections, because again the way the department has operated is that the Clean Environment Commission has offered a form by which the scientific evidence could be presented where the findings of the branch could be demonstrated in terms of the degree of pollution

(MR. AXWORTHY cont'd) . . . .or contamination that was taking place. Now it seems that there is really no place to go other than municipal council itself, and I think that that will have an effect really upon the operation of the branch because, again as I pointed out, that even in the waste disposal area which the Minister does acknowledge will be totally outside the purview of the Commission, that involves some 28 orders issued by the Clean Environment Commission, that the . . .

MR. GREEN: Mr. Chairman, on a point of order, I'm sure the honourable member will want to proceed with his argument on the proper basis. I did not say totally outside, I said that they would have an option of going to the Commission, It's right in the Act.

MR. AXWORTHY: Okay, Mr. Speaker. Let's assume though that the decision that would be made to exercise that option would have to be based upon some presentation of evidence about the extent of the case or the problem that is occurring, and that the Clean Environment Commission under its previous Act was able to intervene in these kinds of cases and provide that kind of assessment, is no longer available now, unless the option is exercised by the council or the Minister who steps in. --(Interjection)-- Well, that's the kind of questions we're getting at. I'm trying to suggest to the Minister that the operation of the branch is going to be fundamentally altered by the legislation that he has brought in, that it's operating procedures the way it will have to relate its evidence, the places where it will have to go, the ways in which it will have to demonstrate the problems of contamination; was able therefore to use the Environment Commission as the form or the vehicle to which that evidence could be presented and the action to be taken would now have to go through a different route. And I'm really wondering, is it going to require additional manpower on the part of the branch? Is it going to require a different set of structures? Is there going to be any discussions of the municipalities in terms of trying to set up liaison basis, or some sort of working arrangement so that there can be a continuing contact? And that the branch itself as it comes across evidence, for example when it does its testing of air and other contaminations, what's going to happen with it? Because in effect I think the Minister is being a little sanguine. I think the effect of the act will be to eliminate the Clean Environment Commission from many of these activities. That will be the practical result. That may not be the theoretical result, it will be the practical result, that the Clean Environment Commission will no longer . . . well over half its cases have been involved either in solid waste disposal or sewage treatment programs or pest control operations. But the fact of the matter is that with the Clean Environment Commission effectively being sort of pushed aside to the boards, then the question is that it will have a very dramatic impact upon the branch, and I want to know what preparations, reorganizations or planning the grant is doing in order to accommodate or adapt itself to this very major change in the environmental control procedures that we have been offering the province for the past several years.

MR. CHAIRMAN: The Honourable Minister of Mines.

MR. GREEN: Mr. Chairman, I thank the honourable member for his solicitude for the administration of the branch. I will answer him by saying the branch will work harder, and they will work harder with the same number of staff, that is the demands that we make of them. The fact is that the Clean Environment Commission has been asking for increased staff on the basis of heavy workloads, being behind in the number of applications they can consider, and I can also tell the honourable member that the possibility of having a hearing with evidence for and contrary on questions which are serious, is there as it was before. And we have done it. We have asked the Clean Environment Commission to hold hearings and to hear evidence, examination and cross-examination on questions of this kind, entirely apart from its activities where there is an application made. We have done that with regard to hog ranches in the Carman area I believe. And we have done it on other occasions. If there is the kind of terrible controversy arising with regard to any municipal activity, then I undertake to the honourable member that I will ask the Clean Environment Commission to hold a general hearing where evidence can be given and cross examination can be given.

I am not totally aware of the Clean Environment Commission's hearings. I did

## SUPPLY - MINES AND RESOURCES

(MR. GREEN cont'd) . . . . have a special assistant more recently who went there merely to have the feel of what is happening before the Clean Environment Commission. I don't appear there, the branch appears there. I do not know whether we had great examination and cross examination and contests over solid waste disposal systems in municipalities. We had a contest over a solid waste disposal system in the City of Winnipeg, and the contest had nothing or very little to do with environmental practice. It had to do with whether in East Kildonan the City of Winnipeg Planning Department properly had the right to zone for the use of that land for solid waste disposal. And if that time was taken up by the Clean Environment Commission with a hearing and presentations, and cross examinations, then I say in the interests of good administration we had better stop that type of hearing, because that is not what the Clean Environment Commission was set up for. And the people had the wrong idea, and the councillors again told their citizens, if you don't like this place for a solid waste disposal system, go the Clean Environment Commission. The Clean Environment Commission had no jurisdiction whatsoever over the location of site, but the councillors had an out, go to the Clean Environment Commission, and then go to the Premier. And we had to tell those people in the Premier's constituency that municipal land use planning and where they locate certain things is the responsibility of the municipal council. As to the methods used to dispose of solid waste, that is the responsibility of the Clean Environment Commission. It will no longer be the responsibility of the Clean Environment Commission in the ultimate, but the council will still have to file with the Environmental Protection Branch an indication of the activity that they are conducting, because we have to know that that activity will not demonstrably affect something beyond that boundary, and that it is located within that boundary.

So the department will be doing virtually the same thing as it did before, and if there is a controversy as to certain environmental practices which are occurring within the province, whether by municipalities, private industry or by the province itself, the Clean Environment Commission can hold a hearing of its own volition. Or we can ask it to hold a hearing, and that kind of problem will continue to be within the surveillance if desired, of the Clean Environment Commission. The other possibility is for the municipality to come to the province as they do on drainage and ask for environmental expertise, or in order to resolve a controversy in their municipality, which is not really a controversy over political questions but over technical questions, they might think that the Clean Environment Commission is a useful way of dealing with that. That is provided for in the Act.

MR. CHAIRMAN: Resolution 86(b)(1)--pass; (b)(2) Other Expenditures--pass; 86(e) Environmental Studies, Salaries (1) \$128,100 - the Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, I would inquire of the Minister whether this would be the appropriation to raise the issue with him about the proposed environmental impact procedures being instituted. Is this a fair appropriation to discuss that now?

MR. GREEN: Yes, Mr. Speaker, it could be this or the next item, or the previous item.

MR. AXWORTHY: Well, all right, just to conserve energy, Mr. Speaker, I won't resume my seat and raise the issue with him. I would say that the Minister was good enough to supply me with a copy of the proposed regulations setting out... Pardon me?

MR. GREEN: I'd like to get one for myself.

MR. AXWORTHY: . . . the proposed environmental impact procedures that the province is instituting relating to the development of an impact review of different projects of the different agencies and departments that the government would undertake, and I do want to raise some questions with the Minister about that. As he knows, I've had an interest in this issue for the past two or three years, and was interested in particular what the province was going to do about this particular set of regulations.

I would have two major concerns at this stage, Mr. Chairman. One is the question of discretion. If I read the procedures properly, and they're certainly subject to interpretation, it appears to me that no one, if they don't want to, really do not have to subject themselves to an impact review. That an agency, let us say for sake of

## SUPPLY - MINES AND RESOURCES

(MR. AXWORTHY cont'd) . . . .argument, like Manitoba Telephone System or Hydro, or the Department of Highways, whoever they may be, really has a veto power over any impact review being undertaken on its behalf; that really the first stage of those procedures, and all along the way, I think there's about 7 or 8 steps within those procedures, that there is a right of vetoing or really withdrawing from the review by any of the agencies itself. So in a sense, Mr. Chairman, the real result of the procedures that are being established is to provide in a sense permissive legislation that will be enacted only when it is perceived in the interest of an agency that such an impact review would be of some use to them or to the government, but they certainly have the right of rejection or veto on any of the steps along the way. I believe even on the first step that they have the right of saying no, we don't want to have an impact review of this particular project. Which in part contradicts the whole purpose of having impact reviews, and that is to provide in part an alternative check system against the incurred and again the different agencies or departments against in some cases their well intentioned but sometimes mis-directed programs, and that it would be, it seemed to me within those procedures, as far as they go, some basis for someone, I suppose the Minister responsible for environmental practices, having the power of insisting that such impacts be undertaken. The Chairman of Hydro or someone could say, I don't want an impact statement and the Minister says, but you have to have one. I would certainly like a clarification from the Minister on that point. To what degree is there the power of the responsible Minister in this House in effect to insist upon the application of an impact review. Because my reading of the statement was that it was not there.

The second question I would have about them is really dealing with the public disclosure aspect of impact review statements. The experience which in this case is primarily American in scope, is that one of the salutary effects of having an environmental impact program in effect is the way in which it provides for the weight of some public opinion or public attitude to prevail upon the bureaucracy or the agency or department that is operating so that it feels a certain imperative to clean up its act without having to go into an awful lot of conflict about it. That only takes place through some public disclosure and discussion and it is very clear to them that the American impact review statements, once a statement is made it must be registered with the Environmental Protection Agency at the federal level which then makes the document available to all kinds of departments as well as makes it a public document and therefore brings back a form of public reaction or representation if and when necessary.

Under the American system, of course, they also have the right to use that impact statement to go to the courts which we obviously don't have here. But it appears to me, Mr. Speaker, that there is a certain, again continuing role to be played by the weight of public view and this is not really required under those procedures. Again it's a discretionary requirement, that if the Minister himself, in this case, decides to make it public, he can so do. But if he decides not to then that impact statement will never see the light of day. It would seem to me, Mr. Chairman, that on those two grounds alone, that the effectiveness of the procedures that are being established are diminished substantially. While I recognize the hesitation of the Minister in terms of going as far as I would like to see impact statements go, it would seem to me that even under the terms of reference that he has set for himself in terms of having the impact statements being almost an internal governmental matter that the procedures could be substantially improved by altering to some degree those two items to allow for more of an obligation that impact reviews be undertaken and be reviewed and that there be at least the opportunity for the tabling or gazetting of such reports so that those in the public or in the Legislature who would like to have access to them at least would have to be there. By that I don't mean that the Minister has to send out 50,000 copies. At least if there was some depository of those statements when they were made so that there would be ability of those who are not directly involved to have some observation, who may have some commentary to make or some response that we want to make to at least know what they were saying, it would strengthen the ability of those procedures to work the way they are intended.

INTRODUCTION OF GUESTS

MR. CHAIRMAN: Before the Minister replies I wonder if I could draw the attention of the honourable members to the Gallery on my right here where we have 30 students of the Macintosh Junior High School of Grade 12 standing from Minnesota, U.S.A., under the direction of Miss Donna Smith.

We also have 40 students of the Sacred Heart School, East Grand Forks, Minnesota. On behalf of all the honourable members I bid you welcome to the Chamber this morning.

The Honourable Minister of Mines and Natural Resources.

SUPPLY - MINES AND RESOURCES cont'd

MR. GREEN: Well, Mr. Speaker, I have mixed response to the honourable member in the hackneyed way of saying the good news and then the bad news. The good news: there is a policy in the part of the government that people will proceed through the impact assessment procedure or a policy. The honourable member is probably theoretically right in saying that an agency could ignore it and we might never hear of it. That's rather remote, somebody would know. But the safeguard that he's looking for I think is there, except not through the Minister of Mines and the Natural Resources but through the Lieutenant-Governor-in-Council, that the Lieutenant-Governor-in-Council can insist that an agency proceed through an environmental impact statement. The real question is whether I could get my colleagues to agree that somebody should proceed through this process. So the only difference between what he said and what I'm saying is that it's not the Minister's insistence, it would be the insistence of the Lieutenant-Governor-in-Council.

Now the other feature of it, Mr. Speaker, is my confirmation to the honourable member that his misgivings about the balance of the approach are indeed correct. There is a substantial difference in the opinion between the way in which we are proceeding and the way in which they have proceeded in the United States and the way in which the honourable member has been pursuing. I don't look for it as sort of a commendation but I believe that our procedure is very much in principle the same as the Federal Government Environmental Impact Assessment procedures. The objections that the member would have to our procedure would apply equally mutatis mutandis to the procedures that have been adopted by the Federal Government. That doesn't make me much happier, I don't look for the Federal Government as an endorser. I have to defend our procedure on its merits and I think that there is a substantial difference of opinion.

One of the major differences, Mr. Chairman, is our view of environmental protection. The honourable member will probably agree that I have looked upon environmental protection in my portfolio probably in a more limited fashion than has any other Environmental Minister in the country. Other Environmental Protection Ministers have said that they have to protect the environment in terms of the sunlight and the trees and the greenery and things of that nature. I really do not believe that society does not have mechanisms for dealing with these things at the present time and that suddenly there is one group that is able to say what is best for everybody. What colour should the buildings be; what direction should the traffic go. All of these things have been assumed as environmental jurisdiction by some other areas.

I notice that the Minister of Environment Canada has now come out with great statements as to what he is involved in in the environment. Habitat is a conference you know, Marchand, Sauvé, the new Minister. Habitat is being attended by Environmental Ministers from most provinces but by the Minister for Urban Affairs of Manitoba. Because things like living conditions, housing, urban sprawl, although some people regard them as environmental considerations and if you apply the word "environmental" in its dictionary sense it is true, we have those matters under consideration by various different authorities and we do not claim to be an overriding jurisdiction on those things.

We are dealing with contaminants. We are dealing with contaminants to the air, water or land and we include in the definition of contaminants "sound". That is probably the one arguable feature. I gather that sound is a disturbance of features of the air, land

## SUPPLY - MINES AND RESOURCES

(MR. GREEN cont'd) . . . . or water. The Assistant Deputy Minister, Mr. Bowen, who is very concerned with sound agrees that that is a contaminant as well.

Now that gives us a limited jurisdiction. I hope that we do the limited thing well rather than trying to do everything and doing it badly and getting involved and stepping on toes and dealing with people who are involved in these things.

I believe that the municipal councils should be responsible for planning in their municipality. If they are responsible for planning they have to be responsible for zoning, they have to be responsible for traffic control. These things are considerations which we do not have in our impact statement. On those grounds I agree that the honourable member's position is entirely different than my own.

On the grounds that the American procedure has really provided for something which probably flows from their separation of powers into the judiciary, the executive and the Congress that this is an emphasis on having checks and balance on the Executive Branch or the judiciary etc., that this is not either our way or in my opinion our goal. I just am not a fan of that system.

For the honourable member's benefit, we put into The City of Winnipeg Act a requirement that there be an environmental impact assessment by a municipality when they're undertaking something. We did it with very much misgivings and we were convinced that when we did it that the question of whether or not they have done it or the question of whether or not it is adequate would not be a subject of anybody else's jurisdiction but their own. Mr. Chairman, there is always a danger - and I think that the danger is being realized - they are now arguing in court. The municipal councillors by majority wish to do something. They are arguing in court because a citizens' group says that the Environmental Impact Study isn't adequate. This is exactly the danger that we are trying to avoid. We do not believe in government by citizen groups. We believe that the citizen groups that form the government are here and that it is defeating the democratic process by saying that after you have elected a democratic government that you are going to let yourself be governed by a citizen group through the assistance of the judiciary that may not feel the same way on a particular thing as the council.

Mr. Chairman, having said that - and the Honourable Member for Fort Rouge has generally extrapolated that position and said: the Minister is against citizen groups. I have participated in as many or more citizen groups than the honourable member. But when I participated in them I never claimed that I was the government and that I had a right to demand that what I said was so. I was at all times trying to influence the elected representatives of the people who had responsibility. I did not claim that I had the right to be followed and that they should be denied.

There are instances when you can sue the government for going beyond its activities and I'm not saying that that should not be so. I mean I had as many cases where I was fighting the government on questions, as most lawyers do, but I never ever took the position, Mr. Speaker, that the citizen groups should be the one that says what should be done and the government must listen to them because they are there. On that basis we would have a new citizen group developed every day, one for one position, another for another position. I could find the honourable member as many people who are saying that they want a certain thing as I can find a group of people that could be financed that they would say they want the reverse.

We have an Environmental Council which is financed in part by this department. I hope that they have also received private support and I would think that they should. And I respect them. But, Mr. Speaker, I could finance an industrial group and give them a secretary and give them meeting space and appoint the people who they say they want as members like the cement factories and the mining companies and they would come out with different conclusions and they are also citizens.

So after listening to all the citizen groups we eventually have to make policy and law and I say that the best place for making them is here, not in the court room. The court room is supposed to interpret the laws and when they do it wrong we should change it immediately here. If that sounds rather callous I tell you that the Parliament of England for a period of 30 years had an ongoing battle with the courts. The courts

## SUPPLY - MINES AND RESOURCES

(MR. GREEN cont'd) . . . . . would make a decision; the Parliament would undo the decision. The court would make another decision; the Parliament would undo that decision. And who is right? I rely on Parliament. I have been in both places; both have their use but I rely on Parliament.

The honourable member's misgivings about the second feature of what we have done are correct. I am not moving in the American direction - we have students here from Grand Forks and Minnesota - I can tell the honourable member that since going down to the States on numerous occasions on this Garrison business, there is an Executive Assistant to the Governor who has adopted the Canadian position. He says that in the United States you can't do anything. If Congress is stopped by the Governor, the Governor is stopped by Congress, the court stops them both and that if you ever want a system which builds in reaction - and all of them are stopped by the Constitution - that if you ever want a system that enshrines reaction, the Member for Lakeside would want to enshrine that position, provided that we started 100 years ago and said nothing changes.

MR. ENNS: Fight fair. Fight fair.

MR. GREEN: To be fair to the Member for Lakeside, if he wants me to fight fair, I think that he too feels that his position, which I have labelled as "reaction" and that is subjective, is best protected by Parliament. Because if we got to a position beyond which he is at, let us say we got to a doctrinaire socialist position - which to the Member for Lakeside means the running of a public post office - that when we get to that position, if we installed the American position, if at that stage or today's stage which the member considers a long way towards the path of serfdom as he would call it, that if we installed the American system we would solidify that. We would make it very difficult for him to change it and he wants to change it and I want to change it. I say that the best way of changing is through responsible government not through a whole bunch of laws.

The honourable member was quick to speak on something today, on The Human Right's Act, the kind of legislation - we've all adopted it - I am not a great fan. But that kind of legislation does create problems. Fortunately here in Manitoba it is merely a bill, it is not an enshrined "Constitution", similar to the Bill of Rights that was introduced by the Rt. Honourable John Diefenbaker in Canada. It is only a bill, it is a statute, it can be changed. It is not written in tablets of stone such as appear behind me. The honourable member may not agree that this inarticulate major premise that I am enunciating is the difference between him and I on the environmental impact assessment business but I think it is. I think that that is essentially the difference. Therefore I tell him that our procedure is designed to make the government more responsible in terms of seeing to it that environmental assessments take place but that its responsibility is the government's and that it has to answer to the public for it and that that is the basis upon which it is going to have to do a job.

The honourable member says that something will be kept secret. I have found that the most publicized statements that exist in any government are the secret documents. You know the press played a joke on one of their number, and I won't say who it was, but this was several years ago. They took a widely known document; they put it in a parcel and they labelled it "secret and confidential" and they put it in a place where he would fall on it and that document became a big thing with this person.

The Kierans' statement is a widely publicized statement. Perhaps if it had run through the mill at the time, that someone would say: well Eric Kierans, you know, the fellow who is asking for the nationalization of the mining industry is also saying, don't invest capital moneys in hydro projects. That would have been the end of it. Now we have this secret document which calls into question the whole hydro program, it's been exposed etc., etc. So I do not place any reliance on the fact that it's going to be useful not to have documents made public. I believe that I have tried to make most things public. I do not make public the memos between the Deputy Minister and myself and generally I try not to write memos. We talk to each other.

## SUPPLY - MINES AND RESOURCES

MR. AXWORTHY: Mr. Chairman, I am intrigued by the Minister's concern for my own sense of extrapolation because I think he has set a new standard for extrapolation because taking a very simple request, that an impact statement be made public we have now destroyed the parliamentary system, provided for the full scale invasion of American ideas and practices up north, have completely put the Member for Lakeside back 100 years and all other kinds of nefarious results. If I had known that we were going to do that I sort of would have prepared myself. --(Interjection)-- That's right. I mean to attack the most sacred fact of all. I notice that half the members of the Conservative caucus had to go out and get respiration after he mentioned that the Bill of Rights was not an entrenched document. But the fact of the matter is, Mr. Chairman, let's deal with the Minister's argument on his own basis.

He says Parliament is a place where decisions should be made. The question is: how does Parliament make decisions? How does an opposition and a government deal in the exchange of opinion? Well one of the fundamental pieces of ammunition or nutrition that's required for the parliamentary system is to know. And if members of the opposition don't know what's going on they can't ask the questions; they can't provide the alternatives; they can't raise their objections on behalf of the groups.

I have never, Mr. Chairman, in all my various extrapolations ever suggested that citizens' groups should take over the country. I am saying that citizen groups of different kinds play a very important role in this community by being able to inform members of the Legislature about what's going on, being able to provide perspectives that they otherwise wouldn't receive so that they are not totally dependent upon the interpretation of events that are given to us by government. Because government has a habit, Mr. Chairman, of defending its best interests and they will tell you only as much as they want you to know.

They also have an interpretation on the events and I would expect for no particular reason that the Minister of Highways, let's say for example, simply because he's the Minister of Highways wants to build highways. His major concern is not what those highways will do to the surrounding environment. He wants to build roads, that's what he's the Minister for. He may be somewhat concerned but that's not his interest and it may be of importance for people to know that a particular highway that is being planned through an area may have severe damage by going through let's say an area of low drainage and may in fact end up only being a bad highway being bad for the community.

But we need to know that, Mr. Chairman. Otherwise members of the opposition will not be able to provide the kind of role the Minister of Mines and Resources would like us to provide. He says, well everything in the government is open. Well, Mr. Chairman, let's be a little bit more candid than that. Government is not willing to provide all it does. He says, well the Kierans' Report has been made public. Yes, three years after the fact. After everything has been all done and decided then the Kierans' Report finds its way into public view. It would have been much more useful to have had that kind of information about the economics of hydro when we were debating whether the Diversion should or should not have been built. That was the time for it to take place. Need I mention, Mr. Chairman, what is now called Manitoba Forestries Limited. I don't want to bring that up but it would have been helpful to this House to have had some of the information at that time and we might have saved a lot of money at that point. I think, Mr. Chairman, you can go through example after example, particularly in the area of environmental problems.

I guess the case would be this. Mr. Chairman, Parliament is an old institution and its practices and procedures are venerated with great tradition. But its working methods were designed in an era, Mr. Chairman, when we didn't have something like 3,000 chemicals infesting the air. Look at what happened in the Manitoba Legislature about 1949 or 1950, and perhaps some members of the House go back that far I'm not sure. They dealt with maybe 15 or 20 bills; they had a budget of about \$75 million. There was about seven or eight departments; the Estimates would take place over a period of a couple of months. The pace was leisurely; the bills were simple; the matters were not particularly complicated. Just like now. Things are leisurely; things aren't

## SUPPLY - MINES AND RESOURCES

(MR. AXWORTHY cont'd) . . . . complicated but the world outside is getting much more complicated. It is getting much more difficult to comprehend on the part of legislators.

We're not all experts in varieties of fields. We have the benefit of the wisdom of the Leader of the Opposition who is an engineer and he brings that forward at times. But as a Leader of the Opposition he doesn't have time to study the intricacies of chemical poisoning in the air. Therefore, Mr. Chairman, it's important if we are to do our job as members of a parliament to be able to use that information and have that kind of data at hand. Then if the government wants to argue the case about its role is better than the alternative that we provide then let's do it on the basis of a fair equitable possession of at least some basic facts. That is all that we're arguing. That's all an impact statement does, it doesn't make policy for the government.

I have not recommended - as much as I would like to see us examine the proposition I didn't recommend in my remarks that we all of a sudden go into the courts and everything else. I didn't say that. I think it's possible that it may be possible under our system to do it but in my remarks I said, let's just disclose. That's all. Let's just make it available and maybe that environmental impact statement should be deposited with the Environmental Council if that's the place. Here is a body that's been assembled by the government itself; it's been invited to set up an Environmental Council. They are people from different walks of life, they have a different range of skills on that council. Maybe just having a document of that kind deposited with them so that they could observe.

The role they play, Mr. Chairman, is interesting and I once had the honour of being chairman of that body which I did consider an honour because it did provide a place for a number of very interested people. I never found it to be full of rabid environmental freaks who were trying to take over the government. I found it contained a bunch of concerned people who were businessmen and farmers and labour people and academic people who were concerned about environmental matters, who had some skills to offer and what they were able to do and have been able to do in the life of their council, to some limited effect, is bring things to public light. They've been able to talk about some of the aspects of nuclear power development so that members of this House could read their documents, hear their representations and therefore be able to perhaps offer a more learned reaction and response to the Minister than we otherwise could.

Without that kind of information coming through, Mr. Chairman, members of this House have their hands tied behind their backs. We're simply saying that as times have changed parliament itself must adapt. It can't stay the same institution it was 30 years ago when it was dealing with a different range of issues. So we're simply saying that one of the responsibilities of government always is to examine its own procedures and its own rules so that the institution doesn't become venerated itself, the purpose does. If the purpose is not well served then you should alter the institution somewhat. I think we make a very serious mistake, Mr. Chairman, if we get to the point where we so venerate our institutions that they begin to act as real deterrents for us to do our job. Parliament itself should be subject to evolution as any other institution and the practices of government should be subject to it.

I would simply put forward, Mr. Chairman, that increasingly the balance and weight of power in the governmental system is increasingly centred on Cabinet and the executive activity of government and that the legislative branch, the parliament itself, increasingly finds itself with handicaps. It cannot compete. It doesn't have the same kind of possession of information. I'm simply saying that that is one of the real attributes of real power that any government has, its monopoly of information. We argue in this House a great deal about the power of economics, that wealth creates power. Well I'm suggesting, Mr. Chairman, that information creates power and that if you're interested in diffusing power or pluralizing it then you must pluralize and diffuse information. That is the argument that I would raise in relation to some limited disclosure about the environmental impact statements. It is a complicated matter. We must have that kind of information about what the project will do in terms of consequences on the environment, what some of economic costs and benefits are and the environmental costs and benefits

## SUPPLY - MINES AND RESOURCES

(MR. AXWORTHY cont'd) . . . . and then if we want to argue with the government then we can argue with them on the basis of some facts, not on the basis of myths or of perceived fantasies. We can argue on the basis of fact. Then people really have a basis for decision.

Mr. Chairman, if there's anything that frustrates public discussion it is that so much of our public debate in this province is based upon various mythologies. We argue about things that ceased to exist 30 years ago and we oftentimes don't argue on the basis of the way things are. That is one of the responsibilities of government, to ensure that we are able to argue on a more realistic basis of what is happening. I would think that the debate over hydro for one example, would have been a much better debate and a more useful debate than it has been and it is now if there was a better disclosure of what really was going on and what the costs and benefits were. In fact I think government creates its own monster by keeping the doors closed and by simply saying it's our right of discretion to decide what information is disclosed.

Mr. Chairman, this maybe is really where the Minister and I do differ. I don't differ about the importance of parliament or the role of citizen groups but I do differ on the basis of what the responsibility of the government itself is in providing public disclosure of facts. I believe the people have a right to decide but I believe the people have a right to decide on the basis of realistic sort of informed opinion, not on the basis of what they are told is the way things are. It's nice to talk about the theories of parliament but we must also talk about the practicalities of real politics and the human beings who operate the political machine who don't want necessarily to get beaten or be embarrassed or whatever it is. Therefore they are always of a tendency to not tell it really as it is. It is only when you have some very specific procedures that are part of a statute or part of the law that requires them at times to put forward into public view what is, then the debate can take place upon facts and figures as they really are. And that's the difference. I think the public has a right to know. Then they can decide between the different parties on the basis of the policies and programs based upon those facts. But if the public doesn't know then there are all kinds of areas and issues, Mr. Chairman, that never appear in this House for debate simply because they are never disclosed, they are never brought to light.

I don't pretend that environmental impact statements are going to solve all that problem. But surely, Mr. Chairman, we must recognize that as we get ever more complicated in government intervention, and government intervenes in so many more places, that it has to provide some protection not just for itself but for the parliamentary system, so that it will operate in a more equitable fair fashion. So that the fight is a little bit more equal when it goes on. I'm simply saying that I don't like the idea that impact statements should be subject to discretion, they should be subject to a procedure that says - at least the statement when it is made will be a public statement. It doesn't have to go to the courts, doesn't have to do anything else. It's simply there for review.

In fact, Mr. Chairman, there's a . . . logic. The Minister if he wants can make it public under those procedures so it simply means that the Minister will now say, what I think I want to make public I will but what I don't, I won't, which means that all the fears he said about people going to courts and stuff can still be exercised if he makes a statement public. I'm simply saying I would like all the statements to be made public, in public view, in a limited way. Therefore we really simply say that it is not a matter of discretion of a Cabinet Minister or Lieutenant-Governor-in-Council as to what should be seen. That is the basic point.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I don't particularly wish to disrupt the discourse that we're having this morning. It's always enjoyable to have the occasion to be able to speak on the broader issues in terms of how different Ministers and governments approach different subject matters. But coming back from 100 years to today we are dealing with the Minister's Estimates. We're dealing with a particular amount of money of some \$128,000 on this particular item along with Other Expenditures of \$95,000 which roughly indicates some \$200,000.00. I wonder if the Minister could indicate firstly if this is the

## SUPPLY - MINES AND RESOURCES

(MR. ENNS cont'd) . . . . proper occasion to, what specific environmental studies his department is currently engaged in? What other environment studies are ongoing at this particular time that may not fall under this particular item but that he is aware of that are either being carried out under the agencies of say Manitoba Hydro or that may have been contracted out. In other words, Mr. Chairman, I would be interested in knowing, with some detail as to the actual environmental studies that the department is engaged in at the present time, in general terms, where and for what reason.

MR. GREEN: Mr. Chairman, I'm rather stunned with having been asked a question on the Estimates and it will take me a little while to get my composure. The studies that make up this \$128,100 include the Lake Winnipeg South Basin study to determine the changes and the rate of change in water quality since 1930. I referred to that one briefly yesterday. That's a rather important business and we are quite concerned with the level of water quality in Lake Winnipeg. As a matter of fact in the Garrison Diversion discussions that have been held, one of the points that has been made to us that probably the amount of change to the Red River by Garrison is tiny except for what has been our previous procedure on Lake Winnipeg. So that is one of them.

There is a study with regard to the Manitoba Hydro Thermal Plant to determine the thermal discharge into the Assiniboine River - that's in Brandon.

There is a study on mining operations with regard to heavy metals in the Schist, File and Bernic Lake mines which are near active mining and the Wekusko and Farewell Lakes where exploratory drilling is in progress.

There are limnological studies at Lake Winnipegosis and Lake Manitoba to evaluate environmental changes and aquatic biota.

A resource inventory of the Hayes River for collection of ecological data.

Contracts for studies at Brandon University on movement of nutrients in soil and at the City of Winnipeg, University of Manitoba, on the effectiveness of mosquito control.

There's research inventory and co-ordination is a small amount, \$3,600.00.

There's one that I was trying to keep secret - a modified toilet study, a contingency planning of \$15,000.00.

Those are the studies. The \$126,000 represents the work that is going into them and there are Other Expenditures of \$95,000 which are associated with and which usually involve equipment and supplies.

MR. ENNS: Mr. Chairman, while the Minister is digging out that detail on there I'll just add one supplementary to the points raised. I would hope that out of the work, particularly involving Lake Winnipeg, we would find ourselves in a position in the relatively near future to have a pretty good idea about where we stand in present terms about the quality of the water, the quality of the lake. I think some of the discussions, some of the concerns that we have about for instance the Garrison project - it's not my intention to deal with the Garrison project in its full manifestation at this point but the problem certainly centres on being able to know for certain whether or not we face, or whether or not any substantial changes take place in the quality of water that we have under our jurisdiction. To know that, Mr. Chairman, we have to have a benchmark. We have to know where we start from.

I would assume that the department and this Minister is paying particular attention to the Lake Winnipeg situation and indeed any other rivers and streams that could, it has been suggested to us, be affected by future infusion of some waters from the Missouri Basin as a result of the Garrison construction. Before we can raise serious and credible objections and concerns about the potential or possible effects of the Garrison, we have to know what we have in our own backyard with respect to quality of water. We have to know that in pretty definitive terms because we're talking about added pollutants or changes in the nature of the lake and I would assume and I would ask the Minister to confirm that the kind of studies that he indicated, and his concern that he expressed for the quality of water and the quality of Lake Winnipeg itself, keeps that central question very much in mind, to enable us to be able to speak very clearly to our neighbours in the south around the negotiating table and for ourselves to know precisely where we're at with respect to the quality of water in our rivers and streams.

## SUPPLY - MINES AND RESOURCES

MR. GREEN: Mr. Chairman, of course the entire range of water affected by the Garrison is a priority and there have been and are continuing to be extensive details being obtained as to levels of various sediments, various nutrients, etc., in the water. Lake Winnipeg has been a priority even before -not we knew about the Garrison -but the controversy about the Garrison arose.

I have those other expenditures totalling \$95,600.00. It involves professional fees of \$28,000; equipment of \$20,000; automobiles \$10,000; travel \$10,000 and I've left out the items that are \$1,000 - there is printing and stationery, postage and telephone - the usual amounts - travel, etc. Grants constitute \$15,000.00.

I did want to try to terminate the debate with my honourable friend the Member for Fort Rouge by indicating that there is a basic disagreement, I think, that I have with him as to the necessity of politicians trying to protect their positions and trying to protect themselves by withholding information. I think that the best way of a politician protecting himself is to provide the information and if the information is unsatisfactory I don't think the politician gets blamed for that. I think that he would be blamed if he tried to hide the information. So I don't think one gains votes. Maybe some people react that way but in the last analysis perhaps the onus should be on them because then the public decides what they're going to do in those cases. But I do not regard it as inevitable that information will be withheld. I repeat, I think that the information should be disclosed. But there is a great difference of opinion as to what constitutes information.

The Kierans' Report, all the information on which the Kierans' Report or Kierans' statement was made public. It is all public information. What is not public is that Mr. Kierans felt this way about the information. In what way is that an addition to the information? It is the information that somebody has an opinion about it, which if they have that opinion it must change everything. But the data, the material, is all material which we laid on this table. Mr. Kierans happened to think that we were putting too much capital into hydro. We were borrowing too much for hydro. So the only information that has not been disclosed is that Mr. Kierans felt that that is putting too much into hydro. Is that a detail of information? That is an opinion of a person. Do I have to tell you what my wife thinks about what I am now saying? So that you could go out and say that even Sid Green's wife thinks he's crazy. Well, I tell you, she does happen to think so. But the fact is that I do not consider that that is an addition to the basic data upon which people are to make a decision. --(Interjection)-- That is right.

MR. CHAIRMAN: 6(e)(1)--pass. The Honourable Member for Brandon West.

MR. MCGILL: Mr. Chairman, in the list of environmental studies that the Minister gave us, I may have missed it, but I didn't hear anything that would be construed as a study relating to the possibility of an Arctic Gas Pipeline down through Manitoba from the high Arctic and eventually delivering gas to eastern markets.

I know that that possibility has been considered often over the past few years. The public seems to be preoccupied at the moment with environmental studies relating to the McKenzie Pipeline, but I'm sure that the possibility of an Arctic Gas Pipeline has not been discarded. I wonder, either the studies have been completed or we are not at the moment engaged in any kind of projections relating to that possibility. I wonder if the Minister could comment on that.

MR. GREEN: Mr. Chairman, apparently the Hayes River study does involve studies with regard to the possibility of the pipeline that the honourable member is referring to. It is also the case that I believe that the Polar Gas people have asked us what our environmental requirements are and therefore there would be some activity in that area as well.

I want to assure honourable members that, although we do not rely on what others have done, we do place a significant onus on private persons who are seeking to do something to conduct a major expensive part of the work that has to be done relative to studies and we do that with regard to the Clean Environment Commission. The Commission is demanding and our department is demanding that they produce reliable data. Now, we then don't rely on it but we have a right to scrutinize it and to check it and to do independent checks if necessary, but we do not think that it should be the responsibility of

## SUPPLY - MINES AND RESOURCES

(MR. GREEN cont'd) . . . . . the public to pay the major cost of demonstrating what will occur by virtue of somebody who is a proponent. There's a division there. We can't entirely rely on the other and yet we do put the onus on them for spending a significant part of the money that is necessary to satisfy the Commission.

MR. MCGILL: Just one other question, Mr. Chairman. The information relating to water quality tests from the south basin of Lake Winnipeg, I understand those comparable figures are available since 1930. Are there any other positions in Manitoba, perhaps upstream from the major polluting area of Winnipeg, where statistical information is available for a period of years to determine what changes or reduction in quality have occurred through other environmental matters?

MR. GREEN: Yes, Mr. Chairman. There are areas, and I think that the best thing that I can do . . .

First of all I was asked yesterday where there are regular testing procedures, and I have a list of them now and I think that the best thing that I can do is get copies of those lists made and give one to the Honourable Member for Portage la Prairie for that group and perhaps two for the members of the Conservative opposition group.

The figures that I have indicate where there are regular stations, quality stations, and there are places where it says none. As a matter of fact there are numerous places where there are no regular quality stations but where we do tests on a response or other activity-oriented basis. It would be impossible to have quality stations at every location in the Province of Manitoba. There are some places where it's significant, for instance Red River division, there are 59 quality stations. On the other hand, on the Clay . . . River division there are no quality stations, but a test can be made in response. The difficulty with that is that to answer the honourable member's question, these relate to '73 and '75, there would be varying dates as to when quality stations would be put in place. There are places in Manitoba I would think that the Assiniboine River would have had quality stations for a long time, and that's coming off the top of my head, because it is a major Manitoba waterway, the same with the Red River, not only a major waterway but a waterway which is flowing through areas which are highly populated - the water is used for drinking purposes - so I would imagine that there would be stations for a lengthy period of time. I will, for my honourable friend's benefit, get some of the dates at which the earlier stations have been provided and submit them to him in writing.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. CRAIK: Mr. Chairman, on this topic I wanted to discuss the more general topic of environmental studies. The Minister has seen during his tenure of this office the sort of development of this whole area of environmental studies and environmental impact statements and environmental impact assessments. I think that we've all watched it with a great deal of interest since the more or less movement started in the late sixties and has gone through the early seventies into the mid-seventies, and watched it with interest because it appeared that probably what was emerging was a new group of professionals, mainly based in the biological fields who are now going to come to grips in a more, well I guess you'd say, quantitative way with matters of an environmental nature and spell out and answer some of the sort of concerns that were raised, and raised legitimately about many large projects and about the biological impacts that were stated as concerns, that we more or less expected to see a professional group emerge that would state in a quantitative and authoritative way the impacts to a greater degree than were available in the early stages of the development of this whole period of environmental consciousness.

I guess I'm saying, to put it more directly, Mr. Chairman, is that I'm wondering if the Minister or his department has observed over the developing period of perhaps eight years that we've been conscious of this in Manitoba, whether there is any evidence that the problem of environmental concern can be approached in a manner that will eliminate the concerns on the one side that should not be of concern, isolate those that are of major concern, is there more of a tendency now that you can see that in specific cases where the impacts can be stated in a manner that they can then be interpreted by the decision-maker, namely the city council, the Cabinet Minister, or the other elected

## SUPPLY - MINES AND RESOURCES

(MR. CRAIK cont'd) . . . person, or the administrator that may not have a biological background that can take this environmental impact statement or assessment and say: "That is the answer to the concern that the people are telling me is a legitimate concern."

Now I'm not being facetious in raising it, and I think perhaps the Minister may feel I am. I raise it legitimately because I've been involved in some personal work over the last five or six years on a continuing basis that saw studies that ran over a period of about five years. They were expensive studies done on northern pipelining in the McKenzie Valley and culminated with a final report presented to the Berger Commission in Yellowknife in January and represented probably one of the more legitimate efforts to go in and to define and to assess whether or not the stated impact concerns were in fact legitimate; and secondly, if they were, how they could be controlled. As a result of it many things were done, but by and large many of the concerns that started out being concerns will, I think in that particular case, be concerns later on in the eyes of many.

What I saw as being one of the major parts of the problem is that although the well qualified people were brought to bear on the specific problems, whether it was a problem of a biological background or a problem with an engineering background, or a problem even in the sociological field, that even after those people had studied it in depth and spent millions and millions of dollars, that their findings didn't have the effect of allaying many of the fears and concerns that I would have thought they would have allayed, and probably brought to head in the most startling manner.

Last evening I sat in on the Berger Commission hearings here and a person who I don't know personally, appeared before the Commission hearings - the first speaker yesterday evening I think it was - who was a person with a fairly well educated background and was a professor from the University of Winnipeg, appeared before the commissioner and raised --(Interjection)-- not because he's University of Winnipeg, but I say that because he's an educated person that presumably would expect in his field had studied in depth the background work that had been done over the period of five years, but passed judgment in the field of biology, economics, engineering and sociology, and one person, I have a feeling, can't do that off the top of his head if he expects to remain credible.

Now, there's approximately \$25 million worth of background work has been done on that project. I seriously doubt from his representation that he had read it, or if he'd even read the summary of the work that had been done. So what I'm really saying is that I raise it as a legitimate concern as to whether or not there has been any sort of focus of environmental study effort that has brought about a more methodical way of attacking problems of environmental nature; and

Secondly, after having attacked them and brought about answers is there any more indication now than there ever was that the results of qualified people will and are being accepted by lay people and other people in that field? I think that that is the critical part of whether or not the environmental movement is, in fact, successful and whether or not it's here to stay, because after a period of time if the work of professionals in the field, or people that are the best qualified, whether they're professionals or not or at least the most knowledgeable in that field, if their work is being accepted, fine. You can say that there has been something good come out of the whole thing. That would be the ultimate objective, that lay people, administrators and elected people can look at the results of their work and say, that was a good investment, it brought about the results that have now allowed us the power to make the right kinds of decision to protect the environment. Secondly, and probably more importantly, it has educated the people generally that have a concern for the environment. I think that's the biggest question that we have to ask and get the answer to at the present time if we are to do things like budget for environmental studies.

I was exceedingly enthusiastic a few years ago that environmental legislation and very strict regulations on environmental impact studies, particularly on the activities of government were an important priority to aim for. I think probably that they still are but only if after the period of time that has elapsed, or at some period of time perhaps in the near future, we can look back and say that in those cases where they have been

## SUPPLY - MINES AND RESOURCES

(MR. CRAIK cont'd) . . . . done, they have been successful in achieving the objectives that are desired when they're undertaken.

So, Mr. Chairman, I'm asking the Minister whether his departmental people now, whether it's his department or the Clean Environment Commission, whether they're getting back now the sort of feeling and decision in their own mind that, in fact, there is some focus coming to this whole field of environmental investigation, and this whole field of being able to state in terms that people understand, the answers to at least some of the questions that are being posed as environmental concerns. Or are we, even after we're finished many of these studies, are we still going to completion of the project without having any substantial answers.

Now I know the question is very general, but I think the Minister, and I'm sure that the people in his department that are working in this field, know what I'm talking about. In other words, are we getting anywhere in putting some pretty clear definition on what we can expect in return to us from these expenditures in environmental studies?

MR. CHAIRMAN: The Honourable Minister of Mines.

MINISTERIAL STATEMENTS

MR. GREEN: Mr. Chairman, just before I deal with the honourable member's question, the Minister of Health has given me an announcement which I think I should read. It appears to be all right, but I think I'd like to give the information to the House.

There was an accident in Brandon on May 20th with regard to a radioactive material spill. Dr. G. McNeil, Medical Officer of Health, Westman Region made an on-site visit and the Highways District Director and Earl Campbell, Radiation Protection Officer of Manitoba Cancer Treatment and Research Foundation.

The radioactive material spilled was cesium 137. The material is placed in a double stainless steel container with a lead lining and is used as a density machine that measures the density of asphalt used in road laying. A 74-year old man driving a bicycle ignored the flagman and hit the density machine. The highways personnel obtained a geiger counter to do preliminary testing until Earl Campbell arrived. That's Earl Campbell, the Radiation Protection Officer of the Cancer Treatment Centre.

Earl Campbell assessed the situation and an area of 500 yards surrounding the scene was surveyed and there was no radiation contamination. The highways personnel wear radiation protection badges and these have been collected and will be tested to determine if the workers have been exposed to any radiation. Dr. McNeil also tells us that although there were no injuries, there was certainly a danger of injury having taken place. The end of the announcement is assuring, there seems to be no evidence of significant public health hazard.

Apparently the accident occurred when a man driving a vehicle ignored the flagman and hit a density machine of the Highways Branch I gather.

SUPPLY - MINES AND RESOURCES cont'd

MR. GREEN: Mr. Chairman, the honourable member for Riel has posed very profound questions concerning the manner in which environmental concerns are being raised and the manner in which they are being handled. I think that, I would have to say that on balance.

A MEMBER: You said driving a bicycle, it's a vehicle.

MR. GREEN: Not driving a bicycle, driving a vehicle, I'm sorry.

I would say that on balance that we certainly have gained by the research that has been done, by the assessments that are made, and that we have gained some knowledge as to what we are to do. I have to also say that in many cases the statements are used by people who are very subjective about what is occurring in any event and are in no way interested in the statement as an objective document, but are interested in it as a statement to pursue a particular position, and I am trying desperately to be fair and yet expressing my opinion on these questions. If one will look at the Garrison Diversion

## SUPPLY - MINES AND RESOURCES

(MR. GREEN cont'd) . . . . statements, however much we say about this project, and however much we want to protect ourselves, the fact is that the water coming into Canada is purer than the water coming into United States from Saskatchewan. At least that is my understanding. --(Interjection)-- Well, you see now the Member for Riel now has the answer to his problem. You have the answer to your problem and the gentleman who is sitting next to you, that with regard to certain information there is no way that people who feel a certain way about a project are ready to look at the information. They're ready to look at the problem, ready to decry what is occurring, and ready to use the assessment for that purpose. Now if we can ignore that, if we can ignore that, and say despite how it will be dealt with by various people. We had a group meeting before Mr. Berger yesterday, Mr. Justice Berger, they were not interested in an assessment of the position or giving information. They were interested in saying this land is not for sale, under no conditions will there be a McKenzie Valley Pipeline. And it was not a hearing for the purpose of giving examination and cross examination, although that did take place - I wasn't at the hearing - but it was also used as a demonstration meeting. Now, that is perfectly legitimate. It's perfectly legitimate for people to take positions and to demonstrate, and to pursue their positions on questions which are of controversy, and I say that the environmental assessment statements will have been used by those people to pursue their position and they will be of value in determining for technical reasons what should occur. We certainly find that before the Clean Environment Commission where we have many environmental impact assessments, although we don't give them such a fancy name, every time a program is presented to the Commission that they are useful to the Commission in assessing what should be done.

I think that it might be a mistake on our part to think that this thing arose eight years ago. I had read histories of the 13th century where they start to talk about what is happening to the environment in a particular area and what is happening in another area. We happen to be at a phase when environmental matters are high profile. We in the Province of Manitoba have attempted to maintain a perspective by limiting our considerations to contaminants. I think that if there is anything about our environmental branch that is different than the others, that it is the limitation of our activities to contaminants.

Now the Member for Arthur: I made the statement and I'm going to repeat it so that I can get it, that my understanding is that the water that is flowing into the United States from Saskatchewan is less pure than the water that is flowing from North Dakota to Manitoba. And I am making that statement and receiving the affirmative acknowledgment of the only source that I can rely on reliably, that is Mr. Tom Weber, the Director General of Water Control, who worked for the Honourable Member for Arthur as well as he has worked for me. I repeated it, and he nodded up and down. So much as we say about it, and I am not saying that that should in any way weaken our position vis-a-vis the Garrison Diversion, but I ask Canadians to regard their position sensibly. Whatever we say about what they do, and becomes the standard, we should not then complain when we do something and they complain on the very same standards. And there are things that we do north of the border that affect water south.

The Souris River flows from Canada into North Dakota as well as flowing from North Dakota into Canada. And the Member for Fort Rouge once said that when you are negotiating with somebody, and I agree with that, you have to be able to take the position that you are prepared to be bound by the same standards as you are applying to somebody else. And I think that sometimes we try to do otherwise. We say that the Americans are terrible and that we are wonderful and that they are doing all these terrible things, I have to say, that if this was not a boundary question, if this was not a boundary question where we are the recipients of their program, that if I was in North Dakota and was talking about the program for North Dakota, I might well come to the conclusion that I agree with that program. I can hardly say otherwise. I am in Manitoba, we are diverting the Churchill River to the Nelson River, and the honourable member is a strong proponent of that program, the Member for Arthur. No? You were not a member of the Cabinet that was pursuing the Diversion of the Churchill River into the Nelson River? Still are? Yes.

I believe that we are going to cause more change ecologically and waterwise by

## SUPPLY - MINES AND RESOURCES

(MR. GREEN cont'd) . . . . . that project than will take place on the Souris River. We are doing it. The reason that we are doing it is it doesn't cross a border.

The community at Nelson House is trying to say that there is a border there. They are taking the position that the reservation is a border and that therefore we cannot do anything without their consent. That is now being argued out. So they are taking virtually the same position on the Churchill as we are taking vis-a-vis the Americans on the Souris.. I say there's a difference. I say there is no border at Nelson House, that this is under Canadian jurisdiction and that the Government of Canada is a participant in this program. They were a participant in 1966 when you people started it and they are still a participant.

The Member for Riel has correctly raised a problem that there are people who are willing to spend millions of dollars to have the study, but they would like to think that at the end of it people will look at the study and deal with the problem on the basis of what are the concerns and how they can be dealt with. Not say that the study is to be used merely to reinforce the arguments against taking any activity. Now if I've gathered correctly his concerns then I say to you that we have no way out of this. The information is useful, the information is necessary, the information may give ammunition to the people who have one point of view on that subject. That's okay. Then it has to be fought out. And I think it will be fought out in each case. I think the McKenzie Valley pipeline will be fought out and I think that the Polar pipeline will be fought out, and I think that every movement that has significant environmental consequences will be fought out. But that doesn't mean that you will not have to in certain cases, say that we are proceeding, despite the loud and angry complaints of a certain number. I've tried to impress . . .

MR. CHAIRMAN: Order please. The hour being 12:30 I am leaving the Chair to return at 2:30 this afternoon.