



Second Session — Thirty-Second Legislature  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**

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31 Elizabeth II

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Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

**Members, Constituencies and Political Affiliation**

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Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
BLAKE, David R. (Dave)	Minnedosa	PC
BROWN, Arnold	Rhineland	PC
BUCKLASCHUK, John M.	Gimli	NDP
CARROLL, Q.C., Henry N.	Brandon West	IND
CORRIN, Brian	Ellice	NDP
COWAN, Hon. Jay	Churchill	NDP
DESJARDINS, Hon. Laurent	St. Boniface	NDP
DODICK, Doreen	Riel	NDP
DOERN, Russell	Elmwood	NDP
DOLIN, Mary Beth	Kildonan	NDP
DOWNEY, James E.	Arthur	PC
DRIEDGER, Albert	Emerson	PC
ENNS, Harry	Lakeside	PC
EVANS, Hon. Leonard S.	Brandon East	NDP
EYLER, Phil	River East	NDP
FILMON, Gary	Tuxedo	PC
FOX, Peter	Concordia	NDP
GOURLAY, D.M. (Doug)	Swan River	PC
GRAHAM, Harry	Virden	PC
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry M.	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HEMPHILL, Hon. Maureen	Logan	NDP
HYDE, Lloyd	Portage la Prairie	PC
JOHNSTON, J. Frank	Sturgeon Creek	PC
KOSTYRA, Hon. Eugene	Seven Oaks	NDP
KOVNATS, Abe	Niakwa	PC
LECUYER, Gérard	Radisson	NDP
LYON, Q.C., Hon. Sterling	Charleswood	PC
MACKLING, Q.C., Hon. Al	St. James	NDP
MALINOWSKI, Donald M.	St. Johns	NDP
MANNES, Clayton	Morris	PC
McKENZIE, J. Wally	Roblin-Russell	PC
MERCIER, Q.C., G.W.J. (Gerry)	St. Norbert	PC
NORDMAN, Rurik (Ric)	Assiniboia	PC
OLESON, Charlotte	Gladstone	PC
ORCHARD, Donald	Pembina	PC
PAWLEY, Q.C., Hon. Howard R.	Selkirk	NDP
PARASIUK, Hon. Wilson	Transcona	NDP
PENNER, Q.C., Hon. Roland	Fort Rouge	NDP
PHILLIPS, Myrna A.	Wolseley	NDP
PLOHMAN, John	Dauphin	NDP
RANSOM, A. Brian	Turtle Mountain	PC
SANTOS, Conrad	Burrows	NDP
SCHROEDER, Hon. Vic	Rossmere	NDP
SCOTT, Don	Inkster	NDP
SHERMAN, L.R. (Bud)	Fort Garry	PC
SMITH, Hon. Muriel	Osborne	NDP
STEEN, Warren	River Heights	PC
STORIE, Jerry T.	Flin Flon	NDP
URUSKI, Hon. Bill	Interlake	NDP
USKIW, Hon. Samuel	Lac du Bonnet	NDP
WALDING, Hon. D. James	St. Vital	NDP

# LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 17 December, 1982

Time — 10:00 a.m.

**OPENING PRAYER by Mr. Speaker.**

**MR. SPEAKER, Hon. J. Walding:** Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

## MINISTERIAL STATEMENTS AND TABLING OF REPORTS

### RETURN TO ORDER NO. 13

**MR. SPEAKER:** The Honourable Minister of Health.

**HON. L. DESJARDINS:** Mr. Speaker, I'd like to table a Return to an Order of the House No. 13, on the motion of the Honourable Member for Rhineland. I understand that there are four more copies like this required. That should add to our deficit.

**MR. SPEAKER:** The Honourable Minister of Housing.

**HON. J. STORIE:** Mr. Speaker, it is my privilege to table the 1981-82 Annual Report of the Manitoba Housing and Renewal Corporation.

**MR. SPEAKER:** Notices of Motion . . . Introduction of Bills . . .

## ORAL QUESTIONS

### Deer Lodge Hospital - takeover

**MR. SPEAKER:** The Honourable Member for Sturgeon Creek.

**MR. J. JOHNSTON:** Mr. Speaker, my question is to the Minister of Health and I wonder if he could inform the House whether he has had any communication with the group of non-profit organizations that operate non-profit senior citizens' homes in Manitoba showing an interest in them jointly, managing Deer Lodge Hospital when the government finally takes it over for a senior citizens or nursing home.

**MR. SPEAKER:** The Honourable Minister of Health.

**HON. L. DESJARDINS:** Mr. Speaker, I don't recall any such group. I've had discussions with some of them. I can't say for sure but at this time I don't recall there being any representation about setting up a board by different groups. I don't know if that's what the reference is. I'll have to check on that but to my knowledge, no, Mr. Speaker.

**MR. SPEAKER:** The Honourable Member for Sturgeon Creek.

**MR. J. JOHNSTON:** Mr. Speaker, I may not have put it clearly. I didn't say rep; I said communication. I believe there was a communication with the Minister

from a group representing a number of non-profit organizations.

Is the Minister willing to consider their presentation so that this group, who are very experienced in running senior citizens' homes and nursing homes, to manage the Deer Lodge Hospital?

**HON. L. DESJARDINS:** Mr. Speaker, I think that there had been a request or a presentation from the same board of the municipal hospital wanting to be involved. I would say that we'll look at any worthwhile proposal. I am sorry, but I have no knowledge of what the member is speaking about. He will have to refresh my memory, but if we're approached by them, we certainly will talk to them.

I want to make it clear. The member, I think, has said that it's a non-profit organization. We'll certainly look at it, but I can't recall at this time, Mr. Speaker.

## Economic Review of Manitoba

**MR. J. JOHNSTON:** Mr. Speaker, my question is to the Minister of Economic Development. Towards the end of 1981, a project in the Department of Economic Development, which was to put together a 10-year economic review of the Province of Manitoba, was nearly completed and last year in Estimates the Minister indicated that would be completed and published and made available. I wonder if we're any closer to having that review completed.

**MR. SPEAKER:** The Honourable Minister of Economic Development.

**HON. M. SMITH:** Mr. Speaker, that report will be available shortly.

## Wage controls - municipalities

**MR. SPEAKER:** The Honourable Member for Swan River.

**MR. D. GOURLAY:** I have a question to the Minister of Municipal Affairs. In view of the fact that a number of regional municipal meetings have been held to date throughout Manitoba strongly supporting the 6 per cent restraint program, does the Minister support this restraint effort by the municipalities, and what direction is he providing to his department in this regard?

**MR. SPEAKER:** The Honourable Minister of Municipal Services.

**HON. A. ADAM:** Mr. Speaker, that question was asked last week by the Member for Turtle Mountain, at which I responded. I would advise the honourable member that it is not the intention of this government to interfere in the day-to-day operations of the local governments. Perhaps, Mr. Speaker, that government would do it; maybe they would like to interfere in the day-to-day operations of municipal governments.

Mr. Speaker, I responded last week that local government, local elected officials were mature

enough to debate and meet together and discuss economic financial problems that all people in Manitoba and all people in Canada, for that matter, are facing at this particular time.

I commend the local governments for their efforts to find ways and means to cut their budgets and to operate in those difficult times, but it's not the intent of this Minister or this government to go into the municipalities and dictate to them how they should operate their finances, Mr. Speaker.

**MR. SPEAKER:** The Honourable Member for Swan River.

**MR. D. GOURLAY:** Mr. Speaker, the municipalities are not asking for interference, they're asking for your support. Are you going to provide it to them?

**HON. A. ADAM:** Mr. Speaker, we will assist the Municipal Governments to the best of our ability in these difficult economic times. We have said that in the past and we say it, again, today that we will do everything that we can to assist local governments to provide the best service possible to their electors.

#### Headingley jail - study re conditions

**MR. SPEAKER:** The Honourable Member for Fort Garry.

**MR. L. SHERMAN:** Mr. Speaker, my question is to the Honourable Minister of Corrections and I would ask him if he can answer the question that he took as notice from me on December 7th respecting the conduct of a medical audit by his department this fall at Headingley Jail as part of an inquiry into that facility?

**MR. SPEAKER:** The Honourable Minister of Community Services.

**HON. L. EVANS:** Yes, Mr. Speaker, I can advise the honourable member that on December 4th, 1981, the Provincial Director of Adult Corrections requested the College of Physicians and Surgeons of Manitoba to conduct a medical audit of services in all of the adult provincial institutions. The College, together with the Manitoba Association of Registered Nurses and the Registered Psychiatric Nurses Association of Manitoba, conducted an audit at Headingley in May of 1982 and thereon reported to the director in June of 1982.

The Report covers some 30 basic topics and I understand they identified various shortfalls and made 27 recommendations for improvement. These recommendations are now under consideration by the senior staff of the correctional division and every effort is being made to implement those recommendations.

**MR. L. SHERMAN:** A supplementary, Mr. Speaker. I thank the Honourable Minister for that information and I would ask him whether the inquiry into conditions at Headingley will go beyond the terms of reference that he has identified in discussions with the media, namely, the questions of overcrowding and programs for inmates, and go far beyond those terms

of reference to include the issues of safety, security and administrative efficiency?

**MR. SPEAKER:** The Honourable Minister of Community Services.

**HON. L. EVANS:** Yes, when we finalize this matter, Mr. Speaker, I would certainly wish to broaden the terms of reference to include some of the items the honourable member refers to. As a matter of fact, I would also wish to have this particular audit taken a good look at and see whether there is some other information that we should seek out.

I'd also invite the Honourable Member for Fort Garry, if he wishes, to write to me and set down any additional terms of reference that he might like to see included in any study that will be conducted in the near future.

#### Shilo base lease - environmental study

**MR. SPEAKER:** The Honourable Member for Minnedosa.

**MR. D. BLAKE:** Thank you, Mr. Speaker. My question is to the Honourable Minister of Natural Resources. In view of the obvious economic benefits to the Brandon and Westman area emanating from the Shilo base, I wonder if the Minister could bring us up-to-date on what is the present situation with the lease with the Department of National Defence, the Federal Government and the Provincial Government for the Shilo property.

**MR. SPEAKER:** The Honourable Minister of Natural Resources.

**HON. A. MACKLING:** Well, Mr. Speaker, I'm getting some humorous advice from across the Chamber. The situation is that we're still negotiating with Ottawa in respect to the terms. There has been some misunderstanding developed by some press reports that a lease has already been signed. Such is not the case. There is agreement, in principle, Mr. Speaker, with Ottawa on the broad parameters of a lease. However, we are concerned to effect, in our negotiations with Ottawa, the best interests of the Brandon area, including a commitment to development in that area in respect to the facilities there and, of course, we are concerned about the environment and an environmental study - it's really not a full study - a review of a completed study is being made so that we'll be in a position to ensure that in the lease we have the best possible commitment to environmental integrity.

**MR. D. BLAKE:** Thank you, Mr. Speaker. My supplementary is to the same Minister. Could he give us any idea of a date on when their study might be finalized and when this lease might be completed, because he's probably aware there is some elitist hunting going on in that area and I hope he doesn't want to cut that out.

**HON. A. MACKLING:** Mr. Speaker, again I must reflect on the humour on the opposite side of the Chamber. I appreciate that today; it's a welcome change from earlier days.

What I want to assure the honourable members and the House, is that Ottawa was concerned to get a commitment, in principle, in respect to further lease of the area so that Ottawa could negotiate with the Government of Germany in respect to the continued use of the facilities there by German military forces. That commitment has been made. Mr. Speaker. Now it is a matter of ensuring that we get the best out of the negotiations, we negotiate well, and succeed in getting a commitment to upgrading the facilities at Shilo and also make sure that the environment is not degraded.

The environmental review will not take long. I anticipate it will be completed by the end of January and we have until October 1983 before the lease runs out. Ottawa has not indicated that they are pressed for time on this matter and we feel that the time taken, to make sure that the environment is protected to the best degree possible, is worthwhile.

**MR. SPEAKER:** The Honourable Member for Minnedosa.

**MR. D. BLAKE:** A supplementary to the same Minister, Mr. Speaker. Could he inform the House who is doing the environmental study?

**HON. A. MACKLING:** I will take the question as notice, Mr. Speaker. I should recall the name of the gentleman but I do not. A study was completed — (Interjection)— yes, an excellent environmentalist, I thank the honourable members for their advice. A study was made — (Interjection)— yes, if you have hair that's an attribute too and would that I had more on top. A study was made and the Federal Government, the Department of National Defence was involved in the payment of that study, but we wanted to have a complete update on it before we completed negotiations, so that if there are recommendations that we should include in any lease arrangements, we want to be aware of them.

### Assiniboia Optimists re Buffalo Barbeque

**MR. SPEAKER:** The Honourable Member for Kirkfield Park.

**MRS. G. HAMMOND:** Mr. Speaker, my question is to the Minister of Natural Resources. In the light of the Minister's statement that it is not the intention of this government to encourage the raising in captivity of wild animals and then being slaughtered for meat, is he planning to notify the Assiniboia Optimists that he doesn't approve of them selling buffalo burgers at their annual Buffalo Barbeque?

**HON. A. MACKLING:** Mr. Speaker, I would like to let the honourable member know that buffalo has been declassified. I think some of her colleagues would confirm that buffalo now are being raised in captivity and have been slaughtered for meat for some time. It is no longer considered an animal that exists in the wild.

There have been attempts made in the past to reinstate buffalo in their wild form in Manitoba and other parts of the country; they haven't met with much suc-

cess. As a result, buffalo is no longer considered a wild animal and is not hunted as such. It is raised in captivity fairly successfully by a number of people in this province.

### Hydro rate freeze

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. A. RANSOM:** Mr. Speaker, my question is for the Minister of Energy and Mines. Can the Minister of Energy and Mines advise the House that the Hydro rate freeze implemented by the previous Conservative Government will be allowed to run its full five-year term?

**MR. SPEAKER:** The Honourable Minister of Energy and Mines.

**HON. W. PARASIUK:** The Hydro staff are presently reviewing the situation, as I indicated that they would last year in the House. I expect to get a report from them. When I get that report, I will distribute it to members of the Legislature and then the government will have to make a decision at that particular time.

**MR. A. RANSOM:** Mr. Speaker, a supplementary to the Minister of Energy and Mines. Are the members of Hydro staff out laying the base for a 30 percent increase in Hydro rates when the freeze comes off?

**HON. W. PARASIUK:** Mr. Speaker, if indeed you have a government putting a freeze on a utility on the basis of certain assumptions about interest rates, inflation and water levels, and those assumptions don't come true and the utility then starts losing money, making that utility very vulnerable in terms of the international money markets in terms of its long-term viability, then of course the technical people have to advise as to what type of rate structure might be needed at such time as the freeze comes off.

Mr. Speaker, I know that no one would want to burden the consumers of Manitoba Hydro with 30 percent rate increases, but we'll have to see what that report says. I will certainly distribute it and we'll have to make judgments accordingly.

**MR. A. RANSOM:** A final supplementary then, Mr. Speaker. I have to ask the Minister of Energy and Mines then, is he aware that Hydro staff are out wining and dining municipal officials in the country and telling them that a 30 percent increase in Hydro rates will be necessary when the freeze comes off? Is the Minister aware of what is going on in Hydro?

**HON. W. PARASIUK:** Mr. Speaker, certainly, if you can recall last year, one of the possibilities raised by Hydro staff was the possibility of a significant rate increase. It certainly would not be the intention of the government, frankly, the freezing of the rates was a political decision and the government will have to make a judgment with respect to the rate freeze and with respect to any increase that will take place at whatever time in the future with respect to Hydro rate increases. Certainly, it would be the intention of the

government to ensure that Hydro rate increases do increase at a small level rather than saving things up, sticking our heads in the sand and having a massive one take place in the future; but I'll certainly take the question of the member as notice and I'll certainly consult with the professional people of Hydro to determine what exactly they are doing. It certainly has not been any type of direction from the government. I certainly have not heard of them wining and dining, but I'll look into it.

### Manitoba committee on wife abuse grant

**MR. SPEAKER:** The Honourable Member for Tuxedo.

**MR. G. FILMON:** Thank you, Mr. Speaker. My question is to the Honourable Minister of Community Services and Corrections. Mr. Speaker, my question to the Minister is, why was the grant for the Manitoba Committee on Wife Abuse, a grant of I believe \$250,000 of which a \$53,000 installment has been given, why was this grant on wife abuse given to the Children's Home of Winnipeg as opposed to a women's organization when there are several who have been vitally involved in this issue?

**MR. SPEAKER:** The Honourable Minister of Community Services.

**HON. L. EVANS:** I can check into the specifics of the member's concerns, but my understanding is that the Manitoba Committee for the Prevention of Wife Abuse is a large organization primarily of women who are very concerned in this issue. The Children's Home of Winnipeg, as an incorporated body, a non-profit body which is funded by the taxpayers as well and is in the child welfare area, has been working very closely with them, and if there's been any payment, as the honourable member suggests that it's paid in that way, it's strictly a matter of administrative efficiency; but I believe the Children's Home of Winnipeg, those people work very closely because they too are very much involved in this type of social problem that we unfortunately have in our midst.

**MR. G. FILMON:** Mr. Speaker, I have a copy of Order-in-Council 1352 that does in fact outline that situation for the Minister - it's signed by him, I might indicate - but, Mr. Speaker, does this not reinforce the stereotype of interdependency between women and children's organizations as opposed to recognizing the problem for what it is, a women's issue?

**HON. L. EVANS:** Mr. Speaker, the administrative problem is that the Manitoba Committee for the Prevention of Wife Abuse is not an incorporated body, so it's necessary to have an incorporated body to pay the monies out to, and that organization - the committee - selected the Children's Home of Winnipeg as the body that they wished to work with.

**MR. G. FILMON:** Mr. Speaker, is the Minister then indicating to us that groups that are incorporated, such as the YWCA or Osborne House in its relationship with the YWCA, are not capable of doing this sort of thing and are not capable of administering this

grant, the study and all of the things that go along with it?

**HON. L. EVANS:** No, I'm not suggesting that for one moment. We have people in those organizations which the honourable member refers to who are equally concerned, but the group that is taking the lead in this, which also includes representatives from some of the organizations that the member refers to, as I understand, if not on an official delegation basis at least on an unofficial basis, that there is this broad base, this wide concern, and that it was their decision that they chose to work with that particular agency and we have responded to their request.

### Moratorium on adoption

**MR. SPEAKER:** The Honourable Member for St. Norbert.

**MR. G. MERCIER:** Mr. Speaker, my question, too, is to the Minister of Community Services and Corrections. Before placing the question, Mr. Speaker, I'd like to refer to a published interview with Betty Schwartz, the Executive Director of the Children's Aid Society of Winnipeg, in last Sunday's Winnipeg Sun.

In that article, Mr. Speaker, she stated that she has to act in the best interest of children and she's not here to win a popularity contest. She says that the government's decision regarding a moratorium on the adoption of children was not a thought-out decision.

She goes on to say, Mr. Speaker, that "At this time, we have over 80 kids who are hung up by the moratorium. I don't know at what time the adults are going to focus on the needs of children. How long is the Native community and how long is the government prepared to wait? It's now almost a year and these children will never recapture it; they will never go back retroactively and replace or get back that year of life."

Mr. Speaker, my question to the Minister is this. In view of the fact that despite his indications to this Legislature last spring that Judge Kimelman would have reported by now, and in view of the fact that these children have been deprived of a permanent home for up to a year now, is the Minister prepared to lift the moratorium and allow these children to be placed in a home which might possibly be the best possible Christmas gift they could receive?

**MR. SPEAKER:** The Honourable Minister of Community Services.

**HON. L. EVANS:** Mr. Speaker, the policy that was enunciated by the government will have to stand until we get the recommendations from Mr. Kimelman, but I must say I have to differ with the remarks that the honourable member just provided us with. We have no data of any large number of persons, such as the Member for St. Norbert mentions, and we do know of one case; there's been one case that has been brought to our attention and we're hoping to develop a mechanism to handle that. As you recall, we did approve a couple of persons last summer and we know of only one case that's been brought to my attention and we will be dealing with that expeditiously.

It may be a matter of opinion among those people in

the child welfare business, child welfare field, as to who should be placed out of the province or in other homes, but I submit to you, Sir, that there are wide differences of opinion depending on who you talk to, whether you're talking to someone such as the Executive Director of Children's Aid of Winnipeg or whether you're talking to someone representing the Manitoba Metis Federation or whether you're talking to someone representing the Dakota Ojibway Tribal Council. It partly depends on who you talk to with regard to the problem as was described in that article that the honourable member refers to.

**MR. G. MERCIER:** Mr. Speaker, I pursued this matter at the last Session and now at this Session with the Minister, and it appears from his remarks, Mr. Speaker, that he's prepared to try to win the popularity contest and not to act in the best interest of the children as the Children's Aid Society is attempting to do, Mr. Speaker.

### Unemployment increase

Mr. Speaker, I have a question for the Minister of Labour. On Tuesday I asked her a question about the real unemployment statistics. She undertook to answer that question the following day, Wednesday. I wonder if she has that answer.

**MR. SPEAKER:** The Honourable Minister of Labour.

**HON. M. DOLIN:** Yes, Mr. Speaker, I do have some information for the honourable member. Information of this sort, as I'm sure he is aware, is difficult to gather, because by the very nature of the question he asked he would know that the information is not readily available.

However, Statistics Canada Labour Force Survey, which is where we get this kind of information on unemployment figures and so on, defines unemployment as persons who are in the working age population, who are without work and looking for work, who are on layoff for 26 weeks or less and are available to work, or who are not looking but have a new job that they are going to start within the next four weeks and that is, of course, the reason that they are not looking. Those are the people that are included, of course, in the unemployment statistics.

The labour force survey excludes people who live on Indian reserves, who are inmates of institutions, who are members of the armed forces and so on. Those people are excluded from the working age population.

Now, we estimate that in Manitoba we have about 13,000 status Indians and several thousand more non-status persons and Metis people living in our province. We will have more precise information to give the honourable members when the 1981 national census data is released to us and when the 1982 Northern Affairs census information is ready for distribution.

Stats Canada defines discouraged workers - and this is perhaps an area that the honourable member was looking for information on - defines discouraged workers as persons who haven't actively looked for work in the past four weeks, but did so during the last six months. They are keeping some statistics on this now and we have a Canada-wide figure of 108,000

discouraged workers, but that's Canada-wide. There are no estimates for Manitoba and the reason for that is that the number of discouraged workers according to the labour force survey in Manitoba is too low for inclusion in their statistics. They don't include anything under 4,000, as you know, because of the possibility of error in the stats.

Our participation rate in Manitoba is slightly higher than in some other parts of Canada and certainly higher than in the nationwide figure; it's about 66 percent. Nationally, it has held at 65 percent for the last couple of months.

Should more information be available later on when the other census figures that I was speaking of become available, I will be happy to give that information to the honourable member.

### High Cost of Gasoline - Thompson

**MR. SPEAKER:** The Honourable Member for Thompson.

**MR. S. ASHTON:** Mr. Speaker, in recent years it's become apparent that people of Northern Manitoba are paying a significantly higher cost for gasoline than people in the rest of the province. Specifically, recently the price in Thompson of gas was 51 cents a litre more compared to a range of between 37 cents and 42 cents a litre here in Winnipeg; that's a difference of between 9 cents and 14 cents on a litre.

Now, my question is for the Minister of Consumer and Corporate Affairs. I understand that the Department of Consumer and Corporate Affairs has investigated this matter and I would ask whether there is any indication whether this difference could be accounted for only by transportation costs, or whether in fact there are other factors involved and, specifically, the pricing practices of the major oil companies?

**MR. SPEAKER:** The Honourable Minister of Consumer and Corporate Affairs.

**HON. J. BUCKLASCHUK:** Thank you, Mr. Speaker. In answer to the question from the Member for Thompson, I would confirm that in fact a study has been done, and the pricing differential is in excess of transportation costs. Thank you.

**MR. S. ASHTON:** Well, I think, Mr. Speaker, that would confirm the expectations of people in Thompson. We felt for quite a while they were being ripped off by somebody along the line. I would ask, in view of this fact, whether the Minister would consider calling an inquiry into the matter under the Inquiry into Complaints as to Practices in Trade Act?

**HON. J. BUCKLASCHUK:** Thank you, Mr. Speaker. Yes, we have been aware of these problems in Northern Manitoba as well as in rural Manitoba. At the present time, we have one member of staff who is doing some preliminary work along the border communities to try to determine why the price of gasoline doesn't reflect the tax rebate or the tax concessions being made along those communities, and the Member for Thompson is quite correct that under The Trade Prices Inquiry Act, inquiries from four persons will cer-

tainly receive our consideration for a full-fledged inquiry into this problem.

### Co-op housing

While I'm standing, I'd like to respond to two questions that were raised by the Member for La Verendrye yesterday with respect to the Department of Co-operative Development. The question was asked, were there additional staff hired by the department in the past year? I'd like to confirm my answer of yesterday that there have not been additional staff hired. On the other hand, we have assigned one member of staff exclusively to the development and maintenance of housing co-operatives.

I would also like to report to the second question. In fact, during the past year there have been two housing co-operatives incorporated in Manitoba: Spruce Woods Housing Co-op Limited and Prairie Housing Co-op in Winnipeg, and that is a very unique type of housing co-op where the members of the co-op involve families who have persons with mental or physical handicaps and it's certainly something very unique to North America.

I should also mention that in this past year that there are five new groups that are in various stages of development of forming housing co-operatives: one being in Dauphin, one in Brandon, one at The Pas and two in the city. This compares to virtually total inactivity in the previous year.

I just want to further mention about the Department of Co-operative Development, there have been more co-ops incorporated in the past 12 months than in any period since 1977

### Gasoline tax incentive

**MR. SPEAKER:** The Honourable Member for Arthur.

**MR. J. DOWNEY:** Mr. Speaker, in response to the Minister's answer on the concern about the incentive grant along the border towns that he is investigating, is he prepared to immediately make a change that was not announced when that incentive grant was put in place, Mr. Speaker? Is he prepared to make a change in the regulations that limit those people along border towns to not receive a tax incentive on any gallonage over which they produced or pumped last year? Is he prepared to make that change immediately?

**HON. J. BUCKLASCHUK:** Thank you, Mr. Speaker. That question I think should probably be addressed to the Minister of Finance and I'll take that question as notice on his behalf.

### Re Order-in-Council 841

**MR. SPEAKER:** The Honourable Member for Pembina.

**MR. D. ORCHARD:** Thank you, Mr. Speaker. My question is for the Minister of Consumer and Corporate Affairs. Order-in-Council 1339, passed November 10, 1982, cancelled previous Order-in-Council 841-78, and Order-in-Council 1339 cancelled the previous order pending passage of a further Order-in-Council clarifying the responsibilities of the Public Utility

Board. When can interested parties in Manitoba expect the passage of the replacement Order-in-Council now that 841 and the provisions of Order-in-Council 841 are no longer applicable due to the cancellation that this Minister has brought in?

**MR. SPEAKER:** The Honourable Minister of Consumer and Corporate Affairs.

**HON. J. BUCKLASCHUK:** Thank you, Mr. Speaker. With respect to the Order-in-Council 841 that was rescinded in November, a replacement has been passed through Cabinet this past Wednesday.

**MR. D. ORCHARD:** A supplementary to the Minister, Mr. Speaker. Can the Minister indicate whether there were any applications made to the board under the provisions of Order-in-Council 841 prior to its cancellation on November 10th?

**HON. J. BUCKLASCHUK:** Thank you. I will take that question as notice and report back.

### Re Grant to National Farmers Union

**MR. SPEAKER:** The Honourable Member for Arthur.

**MR. J. DOWNEY:** Mr. Speaker, I have a question to the Minister of Agriculture. Can he confirm, Mr. Speaker, that he has reintroduced the grant to the National Farmers Union that was cut off in 1977 by our government? Has he reintroduced, Mr. Speaker, that grant, or is he planning to do so in the near future?

**MR. SPEAKER:** Order please. The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Mr. Speaker, I appreciate the honourable member's suggestion that there should be some support to a direct membership farm organization in this province, but when that decision is made it will be announced.

**MR. J. DOWNEY:** Mr. Speaker, can the Minister of Agriculture confirm that he is cutting down the 4-H budget for the young people, the children of rural Manitoba? Has he reduced the 4-H budget for the coming year or the present time?

**HON. B. URUSKI:** Mr. Speaker, in terms of programs provided by the department directly to rural people, we certainly are making sure that all the resources within our department are being utilized to the best of their ability.

**MR. J. DOWNEY:** Mr. Speaker, in other words, the Minister is not prepared to answer a straightforward request by the Opposition. We asked specifically if he is reducing the budget or the funds for the 4-H program in Manitoba. Is that true or not?

**HON. B. URUSKI:** Mr. Speaker, all those questions dealing with the specifics of Estimates —(Interjection)— Mr. Speaker, it appears they want to make assumptions; they can do whatever they please. Those questions in terms of how the programming

will be handled within the department and the delivery of those programs will all be answered when the Estimates are brought before this House.

**MR. SPEAKER:** The Honourable Minister of Natural Resources.

**HON. A. MACKLING:** Mr. Speaker, I'm pleased to be able to give the name of the consultant to the honourable member. It's Mr. Mike McKernan of McLaren Planned Search Inc.

**MR. SPEAKER:** The Honourable Member for Ellice.

**MR. B. CORRIN:** Mr. Speaker, my question is for the Honourable Minister of the Environment. I would like to ask the Minister if he could provide the House with an update with respect to the problem involving the hauling of solid wastes on to the ice at Shoal Lake in the area and vicinity of Indian Bay, which is in close proximity to the source of Winnipeg's water supply?

**M. SPEAKER:** The Honourable Minister of Northern Affairs.

**HON. J. COWAN:** Yes, thank you, Mr. Speaker. I want to thank the Member for Ellice for that question, which I know is of grave concern to members on this side of the House, and I'm certain is of some concern to members on the other side of the House.

I am pleased to provide an update. As a result of the reports which were brought forward yesterday indicating that Shoal Lake Indian Band No. 40 was, in fact, hauling solid waste and garbage across the ice to a disposal site in close proximity to the City of Winnipeg water supply, my colleagues and I, especially the Minister of Urban Affairs and I, have undertaken a series of actions which we believe have brought a quick resolve to this very serious and urgent issue.

We have had discussions with His Worship Mayor William Norrie and in fact will be meeting with the Mayor in a few moments to further discuss this matter. We have had discussions with the Honourable Lloyd Axworthy. We've had discussions with the Honourable John Munroe as well as Cabinet colleagues on this side and caucus colleagues on this side, and just this morning I had discussions with Chief Herb Red Sky who informed me, as a result of that quick communication and action on the part of all the parties involved, and in response to his feelings of goodwill and good faith in trying to resolve this serious issue, they are now ceasing and desisting the hauling of any sewage or any . . . excuse me, I think the record should be clear they were not hauling sewage. They are now ceasing and desisting the hauling —(Interjection)— the Leader of the Opposition treats this with some mirth and frivolity. I don't think it is and we have not treated it in that way, so I don't want his interjections or his laughing to be interpreted by those who may hear it on the outside, as being the concern of the members of the government benches. We treat this very seriously and with great respect for the need for quick action.

The Band has indicated to me that they will, in fact, cease and desist the hauling of any solid wastes or garbage across the ice for a period of at least one

week while we can attempt to work out a longer term, more satisfactory resolution to this problem with them.

I want the record to be clear that on the basis of our conversation with Chief Red Sky this morning and our conversations with our federal counterparts, who we believe have acted responsibly in response to this specific problem, we are encouraged and optimistic that we will be able to bring a resolve to this longstanding problem of the disposal of garbage and sewage on the Indian Band reservation which serves Shoal Lake Indian Band No. 40 in the Shoal Lake area.

I expect and I anticipate the co-operation of members opposite in making that very important program work.

### Crop damage by wildlife

**MR. SPEAKER:** The Honourable Member for Arthur.

**MR. J. DOWNEY:** Mr. Speaker, I have a question to the Minister of Natural Resources. The Department of Natural Resources provide a brochure telling the farm people that the Department of Natural Resources will pay 75 percent loss, due to big game or destruction by wildlife, that they will pay 75 percent of the commercial value of that crop. Is he carrying out that policy, Mr. Speaker?

**MR. SPEAKER:** The Honourable Minister of Natural Resources.

**HON. A. MACKLING:** Mr. Speaker, we have continued programs that were established for some years, I think, during the life of the first NDP Government in this province. Those programs have continued under the previous administration. They continue under this administration as well, Mr. Speaker.

**MR. SPEAKER:** Order please. The time for Oral Questions having expired.

### ORDERS OF THE DAY

**MR. SPEAKER:** The Honourable Government House Leader.

**HON. R. PENNER:** Mr. Speaker, would you please call for second reading appearing on Page 4 of the Order Paper, Bills 18 and 19.

**MR. SPEAKER:** The Honourable Member for Turtle Mountain on a point of order.

**MR. A. RANSOM:** Yes, Mr. Speaker, I'd like leave to make a non-political statement.

### NON-POLITICAL STATEMENT

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. A. RANSOM:** It's very close to being a non-political statement, Mr. Speaker, at least I'm sure that the whole House would like to join with me in congratulating the Member for Arthur and the Minister of

Energy and Mines for achieving an overwhelming victory this morning on Information Radio over the favoured media team.

## **SECOND READING - GOVERNMENT BILLS BILL NO. 18 - CONFLICT OF INTEREST ACT**

**MR. SPEAKER:** Order please. The Honourable Attorney-General.

**HON. R. PENNER** presented Bill No. 18, The Legislative Assembly and Executive Council Conflict of Interest Act; Loi sur les conflits d'intérêts des membres de l'assemblée législative et du conseil exécutif, for second reading.

**MOTION presented.**

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Thank you, Mr. Speaker. The basic purpose of this bill is to set out the allowable limits of pecuniary relationships between, on the one hand MLAs or Ministers of the Crown and, on the other hand the Government of Manitoba. By requiring MLAs or Ministers to disclose their pecuniary interests in matters arising during the course of official business, the bill aims to promote public confidence in the integrity of the process of government.

Some parts of this bill merely reproduce provisions which are now currently in The Legislative Assembly Act. For example, no person who is employed by the Government of Manitoba, or receives any fee or allowance for services rendered to the Government of Manitoba, is eligible to be nominated for, or elected as a member of the Assembly; that continues.

However, the major emphasis in this bill will be on the pecuniary relationships between the government and those who have already been elected as MLAs or appointed as Cabinet Ministers. The bill creates a disclosure requirement which will reinforce public trust but which will avoid the inflexibilities of the current legislation. For example, under The Legislative Assembly Act, as currently worded, any person who holds a contract with the Provincial Government is ineligible to be even nominated or elected as an MLA, and if already an MLA, is ineligible to sit or vote in the Assembly.

This provision literally prohibits anyone currently in the Assembly from undertaking any kind of contract with the government during the course of the next three years. The harshness of such restrictions is well illustrated by the numerous exceptions to the prohibition which are also set out in the current Legislative Assembly Act so that, in effect, what we have is virtually a dog's breakfast of restrictions and then exemptions from the restrictions, and it has never really been adequate or enforceable. The new legislation does away with these narrow and unrealistic restrictions.

Where an MLA, or Cabinet Minister, or one of his or her dependents, and that will be defined as someone living at home, has a pecuniary interest or liability - listen Harry, this is for you - in a matter which comes before the Assembly, or Cabinet, or a committee, the member or Minister is required to disclose the interest or liability and to withdraw from the meeting without

voting or influencing the matter in any way. The bill provides focus to the disclosure requirement by listing a number of presumptions as to what constitutes a pecuniary interest. So it's defined in the Act.

It is important to emphasize that this bill incorporates the operations of Cabinet, committees of Cabinet, and the duties performed by individual Cabinet Ministers, those are encompassed within the requirements of the Act. For example, when a Cabinet Minister encounters a potential conflict of interest while exercising any statutory or regulatory power given to that Minister by statute or regulation, he or she is required to delegate that power to Cabinet and to refrain from any further participation in the exercise of that power.

There is a second aspect of this legislation which complements the requirements for disclosure in matters of pecuniary interest. All MLAs and Cabinet Ministers will be required to file with the Clerk of the Assembly a statement of their assets and interests held by themselves or by any of their dependents. Examples of the assets and interests which must be listed includes land holdings, share holdings and large gifts. The statement will require a listing of kinds or classes of assets and interests only. No net worth calculations will be possible because there will be no requirement to estimate the value of any asset or interest listed in the statement. We're not interested in invading privacy or peeking into closets, simply a statement of what those interests are, not their value, so that the potential for conflict is limited.

To further promote public trust in government, the new legislation will prohibit various misuses of positions by MLAs and Cabinet Ministers. For example, there is a prohibition against profiting from information which is not available to the public and which an MLA or Cabinet Minister acquires in the performance of his official functions. This is similar to the insider information prohibitions in stock exchange dealings and so on. Also there is reproduced from the current Legislative Assembly Act a prohibition against receiving compensation for services rendered in connection with any matter before the Legislature.

The emphasis on this bill then is on disclosure, rather than disqualification before the event. But the penalty of disqualification from office is ultimately the price to be paid for violating any provision of the legislation. However, there will be no disqualification from office for any unknowing or inadvertent breach of the legislation. We don't want Draconian legislation. It's possible that somebody might participate in having a portfolio of holdings and not realize, and if it's unknowing or inadvertent we don't expect that the severe penalty of disqualification would be exacted.

The validity of any alleged violation will be determined by the Court of Queen's Bench on an application initiated either by the Standing Committee of the Assembly on Privileges and Elections or by a voter in the province.

As a supplementary penalty to disqualification from office, any person who profits from a violation of this Act may be required to make restitution to anyone affected by that profit, particularly of course, the government.

I recommend this bill to the Legislature.

**MR. SPEAKER:** Are you ready for the question?

The Honourable Member for Fort Garry.

**MR. L. SHERMAN:** Yes, Mr. Speaker, I move, seconded by the Honourable Member for St. Norbert, that debate be adjourned.

**MOTION presented and carried.**

**MR. SPEAKER:** The Honourable Attorney-General.

### **BILL NO. 19 - THE SURVIVORSHIP ACT**

**HON. R. PENNER** presented Bill No. 19, The Survivorship Act; Loi sur les présomptions de survie, for second reading.

**MOTION presented.**

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, the purpose of The Survivorship Act is to furnish rules by which the succession to property may be determined where two or more people die at the same time and there is no proof as to the sequence of their deaths.

For example, where a husband and wife die in a car accident - and that tragic occurrence does happen all too frequently - and each spouse is beneficiary under the other's will, it is necessary to have a law in case the will is silent as to which spouse is deemed to survive the other for purposes of distribution of assets under the will. Of course, this is equally important where there is no will; in fact, even more important.

The current law states that deaths are presumed to have occurred in the order of seniority; that is, younger persons are deemed to have survived older persons. The problem with this rule is that it is simply too arbitrary. For example, when that happens then the estate of one spouse or the other gets all of the assets. The estate of the younger would get all of the assets of the two and then it would go by the will, or by the law where there is no will concerning the estate of the younger. This works a particular hardship, as between a husband and wife, where one or other of the spouses has, for example, children from a previous marriage who may be by the present law, inadvertently completely disinherited by the present arbitrary rule.

It is proposed that where there is uncertainty as to the sequence of deaths, each person shall be deemed to have survived all the others so that their own estates will then govern. The practical effect is that the estate of each deceased person does not end up with the property from the other deceased person. That is, as I just explained, each deceased person's property goes to his or her own estate.

It should be noted that this Act will not alter the effect of a will. If a deceased person has a will which describes who the beneficiaries are, in the event the prime beneficiary - let's say the spouse - predeceases the testator or dies at the same time, then the will will continue to speak. Special rules will cover the effect of simultaneous deaths on joint tenancies and life insurance policies, and I recommend this bill to the House.

**MR. SPEAKER:** Are you ready for the question?

The Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, I move, seconded by the Honourable Member for Turtle Mountain, that debate be adjourned.

**MOTION presented and carried.**

**MR. SPEAKER:** The Honourable Government House Leader.

**HON. R. PENNER:** Mr. Speaker, there being no further business to transact, I move, seconded by the Minister of Highways, that this House do now stand adjourned until Thursday, the 24th day of February, 1983.

**MOTION presented and carried.**

**MR. A. RANSOM:** Yeas and Nays.

**MR. SPEAKER:** Call in the members.

The question before the House, it is moved by the Honourable Attorney-General and seconded by the Honourable Minister of Highways that the House do now adjourn and stand adjourned until February 24, 1983. Those who are of that opinion please rise.

**A STANDING VOTE** was taken, the result being as follows:

### **YEAS**

Messrs. Adam, Anstett, Ashton, Bucklaschuk, Cowan, Desjardins; Mrs. Dodick; Mr. Doern; Ms. Dolin; Messrs. Evans, Eyler, Fox, Harapiak, Harper; Mrs. Hemphill; Messrs. Kostyra, Lecuyer, Mackling, Malinowski, Parasiuk, Pawley, Penner; Ms. Phillips; Messrs. Plohman, Santos, Scott; Mrs. Smith; Messrs. Storie, Uruski, Uskiw.

### **NAYS**

Messrs. Blake, Brown, Downey, Driedger, Enns, Filmon, Gourlay, Graham; Mrs. Hammond; Messrs. Hyde, Johnston, Kovnats, Lyon, Mercier, Nordman; Mrs. Oleson; Messrs. Orchard, Ransom, Sherman.

**MR. ACTING CLERK, G. Mackintosh:** Yeas, 30; Nays, 19.

**MR. SPEAKER:** Order please. The motion is accordingly carried.

The House is now adjourned and will stand adjourned until February 24, 1983.