



**First Session — Thirty-Fourth Legislature**  
of the  
**Legislative Assembly of Manitoba**

**DEBATES**  
and  
**PROCEEDINGS**  
**(HANSARD)**

37 Elizabeth II

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**MANITOBA LEGISLATIVE ASSEMBLY  
Thirty-Fourth Legislature**

**Members, Constituencies and Political Affiliation**

NAME	CONSTITUENCY	PARTY
<b>ALCOCK, Reg</b>	Osborne	LIBERAL
<b>ANGUS, John</b>	St. Norbert	LIBERAL
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BURRELL, Parker</b>	Swan River	PC
<b>CARR, James</b>	Fort Rouge	LIBERAL
<b>CARSTAIRS, Sharon</b>	River Heights	LIBERAL
<b>CHARLES, Gwen</b>	Selkirk	LIBERAL
<b>CHEEMA, Gulzar</b>	Kildonan	LIBERAL
<b>CHORNOPYSKI, William</b>	Burrows	LIBERAL
<b>CONNERY, Edward Hon.</b>	Portage la Prairie	PC
<b>COWAN, Jay</b>	Churchill	NDP
<b>CUMMINGS, Glen, Hon.</b>	Ste. Rose du Lac	PC
<b>DERKACH, Leonard, Hon.</b>	Roblin-Russell	PC
<b>DOER, Gary</b>	Concordia	NDP
<b>DOWNEY, James Hon.</b>	Arthur	PC
<b>DRIEDGER, Albert, Hon.</b>	Emerson	PC
<b>DRIEDGER, Herold, L.</b>	Niakwa	LIBERAL
<b>DUCHARME, Gerald, Hon.</b>	Riel	PC
<b>EDWARDS, Paul</b>	St. James	LIBERAL
<b>ENNS, Harry</b>	Lakeside	PC
<b>ERNST, Jim, Hon.</b>	Charleswood	PC
<b>EVANS, Laurie</b>	Fort Garry	LIBERAL
<b>EVANS, Leonard</b>	Brandon East	NDP
<b>FILMON, Gary, Hon.</b>	Tuxedo	PC
<b>FINDLAY, Glen Hon.</b>	Virden	PC
<b>GAUDRY, Neil</b>	St. Boniface	LIBERAL
<b>GILLESHAMMER, Harold</b>	Minnedosa	PC
<b>GRAY, Avis</b>	Ellice	LIBERAL
<b>HAMMOND, Gerrie</b>	Kirkfield Park	PC
<b>HARAPIAK, Harry</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HELWER, Edward R.</b>	Gimli	PC
<b>HEMPHILL, Maureen</b>	Logan	NDP
<b>KOZAK, Richard, J.</b>	Transcona	LIBERAL
<b>LAMOUREUX, Kevin, M.</b>	Inkster	LIBERAL
<b>MALOWAY, Jim</b>	Elmwood	NDP
<b>MANDRAKE, Ed</b>	Assiniboia	LIBERAL
<b>MANNES, Clayton, Hon.</b>	Morris	PC
<b>McCRAE, James Hon.</b>	Brandon West	PC
<b>MINENKO, Mark</b>	Seven Oaks	LIBERAL
<b>MITCHELSON, Bonnie, Hon.</b>	River East	PC
<b>NEUFELD, Harold, Hon.</b>	Rossmere	PC
<b>OLESON, Charlotte Hon.</b>	Gladstone	PC
<b>ORCHARD, Donald Hon.</b>	Pembina	PC
<b>PANKRATZ, Helmut</b>	La Verendrye	PC
<b>PATTERSON, Allan</b>	Radisson	LIBERAL
<b>PENNER, Jack, Hon.</b>	Rhineland	PC
<b>PLOHMAN, John</b>	Dauphin	NDP
<b>PRAZNIK, Darren</b>	Lac du Bonnet	PC
<b>ROCAN, Denis, Hon.</b>	Turtle Mountain	PC
<b>ROCH, Gilles</b>	Springfield	LIBERAL
<b>ROSE, Bob</b>	St. Vital	LIBERAL
<b>STORIE, Jerry</b>	Fiin Flon	NDP
<b>TAYLOR, Harold</b>	Wolseley	LIBERAL
<b>URUSKI, Bill</b>	Interlake	NDP
<b>WASYLCIA-LEIS, Judy</b>	St. Johns	NDP
<b>YEO, Iva</b>	Sturgeon Creek	LIBERAL

## LEGISLATIVE ASSEMBLY OF MANITOBA

October 12, 1988.

The House met at 1:30

### PRAYERS

### ROUTINE PROCEEDINGS

### MINISTERIAL STATEMENTS AND TABLING OF REPORTS

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I want to table the Supplementary Information for Legislative Review for the 1988-89 Estimates for Manitoba Health, Manitoba Health Services Commission, and the Alcoholism Foundation of Manitoba.

### INTRODUCTION OF BILLS

### BILL NO. 33—THE EMPLOYMENT STANDARDS AMENDMENT ACT

**Mr. Steve Ashton (Thompson):** introduced, by leave, Bill No. 33, The Employment Standards Amendment Act; Loi modifiant la Loi sur les normes d'emploi.

**MOTION presented.**

**Mr. Ashton:** Under provisions for Rule 85, I have a brief introductory statement on the Bill.

The Bill seeks to make a number of amendments to The Employment Standards Act, which will provide greater protection to workers affected by plant closures or major layoffs. There have been changes in this area in the last number of years, most recently in 1985, but I think it has become apparent that we need further improvements to protection for workers and their families in these particular circumstances. I think we need it for a couple of reasons. We need it because of the slowdown in the economy that has taken place since this Government was elected, the increased unemployment which will lead to further layoffs and will lead to further plant closures in Manitoba.

Second of all, we have to, I think, deal with the possible ramifications of the Canada-U.S. trade deal which every economist, whether they support or oppose the deal, has indicated will lead to "adjustments." Now those adjustments, Mr. Speaker, are layoffs and plant closures in a number of key sectors of the economy.

\* (1335)

We also have to deal with the human dimension, and it is a very human dimension. People have often worked their entire life for a company, workers in their 50s who suddenly find that their entire work history is wiped out by a plant closure that often has very little to do with the economics of that particular plant but because of corporate rationalization.

This Bill, in particular, will extend coverage in terms of plant closures to workers involved in the layoff of

10 or more employees. In the case of 50 or more employees, it will provide six months' notice. In addition to that, there will be an adjustment allowance provision which will provide employees with the funds which represent their work history with that particular company, funds they can use in terms of further training and adjustment to other employment. The job search provision will allow workers up to 40 hours, Mr. Speaker, to search for other work during the lay-off period and, perhaps equally as important, there will be provisions in the Bill to provide right to purchase for employees.

So I would urge all Members of the House to consider supporting this Bill and consider supporting the laid-off workers and people affected by plant closures.

**QUESTION put, MOTION carried.**

### INTRODUCTION OF GUESTS

**Mr. Speaker:** Prior to oral questions, may I direct Honourable Members' attention to the Speaker's gallery, where we have from the Valley Gardens Junior High School, 31 Grades 7 to 9 students under the direction of Mr. Tim Pechey and Miss Debbie Reinhardt. This school is located in the constituency of the Honourable Member for Concordia (Mr. Doer). On behalf of all Honourable Members, I welcome you here this afternoon.

### ORAL QUESTION PERIOD

### Rafferty-Alameda Project Environmental Impact Study

**Mrs. Sharon Carstairs (Leader of the Opposition):** My question is to the Minister of Natural Resources (Mr. Penner): July 27, August 17, August 23, September 12, September 13, September 15, September 21, September 30, what do they all have in common, Mr. Speaker? -(Interjection)- And that is the problem, there is going to be a jokester out there.

Those dates all have in common assurances that we received on this side of the House from the Minister of Natural Resources (Mr. Penner), the Minister of the Environment (Mr. Connery), and the Premier (Mr. Filmon) himself that no environmental damage was going to impact on the Province of Manitoba.- (Interjection)- We already have a joker in the front bench.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please; order, please!

**Mrs. Carstairs:** All those dates have in common assurances that Manitoba's water, quality and quantity, was going to be protected by the Rafferty-Alameda Dam. Now we have a report conducted by his own authorities which tells us just the opposite. When will this Minister finally stand up for Manitoba and order an environmental impact study?

**Hon. Jack Penner (Minister of Natural Resources):** It is interesting to note that the Honourable Leader of the Opposition (Mrs. Carstairs) has not increased her ability much. It appears to me that she has only read a few lines of the report that was tabled yesterday in the House.

If she had read the whole report, she would have noted that there were substantial benefits accrued to the construction of the Rafferty-Alameda Dam to Manitoba. The flood protection that is going to be afforded to Minot, North Dakota, Manitoba will be the downstream recipient of those flood protections afforded to Minot. The quantity of water that we have discussed all along, it has become very evident that they will not only be enhanced, as we said, but will be substantially enhanced during those months of the years that we need quantity of water. The quality of water that the Honourable Leader wants to discuss is something that we have indicated all along that we are in discussions as to how to set up an ongoing quality monitoring board which will be far more effective than the short-term solution that the Honourable Leader of the Opposition has talked about.

\* (1340)

### Water Quantity

**Mrs. Sharon Carstairs (Leader of the Opposition):** Can the Minister explain the conclusion of his report which states, "Manitoba will receive less average annual volumes of water"? How can he say that the quality and quantity of our water will not be affected? That is the conclusion of the report.

**Hon. Jack Penner (Minister of Natural Resources):** I am pleased that the Honourable Leader of the Opposition (Mrs. Carstairs) raises that question because, if she had read the report, she would see that the averages that she is talking about are correct. The dams will decrease the flows during the months of spring that we now receive very often, very large amounts of water coming down the Souris. They flood out large areas of farm land. They pick up all sorts of pollutants and deliver them into our lakes. The dam will now stop that. It will store that large amount of water and flow it on a regulated basis during the summer months and increase the flows of water that can be delivered to the communities down the Souris River. The communities of the Souris River are looking forward to that increased flow of water.

### Report Release

**Mrs. Sharon Carstairs (Leader of the Opposition):** Nobody is as blind as those who will not open their eyes and see. Will the Minister of Natural Resources (Mr. Penner) tell this House when he first received a copy of this report which said the quality and quantity of our water will be less than it was before this project?

**Hon. Jack Penner (Minister of Natural Resources):** I am not sure. I thought I had explained fairly articulately how the flows of water would be regulated because of the construction of the dam.

I think it is important to realize that the Opposition simply has very little knowledge about what happens to water when you store it and release a gate and open a gate and flow it down a certain stream. That water will supply the backbone or the essence of the industries that require the water for sustenance and provide the employment opportunities that are so sadly needed out there. The farmers are looking forward to the flood protection that is going to be afforded to them because of Saskatchewan's ability to store that water for future needs.

### Licence Refusal

**Mrs. Sharon Carstairs (Leader of the Opposition):** In that we did not get an answer to my question, he can only assume he has had it for some time. Why, since he has had it for some time, did he not intervene and insist that Saskatchewan not be granted this licence?

**Hon. Jack Penner (Minister of Natural Resources):** The report was delivered to me on Friday of last week. That is when I received it. We have indicated very clearly to the Government of Canada that we want the assurances under any agreement before final construction, under any agreement that we will in fact be protected, that Manitoba's interests will be protected, that the quantity and quality will be protected. The report fairly clearly indicates, according to the studies that have been done, that flow regulations will be enhanced for Manitoba's benefit. The flood protection will be enhanced for Manitoba's benefit. There will be, on an ongoing basis, on an averaging basis, a benefit in the overall to Manitoba.

\* (1345)

### Government's Position

**Mrs. Sharon Carstairs (Leader of the Opposition):** The last time we heard the word assurances in this House, it was when the former Premier was telling us we could be assured we would get the CF-18 contract.

Assurances from the federal Government, quite frankly, are not enough. What is this Minister going to do to protect the interests of Manitoba by getting in touch with the Governments of Saskatchewan and Canada and insisting that this not proceed?

**Hon. Jack Penner (Minister of Natural Resources):** The Honourable Leader of the Opposition (Mrs. Carstairs) is now indicating to Manitobans that we are supposed to invade Saskatchewan and stop them from constructing the dams in their own province.

It surprises me that the Honourable Leader of the Opposition, having sat in these Chambers for two years, would recognize Manitoba's responsibility, would recognize Canada's responsibility, and would recognize the benefits accrued to water storage facilities to rural Manitoba and to rural Canada, and the potential for the increase of industrialization in those rural areas, but it becomes very, very apparent that the Honourable Leader of the Opposition has absolutely no—

**Mr. Speaker:** Order, please; order, please.

**Mrs. Carstairs:** With a final question to the Minister of Natural Resources (Mr. Penner), the only invasion that we should be concerned about is the invasion of Canada by reports from the U.S. Corps of Army Engineers. Can this Minister tell this House why he depends on advice from Saskatchewan and North Dakota and the federal Government and the U.S. Corps of Army Engineers, but he is not prepared to accept the advice given by his own staff about this particular project?

**Mr. Penner:** If the Honourable Leader of the Opposition (Mrs. Carstairs), again would read the report, she would know that the recommendations contained in the report are such that will benefit Manitoba in the long term. They provide for the establishment of our Water Quality Monitoring Board which will be there not only for one day, not only for one month, but will be there for the duration of the operation of the regulated system down the Souris River. That is what we have been negotiating for. That is what we are demanding to be put in place, a final licence agreement be granted to Saskatchewan before they construct the final phases of the project.

No. 2, we are also indicating fairly clearly to Ottawa that we will not agree to the further granting of future licences for the construction. We will not agree unless there are the protections written into the agreement that we have asked for all along, such as water quality and water quantity. We are in negotiations now presently to ensure Manitobans that the flow of water down the Souris River will be enhanced, not deteriorated.

### Benefits to Manitoba

**Mr. Gary Doer (Leader of the Second Opposition):** My question is to the First Minister (Mr. Filmon). Unfortunately, due to the process the Government chose to release this report, probably to try to get the best spin on it in terms of the public, they released it, gave it to Members of the Opposition after Question Period, complete with a press release indicating their interpretation of this very important report to Manitobans.

Before this report was prepared, Mr. Speaker, we had asked all along that the federal Government not proceed, in fact stop construction of the dam unless the federal environmental impact reviews would take place, that Manitoba interests would take place, in writing, contrary to the Minister's statements to Mr. Clark and Mr. McMillan. We could table those letters for the fourth time again today.

My question—and December 21, Mr. Speaker, not mentioned in the chronology of this report—to the First Minister (Mr. Filmon) is, given the fact that his Ministers have stated before this report came out that substantial benefits would accrue to Manitobans and after this report has come out that the report demonstrates that substantial water quality and water quantity benefits would be accruing to Manitoba, can the First Minister please tell me where in that report it says "substantial benefits will apply to Manitoba"?

\* (1350)

**Hon. Gary Filmon (Premier):** I find it interesting that the Leader of the New Democratic Party (Mr. Doer) did not point out the chronology of events in this report that indicated that this whole process, that this whole project, has been ongoing for almost two years, in fact over two years. At no point during that period of time does it show any attempt on the part of his administration, the NDP administration of which he was a part, to do any of the things that he is now saying should be done.

Nothing in the chronology shows that they even met. For a year and a half, they were not even meeting with them. It was not until some time earlier this year that meetings were taking place and that Manitoba became involved. Our Ministers responsible for the Environment (Mr. Connery) and Natural Resources (Mr. Penner) were a part of that process because they were taking interest in it.

What it says in this report is that there will be substantial net benefits to Manitoba in terms of flood protection; that we will have in fact reduced flows in the normal spring run-off which will reduce the flood damage to the banks downstream of North Dakota, in Manitoba; that we will get our farmers onto the land sooner so they will be able to plant and seed and do their agricultural work; that we will have increased flows in July at a time when agriculture needs the water. It shows a number of positive things—

**Mr. Speaker:** Order, please.

### Federal Impact Study

**Mr. Gary Doer (Leader of the Second Opposition):** While the First Minister (Mr. Filmon) has twisted the words, there is nowhere in that report that substantial benefits as a whole will accrue to Manitoba. He knows it, we know it, and the people of Manitoba should know it.

On December 21, we did ask Mr. Clark to ensure that an environmental impact study would be conducted and, again, on April 22, two dates prior to the licence being issued.

My question to the First Minister is, given the fact that Mr. McMillan in the House of Commons on April 19 stated that no licence would be issued to the Province of Saskatchewan until, as I quote, that the matters of the environment will—

**Mr. Speaker:** Order, please. Does the Honourable Member have a question? Kindly put it now.

**Mr. Doer:** My question to the First Minister (Mr. Filmon), in light of Mr. McMillan's assurances that environmental concerns will come first over the concerns of the construction project in the Province of Saskatchewan, will the First Minister now ask the federal Environment Minister to be consistent with his words in the House of Commons, and will the First Minister stand up for Manitoba and ask that the licence be suspended, this construction be suspended, and the federal

environmental impact study that we are guaranteed in the House of Commons and indicated in this report be issued for Manitobans indeed with this federal-provincial and federal project with the United States?

**Hon. Gary Filmon (Premier):** The chronology of events that are shown in this report begins on February 12, 1986, and you go through March 6, April 22, May 7 and 8, June, August. You go through all of 1987 and nowhere do you see the former NDP Government doing one little thing about Rafferty and Alameda. You go through three pages of chronology. Nothing did they do about Rafferty and Alameda.

What this report does say is that all of the things that we have been talking about, working with, negotiating with, dealing with the federal Government on, are the exact things that should be done. It gives the net benefits in terms of flood protection, in terms of increased flows and in fact we do not lose any of the benefits of the Apportionment Agreement of 1959. Those minimum flows in the winter months continue to be maintained under this. What recommendations are here are that we continue to pursue all of the things that we have been pursuing with the federal Government so that we can achieve those kinds of attachments to the agreement so that Manitoba's guarantees of quality and quantity will be maintained.

In fact, should we get the things that we are working for, we will have increased quality of flows in the winter months and we will have better water quality . . . .

**Mr. Speaker:** Order, please.

### U.S. Corps Engineers Report

**Mr. Gary Doer (Leader of the Second Opposition):** The chronology does leave out letters that were issued—(Interjection)—yes, it does very coincidentally, two letters that were written to his federal Tory Ministers who ignored Manitoba's interests just like this Premier is.

My question to the First Minister (Mr. Filmon) is, in light of the fact that the U.S. Environmental Protection Agency comments that the report conducted by the U.S. Corps of Engineers was inadequate for water quality purposes, and in light of the fact that this report says there is enough information for water quality, who are we to believe, the U.S. Corps of Engineers who proposed the Garrison Diversion Project or the U.S. Environmental Protection Agency that said there was not enough information on water quality?

\* (1355)

**Hon. Gary Filmon (Premier):** Mr. Speaker, the report does say that the U.S. Corps of Engineers should complete the study that they are embarked upon to provide the additional information on what are the effects in North Dakota. The U.S. Corps of Engineers are in the best position to provide that information. They know the usage and the operation of the Souris River Basin in North Dakota which is where any adjustments will take place, because clearly we have an environmental assessment of what happens before

the water hits the North Dakota border from Saskatchewan.

What we do need to have is a complete Basin study in North Dakota and clearly the U.S. Corps of Engineers are the people in the best position to complete that report. That is what we have been working towards. That is what we have been seeking assurances on as part of this whole negotiation that has been going on. That is what the federal Government has been actively pursuing on our behalf and that is what will be done.

### Federal Impact Study

**Mr. Gary Doer (Leader of the Second Opposition):** Does the First Minister (Mr. Filmon) not remember that the U.S. Corps of Engineers was the major proponent and advocate for the Garrison Diversion that all Manitobans now agree would be negative on this province? How can he be relying on that same group to give us the assurances in terms of water quality and quantity in Manitoba?

My further question to the First Minister is, is the First Minister aware that the sources on the U.S. Wild Life Federation indicate that the State Department of the United States is reviewing a legal opinion and is prepared to submit a legal opinion on the IJC water does not—the boundary commission that has been referenced by the First Minister—apply to the Souris River Basin? Will he further stand up for Manitoba, ask the federal Minister to give us what we are entitled to all along under the federal environmental impact study and issue the federal environmental impact study prior to this project going ahead?

**Hon. Gary Filmon (Premier):** The Boundary Waters Treaty Act of 1909 is the legal document behind all of our rights with respect to the Souris River. Those are the assurances that we can press for that assures us that the water flowing from North Dakota, we will have control over the acceptance of that water should any quality be maintained or—

**Mr. Uruski:** We had that in respect to Garrison, remember what happened there . . . .

**Mr. Filmon:** The Member for Interlake (Mr. Uruski) points out that is exactly the protection that we had to rely on for Garrison and that is what stopped Garrison ultimately was that we had the IJC and the 1909 Boundary Waters Treaty Act that stopped Garrison. That is what we are dealing with, the same legislation and the same rights and responsibilities that will assure our protection in this case.

**Mr. Speaker:** Order, please; order, please. I remind all Honourable Members that questions and answers should be put through the Chair.

### Pharmacare Pharmacard System

**Mr. James Carr (Fort Rouge):** Mr. Speaker, my question is to the Minister of Health (Mr. Orchard). On

July 29, our Seniors critic, the Member for Burrows (Mr. Chornopyski) brought the Pharmacard concept to the attention of this House. At that time, the Minister indicated that the Government was looking into it seriously. Since then, what has happened? The Minister has not taken any positive action whatsoever, preferring instead to raise the pharmacare deductible and dispensing fees. This Minister has done nothing to ease the lot of vulnerable seniors who are already hard hit, no compassion and no plans. Will this Minister now commit the Government immediately to develop a pharmacard program for Manitobans?

**Hon. Donald Orchard (Minister of Health):** I have to reject some of the theatre displayed by the Member in indicating no compassion etc., etc. Members on this side of the House, as well as Members in the Opposition, care very much for our senior population and care very much to continue providing programs to support them in their communities, to support their lifestyles, to enhance their lifestyles. I reject categorically the kind of theatre for the camera as recently displayed by this Member asking the question.

\* (1400)

I have indicated to my honourable friends in the Opposition when they have made the proposal. As a matter of fact, I spoke just recently in Private Members' Hour to the proposition of the establishment of the pharmacard system. That is an option which needs some substantial review and consideration before one makes a decision to proceed with it because it has some significant cost implications to the Government. When my honourable friends Opposite jump up one day and say what are you doing about the use of acute care beds, it means more money. All they demand is the spending of more money. We intend to spend more money, but we intend to do it in a very focused and rational way to provide needed services to all people of Manitoba.

### Refund Program

**Mr. James Carr (Fort Rouge):** A supplementary question to the Minister of Health (Mr. Orchard), who has said on the record in this House that he thinks the idea has merit. He wants to come back to this House now with an idea of when it can be implemented. If he refuses to do that, will he tell us when he will streamline and implement some measures of efficiency so that seniors do not have to wait weeks and sometimes months for their rebates?

**Hon. Donald Orchard (Minister of Health):** That is exactly what I have done in the last several months in terms of the Pharmacare Refund Program. My honourable friend ought to know that some month and a half or two months ago the waiting times for refunds exceeded eight weeks. That waiting time now, because of procedures that I asked to be put in place and the Commission put in place, is down to less than three weeks. Some refunds go back within 10 days. That is exactly what we have done to relieve the financial hardship under the Pharmacare Program to seniors

and other Manitobans who use substantive numbers of prescription drugs.

### Pharmacard System

**Mr. James Carr (Fort Rouge):** With a final supplementary to the Minister responsible for Seniors (Mr. Neufeld), incredibly this Minister told us on September 29 that he would not speak to the Minister of Health (Mr. Orchard) about the pharmacard plan. My question to the Minister is, when is he going to take seriously his responsibility to advocate on behalf of the seniors of this province and talk to that Minister and talk to him today to make sure that we can have a pharmacard policy in the Province of Manitoba?

**Hon. Donald Orchard (Minister of Health):** I realize that my honourable friend is very anxious to make his mark in the Legislature after having low marks attributed to him some two weeks ago by the one of the editorial writers.

Mr. Speaker, do not ever allow him to leave the impression with the people of Manitoba that the Minister of Seniors (Mr. Neufeld), the Minister of Community Services (Mrs. Oleson), all Ministers of this Government and all caucus Members in this Government do not consult with me and every other Minister of this Government regarding problems that face the people of Manitoba, problems which have not got better over the last number of years. I can go into the dissertation as to why because of the legacy of financial mismanagement left to us by years and years too many of NDP Government. There is consultation on this side to develop programs for the benefit of all Manitobans.

### Health Care Emergency Services

**Mr. Gulzar Cheema (Kildonan):** My question is for the Minister of Health (Mr. Orchard). The waiting period at various emergency units in Winnipeg has become an unacceptable way of life. St. Boniface Hospital is experiencing a shortage of beds. This is seriously threatening the delivery of health care. Despite the assurance of this Minister, Mr. Speaker, for the last six days including that of this morning, the observation unit at St. Boniface Hospital had been full. This has resulted in the patients being diverted to other hospitals and some patients wait for days before they are placed in a bed.

My question is for the Minister. Can the Minister tell us what he is doing to correct the shortage of acute beds at St. Boniface Hospital?

**Hon. Donald Orchard (Minister of Health):** In terms of the use of the emergency departments in hospitals, as indicated yesterday, three of the Winnipeg hospitals have very substantial uses of their emergency facilities in those hospitals.

I have asked the question of the department, why is this trend in place? One of the questions that is asked when individuals come to the emergency department is "who is your family physician." Mr.

Speaker, what appears to be happening as a trend in the City of Winnipeg is that fewer families have what you would call a traditional family physician whom they could phone after hours or visit after hours to take care of their needs. That has built a reliance on the emergency departments in hospitals for which they were never designed, never designed by us when we were in Government, designed by the NDP when they were in Government and indeed not contemplated in terms of the delivery of service.

For three hospitals in Winnipeg, the use of the emergency departments is a serious concern. Often they are at capacity. I have toured the hospitals. They have a flow chart, if you will, in all the hospital emergencies I have been in so far to indicate the level of acuity required by the patient to give them an idea of how long they are going to wait for service there. That is the hospitals' effort to attempt to get citizens needing emergency care to possibly retain a family physician and not use the very expensive emergency situation in a hospital.

### Psychiatric Patients

**Mr. Gulzar Cheema (Kildonan):** I am sure the family physicians of Winnipeg will find it very offending that the Minister says they are not responsible and they do not do their job very well. Mr. Speaker, how can the citizens of Manitoba have the confidence in the health care system when two psychiatric patients have waited for seven days and they are still in St. Boniface emergency? One of those patients is a schizophrenic, is certified, and that patient has no place to go. The only place that patient can go to is Health Sciences. The Health Sciences Centre has already a waiting list for some more patients.

Can the Minister tell us, for the last few months we have raised several questions, will he tell us what he has done so far to ward off further disaster in psychiatric care in Manitoba?

**Hon. Donald Orchard (Minister of Health):** I want to tell the family physicians in Manitoba that my answer in no way was meant to offend them and should not. It was only offensive in the interpretation of the Honourable Liberal critic who wishes to so offend the family physicians by making the comments that he just did.

The family physicians in this province carry out their responsibilities very, very well. The difficulty I pointed out was that it appears as if there is a growing trend amongst Manitobans not to have a family physician and that has caused more use of the emergency department. If my honourable friend, as a medical doctor, does not understand that, then he possibly ought to discuss that with the hospital administrations.

In the case of the individual he mentioned who is in need of psychiatric care, I simply indicate to my friend that is quite likely an extension of the closure of the McEwen Building for renovations, a circumstance that with the McEwen Building opening up and having beds come on stream ought to be resolved, Mr. Speaker.

### Acute Care Beds

**Mr. Gulzar Cheema (Kildonan):** My final supplementary again to the same Minister, the Minister of Health (Mr. Orchard) said yesterday acute beds are a responsibility of the hospitals. Hospitals state that it is the responsibility of the Minister. Will the Minister give the hospitals some direction and meet with them to solve the crisis in emergency care as well as acute bed care, and will he report back to the House about his actions so that we can prevent disasters of acute care in Manitoba?

**Hon. Donald Orchard (Minister of Health):** As I indicated in my answer yesterday, the determination of acute care beds and what those beds are used for are decisions made during the Budget process, which involves the administrative management of hospitals, their medical staff and the staff of the Commission. That system has not changed. If my honourable friend does not understand the budgeting system in health care, then I hope that possibly during the discussion of Estimates in Health he might get a better understanding of the Budget process, and during that process have some of his concerns allayed.

\* (1410)

### Pharmaceutical Increase Impact on Seniors

**Mr. Jay Cowan (Churchill):** My question is to the Minister responsible for Seniors (Mr. Neufeld). Yesterday, the Government announced yet another price hike for pharmaceuticals which will hurt Manitoba's senior citizens most. This is the third increase in a Conservative triple play that is going to result in the average senior paying 14 percent more for their pharmaceuticals this year than they would have last year.

First the Drug Patent Act was passed by the federal Conservatives. Secondly, we have the increase in the Pharmacare deductible by the provincial Conservative Government, and now this latest increase as a result of increased dispensing fees for pharmacists. The combination of these three increases mean that the average senior citizen will now be paying over \$21 more this year for their pharmaceuticals, an increase of 14 percent, than they were last year.

My question to the Minister responsible for Seniors (Mr. Neufeld) is, what consultation did he or his staff undertake with representatives of seniors organizations to determine—

I notice that the Minister responsible for Seniors is pointing to the Minister of Health (Mr. Orchard), and I realize the Minister of Health has become the hit man for the Minister responsible for Seniors, but a simple point to the Minister of Health is not going to relieve him from his responsibilities to advocate for and to speak out on behalf of seniors in this province.

The question, Mr. Speaker, is to the Minister responsible for Seniors (Mr. Neufeld). If indeed he does live up to that responsibility, he will answer the question.

What consultation did he undertake with seniors' organizations to ensure that they were able to make their viewpoints and their concerns and their suggestions known to the Government so that they could avoid yet another price increase which is taking food out of their mouths and forcing them to use hard-earned dollars to pay for pharmaceuticals which are required for a healthy lifestyle?

**Hon. Donald Orchard (Minister of Health):** I want to point out that my honourable friend, the Member for Churchill (Mr. Cowan) is factually incorrect with some of his statements today in Question Period and as attributed to him in the Free Press article.

First of all, Mr. Speaker, it is a 14-cent increase in the cost of a prescription as a result of the increase in the dispensing fee. Secondly, it is not a \$20 increase to the seniors of Manitoba. It is a \$10.46 increase including the increase in the deductible last month, which I admit that no Minister of Health likes to do.

I am sure that my honourable friends in the NDP, when they raised the deductible by 50 percent in six months, did it without consultation and were not happy to do it. There is an obligation by Government to make decisions, and decisions are not always easy ones to make. We could have left the Pharmacare deductible where it was and the prescribing fees where they were and raised the sales tax, as the NDP did, to charge every single senior much more than ten—

**Mr. Speaker:** Order, please; order.

**Mr. Cowan:** They could have not given back \$15 million to Inco. They could have not given back \$5 million to CPR, and they could have used that money to help keep the costs of pharmaceuticals down to seniors in this province. The facts are correct. If the average senior citizen spends \$450 a year for pharmaceuticals, which they do, there is a 12 percent—

**Mr. Speaker:** Question, please.

**Mr. Cowan:** My question to the Minister responsible for Seniors (Mr. Neufeld), is he aware that given that senior citizens spend approximately \$450 a year per average for pharmaceutical products and that a 12 percent increase resulting from the Drug Patent Act, having an impact on the cost of pharmaceuticals that is increasing the cost of pharmaceuticals at 12 percent per year, a rate three-and-a-half times the rate of inflation, and when that is taken into account along with the \$10 deductible, along with the \$2.52, is he now prepared to consult with seniors? Given the facts—obviously he was misled by the Minister of Health (Mr. Orchard)—is he now prepared to consult with seniors to talk about how they can work together to prevent further increases and to roll back the present increases that are having such a dramatic impact on the lifestyles of senior citizens in this province?

**Mr. Speaker:** Order, please; order, please. May I remind the Honourable Member that supplementary questions do not need a preamble. I happen to notice I have about 40 Members attempting to get the floor to ask

questions. I think our time can be better utilized if we keep our questions to a minimum.

**Mr. Orchard:** Mr. Speaker, I simply want to correct my honourable friend from Churchill (Mr. Cowan). The combined increase in price to seniors of both the deductible increase and the dispensing increase on a \$480 to \$500 per year prescription user as a senior citizen will be \$10.46 per year, less than \$1 a month.

I want to point out to my honourable friend that had the Pawley administration not squandered the resources of this province, we would have \$545 million in the Budget not going to Zurich, Tokyo, London, paying interest to fat cat bankers. We would have money for health.

**Mr. Speaker:** Order, order.

### Seniors' Portfolio Minister's Responsibility

**Mr. Jay Cowan (Churchill):** Mr. Speaker, first my concern was that the Minister of Health (Mr. Orchard) could not add, but now I know it is that he cannot listen. There are three increases by Conservative Governments at both the federal and provincial level. My question, however, is to the Minister responsible for Seniors (Mr. Neufeld), and I believe he may be able to answer this one.

My question to the Minister responsible for Seniors is, if he has not consulted on this, if he has not consulted on the other increases, if he has not consulted on the other Government programs which will have a negative impact on seniors in this province, what does the Minister responsible for Seniors do with his portfolio?

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please; order, please. The Honourable Minister of Health.

**Hon. Donald Orchard (Minister of Health):** Thank you, Mr. Speaker. I would suspect that my honourable friend, the Member for Churchill (Mr. Cowan), when he poses questions in terms of specifics on programs delivered in my department as a result of announcements that I have made, he would want to have answers provided for him which reflect truthfully the circumstances of those initiatives and those announcements, and will correct the lack of clarity and factual information attributed to this program by the Member for Churchill not only in the newspaper but in Question Period earlier on.

It is my responsibility, as Minister of Health, to undertake negotiations with various professional groups, the pharmacists being one of them, just the same as it has been for Ministers of Health to negotiate with the MMA. When the previous administration increased the fee schedule to the MMA, they did not consult with the seniors or any other special interest groups; so let us not get on that phony track of consultation.

\* (1420)

**Mr. Speaker:** Order, please; order, please.

The time for oral questions has expired.

### ORDERS OF THE DAY

**Hon. James McCrae (Government House Leader):**

Mr. Speaker, would you be so kind as to call the third readings listed on pages 1 and 2 of the Order Paper, and then debate on second readings, the Bills on page 2, including Bill No. 27 on page 3. It may be that in a little while I might ask you to call Bill No. 30 as well, but I would prefer to wait for that one.

### THIRD READING—AMENDED BILL

#### BILL NO. 10—THE COURT OF QUEEN'S BENCH ACT

**Hon. Gerald Ducharme (Minister of Urban Affairs)** presented Bill No. 10, The Court of Queen's Bench Act, for third reading.

**Mr. Speaker:** The Honourable Member for Flin Flon, on a point of order.

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, did you call Bill No. 10?

**Mr. Speaker:** I just called Bill No. 10, right.

**Mr. Storie:** It is standing in the name of the Member for Brandon West (Mr. McCrae). Are you going to speak on it?

**Mr. Speaker:** Order, please. It is not standing in the name of the Honourable Member for Brandon West (Mr. McCrae). He was a sponsor of the Bill. That is how we identify it. The Honourable Minister of Urban Affairs—(Interjection)—The Honourable Member for Rupertsland.

**Mr. Elijah Harper (Rupertsland):** I move, seconded by the Member for Flin Flon (Mr. Storie), to adjourn debate on the Bill.

**MOTION presented and carried.**

### THIRD READINGS

#### BILL NO. 4—THE RE-ENACTED STATUTES OF MANITOBA, 1988, ACT

**Hon. Gerald Ducharme (Minister of Urban Affairs)** presented Bill No. 4, The Re-enacted Statutes of Manitoba, 1988, Act, for third reading.

**MOTION presented.**

**Mr. Bill Uruski (Interlake):** I beg to move, seconded by the Honourable Member for St. Johns (Ms. Wasylycia-Leis), that debate be adjourned.

**MOTION presented and carried.**

#### BILL NO. 5—THE STATUTE RE-ENACTMENT ACT, 1988

**Hon. Gerald Ducharme (Minister of Urban Affairs)** presented Bill No. 5, The Statute Re-enactment Act, 1988, for third reading.

**MOTION presented.**

**Mr. Bill Uruski (Interlake):** I beg to move, seconded by the Honourable Member for The Pas (Mr. Harapiak), that debate be adjourned.

**MOTION presented and carried.**

### DEBATE ON SECOND READINGS

#### BILL NO. 6—THE FIRES PREVENTION AMENDMENT ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Environment (Mr. Connery), Bill No. 6, The Fires Prevention Amendment Act; Loi modifiant Loi sur la prévention des incendies, the Honourable Member for St. Johns.

**Ms. Judy Wasylycia-Leis (St. Johns):** I rise, Mr. Speaker, to speak on this Bill.

**Mr. Speaker:** I think it was the understanding the other day where an Honourable Member from the New Democratic Party said they were going to pass this Bill along and therefore it was left to stand in the name of the Honourable Minister who was going to close debate.

The Honourable Member for the Interlake (Mr. Uruski), on a point of order.

**Mr. Bill Uruski (Interlake):** Mr. Speaker, on a point of order. The Bill certainly can remain in the name of the Minister of Labour (Mr. Connery). The Member was not here at the time and, when the question was raised, he did not realize that the Honourable Member wished to speak on the Bill. It can remain in his name if the Member was given the opportunity to speak.

**Mr. Speaker:** Will the House grant leave to leave Bill No. 6 standing in the name of the Honourable Minister of Environment? (Agreed)

The Honourable Member for St. Johns.

**Ms. Wasylycia-Leis:** Thank you, Mr. Speaker, and I thank Members for giving me the opportunity to speak on Bill No. 6, to add my comments on the record about this important Bill, The Fires Prevention Amendment Act. I hope that in the next few moments I can contribute something to this important area of discussion.

Having listened to many of my colleagues and having listened to the comments of Members on all sides of the House, I think it is important to take a few moments to talk about the importance of this whole area, this policy area of fire prevention/fire protection, and to outline a few points, a few issues, that perhaps have not been fully developed in the course of this debate.

It is without doubt that this area, the fire prevention/fire protection, is clearly an important issue on the minds of all Manitobans, an issue of importance whether living in urban Manitoba or rural Manitoba or northern Manitoba. The fear of fire is no doubt very much one of the worst fears facing Manitobans, something that no one in our society wants to have to encounter. Certainly, all of us here in this Legislature are interested in having ongoing dialogue with Manitobans about how we can advance our work collectively with respect to fire prevention.

\* (1430)

In preparing for my few comments with respect to Bill No. 6, I have perused the main Bill for which Bill No. 6 is making further contribution by way of amendment. I think it is important to begin by recognizing the broad parameters of that piece of legislation that has been on the books for some time and which is now being amended in a very fitting way.

As the Bill itself states in its introduction, fire protection means activities concerned with the prevention, the detection and the extinguishment of fires in all parts of this province. Specifically, this Bill relates to the prevention of fire occurrence and the spread of fire on lands, not in Winnipeg, not in an urban area, but more specifically with respect to wildlife, forests, vegetation and so on where the issues around fire prevention due to factors of distance, due to factors of geography, become much more complex, much more complicated, much more difficult to deal with. It is for that reason that this area becomes very critical.

We have all lived through a summer of many fires in our forests, in our vacation areas, in our natural resource areas. It has caused us a great deal of grief and concern to know that we are losing vegetation, to know that we are losing valuable forest products, to know that we are losing wildlife, to know that we are losing so much and will have so much to make up in the future as a result of the horrible uncontrollable spread of fire. It has brought this issue very much to the forefront of all of us. Without doubt, the question of fire prevention is at the centre of a meaningful, decent quality of life in every community, in every part of this province.

I think, Mr. Speaker, there is not a Member in this House who will disagree with the fact that the quality of life in one's community, whether big or small, whether remote or heavily populated, is one of the most important issues facing those Manitobans everywhere. Certainly, in my constituency and in every part of the province that I have travelled, Manitobans have expressed a concern about increasing quality of life in their community, enhancing the quality of living in their communities. So, therefore, it is important as politicians that we do everything in our power to do what we can by way of legislation, by way of policies, by way of Government programs to help meet those goals of community activists, of residents concerned about enhancing the quality of life in their own particular communities.

Clearly, if one is concerned about one's quality of life, at the top of the list of concerns would be something

as basic as protection from fire and, by consequence, fire prevention because in the long run it will be by way of prevention, preventative measures by way of public education, that we will have been able to deal fundamentally and most seriously and most cost effectively with the issue of fire that causes harm to our neighbourhoods, that causes death to individuals in our communities, that causes incredible destruction and in essence can destroy the quality of life in a community.

It is certainly a fear and a concern on the minds of residents in my constituency, the North End of Winnipeg, where not a night goes by, not a day goes by, not an hour of the day or night goes by without the sound of fire sirens racing up and down Main Street. It is brought home to us on a daily basis, on a nightly basis, and causes everyone grief and concern and fear.

Equally of concern to the residents in my constituency would be what is happening throughout the province, what is happening to our areas of incredible wealth with respect to the natural resources, with respect to vegetation and wildlife and so on. It certainly behooves all of us to take this matter very seriously and to discuss in detail the various aspects of fire prevention and specifically Bill No. 6, The Fires Prevention Amendment Act.

There are many important aspects which this Bill and which the original Act touches on. First and foremost, I have mentioned the question of quality of life, the question of working to prevent fires, period, no matter what community we are from, but working more importantly to protect ourselves, our families, our communities, and our community facilities from the threat of fire.

In that respect, I am certainly proud of initiatives that were embarked upon by the previous administration, the NDP Government, particularly in the area of assistance to communities for enhancing facilities and working to protect those facilities from fire to ensure that those buildings, those facilities, would be as safe as possible from the possibility of fire and the destruction that comes with fire.

The Manitoba Community Places Program certainly did go a considerable distance to helping communities throughout Manitoba work to make their facilities and make their communities safer in the event of a fire and help them develop means by which they could actually prevent fires in the first place.

I think certainly that is always our most important objective: how can we, in the first instance, work to prevent fires, to educate the public to ensure that our facilities are designed and constructed and administered in a way that will ensure fire does not happen in the first place; secondly, a program which worked to upgrade facilities that did not meet current standards and that had deteriorated to the point of becoming firetraps, in a sense, of becoming potentially dangerous in terms of fire at any point.

So, Mr. Speaker, it was with some pride that we introduced that program to begin with and felt that one of its most important objectives would be to

enhance the quality of life in communities everywhere around Manitoba and particularly to help organizations and volunteers and community activists upgrade their facilities, upgrade community buildings whether they served a particular group such as in the area of sports or whether they were multifaceted and served many different purposes, but that we were able to help those organizations ensure that their buildings were safe, that they were upgraded to meet current standards and that they had every resource possible to ensure both prevention and protection of their community residence from a fire perspective.

It was, therefore, with some regret that colleagues in this end of the House, in the NDP caucus, learned of the changes to the Manitoba Community Places Program, which we saw as not in the best interests of encouraging such activism on the part of communities to ensure that their buildings were upgraded from a fire safety point of view and to ensure that their communities were doing everything possible to prevent fire and to protect themselves in the event of a fire.

\* (1440)

The changes to that program, introduced by the Conservative Government early in its life as a Government, were greeted with dismay and despair by Manitobans right across this province but particularly in the North of this province, in remote communities and on reserves, because this Government saw it fit to not recognize the economic realities of those communities and not recognize that it is not always possible to raise the kinds of funds that are possible in other parts of the province to match dollar for dollar the funds provided by a program of this nature.

Yet this Government chose precisely to ignore that economic reality, to ignore the fact that it is not always possible to raise the kind of money it takes to put up 50 percent of the funds to embark upon a major renovation of a community facility to meet fire standards and to ensure protection of all of its citizens participating in that particular facility.

It is certainly our hope, through a debate of this nature, that we can work together to persuade Members across the way of the inadequacies of their policies, particularly when it is something so fundamental as improving the quality of life in one's community, and I think it certainly should be in all of our interests, certainly it would be of the best interests of anyone committed to improving the quality of life anywhere in this province to address the realities of a particular community, to address the economic ability of a community to be able to pay its own way, to find the means by which it can embark upon a major refurbishment or major renovation, a major upgrading of a community facility.

Many, many communities will not be able to benefit from this important program, the Manitoba Community Places Program, put in place as a result of Lotteries funds, many of which have come directly from the communities being impacted by these latest decisions. It is, therefore, with deep regret that kind of decision was made which has resulted in many groups being

excluded from access to Government funds, a Lotteries-based program that would help work to upgrade facilities to ensure that they are as safe as possible in the event of a fire.

I think that would be a goal that all of us should strive for. Perhaps, through this debate on Bill No. 6, Members of the Government will hear the concerns being expressed certainly by Members of the NDP caucus and work to include these recommendations as they take a look at the Manitoba Community Places Program in the future.

The second most important aspect of any Bill and any amendments to any Bill dealing with fire prevention and protection must take into account the incredible contribution of volunteers. All of us here in this House recognize that this province in fact was built by that volunteer spirit, by a history of volunteerism, by a long-standing commitment to pitch in and give beyond the call of duty to do whatever is possible in the event of danger, in the event of something as fundamental and fearful as a fire disaster, as a fire sweeping through our communities or our forests or any part of our life in this province. So it is important, through this Bill and through the original legislation, to ensure that recognition is maintained, that we pause for a moment and pay tribute to the volunteers who have built this province and who are now working to protect this province from the dangers of fire, to protect communities and community facilities and homes, our natural vegetation and forests and wildlife from the very, very destructive forces that all of us know are caused by fire.

In this area of fire prevention and fire protection, the volunteer is fundamental, is critical. In fact, without a core of volunteers committed to protecting communities from fire and working together to prevent fires in the first instance, we would not have a serious way by which we could be protecting and preventing fires in this province. In this respect, Bill No. 6 attempts to recognize, by way of addressing the question of tuition fees and eligibility with respect to fire colleges, the very important contribution of volunteers and causes us all to stop for a moment and contemplate whether or not work has been sufficient in this area, whether or not our fire colleges, whether or not our recruitment system, whether or not our encouragement to volunteers and our recognition to volunteers all add up to be sufficient for the encouragement of a solid core of hundreds and thousands of volunteers right across this province for preventing, detecting, protecting and extinguishing fires.

Certainly, I am quite aware of the role of the volunteer in this respect having a father-in-law who has been a long-time volunteer with the Wellesley Fire Department, and who has served many terms as fire chief in that community. I have come to realize the incredible demands on his time and the incredible contribution required by a volunteer in this field to always be at the beck and call of that dark and disastrous moment when fire strikes. It is certainly a calling that requires a high level of commitment, a high level of sensitivity on the part of all family members because it takes that member's time from family responsibilities, from work responsibilities, and from leisure time available to any

volunteer involved in this area. I believe that we all must pay tribute to the incredible contribution of volunteers who have given so much in the past and who are prepared to work to protect this province in the future.

\* (1450)

I do not think there is anyone in this House who would disagree with me when I suggest that perhaps for too long our system of recruitment of volunteers and, indeed for that matter, of employment of full-time paid professionals in this field has for too long excluded many groups in our society. The fire forces, whether on a volunteer basis or a full-time paid basis, are certainly homogeneous in characteristic, certainly predominantly male, certainly predominantly white males.

It is very apparent to anyone reviewing the make-up of volunteer fire departments or fully operative fire departments with paid full-time staff that there is an absence of women in those fire departments. There is an absence of members of our visible minority groups. Certainly, one gets the feeling that perhaps the cultural conditioning that has dominated all of our institutions has dominated the area of fire prevention and fire protection.

I think all of us in this House would be anxious to work together to find ways to increase the involvement of women and visible minorities, and I should add certainly members of our Native community to our volunteer fire forces and to our full paid, full-time fire departments. It will certainly require affirmative action measures. It is our belief anyway that this kind of a change in the make-up of fire departments will require affirmative action measures with teeth contrary to and perhaps running in the opposite direction of the kind of affirmative action programs that we have seen, or affirmative action philosophy that we have seen emerging from this new Government, a philosophy or a policy which is taking us back in time, to a time when it was believed that affirmative action could be done totally on a volunteer basis, on a well-intentioned basis, and did not require the teeth that can be provided through legislation, through compulsory programs, through firm directives from the Government of the Day.

Certainly, that has been a source of dismay to us on this side of the House on its own and we would hope that, in the interests of opening up our work forces, in opening up our recruitment practices, in opening up our employment opportunities, that we look more seriously at affirmative action measures that have teeth and that we perhaps will find a way to convince the Minister of Labour (Mr. Connery), the present Minister of Labour, to actually put back some of the teeth that he has taken out of the program to, as a starting place, put back a full-time coordinator devoted to working to implement affirmative action within the Civil Service, and then from there to move toward affirmative action measures in the private sector, whether by way of contract compliance or by way of actually legislation.

(Mr. Deputy Speaker, Mark Minenko, in the Chair.)

Certainly, I would be the first one to say that we have not done enough in this province with respect to

affirmative action, that the NDP's record is not perfect in this area and -(Interjection)- The Member for Kirkfield Park (Mrs. Hammond), I finally have someone awake over on that side of the House who has shown some interest in this area and, as I have said here in the House on many occasions and in public forums on many occasions, it is an area that I wish we had been able to do more in, that we had been able to do considerable more, make more progress with respect to achievement of equality in our workplaces and in our communities everywhere.

That is not though a good enough reason for the Members on that side of the House to say, if the NDP could not do it, then we will just go back in time and do even less. If they believe so much and are prepared to jump so quickly into this debate and into the fray and suggest that the NDP has not done enough, then surely Members of the Government would be working to do more, to put more teeth into affirmative action programs, to take bigger leaps in that direction, to take bolder steps towards affirmative action. But instead we see Members of the Government trying to have it both ways, to on the one hand criticize the NDP for not doing enough and on the other hand to actually take the teeth right out of—the teeth that were there—take them right out of the program.

Let us hope that through debates like this and addressing very important areas like the make-up of our fire departments as they are constituted under The Fires Prevention Act and as they are certainly impacted on by Bill No. 6, they will have second thoughts about that program and about their regressive initiatives in this regard, and seek ways to put the teeth back into the program and indeed move beyond that in a forceful way.

I think by that recognition, by their recognition of the need for compulsory Affirmative Action Program and affirmative action legislation with teeth that we will be able to turn around the very homogeneous make-up of workplaces like our fire departments. We will be able to find ways to recruit women, visible minorities and Native Manitobans into our fire departments, whether run on a volunteer basis or on a full-time paid basis. I think we all look forward to the day when institutions like the fire forces, the fire departments in our province reflect the make-up of our society, reflect the fact that women make up close to 50 percent of the full-time paid labour force, that visible minorities make up a very high percentage of our labour force and that Native Manitobans are very strong in numbers in our province but also have a very strong historical representation and reason for being recognized in all aspects of our workplace and in our communities.

\* (1500)

In that regard, any attempts to ensure that recruitment to our colleges and to our fire departments is sensitive to those factors, to that reality, is important. I believe that such an issue is addressed by way of the amendments proposed in Bill No. 6, the amendment particularly with respect to tuition. We will be looking forward to the committee stage of this Bill in order to be able to ask some very specific questions about

whether or not this amendment will actually encourage those who have been unable to choose the fire prevention/fire protection occupation and whether or not our recruitment practices are sensitive to the barriers faced by certain groups in our society and to, in fact, to the systemic discrimination that is pervasive in all aspects of life in Manitoba.

In addition to recognizing the historical exclusion of many groups in our society, it is important that any amendments to a Bill like The Fires Prevention Act also address the question of particular unique characteristics in many of our communities. It is certainly the hope of Members on this side of the House, the NDP caucus, that we move toward addressing the recruitment and the training of individuals who are able to provide an integrated service in an area where often volunteers must be required and trained to provide a number of different services. It becomes critical that the training opportunities that we provide firefighters, whether they be on a volunteer basis or on a full-time paid basis, takes into account the needs of the community from which they have come and to which they are returning. In that respect, it becomes absolutely critical that we address the question of whether or not our colleges, our fire colleges are adapting to that factor, are becoming sensitive to the multifaceted training required by volunteers and ensure that our colleges are able to provide more than just specific training with respect to fire prevention but are able to look at other matters such as evacuation, such as health training, and the list goes on and on.

It becomes critical for us to take a look at the very nature of the training that is provided and whether or not it is both sensitive to the various faiths by many groups in our society but also sensitive to the requirements of every community, many requirements which are unique, which are related to geography, which are related to factors of remoteness, of isolation and of adequate training, of individuals' right in that community to respond to any kind of dangers, any kind of hazards, in that particular community. While fire is certainly one of the most worrisome problems any community can expect to face, there are many other emergency services that volunteers can be trained to provide.

I see my light is flashing, Mr. Deputy Speaker. Does that mean my time is running out?

**Mr. Deputy Speaker:** The Honourable Member has three minutes remaining.

**Ms. Wasylycia-Leis:** Thank you. Let me say that, in conclusion, I believe this has certainly been a most important debate, that it has been useful to hear the comments and contributions of many Members in this Chamber, specifically when it comes to the questions of adequate recognition for our volunteer members of fire departments, specifically when it comes to recruitment practices of individuals from groups who have historically and systemically been excluded and, most particularly, when it comes to the enhancement of quality of life in every community throughout Manitoba.

This Bill plays a part in enhancing quality of life of communities everywhere in Manitoba. It will be our job

as legislators to go beyond this to ensure that communities have access to the resources and to the expertise and to the leadership that can be provided here in this Chamber and everywhere in this province, to community activists to ensure that quality of life is always enhanced in that no community must worry about the fear of fire sweeping through their community or through the natural wildlife and resources that surround that community or, for that matter, anywhere in this province. It is in that regard, Mr. Deputy Speaker, that I have been privileged to participate in this debate and look forward to pursuing this Bill through the further stages that the legislation must go. Thank you.

**Mr. Deputy Speaker:** The Honourable Minister of Labour and Environment (Mr. Connery) is closing debate?

**Hon. Edward Connery (Minister of Environment and Workplace Safety and Health):** Yes, I am only going to take a very few minutes. We will have an opportunity to debate it in committee and in third reading, but I do want to thank all of those who made worthwhile comments on the resolution.

The comments of the last Member deviated somewhat from the Bill and dealt with other issues more, and I did not really think that there was a lot of content for the amount of time that was taken. It is quite obvious that Members opposite are very concerned over how we are going to move affirmative action because we are continually attacked on it. They realize for people they know in the department—and there is nothing wrong with that—that they know and are telling them that, yes, the Minister and then the Government are going to ensure and do their very best to ensure that affirmative action for all people, for all the target groups, will take place. We are concerned on this side of the House for that particular issue. After taking over Government, we found out what lip service was by the previous Government and very little thrust was towards the affirmative action target group. This is what concerns them.

It is very interesting to note when the Member says that we want to give equal opportunity. I guess it galls me a little bit when I look up at a bulletin board and it says an equal opportunity, but then a person that I was talking to who is looking for a job, a single mother, cannot apply for that job because it is a little bit too high for the category because of the agreement that the MGEA had with the previous Government, and it is still on it.

\* (1510)

**An Honourable Member:** You really got very messed up on it.

**Mr. Connery:** It is messed up, it is there. If you think, as somebody who is concerned about people and equal opportunity—

**An Honourable Member:** Paul Hart said you were wrong.

**Mr. Connery:** No, Paul Hart did not say I was wrong. Paul Hart sent over the material. You know, in the

categories of administration and clerical, below category 2, it says on the bulletin boards on the ones in yellow, it says, open only to Civil Service staff. The other group says, open to anyone. Now if this is not a discrimination against other women in the work force who are looking for work and to visible minorities, then I do not know what is. When you talk about that, you have the handicapped, the visible minorities, the Native people. The Member for Rupertsland (Mr. Harper) should be saying, why cannot some people in our community apply for some of those better jobs? Those better jobs are in the range of \$34,000 and up and they cannot apply.

When they talk about affirmative action, I find it insulting that they would talk this way and then have done something in a different way. I look forward to the debate in committee and to debate in third reading, and recommend the Bill to committee.

**QUESTION put, MOTION carried.**

**BILL NO. 8—THE COURT OF QUEEN'S  
BENCH  
SMALL CLAIMS PRACTICES AMENDMENT  
ACT**

**Mr. Deputy Speaker:** On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 8, The Court of Queen's Bench Small Claims Practices Amendment Act, standing in the name of the Honourable Member for Selkirk (Mrs. Charles). Is it agreed to allow the Bill to remain standing in the name of the Honourable Member for Selkirk? (Agreed)

**BILL NO. 9—STATUTE LAW AMENDMENT  
(RE-ENACTED STATUTES) ACT**

**Mr. Deputy Speaker:** On the proposed motion of the Honourable Attorney-General, Bill No. 9, Statute Law Amendment (Re-enacted Statutes) Act, standing in the name of the Honourable Member for Elmwood (Mr. Maloway). (Stand)

**BILL NO. 11—THE CHILD CUSTODY  
ENFORCEMENT AMENDMENT ACT**

**Mr. Deputy Speaker:** On the proposed motion of the Honourable Attorney-General, Bill No. 11, The Child Custody Enforcement Amendment Act, standing in the name of the Honourable Member for Churchill (Mr. Cowan).

Is there leave to allow the Bill to stand in the name of the Honourable Member for Churchill (Mr. Cowan)? (Agreed)

**Some Honourable Members:** Oh, oh!

**Mr. Herold Driedger (Niakwa):** I recognize that applause was not for my attempt to begin to speak, but rather I think for the timely remarks of the Member for Thompson (Mr. Ashton).

It is my privilege to also lend a few words with respect to this Child Enforcement Act Amendment. I understand

that the original Act came about largely because of a need in society to start formalizing the way in which some of the practices with respect to child custody, access to children by non-custodial parents, were actually in point of fact working out.

It seemed there were problems with respect to denial of access. There seemed to be problems with respect to maintenance payments, so in its own way the State intervened in order to try and bring some degree of organization and order to a problem area. The whole Act, it appears, is about to deal with the problem that occurs when families or the family unit breaks up, when the family unit is no longer able of working out its problems together. The whole purpose of intervention by the state is to replace what has been social convention.

If we take a look at the normalized situation, regardless of whether we tend to have today marriages more frequently ending in divorce than they have in the past, it is still the general goal of most marriages, most relationships between sexes, to end in marriage where the husband and wife attempt to live together and, of course, as an issue from this marriage unit we end up having children. This is essentially the normal course of events and it has been like this from time immemorial. As far back as you want to go, this is how things have transpired.

Historically, if you wish to go back into some of the more recent past, in the event that a marriage would break up either through the death of a spouse or in a rare case then, because there was tremendous social pressure on the part of society that the family unit should stay together, there was a different method of convention of how to handle the problem of children who did not have parents or who did not have a custodial assignment, a person who was able to take care of them.

In some cultures, of course, this is where marriages broke up, it is a lot easier to obtain a divorce than in ours. In some cultures it was obviously just a simple matter of stating that this is your intention, to break up the marriage and/or to have a divorce and, presto, it is done.

But in a society where a divorce like that is easier to obtain, convention has it that there are social structures in place to look after the children. I think anthropologists referred to this as the "extended family." The extended family would step in and look after the needs of children, would look after the needs of one, two or even three. In fact, the extended family could even accommodate the loss of both parents because, under the extended family concept, the children were the responsibility of the entire society.

Unfortunately, in the western Judaeo-Christian model, we do not have the similar extended family concept. It is possible and has been possible in the past if the family unit was very, very strong, if there were many brothers and sisters, the unit could withstand and could survive the loss of a parent. Either the children would end up going with the one parent into another marriage

situation or you would have a situation where perhaps aunts and uncles would look after children. This in our society tends to be rather the exception than the rule.

Because of this, it was necessary for the State to begin to intervene to start looking after the welfare of children. We see the beginning of this with the development of orphanages, which were the thin edge of the wedge. These institutions stepped in to look after children when there was no member of any family unit able to take care of them, and you have the beginning of the development of an institution that begins to have the responsibility of parenting where people have the responsibility of parenting but really have no emotional vested interest in the welfare of the children.

Out of this, we continue into more modern times where, if you take a look in today's society, the goals of marriage are still the same. I do not think that a young couple getting married today has in its mind the intention that their goal is divorce. It is quite the contrary. Their goal is to retain a marriage unit, a family unit, that will last and last. But we have a society today where the pressures of modern life are extremely intense. The pressures on having the marriage survive are increasingly intense. So it is where we can look back at any time in the past where it is difficult for two people to have a working marriage relationship because there are always some things that happen—personality clashes, problems with expectations—but it is even more so today. So where you had problems in the past, the problems today are more than square, they are cubed, maybe even quadrupled.

Once again, when you have a situation like this, as I mentioned earlier in my remarks, the marriage unit with children, we have a situation where today both parents end up having to work and then who looks after the children? Once again, the parents are not interested in seeing to it that the children are given short shrift. They look to an answer. The answer is looked at normally from State intervention of some sort, either through regulation or actually through the implementation of day care centres of one sort or another.

\* (1520)

In a situation like this where parents are working and are not able to spend time with their children, it seems that when they do have time to work with them, the pressures in the family are on providing quality time to the children. Here we define quality time not as quantity, great lengths in time, but rather very, very, very meaningful short sessions which will give to the children the love and the attention that the parents feel the children should have and which no parent, at least to my knowledge, does not wish the children to get. But that is on the side of a marriage that is working out.

What happens when the marriages break down? Where do you turn to provide this quality time for children? Where do you turn to provide the help for assisting the marriage partners to actually resolve their differences to have the family unit stay together? Normally, in a situation like this, highly intense, a

pressure-cooker situation, the personalities involved become increasingly stressful. The parents probably end up spending more time fighting to get their own goals or to get their own desires delivered and probably do not have a chance to look to children. Yet, we have to take a look, as legislators, as to what is the effect of this kind of a situation on children.

We are in today a product of what I would call the "instant generation," and we are the generation of the 10-second clip. We look to instant solutions. Everybody is under stress and we do not look for any long-term work for solving a problem. We want problems to be solved immediately.

Obviously, if a society cannot deliver on this kind of help on delivering this slow massaging of personalities under stress, the slow development to get people to overlook the differences, to see again, to reacquire the goals of the long term which were to stay together, we once again have to have a fall-back position because the social pressures are such that in the event of a marriage breakup, once again, society has to provide the care of the children. So once again the State has to intervene.

The State has to step in where once society was able to assist. If I can recall, I think I referenced earlier in my remarks the extended family. This obviously has been a process of slow social evolution, both through primitive and modern times. The extended family was ultimately, as I mentioned earlier that the whole society took responsibility for the needs and the parenting of a child. A child in those days tended to become a product of a young person looking up to anybody who was older, a person who was able to guide the child. What was important in those days, and even today, what is important is the welfare of the children.

Children do not belong to anybody in a society. Children are—I mean they are the ultimate, they are the future, they are the inheritors of this earth that we will pass on to them. Everybody is responsible that this philosophy is as true today as it was back in the past. The loss, and I can speak of it as a loss, of the extended family concept sees the responsibility for children as resting ultimately with the State. I think that is probably a rather deplorable situation. I would like to see, if I could speak hypothetically, if I could speak theoretically, children as being ultimately the responsibility of the people within the society, not some impersonal institution, the State, which has to step in.

Because you see, when the State steps in, when the State has to come in to intervene, it has to do so with a certain degree of legality and so what you end up having is the creation of a law. When you create a law, a law which is essentially words attempting to demonstrate a philosophy, you cannot use those words, those phrases to replace a social system. Legally, it is as difficult to translate into emotional well-being. I mean there is no amount of reading of dry documents such as the two paragraphs that we are speaking to here in this amendment actually are, there is no amount of reading those that is going to give any child any degree of comfort. This is dry; it is a legal attempt to try and

implement the philosophy of care for children. The law cannot put into words the right way to feel when you see a child in need. This has to come from within us and it must not come from without. You cannot say to someone walking down the street, see, that child is in need, you must, you should—this should be something that you do naturally.

Rather, we have to impose the will of the collective society on the State to end up implementing what we see as being the welfare of the child. But when we speak “welfare,” we may speak about emotional well-being but we do not actually—we cannot deliver on that. That is the one thing that this intervention cannot do. If I may just anticipate my remarks just a little bit, that actually is the intent of these two amendments, to try to mete out some degree of response to that failure, the fact that the law cannot deliver to the emotional well-being of the child.

But I would like to spend some time now just looking at how this relates, how does this problem relate to marriage break-up and the right of parental access? I referenced earlier in my remarks that in a situation of divorce you generally tend to have feelings of ill will between the parents. This ill will is generally due to the fact that in any kind of a marriage breakup, because we talk about equality, we talk about the fact that each partner has the same degree of rights, but in a situation where this breaks up, we find that generally there is a loser and a winner in the power game. Eventually the loser, the one who feels ill done by, the one who feels hard done by, will attempt to try and gain some of that loss of power back.

Children are caught right in the middle of this power game. Essentially, when you have a marriage in the process of breaking up where one partner feels they are losing, this is a loss of—and if I may use the Eastern term—face which means loss of self-respect. You want to gain back this self-respect. How do you do this? You work at the children. Sometimes you may find that children are caught either in the fighting or children are utilized as sounding boards by one partner or another, and a tremendous amount of stress is placed upon these children. The whole point is that among the parents, it is a societal case of who wins, who loses and it seems that mom and dad are less interested in the family preservation than they are in self-preservation, and their family is the one that suffers.

Ultimately, as this process transpires and moves along its now-predicted course, the family is divided by some degree of court action. Once you have the family divided, it becomes a case of who has custody of the children, and which of the parents has not the custody but access to the children. That is ultimately the focus of these two amendments that I am speaking to. The parent who has the custody becomes the provider. The parent who has the access is the one who needs to provide maintenance. Maintenance can be defined as “money.”

Now, once again, if you just take a look at this without emotion, look at it in legal terms, we have a case where the law has said that now the marriage is no longer a functioning unit. You now must break it up; you create essentially two family units. In fact, the children may

actually be assigned one to one, or some to one parent and some to another or, in most cases, all the children are assigned to one parent and none to the other. In most cases also, this assignment, the children tend to be assigned to the female, to the mother, and the father tends to be assigned maintenance and needs to provide financial support.

\* (1530)

What happens here in a case like this is the fact that the State has to intervene on behalf of the children. This is in order to try and get this, to try and deliver on this that the emotional well-being part of this delivery, the State has deemed and through some presentations by people who want to see to the children's emotional well-being, the State deems in this particular amendment that both mom and dad are necessary to the child's emotional well-being. But the divorce which divides the family is a hard division. In some instances, wherein the assignment of the divorce decree where the judge may determine that children shall go with the mother, the father shall provide maintenance but shall have access either on weekends or once a month or whatever the case may be, if the divorce has left many, many hard feelings, access can be denied by the custodial parent.

Now what happens in a case where access is denied, what kind of redress does the other parent have? Remember that we are still looking at trying to deliver some degree of emotional well-being, some kind of emotional attachment to children. I do not think children, even though today we may talk about them being electronically-wise and they have seen almost everything there is to see on television, they still do not when it comes to their own life really accept the fact that mom is the only parent left and father is some person who comes visiting once every week or once every month. They do not understand, and it is an emotional psychological stress upon them.

This is what we are attempting in these two amendments to try and alleviate, because the only other attempt, the only other way that we can try and force the will of the court on a family which has broken up, on a family where access has been denied or maintenance, for instance, has not been paid, the only recourse the court may have in the original Child Custody Enforcement Act under Section 14, I think they were referencing imprisonment, imprisonment of the mother. Can you imagine what would happen in a family that has already gone through the stresses and trials of being broken up of mom and dad now divided? Now we find that because either access has been denied, the father is suing in a court the mother for access. The only recourse the court has is either the imposition of a fine, imprisonment or, as the Act says, both.

Once again, more stress, more psychological and emotional damage because now we see a case where children see a parent running the risk of imprisonment or actually being in prison or fined by the actions of another parent. Somehow this is exceedingly unfair on a family that already has been terribly, terribly stressed.

If you take a look at the way the Act was worded and to the way the intention of the Act intended to be

implemented, it was only the woman who would pay with the imprisonment penalty because, in general instances, it is the husband who has been assigned maintenance. In a case where the court now deems he must pay, he is then forced by some action to pay the maintenance costs. In fact, this may even go so far as that the court may issue a garnishee order so that the maintenance payments are automatically made. But this is hardly what I would think is being a fair way of delivering, as I originally indicated, the emotional well-being, trying to deliver emotional health to children.

We had a law that created an absolute with the right of access, where people either would have right of access and one person might refuse this access. We end up having penalties and punishments. Once again, as I said, children are caught in the middle.

Now what these amendments attempt to do is to try and rationalize the access right. Children need flexibility. You need flexibility in delivering to the child the kind of relationship that is important. Remember that under no circumstances in our society do we teach a kind of sexless childmaking. We do not teach the fact that children are created in test tubes. Even though this may be a theory which is actually now a possibility, we still tend to take a look at the fact that you need two people, a husband and wife, two parents, a male and a female, to deliver the health to the health of the children.

In order to deliver this, we have deemed that both parents need to be part of the child or the parent in circle. We now I think have achieved a level—I hate to use the word “sophistication,” but it is about the only word that will fit here—sophistication in dealing with marriages that have broken up whereby the children may live with the mother and they may call either the live-in boyfriend or the second husband, they may call him by the first name. They may call him “father” but still there is a second parent, a true parent, a dad, who has a degree of responsibility to the welfare of that child.

What happens now if we have a case where this access now is the access right of this, say the father, is written in stone, written in the law and now either this parent determines that he must have access, has the right of access, what happens if he fails to deliver on his demand for access. Once again the children are hurt. What happens in this divorce is we have cases of either child abuse, either physically or sexually, and it is actually the abusing parent who is demanding access.

We need to have some degree of flexibility in granting the absolute right of access. I think we need a little bit of understanding in implementing here because, as I referenced very early in my remarks, a legalese is an absolute statement. It is an attempt to implement a philosophy, and we see what happens when you try to implement a philosophy based upon hard legal terms and legal terminology.

I think there was a reference in the paper either today or yesterday where once again the question of a young girl who was living with foster parents being forcibly removed and the access of her natural parents provided

a tremendous hurt and psychological damage perpetrated upon the child by this forcible implementation of a law. I am sure that is not the intent of this amendment, that is not the intent of The Child Custody Enforcement Act.

The intent of the Act is obviously to try and deliver, as well as possible to the health and well-being of the child, to the needs of the child. Every effort should be made to try and keep the courts actually out of this family dispute system. Once the courts get involved, we are looking at a very, very vigorous interpretation of rules and regulations and which, when they are finally implemented, can be just as harmful to the children as the original hardships of the marriage breakup.

\* (1540)

I have seen referenced with respect in previous comments on these particular amendments, the Access Assistance Program, the program where conciliation is used to try and mend families before the break is absolute, where you try and keep the family together. You are using conciliation, you are looking at efforts where the society is trying to provide the delivery of that kind of support system that was originally part of the extended family concept of the social unit concept which we have so regrettably lost.

Just as there is a requirement for Access Assistance, I mean conciliation to keep families together, just as there is the necessity to try and counsel children who are having trouble when a family is breaking up, I believe we just as much require something that, for the want of a better term, I will call “divorce conciliation.” I mean we now have a situation where the divorce has been granted, the family unit has been divided, it has been broken up. We have all these emotional damages and the scars that result on account of that because normally divorce is not a friendly amendment. Normally divorce is a very, very harsh change to the family unit. So perhaps it is a case here where in this “divorce conciliation,” if I may use that term, we have a delivery system which encourages mutual parenting.

The family unit is broken up. Yes, we realize mom and dad cannot live together but why shall we take out mom and dad's problems on the children? Counselling and conciliation to get the parents who have broken up to accept the responsibility that the right of access and the maintenance payments and the granting of custody has provided. You see, mom and dad may not be able to get along, but I mean ultimately the reason that caused for many, many years marriages to last as long as they did, it was for the love of the children, it was for the concern of the children, it was for the sake of the children. Mom and dad put aside their differences and they stuck it out together until the children were able to survive on their own.

In other words, what they did is they worked out a problem for the sake of the children. Whether that problem ultimately was kind to that marriage relationship or not, I am not prepared to say. Whether that solution ultimately strengthened or weakened the individual personalities of the parents involved, again I am not prepared to say. It was done at a time because

social pressures were different. Because the social pressures were different, it was done—a kind of a circular argument.

(Mr. Speaker in the Chair.)

Today, where out of the Sixties we have had this self-gratification, the self-actualization, the personal development which often tends to take place much after a marriage has been formed, we find partners who originally thought they could get along well together. Well, they only got along well together as long as one partner felt that he or she was dominant and the other partner felt that he or she was not dominant. When that started to balance out and perhaps change, we find that the mutual goals within the marriage tended to divide.

Today, we actually see social pressures which probably are more in favour of—and I again do not like to use the word “favour” because that implies that you condone this, but rather that we now have a situation where marriages are almost designed to break down simply because the individuals within the marriage unit are attempting to achieve their own goals separately rather than to achieve their goals together. So now what we end up having is marriages breaking up. Too often, these broken marriages result in emotionally scarred children. This need not happen. Just to sort of come to a conclusion with my remarks, if I would like to underscore anything at all, it would be that if we go back to the comments I made earlier about “divorce conciliation,” these things might be able to be worked out so we do not end up having to have these emotionally scarred children.

These amendments are a step in the right direction although the legal terminology is still couched in punitive terms. What I would like to do is urge this House to pass these amendments to committee where I would have more to say on this matter. Thank you very much for your attention.

**Mr. Steve Ashton (Thompson):** I believe there was agreement earlier that Members wishing to speak would be able to speak at this time and the matter would be left standing in the name of the Member for Churchill (Mr. Cowan).

I have some comments myself on this particular Bill. I want to put it in perspective because I think this is seen as being part of the overall area of family law, and that has certainly been an area that has been a matter of consideration quite considerably in Manitoba the last decade and a half, that we made some pretty dramatic changes in that period of time, starting in the 1970s.—(Interjection)—

The Member for Lakeside (Mr. Enns) is making reference to when the Conservatives in 1977 reversed some of the changes that had been made by the New Democratic Party in the mid-1970s, changes which updated laws. Many cases were made in the 19th Century, the early 20th Century, during a period in which the relationship between men and women in this province was of a substantially different nature than it is today, a far more unequal relationship, Mr. Speaker.

Many of the laws were passed when women did not even have the right to vote. I remember the famous

court case in which it was decided that women were persons, which is something that I think reflects the historical trend in our country and in Manitoba, of course, towards greater equality between men and women. In fact, Manitoba has been something of a leader, even going back to the suffragette period in terms of providing women the vote around the First World War period. I think that is something that we should continue. I believe that really was the intent in the 1970s of the changes to family law that were introduced by the then Schreyer New Democratic Party Government. I would hope that would continue to be the basic approach in regard to family law following that period of time, in fact, up to this point in time.

I want to raise my comments on this Bill in that context, because I think it would be a mistake to assume that Bill No. 11 reflected a response to the overall area of the need for changes in regard to family law because it does not. It reflects one area, yes, but it does not reflect even the greatest priority of many people who have been concerned about family law in Manitoba. I think that is important, first of all, to recognize that this is only a part of the concerns that have been expressed.

I think, secondly, it is important to recognize that we are going to need further changes to family law in addition to and well beyond Bill No. 11. I would recommend that Members look at some of the suggestions that have been made, for example, by the Charter of Rights Coalition. They issued a policy paper, I know, in January of 1987 that basically called for changes in a number of areas: The Dower Act, The Intestate Succession Act, The Testator's Family Maintenance Act, The Married Women's Property Act, Breach of Promise to Marry Act and the Jactitation of Marriage Act. I do not want to go into the details of that. I believe that is something that is better discussed during a different debate. But I would encourage Members to do that because I think that is an indication once again that the changes we are looking at in Bill No. 11 are not necessarily the No. 1 priority of groups that are concerned about family law in Manitoba.

I will also refer Members to a letter I know originating from the Manitoba Advisory Council on the Status of Women, which once again stressed in regard to this specific area in terms of access enforcement provisions that, given the choice, the position of the Manitoba Advisory Council on the Status of Women was that there are a number of other areas that we feel should be given greater attention, such as wife abuse, child abduction or inequitable maintenance decisions. These were outlined in the report of the Manitoba Advisory Council on the Status of Women which was entitled, “The Economic Realities of Women under The Manitoba Family Maintenance Act.”

\* (1550)

So we have seen once again indication that Bill No. 11 is not the top priority in the area of family law. When I say that, I do not mean in any way to lessen the importance of this Bill. I think it does address an important area, but I do not think this should be taken by the Attorney-General (Mr. McCrae) as an indication

that somehow the present Government is moving on the major concerns with regard to family law.

If it does nothing more than introduce Bill No. 11, I think it will greatly disappoint many Manitobans who are looking for further updating of our laws here in the late 1980s as we head into the 1990s, updating our laws to recognize the changing character of relationships between men and women and also the changing character of the family.

In doing my research for this speech today, I came across what I thought was a rather stunning statistic, and I think it is something important that we recognize as a backdrop to the debate on this particular issue. That statistic was the fact that it is estimated that, of children born in the mid-1980s, 40 percent of them will end up in a situation where their families will separate or divorce by the time they reach the age of 18. In other words, 40 percent of them are going to be involved in a situation that we are dealing with in the case of this Bill, of separation, a divorce, a custody enforcement situation—40 percent.

I think that is important to recognize because I think much of our legislation is based implicitly under the old assumptions, because there was a day when separation and divorce was not that prevalent and it was quite common—I am sure the statistics would have been quite different 10, 20, 30, 40 years ago. It is an obvious fact that there have been more separations and divorces in that period of time, and every indication that we have is that the greatest impact of those separations and divorces is on the children themselves. Yes, there is certainly impact on the men and women involved in these relationships that unfortunately do end up in the separation or divorce stage, but the greatest impact is on the children.

It is with that principle in mind that I think we have to approach Bill No. 11, which attempts to deal with child custody enforcement, because I think the bottom line—I think we all, as Members of the Legislature, should deal with it in that sense—is the fact that the bottom line has to be the interests of the children involved.

I am not saying that we do not also look at the interests of the parents. I think that is something that also has to be included, but I think in doing so we have to make sure that in no way do we jeopardize the interests of the children involved. This has been the basic thrust, I think, of suggestions by the Opposition, concerns that have been expressed about this particular Bill, and that is the need to make sure there is greater protection of the interests of children.

I thought the statements that were made by our critic, the Member for St. Johns (Ms. Wasylycia-Leis), basically indicated the bottom line in the situation and in her speech she stated that, while money can be collected, divided and owned, children cannot be quantified. That is why she drew a distinction in terms of child custody enforcement, which is what this Bill deals with, and the question of maintenance enforcement, because I think that is important. I think, yes, it is important to make sure that maintenance payments are continued, the court orders are followed, that the father or mother or

whatever the case may be that is providing those maintenance payments continues to live up to their obligations before the law. That is definitely the case, but we should not be mixing in the question of child custody enforcement and somehow using this as a lever to obtain the maintenance enforcement because, in doing so, there is the danger that the interests of the children involved will become secondary. As I said, their interest has to be primary.

I also would like to reinforce the statements made by our critic, the Member for St. Johns (Ms. Wasylycia-Leis), in a number of particular areas. She talked, for example, about the need to pay particular attention to the issue of child abuse by ensuring that legal assistance for the custodial parent when enforcement of the existing court order is shown to be detrimental to the child.

I think that is important because one has to recognize another obvious fact. This is another statistic, I think, which is quite staggering, really. It is estimated that up to 1 in 10 situations, 1 in 10 marriages do involve some form of abuse either involving the spouse or children. In fact, there have been estimates of even higher figures. I think it is also apparent that at least in some cases the separation and the divorce relates directly to either the wife abuse or the child abuse. That is important to recognize because when a situation like that has developed, I think the very serious question has to be raised as to the extent to which the court order, the initial Court Order of Access is in the best interests of the child, particularly in the case where there has been child abuse that has taken place. In that particular circumstance, I think it is quite legitimate on the part of the parent who has custody of the child to question the degree to which there should be access by the other parent. I think that is something that is not made clear in the Bill, the extent to which those concerns will be dealt with by the provision of appropriate legal assistance to the custodial parent.

I think it is also important on an additional note on that particular point to point out that many of the parents involved are single parents obviously, are also lacking in financial resources. In many cases the custodial parent may be on income security because of the fact that, given the obligations to raise the children, they are unable to participate in the work force. So we are dealing with individuals who do not have the financial resources necessarily to obtain that legal assistance readily. I think it is important that we as a society make sure that legal assistance is available to the parent to ensure that the best interest of the child is put first and foremost.

I think a second issue which the Member for St. Johns (Ms. Wasylycia-Leis) raised is also important because I think this is something that follows from this particular Bill. That is the extent to which adequate resources for counselling and conciliation are put in place before the commencement of any component of the Access Assistance Program. That is important because, in fact I should note for those who are not aware, this Bill has also been accompanied by an announcement by the Attorney-General (Mr. McCrae), an announcement that was made July 29 of this year,

that this legislation is part of a federal-provincial Access Assistance Pilot Program in Manitoba.

In fact, the Attorney-General (Mr. McCrae) in the announcement on July 29 of this year stated that he does not expect the program to be fully in operation until February 1 of 1989. He himself indicated at the time of the announcement, he said that there is plenty to be done in the meantime. He referenced the need to hire and train additional staff. He also mentioned the need to provide additional details for the program delivery to be finalized and a comprehensive system evaluation designed. He also referenced the importance of the mediation services which will be offered by Family Conciliation, and also indicated that essentially the bottom line cost of the program will be approximately \$144,000 with \$72,000 of that being provided over a three-year period by the federal Department of Justice.

Many questions have been raised as to the extent to which the \$144,000 program resources will be able to deliver the program as it is intended to be delivered. I know this is something that was raised by a number of Members of the Opposition, particularly in terms of rural and northern areas, where in many cases the Family Conciliation Service is already in an overloaded situation. I know certainly that is the case in northern Manitoba.

I think the obvious question has to be raised. If we pass Bill No. 11, will the resources that the Attorney-General (Mr. McCrae) has announced as part of this program be adequate to provide the kind of service that lives up to the principle of this Act? Will the resources be there to assist the parents? Will the resources be there to protect the best interests of the children involved? I raise that question because I am not convinced that those resources are in place. I realize that here we are debating the Bill rather than the resources themselves.

\* (1600)

But the Attorney-General has said himself in introducing this particular pilot project that the two are intertwined. I think that is why we as Opposition Members do have to raise a very serious question as to whether, once again, adequate resources for counselling and conciliation are in place.

The Member for St. Johns (Ms. Wasylycia-Leis) also raised another important point that I would like to emphasize and I have already referenced it in passing. That is recognition of the fact that custodial parents are usually single parents requiring adequate supports, timely decision-making, reasonable compensation, and flexible schedules for conciliation. I think that is a particularly important point because there is a concern that I have that given the fact that we are introducing a new mechanism, the conciliation mechanism, and given the fact that if resources are not properly provided that it could take some time for decisions to be made, I really wonder whether in some cases, perhaps in a significant number of cases, where the custodial parent, whether that parent will decide because of those delays, because of the problems and the complications associated, that they will not raise their concerns as

part of the process. The custodial parent, for example, may feel that there should not be the extensive access provided to the non-custodial parent, but may then decide even though they feel that would be in the best interests of the child that because of the delays and the complications that they perhaps should not contest that matter and should perhaps agree to the entire proposal of a non-custodial parent.

I am not trying to prejudge any situation in those circumstances. It may be that the concerns of the custodial parent are valid or maybe they are not. It may be that the proposal by the non-custodial parent will be, I think, reasonable as well. That all depends on the circumstances that are involved. It is not for me to decide or Members of this Legislature to decide in advance. That is part of the conciliation process. My concern is that some parents, particularly single parents lacking proper financial resources, particularly given the other pressures they are faced with, that they will not seek their full rights before the law. They will not seek to use the conciliation service fully. I think that would be unfair. I think that would not be in the best interests of the children involved. That is why I have raised this particular concern because, if you do not have the resources in place, what you do is you set in place something of a chain reaction that will have a potentially negative impact on many of the cases that you are dealing with.

I did mention earlier the fact that this is one part of family law. I really think the Attorney-General (Mr. McCrae) should be discussing the elements of family law changes that were part, I know, of the White Paper that we initiated when we were in Government. I really do believe the Attorney-General should be addressing the proposals made by the Charter of Rights Coalition. I wanted to emphasize that particular point because, lest anyone think that is a narrowly-based coalition, I think it should be emphasized that the Charter of Rights Coalition which I referenced earlier, a coalition of 10 different member groups including the Elizabeth Fry Society of Manitoba, The Immigrant Women's Association of Manitoba, the Junior League of Manitoba, the Manitoba Action Committee on the Status of Women, the Manitoba Advisory Council on the Status of Women, the Manitoba Association of Women and the Law, the National Action Committee on the Status of Women, the Provincial Council of Women, the United Church of Canada, and the YWCA.

It is a fairly broad-based coalition that is looking at the need for further changes to family law to bring us into the 1990s. Once again, this particular Bill has not really responded to their concerns. In fact, they have been raising them now as I have said for the last year and a half. They have also raised a number of concerns on this particular item of legislation, concerns that I hope that the Attorney-General (Mr. McCrae) will address, because I think what we need is a more broadly-based approach than we do have in evidence at the present time.

I realize that the Attorney-General has only been in office for six months. I would urge him perhaps to take advantage of him being in that office because, given the minority situation we face with the current

Legislature, he may not have much more time to implement changes. I would hope at the very least he does not delay changes that the previous NDP Government already started the initiation of through the initiation of that White Paper. I would hope that he would not use Bill No. 11 as an excuse to say that somehow this Government has done something in the area of family law so it is not necessary to make the kind of changes, for example, the Charter of Rights Coalition has outlined.

I think that is important because, once again, I suspect that we may be in a situation in this Legislature where we will not run the full course that we normally do, the normal four- or five-year period. In fact, I think that is almost a certainty. I guess in a minority Government situation there could be an election at any time. I view the minority Government position, if anything, as not an excuse to do little or nothing, but in this particular case a double reason to move forward.

I notice the interest of the Member for Lakeside (Mr. Enns). I hope that he will perhaps pass on his concerns about the need for improved Family Law legislation in Manitoba to the Attorney-General (Mr. McCrae) in the hopes that there will be further legislative initiatives if not in this Session at least in the next Session.

**An Honourable Member:** Or in the Sessions to come.

**Mr. Ashton:** In the Sessions to come, too. I have no doubt about it. I think that if the Attorney-General was to address the real needs in terms of family law that he would state perhaps in his closing remarks, in response to some of the concerns that I have raised and other Members have raised on this particular item of legislation, that he would state in his situation that this will be the first of a series of Bills that will address the needs to reform family law in Manitoba, a series of Bills that will be introduced either in this Session or the next Session of the Legislature.

How long are we going to continue to delay in moving in these particular areas? How long are we going to continue to avoid the very evident fact that we do have to reform legislation, make changes to legislation that in many cases has been in place for decades, that does not reflect the current relationship between men and women, the current family relationships, the current status that many children, for example, are faced with?

As I said, there were major improvements made in the 1970s. Some of those were reversed by the Conservative Government, although I will say in terms of maintenance enforcement, they did bring in some positive measures which did at least bounce some of the negative impact on family law overall. I know there were a number of significant changes made by the New Democratic Party. I would hope that this Conservative Government would continue the process, would certainly avoid the reversals that took place under the Sterling Lyon Government. I would hope they would show a commitment to continuing what was already put in place by the previous New Democratic Party Government.

Bill No. 11 does deal with some important items. In fact, I look forward to discussion in committee. There

may be, I know, some amendments coming forward. There has been certainly some indication, I know, from our side and from the Members of the Liberal caucus that Opposition Members will be scrutinizing this Bill quite carefully. It is a short Bill; it is only two pages in terms of the text. I think, as has been pointed out in debate, it has some particularly major ramifications that could affect the families, the children, in particular, involved. I think that is essentially the bottom line of our comments today. In fact, it has been the bottom line of our comments throughout debate on the Bill, stressing once again that we are not indicating by our concern that we are opposed to the Bill.

I think the basic principle is one that is quite acceptable to all Members of the House. I think, where a custody order is in place just as where a maintenance order is in place, there should be a living up to the responsibilities and the rights that are issued by that court order. I know I have had some very close relatives who have been involved in difficult situations. I know one close relative who is involved in a situation where he has custody of the child and there is a maintenance order actually from his former wife, which I think is important to stress because once again it is not strictly a situation, primarily it is, but it is not strictly a situation where the woman has custody and the man basically is providing maintenance because there are situations that follow the reversal. That actually has developed because of the general developments in regard to family law.

While it may still be the decision of courts that the mothers have custody, it has become more common practice in a situation where that is not deemed to be in the best interest of the child or for the father to be given custody as well. In fact, in this particular case, I know of a very close relative of mine, that was a decision of the court. It was contested in the court but the final decision of the court was that it was in the best interests of the child that the child remain with the father rather than the mother.

I think there is a balance there as well once again between the rights of the custodial parent in terms of ensuring, first of all, that maintenance is continued, that the maintenance decision of the court is lived up to. Also, I think it is important to protect the right of the parent to ensure that any visitations are within the parameters that best represent the interest of the child. But, on the other side, I think it is quite legitimate to say and to ensure that the non-custodial parent has proper visiting rights, has the ability to follow through on the visiting rights that are granted to that parent by the court system. As I said, it can go either way.

\* (1610)

In looking generally at this Bill, as I said, there are no problems with the principle. There are some specific concerns and I outlined them earlier in terms of the situation, basically making sure that we do ensure the rights of the children are first and foremost and particularly that we develop a system that will deal with the situations where there has been child abuse in a relationship. I think that is one of the key provisions we are looking at. We are concerned about the need

for adequate resources for counselling and conciliation and that those resources be put in place prior to the implementation of the Access Assistance Program which is being put in place in February of 1989.

Also, we reference the recognition of the fact that the custodial parent often is a single parent requiring additional supports—timely decision-making, reasonable compensation and flexible schedules for conciliation.

With those comments, I would hope that when the Attorney-General closes debate on this particular Bill that he will address the concerns I know that I have raised, that the Member for St. Johns (Ms. Wasylycia-Leis) has raised and other Opposition Members have raised in this particular House.

I think there is general support for the principle of the Bill but we have to make sure, as we do with all legislation, that in accepting the principle of the Bill that we do not put it into place until the proper resources, the proper procedures are in place. While this Bill is being brought forward in the true best of intentions, sometimes the best of intentions can go awry when there is not the proper funding put in place, there is not the proper anticipation of problems that can develop. That is really why we are going through this debate and why I am sure we will be continuing to debate Bills like this over the next weeks and months to ensure that we do not rush into areas, that we do not act hastily and that perhaps items which the Attorney-General (Mr. McCrae) may not have considered in bringing in this Bill are properly addressed.

In summary, Mr. Speaker, I do support the principle of the Bill. We do have some concerns and I hope the Minister will deal with those concerns in his comments and in committee.

**Mr. Speaker:** By agreement, this matter will stand in the name of the Honourable Member for Churchill (Mr. Cowan). The Honourable Minister of Finance (Mr. Manness).

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I understand agreement was reached that Bill 30 might be called. I would ask then that you call Bill 30.

## SECOND READINGS

### BILL NO. 30—THE STATUTE LAW AMENDMENT (TAXATION) ACT, 1988

**Hon. Clayton Manness (Minister of Finance)** presented Bill No. 30, The Statute Law Amendment (Taxation) Act, 1988, for second reading.

#### MOTION presented.

**Mr. Manness:** I am delighted to be able to rise and address Bill No. 30, The Statute Law Amendment (Taxation) Act.

Let me indicate for the record, firstly, that this is the earliest that I can recall, having been in this House for

seven years, that this particular Bill dealing with taxation measures that have been enunciated within the Budget has ever been brought before the Legislature. Indeed, over most of the years that I can recall, it usually came forward about a week left in the Session. It was something that I was highly critical of, and I take some pride in being able to lay it before Members, hopefully seeing them debate this particular taxation Bill in some significant measure as we work towards the last number of weeks within this Session.

I have provided detail to the critics of both Parties, both Opposition Parties, with respect to the measures that have been provided within the Bill. Some of them are not that easily understood and I have explanatory notes that have gone along with many of the changes that I have provided to Members opposite, and hopefully they will use them in the fashion that was meant.

Bill 30, The Statute Law Amendment (Taxation) Act, 1988 enacts the taxation changes announced in the August 8 Budget address. For the benefit of all Honourable Members, I will outline briefly the statutes affected and the nature of the major amendments.

The Bill implements a number of significant improvements to the Manitoba system, changes which will benefit our province's citizens and businesses. The Bill amends The Gasoline Tax Act to increase the surcharge on leaded gasoline by nine-tenths of one cent to 1.8 cents per litre, bringing the total provincial tax on leaded fuel to 9.8 cents per litre.

Mr. Speaker, let me digress for a second. When I indicated within this area, and I think particularly of a question that was posed by the critic, the Finance critic of the Liberal Party (Mr. Kozak), who was wondering why it was that we were not considering punitive measures with respect to named pollutants. I point this out as one indication that the Government at this time fully understands that there are substances in place that are not environmentally sound, that indeed represent some threat and therefore have to be, after some careful review, probably should in some ways be encouraged to be not used. In essence, this is what has been done with respect to this particular tax measure.

Nevertheless, there is an offset, and we have spoken on this before when we were in Opposition. When one begins to attack what is deemed to be in the minds of many, really is a threat to the environment, one often attacks those who are least likely to pay. There is no doubt in my mind that what I have done here in bringing forward this tax measure is to lay some hefty increase on those people who are least able to provide for themselves new vehicles, those people who have the least opportunity to upgrade their motor vehicles and move to the new system of burning of non-pollutant fuels. I say that candidly for the record, that at times when you bring in measures you attack those maybe who can least afford to make the changes to save tax measures.

This change which was implemented on September 1 has already caused the equalization of selling prices of regular leaded and unleaded fuels. It has removed the incentive to use the higher pollutant leaded fuel.

Manitoba's general gasoline tax break remains at 8 cents per litre, third lowest among the provinces.

The aviation fuel tax has increased by one cent per litre to 5.8 cents. The defeated Budget had recommended that this particular tax measure be increased by 2 cents per litre. The Government listened carefully to industry officials who made some plea that there be no increase whatsoever within this area. We felt, as a Government, given the fact that Winnipeg has a significant role to play within the routing system of the major airlines of the nation, that it was important that again we do not hold punitive the type of measures that were going to be passed on to our own people who use the airways.

So, Mr. Speaker, we moderated that increase and increased it by 1 cent per litre. These increases in total, both those applied to unleaded fuels and also the aviation fuels, increased the total tax to \$2 million for the current fiscal year.

Other changes to the Act clarify which debts due to the province attract interest and strengthen the compliance sections of the Act. As I have indicated earlier, there is greater detail associated with that in some of the material that I presented to both Parties. Hopefully, the NDP Finance critic has been given the material as I gave it to her Leader.

\* (1620)

The Health and Post-Secondary Education Tax Levy Act, i.e., the payroll tax: this Bill contains important amendments to the payroll tax to strengthen the competitive position of Manitoba businesses and their ability to grow and create jobs specifically. The payroll tax exemption is tripled to \$300,000.00. The phase-in range for partial exemption from the tax has also tripled to cover payrolls between \$300,000 and \$600,000.00. Trucking firms with Manitoba employees operating in and out of the province will be given an exemption on payroll for out-of-province activities, and I will come back to this particular point in a moment.

Mr. Speaker, as no doubt you are well aware, this has been a major, major thrust of our policy platform for a number of years. We felt that this tax in particular was punitive to those people who are creating jobs, to those businesses that are attempting to maintain jobs within the province. We felt that it has sent out a most dangerous signal to those who would want to invest within their own province or indeed draw capital from outside. In our view, it has to be done away with—and I am talking about the payroll tax—in a very expeditious manner. That is why we take great pride as we did on the August 8 Budget announcing the Phase One removal of the tax.

(Mr. Deputy Speaker, Mark Minenko, in the Chair.)

With respect to the trucking firms, what we have done here is provide an exemption for those miles that are driven outside of the province, that the payroll that will be applied to those miles that are driven outside of the province need not apply. Can you imagine, Mr. Deputy Speaker, a law in place, which held captive those trucking firms and have them paying a tax in all

the miles that were driven outside of the Province of Manitoba, bearing in mind that their competition from other parts of the nation, from other parts of the country, who they were in direct competition with, did not need to pay that tax on employment?

It is with great pride that we brought this forward, so that our trucking firms which are in some large number concentrated within the City of Winnipeg, that this number of people, that these groups, indeed were now on a more competitive basis with people and firms that would compete with them from a distance.

These measures, Mr. Deputy Speaker, are a clear signal in my view to the business community that business is once again welcome in Manitoba as our first initiative to encourage private sector investment and job creation in Manitoba. As a result of the amendments to the payroll tax, 46 percent of these employers currently subject to the tax will be exempted and a further 17 percent will have the tax reduced. Only 7 percent of all Manitoba employers will pay the tax at the full rate. These changes reduce the payroll tax by \$3.9 million this fiscal year, and by \$23.3 million on a full-year basis.

Moving on, Mr. Deputy Speaker, to The Homeowners Tax and Insulation Assistance Act. This Bill contains an amendment to The Homeowners Tax and Insulation Assistance Act, which incorporates the 55-Plus School Tax Assistance Program changes announced in the 1987 Budget addressed by the former Government. The effect of that Budget component was not enshrined within statutory change. In essence, that is what is being done today. This program is amended to provide up to \$175 in school tax assistance to Manitobans in the age of 55 to 64 group, with family incomes below \$15,000, irrespective of the source of income. This is the change. People with incomes up to \$23,750 will be eligible for lower benefits. Previously, eligibility for this age group under the program was tied to source of income. In other words, if your source of income was pension or some other source, you were ruled ineligible for the program. That has now changed to make it neutral with that respect. Whatever your source is, if you fall below \$23,750, there will be an additional assistance up to \$175.00.

The Income Tax Act: the Bill contains amendments to The Income Tax Act to implement the new tax holiday for small businesses, again, another major plank within the Budget of August 8. New small businesses incorporated after that date and before 1991 will be eligible for a corporate tax holiday on taxable active business income of \$200,000 or less. For the corporation's first tax year, the holiday will be given in the form of a deductible equal to the 10 percent small business rate otherwise payable. Provincial income tax will be applied incrementally at the rate of 2 percent in each of the next four years to reach 10 percent in the corporation's sixth year.

This measure will allow small businesses to retain more earnings to invest and employ more people and help them grow in the critical first years of operation. In the longer term, more economic activity and more tax revenue will be generated. Bill No. 30 also contains legislation to protect important tax benefits for

Manitobans, as a result of the change from personal exemptions to tax credits in federal tax reform. The net income surtax calculation will be adjusted by family composition, with thresholds relating to fixed dollar amounts rather than the previous 5 percent of personal exemptions.

Also, the Manitoba tax reduction will be enhanced, fixed dollar amounts relating to family composition will replace the former amount based on personal exemptions. Lastly, the cost of living tax credit maximums will be based on fixed dollar amounts relating to family composition, replacing the 4 percent of personal exemptions calculation.

These measures will, in aggregate, ensure a full pass-through to Manitobans of an estimated \$91 million in reduced federal taxes, along with \$52 million reduction in Manitoba income taxes after credits are taken into account. Just an aside here for a moment, we tend to forget the impact of Phase 1 of federal tax reform. It left in the pockets of men and women across the country, indeed in the Province of Manitoba, an additional \$143 million in disposable income. That is what has happened within the nation as a whole as a result of the economic activity over the last number of years. It has allowed the federal Government to bring into place a new taxation system which has not taken away money from people, but indeed has left more taxpayers with more money.

So I think that in itself commends some of the tax reform measures that have been initiated by general agreement, certainly though the lead coming from Mr. Wilson in Ottawa. I am pleased to announce that the Bill also provides for relief from the net income tax paid by members of religious orders who have taken a vow of perpetual poverty. Under the federal Income Tax Act, these individuals are allowed a deduction equal to their income which has been turned over to their religious order. Neither federal nor the regular provincial income tax are payable on these amounts. We feel it is inappropriate to levy the net income tax in these circumstances. This measure will be retroactive to the 1987 tax year.

\* (1630)

Bill 30 increases the mining tax rate from 18 percent to 20 percent, the same rate as Ontario. This moderate increase, at a time when market conditions are favourable, ensures that Manitobans receive fair compensation for non-renewable mineral resources without jeopardizing the competitive position of mining in Manitoba.

In our view, this measure was preferable to those proposed in February, particularly the 7 percent refundable tax on mining profits. That measure might be justified if mining companies could, as asserted in the defeated February Budget, simply transfer corporate taxable income at will from other jurisdictions to Manitoba. However, each company's allocation of taxable income among the provinces is determined by a set of allocation rules set out in the Income Tax Act of Canada. As a result, the so-called refundable tax was not really refundable.

Let me digress again. The Leader of the NDP (Mr. Doer) is constantly saying that we have allowed Inco to escape, in his estimation, some \$15 million worth of taxation. He makes that assertion on the basis of a point that was included in the defeated February Budget, but the Government of the Day, being in such a rush to bring in a new measure, knowing the pressures that they had that existed for them to grab at taxes wherever they existed, failed to take into account that there are already income-splitting rules, very well defined, that preclude and prevent any company that may be a division within the Province of Manitoba having a head office in some other province from, in essence, taking those funds and showing them on the corporate income side in that province and therefore allowing that corporate entity to flee and escape Manitoba taxation.

It is my understanding that is prevented, that cannot occur, and yet the Government, when they were in position, the former NDP Party when they were in Government, I should say openly indicated, openly said that they had found a loophole. We believe Inco to be a good corporate citizen. We honestly believe that they pay their taxes as is expected of them, and indeed to put forward something called a refundable tax which was not really refundable, in our view, displayed not open Government but closed Government, one that did not in any sense, in any fashion attempt to consult and understand the important role that company and indeed others play within the context of the Manitoba economy.

Let the Leader of the NDP (Mr. Doer) then, when he hurls these comments across the floor that we allowed Inco to escape \$15 million of taxation income, let him be a little more forthright and a little bit more candid as to the vehicle that the former Government was considering, and let him indicate firstly that it really was not workable, and secondly it was not a refundable tax. If that Government of the Day wanted a higher level, why then did they not suggest increasing the mining tax rate not to 20, as we did, but far beyond that, because in essence that is what they would have had to do to secure the \$15 million?

To end my point, companies would have to pay this tax on top of income taxes both here and in other jurisdictions. In our view, this would be inappropriate and put the future competitive position in Manitoba mining at risk.

The Member for Flin Flon (Mr. Storie) says all they have to do is change their operations. What he is asking them to do is to take Inco out of a division and set up a Manitoba Inco company. That is something that they could do, but we are satisfied that the income-splitting rules that are in place, indeed with a little closer monitoring, can ensure the same effect, that they pay their full share. If the Members opposite had wanted to extract a greater amount of punitive taxation, what they should have done then was be so bold as to suggest that the mining rate should not stop at 20 percent but should maybe go to 25 percent, not try to hide it in the terms of a different so-called refundable tax.

As noted in the Budget, the Mining Association has agreed to work with Manitoba and other jurisdictions

to propose changes to the federal-provincial tax allocation rules. The Bill provides for the deductibility from income for mining tax purposes of expenses relating to research towards the development of new products or uses of minerals produced in Manitoba. The Bill eliminates the minimum processing allowance and the new investment credit. It will also limit the number of open years for mining tax reassessments to six years. These measures add some \$21 million to provincial revenue. At this time, I might say \$21 million by the latest estimate is probably a very conservative estimate.

The Revenue Act: this Bill provides a number of exemptions from the Land Transfer Tax. Transfers of properties by the Director of The Veterans Land Act to a veteran or the spouse of a veteran, unlike conventional mortgage arrangements of property purchased by a veteran under the VLA, was registered in the name of the director until the final mortgage payment was made. A strict application of the land transfer tax which charged tax based on the current value of the home when the last mortgage payment was made, even though the veteran had effectively owned the home from the time the mortgage was first applied. This will address that problem, no tax payable therefore.

Secondly, transfers to charitable organizations which are registered charities under The Income Tax Act, in most instances, the non-profit organizations provide services or benefits to the public which might otherwise be provided by Governments, at greater expense I might add. The exemption recognizes their ongoing contributions to society.

Thirdly, rollovers of property from a wholly-owned subsidiary to a parent corporation on winding up, land transfer tax legislation applied the full 1.5 percent land transfer tax even in situations where a corporate group required restructuring to share its ongoing viability, and the associated jobs and income. In our view, application of the tax in such circumstances was an inappropriate impediment to needed corporate restructuring in Manitoba.

Again, and probably the most important element to the removal of the application of this tax in some respects, Bill No. 30 also rescinds Section 41 which sought to apply land transfer tax to the value of land owned by a corporation when its shares were sold. This provision, Section 34 under the old statute, proved unworkable. While application of the provision was suspended by the former Government, its retention on the books was a concern to businesses with actual or potential operations in our province. Here was a provision that was written again into an Act, hastily brought forward for the consideration of all representatives under the guise of a land transfer tax, a provision which attempted to somehow lay a tax on share transfers, yet not a dollar was collected.

The requirement in bringing in the tax—or bringing in was hard cash by the former Government. They brought forward a methodology without process, without application rules, not knowing how it would work. Their estimate of revenue fell short by 50 percent because this one area in particular was unworkable.

That is the way the former Government brought in tax measures, accepted the concept but brought in a measure without definition, without process. It could not work. Again, that is how desperate the former Government was to attack real property.

These adjustments are designed to ensure more equitable application of the land transfer tax, tobacco tax. The increase in tobacco tax is amounting to nine-tenths of a cent per cigarette and proportional increases on other fine cut tobacco products will add some \$6.4 million to revenues this fiscal year. They may also contribute to the decline in use of these products. Revenue decreases resulting from the decreased consumption are expected to be more than offset by health care cost reductions in the longer term.

\* (1640)

Bill No. 30 also contains a number of minor technical changes to the taxation statutes mentioned, as well as to The Motive Fuel Tax Act. Let me address this particular Act. This Bill does not contain a local motive fuel tax rate increase that the New Democratic Party were so intent on implementing. We chose not to increase that tax for very compelling reasons. First, the current rate is almost triple that of any mainland province other than Saskatchewan. Second, the rate has been increased from 4.8 cents per litre in 1983 to 13.6 cents today. Thirdly, high Manitoba taxes operate in direct conflict with Manitoba's economic objectives, including the maintenance of a substantial railway presence in the province. As all Members know, both railways are major employers in the maintenance and operations in this province. Fourth, we have no desire to add to the transportation costs facing western provinces and farmers particularly in light of the 1988 drought.

I find it appalling that the Leader of the NDP particularly would attack us for not increasing the motive fuel tax. Here we have a situation where we are the envy of many other districts within the land having centred within this province such a railroading presence. Companies that pay a very large taxation in real estate, in income tax and also in payroll tax, employ people and keep the economy of this province, generally support it. Yet, the Government of the Day formerly wanted to again levy a major increase in motive fuel tax. If one can ensure that fuel tax in itself would have stayed with the company and would have represented money flow from head offices in Montreal to Toronto and Toronto to Winnipeg, then I could have found it in favour. All it would have meant was the leveling of those costs on the end user, primarily the farmer of Manitoba. We could not adopt or support that type of policy.

Finally and fifthly, we were concerned about the effect any further tax-imposed cost increase would have on the long-term viability of the Port of Churchill. Again, every time there is a cost element increase with respect to operating the railways, it just again puts into sharper focus the economics associated with running the bay line. As has become the recent tradition, I will make detail clause-by-clause notes available to the Opposition critics prior to the committee stage of debate on this

Bill. This Bill implements the tax provisions of the 1988 Manitoba Budget which, for the first time in the decade, delivers tax reductions to individuals and businesses which outweigh the tax increases it imposes.

I am pleased to commend this Bill to all Honourable Members. I look forward to their commentary and to their comments with regard to the taxation measures introduced previously, August 8. Thank you.

**Mr. Richard Kozak (Transcona):** I move adjournment, seconded by the Honourable Member for Springfield (Mr. Roch).

**MOTION presented and carried.**

## DEBATE ON SECOND READINGS Cont'd

### BILL NO. 15—THE COOPERATIVE PROMOTION TRUST ACT

**Mr. Deputy Speaker:** On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 15, The Cooperative Promotion Trust Act, standing in the name of the Honourable Member for The Pas (Mr. Harapiak).

**Mr. Harry Harapiak (The Pas):** Mr. Deputy Speaker, I am pleased to stand and participate in Bill No. 15. I know that the previous Members who have gotten up and spoken on this have already mentioned that Bill No. 15 is exactly the same Bill that was being brought forward by the Government of the last Session. When the Member for Churchill (Mr. Cowan) was the Minister responsible for Co-op Development, he was bringing the same Bill forward, so we certainly support the Bill in principle.

As mentioned by some of the previous speakers, this Bill is replacing part of The Cooperative Promotion Trust Act that replaces The Wheat Board Money Trust Act, which was pointed out by several Members who spoke previously that it was passed in 1920 and, since that time, times and conditions have changed which makes it necessary to make some changes here. As was pointed out previously, there is about \$300,000 that the Department of Finance holds in trust, so there is about \$30,000 annually that is used for cooperative promotion.

I guess that is the thrust of the few words that I am going to put on record with this Bill is that principle—and I am reminded by the Member for Lakeside (Mr. Enns) on previous occasions that when you are on second reading that you talk about the principles of the Bill. You do not speak about clause-by-clause discussions of the Act. So I will be following the directions that the Member for Lakeside has given us on many occasions.

I guess I have seen many examples of the cooperative movement in my lifetime when I think back to the development of this country when people got together and worked cooperatively to build barns, schools and homes. When there were very little tools available, they got together and utilized whatever equipment there was available and they built many of these facilities that were required by the community.

(Mr. Speaker in the Chair.)

I can recall as a youngster attending a school in my home town of Cowan. There were two schools in the community. One was five miles in a westerly direction and the other one was six miles in an easterly direction, so we were located somewhere near the middle. My father led a group of people from the community in our vicinity and they spearheaded a movement to the Department of Education to build a third school in our locality. They went to the Duck Mountains, they received the permits, they went to the mountains and cut the required lumber to build the school. One winter, they went in there and cut the lumber and, after seasoning the lumber, they built the school the following year. It certainly was a relief to me because, to begin with, I was walking four-and-a-half miles to school and, once the school was built, it reduced my walk to only a mile. We felt that was a very short distance and I recall going home for lunch at noon hour because it was only a mile.

**Hon. Glen Findlay (Minister of Agriculture):** "Participation" is in the thing.

**Mr. Harapiak:** Yeah? I think that the the Minister of Agriculture (Mr. Findlay) should maybe look at what some of our youth of today are doing. When they have to walk a mile to school, they want their parents to drive them and pick them up, and then if they have to have any participation, as he says, they need to have a ride. So if they look back at some of the "participation" that we got in those days, and I know that they do not often believe us when we share those stories with them, but they are in actual fact true.

One other area that I recall—the Minister of Agriculture makes those comments—that is one of the areas that I quite often see as a lack of cooperation in the agricultural industry. I know that people who are involved in the agricultural industry are usually very independent souls who want to own their own equipment and carry out their operations on their own, and I admire that, but I still think that there is a lot of room for much more cooperative use of equipment because the equipment is a very expensive part of operating nowadays. I think if there is more cooperative use, then I think there would be more farmers surviving.

\* (1650)

I recall back in the early days of farming, I know that agriculture was on a much smaller scale at that time because most farmers only had a quarter or maybe two quarters, so they were able to utilize a couple of threshing machines in the entire community. About a dozen farmers used to get together and utilize teams of horses on their own and get together and do the harvesting in a cooperative way.

I recall back in 1952—we did not do our harvesting that fall because of an early snowfall. Our crop stayed out in the fields all winter. It was the spring of '52, I was quite a young person at that time. We were having difficulty getting people to do the threshing at the spring of the year. So my dad had to take me out of school and I had a threshing team on my own and I felt very

grown up. Although I was only 13 years of age, I participated as a regular person of that crew. So I felt quite good about the responsibilities that I carried out in those days.

I really think that there is a lot of room for cooperation in this area. One other example of a cooperative group getting together was when I lived in Sudbury in my youth and worked as a miner. There was a group of people who got together in the community of Wahnapiitae where they formed a cooperative. There were about 10 of my friends who were plumbers, electricians, bricklayers and labourers from all different walks of life who got together and built a dozen homes via the cooperative route. I know that there are not many of them who could afford to buy a home in those days, but because of the fact that they were able to give their labour, then they all wound up with new homes at a much lower rate than they would have if they would have been buying their homes on the marketplace.

So I think that there are many examples of where the cooperative movement has worked very well. I know that there have been a lot of discussions between previous Members who spoke on this Bill. I know that the Member for Lac du Bonnet (Mr. Praznik) told us a bit about his interpretation of how the Conservative record is in regard to the development of the cooperative movement. I guess there were several of our Members who took exception to that, because they felt that the previous Conservative Governments had been bad for the cooperative movement.

I guess some of information that was shared with us by the Member for Churchill (Mr. Cowan), who was the Minister of Co-op Development, he showed very clearly that during the Schreyer administration the cooperative movement really blossomed in Manitoba. There were many incorporations and they did quite well. During the year of the Lyon administration, the cooperative movement took a step backward and it went down to a low of, I believe, in one year, there was only one incorporation. So I am sure that the Members of the Conservative Party are not very proud of that record and I guess that, once the New Democrats were re-elected again under the leadership of Howard Pawley, we made the decision that the Co-op Department would once again be used as an economic development tool. I think that anybody who would care to check the record and see how much was developed under the leadership of the Member for Churchill will see that we were quite successful in using the cooperative movement to do a lot of economic development in Manitoba during the Pawley administration.

Quite a record had been established by the Co-op Department during the leadership of the Member for Churchill (Mr. Cowan). I know in one particular year, two years ago, there were 60 incorporations. I know there are several in my constituency that were established and they are doing quite well. I hope that the leadership that was shown by the Member for Churchill is continued by the Member for Brandon West (Mr. McCrae), who is now responsible for the Co-op Department, although it is just a part of his department now. They no longer have a Department of Co-op Development, and I think it is unfortunate because I

think when it is shown that the Government does not believe in the Department of Co-op Development and utilizing that Department of Co-op Development as an economic stimulant then it is demoralizing for the staff. They do not do near of the promotional work that they would normally do. So I hope that there are some efforts made by the Minister who is responsible for Co-op Development now and show some encouragement for the people.

One of the areas that was raised by the Member for Thompson (Mr. Ashton) was the fact that the co-op gas bar was established in the City of Thompson and has flourished in an environment where it has dropped the price of gas down 10 cents a litre on many occasions. On recent occasions, the other oil and gas companies have finally decided that they have had enough of the co-op movement and they were going to make an effort to rid themselves of the co-op, so they have participated in a gas war. That is something the people of northern Manitoba do not often have an opportunity to take advantage of is a gas war. There seems to be cooperation amongst the gas companies there that we have a price and there is no opportunity for a gas war. So the people in Thompson were fortunate that the co-ops were established there, and they were able to survive the efforts of the oil companies to try and break them by having an all-out gas war.

I know that the gas bar co-op in Thompson will continue to survive because they have served their membership well. I know that they will continue to do well because there are other co-ops establishing as well. In my constituency of The Pas, in the community of Grand Rapids, there have been efforts made by the Native community there, by both the band and the Metis community, to try and start a co-op. I have worked very diligently with the members of Grand Rapids to try and bring that in. They are at a point now where they have established a site and I am sure there will be gas flowing from those gas pumps by the spring of next year. I hope that there is some reciprocal agreement with the Thompson people, because quite often the people who travel from Thompson to Winnipeg—and also the people from Grand Rapids travel to Thompson—they can reciprocate and utilize each other's co-op and it will certainly help develop the cooperative movement.

\* (1700)

I know in the community of The Pas, they also have property where they will be establishing a gas bar there as well. I hope that is operating by the fall of the year. I know that there has been some resistance amongst the gas distributors in The Pas at this time to try and stop that gas movement, but the people who have been supporting it have gone out and bought a lot of shares. They believe that there will be a benefit to them in the long run. So I am sure that the gas will be flowing from those pumps by the spring of the year as well.

While I am talking about the distributors in The Pas, I want to mention that I do not think that the independent gas retailers are not gouging the company there. It is just that the gas companies on their own have a formula set up where they charge a much higher

rate at the wholesaler level in northern Manitoba than they do in southern Manitoba. So it is not the retailers who are making a large amount of profit. It is the wholesalers who are charging the retailers a much higher rate. That is something that cannot be controlled by the retailers, so I do not fault them in any way but I think that, once the co-op gas bar is set up, then I think that they will encourage more competition. So I guess maybe Imperial Oil and Gulf and Texaco will all be willing to reduce the wholesale price of that gas.

While I am speaking on the gas bars, I would like to bring in the final report of the Commission of Inquiry into gasoline prices in Manitoba, which was done by Costas Nicolaou, and that was an inquiry that we, as a Government—as a matter of fact, the Minister of Consumer and Corporate Affairs, Mr. Al Mackling, at that time was the Minister responsible. He had Costas Nicolaou named as commissioner to look into this very important issue. I know that there was a lot of work done because of this inquiry into the price of gas that a lot of the Native communities are paying for the gasoline. There were co-ops established in many of the reserves in northern Manitoba which had a dramatic decrease and brought about a dramatic decrease in the price of gas for those Native communities. I know that because of the winter roads being in that area there was a decrease by, in many cases, of more than \$1 a gallon. So I hope that the contribution to the co-op movement—

**Mr. Speaker:** Order, please. When this matter is again before the House, the Honourable Member will have 24 minutes remaining.

### PRIVATE MEMBERS' BUSINESS

**Mr. Speaker:** The hour being 5 p.m., it is time for Private Members' Business. On the proposed resolution of the Honourable Member for The Pas (Mr. Harapiak), Private Member's Resolution No. 3, standing in the name of the Honourable Member for Wolseley (Mr. Taylor).

I will be making a statement before I recognize the Honourable Member.

### SPEAKER'S STATEMENT

**Mr. Speaker:** There is a matter respecting this motion which I believe I should bring to the attention of the House. On September 12, I ruled against the matter of urgent public importance respecting the Rafferty-Alameda Dams, in part on the grounds that the matter anticipated another matter already on the Order Paper, namely, the Private Member's Resolution legitimately before the House for debate today. The House, in its wisdom, chose to overturn my ruling, which is its right.

Doing so has placed the House in the unique position of reviving debate on a subject on which debate had previously been concluded, which is contrary to the Rules of this House.

I raise this matter because I believe all Honourable Members would want to be aware of this, and because

I do not believe that the House would want these unusual events to be interpreted at some time in the future as a precedent for allowing revival of debate as a normal way of proceeding.

### PROPOSED RESOLUTIONS

#### RES. NO. 3—SOURIS RIVER DAM PROPOSALS

**Mr. Speaker:** Resolution No. 3, Souris River Dam Proposals, standing in the name of the Honourable Member for Wolseley.

**Mr. Harold Taylor (Wolseley):** Yes, thank you, Mr. Speaker—

### COMMITTEE CHANGE

**Mr. Edward Helwer (Gimli):** Just before you begin . . . our committee for tomorrow morning, changes to the Public Utilities Committee. (Agreed)

Mr. Speaker, I move, seconded by the Member for Lac du Bonnet (Mr. Praznik), that the composition of the Standing Committee on Public Utilities be amended as follows: Mr. Praznik for the Honourable Glen Findlay.

#### RES. NO. 3—SOURIS RIVER DAM PROPOSALS Cont'd

**Mr. Harold Taylor (Wolseley):** It is with pleasure that I rise to speak on this very important subject for Manitoba and one, as you are well aware of, that I have put a lot of time and effort in.

I will, however, before getting into my address fully like to at this time move an amendment, seconded by the Member for Niakwa (Mr. Herold Driedger), that

The motion be amended by deleting the first "RESOLVED" clause and substituting therefor the following clauses:

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba call on the Government of Manitoba to demand that the federal Government call full public environmental impact assessment hearings through the federal Department of the Environment or through referral to the International Joint Commission on the impact of the proposed dams on the Souris River; and

BE IT FURTHER RESOLVED that this Legislative Assembly request the Government of Manitoba to withhold approval of any agreement which would in any way concur in the Rafferty-Alameda Project as it is now proposed until the referenced public environmental impact assessment hearings have been conducted and plans developed and negotiations concluded to protect Manitoba's interest; and

**MOTION presented.**

**Mr. Speaker:** The amendment is in order.

**Mr. Taylor:** Mr. Speaker, the Rafferty-Alameda Project has been with us for well over two-and-a-half years in an active form. It has been a dream of many people in southeastern Saskatchewan for decades, would that the concept had been developed and dealt with properly. I, for one, am not satisfied with the way it has been dealt with in the last two-and-a-half years and in, more particular, how it has been dealt with in the last six months.

There was a commitment I believe by the federal Government to conduct a complete and public environmental impact assessment of this project prior to the issuing of a licence. The licence is in place as of the 17th of June this year. The work is well under way on the Rafferty Reservoir. In fact, the earth excavation is well past the half-way point. The cofferdam has already been prepared for the construction of the concrete section of the dam itself this winter. The Alameda Dam will follow shortly on the heels of that one.

We are dealing here with a situation in which there should be a systems approach to this sort of a project so that we know all the impacts, all the extenuating circumstances, and all the interrelationships along every reach of that river. We have instead studies that have been conducted by the Souris Basin Development Authority, a Crown corporation of the Province of Saskatchewan, who has as its chief executive officer the same person as the person who is the head of the Sask Power Corporation, one of the proponents who would be a beneficiary of an adjacent and complementary project, the Shand Generating Station. We will have to some day get into the environmental impacts of the air effluents from that project, I hope in the very near future.

What has happened, however, is that the environmental impact assessment done by Saskatchewan through the SBDA has been one that has been questioned, has been faulted and has come out in fact in the U.S. Army Corps of Engineers Report. It has been referenced in a number of locations in that report as saying that the water modelling studies, the technology of which is very advanced today compared to earlier work that was done on this river basin, in that they have not used and chosen not to use all the historical data available to them. Also, and when it comes to this type of scientific modelling, the calibration of the models, the checking as to whether they are mathematically working and make common sense, this has not been done. Both of those points have been brought out.

\* (1710)

Also brought out by the U.S. Army Corps of Engineers is the fact that the work by Saskatchewan barely extended across the international border into North Dakota, so we do not have a systems approach from Saskatchewan. We have got faulty water modelling, and that relates to both quantity and quality. We have something similar going on in North Dakota. North Dakota, when it did its water modelling, it chose not to do the full length of the river even within North Dakota. In fact, it only did one-half of the river and

not the half adjacent to Manitoba but the part adjacent to Saskatchewan. In addition, it never took an existing case situation and said this is the riverine environment as it exists today and saying, therefore, what knowledge we have is the base and we will go from there. That was never done, Mr. Speaker.

Therefore, we have a faulted study by the U.S. Army Corps of Engineers, in fact, faulted to the degree that the U.S. Environmental Protection Agency only weeks ago said that basically the environmental section of this study must be rewritten. That will probably take a year. It would hopefully come up with results that might be more beneficial to Manitoba and all those concerned. In fact, what pressed the EPA to go that far was the fact that the American National Wildlife Federation was threatening suit of the U.S. Government. If that suit had proceeded, the legal advice that had been given the EPA is that suit would have sustained in court and the U.S. Government would have been in the embarrassing situation of advocating a project, contributing towards a project that did not offer proper protection of environmental interests in the United States.

We have before us the report, or I have here extracts of the report tabled by the Minister of Natural Resources (Mr. Penner). I should say maybe the Minister of Secrecy, given that the Technical Committee on repeated occasions in this House there was no answer given as to what was the make-up of the committee, what was the role of the committee, what was its name, what was Manitoba's involvement. We did not know whether this was a national committee out of Ottawa, an international committee spun off of the IJC, or some other working committee. Lo and behold, it is a committee of our own two Departments of Natural Resources and the Environment, and that Minister did not have the courage to tell us and say what they were doing and who was doing it.

That sort of lack of open Government is the sort of game playing that is going on on this issue. We have seen the game playing going on about the deal that was struck between the federal Government and Saskatchewan over Grasslands National Park. Having personally in 1980 taken around petitions across the country advocating the creation of that very park and sending them on to the federal Minister of the Environment at that time, it actually galls me that we have Grasslands, but the price of Grasslands was Rafferty-Alameda. I am saying that is not the price that we are prepared to pay here in Manitoba.

The essence of the report tabled by the Minister yesterday in this House is such that it is rather laughable. They talk about water quantity based upon two faulted studies on water modelling. That is the sort of nonsense that is going on. We also have the wishing for there to be an evening of flows over time. The Americans to date are saying no.

The Americans also are refusing in their draft agreement to make reference to the 1909 Boundary Waters Treaty which is a very principal document and a very advanced document for its time. Canada says, make reference to that water quality statement in that treaty, and the U.S. says no, we will not and we will

not talk about water quality until we talk water quality standards post-dam construction and operation. That is not good enough for Manitoba.

What has to be done, Mr. Speaker, is we do need the benefit of a systems approach. The Minister of Natural Resources (Mr. Penner) keeps saying we are going to have a management system in place for the whole of the Souris River Basin and that will be the answer to everything. I am saying you better know what is going on first. You better not just be talking about two years of field work, but you better have a full impact assessment so that you know what the problems are, you know what the impacts are, and therefore you can put in that agreement what it is that you want out of that management system.

You also should be able to say a posted and a proper public EIS, you should be able to say how should this project be amended? Manitoba has never had the information to do that and certainly has not had the guts to say that, that this project has some flaws, this project needs to be amended, this project should be improved. Until you have that information, you cannot do that sort of thing. That is the sort of thing that must be there before that agreement is signed.

You must also, having the knowledge of what the impacts on the project are, try and amend it as best as possible, then go on and say, what is the compensation to Manitoba? Because compensation will be required. I heard the Minister this afternoon in this House say flooding will not be as great a problem. It states right in the report here there will be flood problems at the Manitoba border. It says in their own report there will be some flooding that was not there before. I would say to the Minister of Natural Resources (Mr. Penner), he better get his hip waders on, because that is what the situation is going to be. The compensation of \$200-and-some-thousand offered by the U.S. Army Corps of Engineers and in their Budget for this year is for that very flood damage. I would like to know what other damages there are going to be. With less water, lower flows, higher temperatures in that water, greater evaporation rates, we are going to be carrying more pollution in that water at higher densities, we are going to have silting in of those river beds and dredging is going to be a requirement which in place it is not there today.

We are going to have further degradation of the biota in those waters because of its polluted state and it is slow moving, we are going to have negative impact on the wet lands adjacent to those river courses. That is the sort of negative aspect. That is the sort of not looking at that is going on by this Government and is the reason that the Liberal Party in this House will be supporting the resolution in its amended form, in the fashion of the amendments that we have read out here this afternoon.

I am hoping that we are going to see some taking off of the blinkers that are on, the blinders that are on, on the part of the Government Members and say for once that the environment is too important to be playing these silly little games that are going on. If somebody maybe dropped the ball earlier on this thing but is prepared to pick it up now, I say good to them.

But when I see a Government choosing not to carry the ball, then I say enough of that sort of nonsense because that is exactly what is going on. I, for one, am not going to stand by and let this nonsense go on any further.- (Interjection)- Wish you could get on your boxcars for a change.

**Mr. Speaker:** Order, please; order, please. I hate to interrupt the Honourable Member while he is in full flight, but I would ask the Honourable Member to kindly withdraw the words "guts," which is unparliamentary.

**Mr. Taylor:** I would ask, Mr. Speaker, in withdrawing that expression, guts—

**Mr. Speaker:** Thank you very much. I would like to thank the Honourable Member for Wolesey.

**Mr. Taylor:** —is intestinal fortitude acceptable?

**Mr. Speaker:** The Honourable Member has withdrawn the word. Thank you very much.

**Mr. Taylor:** I will continue. The report that we received in the House yesterday had absolutely no new data, had no Manitoba studies. It had existing data only. It had existing faulted data, a great basis for a set of assumptions and a set of conclusions and a set of recommendations to this House and to the people of Manitoba. I think we as a House of representatives can do a heck of a lot better than that. I am looking for some leadership on the other side, something that has been lacking on this. All we have had is a lot of closed-mouth stories.- (Interjection)- That is right, Jack, a lot of lack of information that has been not forthcoming. I have never seen stonewalling. If there was an award to be given in 1988 for stonewalling in Manitoba, that Honourable Member, the Minister of Resources (Mr. Penner), should be front and centre as the winner. In fact, I will make a recommendation to that effect.

\* (1720)

**An Honourable Member:** Stonewall Penner.

**Mr. Taylor:** Stonewall Penner, or polluting Penner, either of which might be appropriate. At least "Boxcar Harold" found the boxcar and checked it out, which is more than we can say for "Fast Eddie" with the slow answers.

Anyway, Mr. Speaker, the jibes from the other side indicate a lack of seriousness on the subject matter as a whole. I would like to give and take as much as the next person in this House. I would hope that they are listening seriously because there are concerns about water quantity, about water quality, about environmental impact studies not done, about the fact that we do need a systems approach front end, not post facto the dams. It is about time Manitoba knew what those problems were, had the protection it deserves, knew what sort of compensation that was required after we tried to improve the project. I hope there is some listening going on on the other side because to date we have not had a lot of it. I would hope—

**Mr. Speaker:** Order, please; order, please. The Honourable Member's time has expired.

**Mr. Harry Enns (Lakeside):** I find myself compelled to make a few comments to this resolution, Mr. Speaker, to firstly congratulate the wisdom, the courage of the Government of Saskatchewan to proceed with this much-needed development known as the Rafferty and the Alameda Dam. I can tell you that although the representations made in this Chamber would make it appear that somebody else all of a sudden got an idea of building a dam, that just did not happen that way.

It can be taken as a given that there are some 20 years of studies by the PFRA Organization, by the federal Government, by the Saskatchewan Governments, added to those more recent ones by the United States Corps of Engineers, just as there are studies gathering dust in the Honourable Minister's office that called for the building of the Patterson Dam, a high level Souris River Dam, our own Souris River Dam in Manitoba. It seems to me that, although it is also accepted, certainly by myself, that in the 1980s and in the 1990s there has to be a continuing watch and concern about what we do to our environment.

It seems to me that the pendulum has swung to such a degree that I doubt very much whether under these circumstances the political will will ever be mustered by any Government to do those necessary things, undertake those necessary capital projects that can be so important, not just to agriculture but indeed to the communities that service agriculture in these areas and to the province as a whole.

But the building of a dam conjures up in the minds of the militants within the environment movement as being nothing but disaster. Well, in the history of Manitoba, even in the relatively short history of Manitoba, evidence proves otherwise. There probably is no better prime recreational resource in this province than what we have in the Lac du Bonnet area, which after all is a Hydro reservoir which 40 years ago was flooded by some 35 feet in the building of a series of dams along the Winnipeg River.

That did two things. It provided the growing City of Winnipeg with a half-century of dependable, non-polluting energy to this day, and will for another half-century, if not a century, continue to provide that energy—clean, efficient, non-polluting. At that same time it created, as I said, perhaps what would be judged the finest recreational areas that we have, the most sought-after certainly by cottage owners, by weekenders—

**An Honourable Member:** He probably has a cottage on it.

**Mr. Enns:** —in the Province of Manitoba. Moving up several decades, when the Shellmouth Dam was built on the Assiniboine River, we created a lake now called the Lake of the Prairies. Is there anybody here in this Chamber who would for one moment deny the tangible benefits that the construction of that dam, bearing in mind of course that was part of a three capital project, that, along with a Portage diversion, along with the Winnipeg by-pass, or Winnipeg Floodway as it is known, that provided security for the City of Winnipeg, security for the farmers between here and Portage La Prairie,

security for those farmers living on the flats of Brandon from the flooding of the Assiniboine and, Mr. Speaker, created again one of the finest lakes that we now have, sought after by all environmentalists who enjoy the boating, the fishing, the sports angling, the fishing on the Lake of the Prairies. Honourable Members from those areas can attest to that.

So it seems to me that while there are political points to be scored in this debate as to whether or not the Minister is responding or the Government is responding appropriately to the concerns being expressed by the environmentalists, in this case lost completely, it is by far the bigger issue. A Government ought to have the will and I will charge this Government with the will. We should be building our own dam on the Souris River and the plans for those dams are in existence in the Minister's office. The federal Government was prepared to put up 40 percent to 50 percent of the money, of the Patterson Dam, of the Souris Dam, and I say the Pembina River Dam, Mr. Speaker, not without studies, not without studies.

Mr. Speaker, I defy you to read, I defy you to see in the resolution before you, any even glimmer of a positive nature in the resolution. All what they want to do is keep more bureaucrats happy, provide more monies for more consulting engineers. I am not blind to the fact, toady to what is now I suppose a given fact in political life, the big environmental issue. This is what has presidential seekers like Dukakis and Mr. Bush standing knee-deep in sewer water in New Jersey somewhere, saying all what they are going to do for the environment. And that is true, I am a politician, I know that.

But I am also aware of what our province requires. There are some greater environmental concerns. A name in quotation around it is perhaps the "Greenhouse Effect." The geography of our province is such and the survival of our agriculture industry could well depend on our capacity of impounding waters badly needed for the growing years in the southern plains of our province that would assure the safety, support and the security of a viable agricultural future in this province.

The people of Saskatchewan, the Government of Saskatchewan, have recognized it in their need to start doing something about it by their intention to proceed with the construction of these dams and we should be doing likewise. We should be dusting off the plans, not only of those dams that we have seriously contemplated but set aside because of other pressing demands on the public purse, but perhaps, Mr. Speaker, their time has come.

Surely if we face another year as we did the last year and, as much as we all enjoyed this present Thanksgiving Day weekend, let me remind all Members opposite that in the country precious little moisture is falling to replenish the reserves to ensure the crops of next year. As much as we look forward to a mild winter, as we may well get, but if that happens precious little snow will replenish those moisture reserves, whether they are needed by Manitoba Hydro, as we are finding out at the hearings or, even as I have said, for a reasonable expectations of an agricultural crop. So perhaps the priorities of these kind of projects will once

again come to the surface. In my judgment, they ought to.

\* (1730)

We have the unique situation in Manitoba. What water we do have, and Manitoba is blessed in its geographic location with being the recipient of so many waters flowing into us from other jurisdictions, right from the far reaches of the Rockies, from the North, from the Churchill, south Saskatchewan, the Winnipeg River system that reaches right into the mid-U.S. states into the Wisconsin area, drains all of the Lake of the Woods area, our own lesser streams—when I say lesser streams, I am talking about the Red River and the Assiniboine, the Qu'Appelle, the Souris. But our climate is such, Mr. Speaker, that most of that water runs off in a short four- to six-week period in spring time. It sometimes rushes through this city with great gusto, and on up to the North and it is gone, not to be used by the irrigation farmers or the potential irrigation farmers along the Assiniboine or along the Red River, not to be used to safeguard the water supply of our towns that we desperately want to see grow and develop, hopefully with additional industries, processing industries, particularly in the food and agricultural area, all of them requiring a great deal of water.

Retention of water ought to be a basic important factor of life for any Government that has the responsibility and the opportunity to ensure that future generations will have that security. I think sometimes we make the mistake that we tend to visualize only the big projects. I think that there are 101 small projects that we should be looking at in terms of entrapping water.

Entrapment of water, yes, brings about some environmental damage. Somebody's land is going to be flooded. Some sacrifices have to be made. Trade-offs have to be made, whether it is acceptable to flood out very often some of the most productive, valuable flat river land. But we hire engineers, we hire consultants, we hire all kinds of experts to spell out the cost benefits of these projects for us. We then also elect politicians who hopefully from time to time have the courage to carry out and make the political decisions that have to be made from time to time, and not constantly be swayed by what happens to be in vogue, what happens to be faddish in the political field at the time.

Mr. Speaker, residents of this province, particularly the residents of southwestern Manitoba, do not have to be reminded about how important water is to them. If this Minister, if this Government were being besieged at this moment by concerned citizens from the southwest corner of this province saying, hold it, stop the Rafferty-Alameda, stop the dam, you cannot do this, it is going to destroy our environment, it is going to destroy us, then this resolution could have some validity. But for somebody from the community of Winnipeg here to be telling the people in the southwestern, the Province of Manitoba, that they do not know what they are talking about is just plain politicking. The southwest knows what they want.

I encourage this Minister, I encourage this Government to naturally—and I expect them to, that

is also a given—to take the necessary safeguards to make sure that Manitoba interests are not at any time bargained away on the table. I would like them also to take the courage from the example given by that great Conservative administration of Saskatchewan that has the courage to build and undertake this kind of a capital project, to dust off some of the plans that are in his office and that are available to this Government.

My prediction is, and I have never been shy of making predictions, that the bringing back into higher priority ratings of these kinds of projects are extremely essential to the well-being, not simply of the immediate agricultural community, the town, the farmers involved, but to the economic well-being of the province as a whole. We would be well advised, Mr. Speaker, if we—at least if we are going to bring in resolutions of this nature—acknowledge that they are not just building these dams for the sake of pushing dirt and concrete together. They are building these dams because 200 years ago, a man by the name of Palliser (phonetic) told them how dry that corner was, and how important entrapment of water was.

And I am glad, Mr. Speaker, that I belong to a Party that recognizes it, whether it was Mr. Diefenbaker who built the Diefenbaker Dam in that same province, whether it was Mr. Roblin that built the dams in this province, I only hope that this administration has the courage to do likewise. Thank you, Mr. Speaker.

**Mr. Speaker:** Order, please; order, please. Is the House ready for the question?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I have to tell you that I feel somewhat inspired to speak after listening to my colleague with his reasoned argument, his rational approach to this issue. I simply want to say that when my honourable friend, the MLA for Lakeside (Mr. Enns), indicated that the people of the southwest, those people in Melita, in Souris, living along the Souris River, knew more about the decision than the Member presenting the resolution—from his seat, I will admit, because he would not have the courage to put this on the record—he said the people in the southwest do not know anything about this project.

Now, Mr. Speaker, that is calling the intelligence of the Mayor and the Council of the Town of Souris into question, the Mayor and Council of the Town of Melita into question, all of the residents and municipal councils along that Souris River into question. This Member for Wolseley (Mr. Taylor) has more intelligence than the elected municipal officials in the southwest corner of this province who, by and large, are very supportive of this project. Now, where does this man from Wolseley (Mr. Taylor), this new MLA from Wolseley, come to all the intelligence? I guess the simple question we would have to put to him is, has he consulted with the Mayor of Souris, the Mayor of Melita, the reeves of the municipalities involved. No, I suggest he has not spoken to any of those elected municipal councillors because he does not want to talk to them. The facts might distort his ability to use this as a political issue in the House at the time of a federal election. The facts might destroy his political attack.

Mr. Speaker, in terms of the project, the Rafferty-Alameda Project—I spoke to this briefly during the emergency debate. What the project is designed to do, build two dams, store some water in Saskatchewan, water which from time to time—if my honourable friend, the Member for Wolseley (Mr. Taylor) ever took the time to research the news items—from springs in which we have had flooding, he will find the Souris River Valley flooded, and individuals along that valley suffering from flood waters emanating from Saskatchewan. Now, Mr. Speaker, my honourable friend, the Member for Wolseley now (Mr. Taylor) says from his seat, it is going to flood more with those two dams in Saskatchewan.

\* (1740)

Now, on one hand, they say we are not going to get any water and so it is bad; now from his seat he is saying with two dams it is going to flood more. How can you have more flooding if there is less water? That is the argument that the Liberal Party is making on both hands. I go back to my basic premise when this was debated in an emergency debate some month and a half ago. This is an issue chosen by the urban caucus of the Liberal Party as a political issue to advance their perceived concerns over the environment to the detriment of the benefit that this project will be to the residents of southwest Manitoba where they do not have an MLA and, at the rate they are going accusing those people out there being ignorant of the fact, as the Member for Wolseley (Mr. Taylor) has done from his seat, they never will have a Member from that area of the province.

Now, Mr. Speaker, the question is how many meetings have I had? The MLA, the Member for Arthur (Mr. Downey), has been working at public meetings with this project for some years. I suggest he was working on this project when the Member for Wolseley was on City Council in the City of Winnipeg and not even part of this Assembly.

Mr. Speaker, the bottom line on the Rafferty-Alameda Project is that it will provide flood protection because, when you store water on two tributaries, one tributary in the Souris River itself in Saskatchewan, you take the peak flows from springtime and you store them.

Now, the Member is talking about pollution and he is talking about water quality. He is talking about more flooding, he is talking about less water. He is a very confused individual, a very confused individual. When his arguments are taken apart, he sits in his seat and babbles, nonsensically babbles from his seat when the facts irrefutably are presented to him showing how wrong he is.

I wanted to indicate to my honourable friend in the Liberal Party that an outcome of the dam on the Assiniboine River between Russell and Roblin has been the ponding of substantial amounts of water. The benefit downstream, as was so well explained by my colleague, the MLA for Lakeside (Mr. Enns) is: a) flood protection in the spring. But do you want to know what the real benefit of the Lake of the Prairies and that dam was this summer? The real advantage was that flows of water were maintained down the Assiniboine River all

summer to: a) supply the communities along that river; and b) to supply irrigation water for the vegetable farmers and other irrigators along the Assiniboine River. Without that, we would not have had a vegetable crop of the magnitude that is presently being harvested in the Province of Manitoba.

What that would have done is drive the price of fresh vegetables through the roof, because you would be importing them from California where they are grown under irrigation. Now that is the kind of retrogressive policy development the Liberal Party stands for: no development, no irrigation water, flooding in the spring, no water supply during the summer, because that is where they are coming from in their opposition to Rafferty-Alameda. It is exactly where they are coming from because, if we followed the Neanderthal thought process of the current Liberal caucus in this Legislature, we would not have the Lake of the Prairies providing flood protection, water supply, recreation and irrigation water to the Province of Manitoba. Because the Neanderthals in the Liberal caucus 25 years ago would have said, oh, you cannot do this, environmentally it is unsound! What utter balderdash!

Would you like to go to the people of Manitoba today and the people of the City of Winnipeg and say to them, we are going to tear down the dam between Roblin and Russell on the Assiniboine River, eliminate the lake because it is environmentally unsound and go back to the stage of flooding in Portage la Prairie, Brandon, no water supply in the summer? Because I want to remind my honourable friend along the Souris River this summer, this river has not run because there is no water supply. How can you benefit water supply? By storing it when there is surplus available. That, Members of this Assembly, is how we accomplish flood protection, year-round water supplies.

I want to tell my honourable friend, in 1973, I had the opportunity to be a consultant for the then Government of Manitoba. It was an unusual twist of fate. But we studied the impact on southern Manitoba of placing a major dam on the Pembina River. It was called the Pembillier High Level Dam to be built just west of Cavalier in the Pembina Valley, to back up a lake of water some half mile into Canada. The benefits from that were substantial in 1973. I believe the cost benefit, if my memory serves me correctly, was about 1.4 to 1; for every \$1 we invested, we got \$1.40 back.

Now, Mr. Speaker, that dammed the Pembina River. It flooded the Pembina Valley. There were environmental concerns and we knew that. There was the loss of wildlife habitat, for instance, white-tailed deer, because you flooded the valley. The trade-offs were that you established a body of water to prevent flooding, which had about an 11 percent impact on the flood levels in the City of Winnipeg, if you curtailed flooding on the Pembina River, provided a steady water supply for communities downstream from Cavalier in the Red River Valley but, more importantly, put a body of water in place with the utility and value of the Lake of the Prairies.

Talk to pickerel fishermen in the Province of Manitoba. The great unkept secret in pickerel fishing is Lake of the Prairies, and more and more people are finding that. You check the records and you will find the growth

rate of pickerel in the Lake of the Prairies is higher than in any northern lake, or Lake Winnipeg or Lake Manitoba or Lake Winnipegosis. That is because the waters which fill the Lake of the Prairies drain agricultural land. Agricultural drainage waters tend, by the very nature of their source, to be high in phosphates which enriches the water, which causes algae growth, etc., etc., but also causes fish to grow at an enormously rapid rate.

That is the same circumstance as happens right now in the Pelican Lake in your constituency, Mr. Speaker. Some of the fastest growth rates are in those agricultural drained lakes in southern Manitoba.

The argument is that if you pond that water you have an environmental problem. I do not agree with that. I do not agree with that narrow thought. I will agree that in ponding water you will, no question, flood farm land. You will flood some wildlife habitat. That is only natural, because you cannot create a lake without doing that.

We did that in northern Manitoba to provide hydro for us in southern Manitoba, for export to the U.S. The previous Governments of Manitoba did that. There is environmental impact on that, but the benefits over the long run of having less flooding, more secure water supply year-round, a recreational lake with the opportunity to fresh water fish, water ski, swim, ice fish are very, very excellent environmentally sound endeavours.

Unfortunately for the current agenda of the Liberal Opposition, doing something that is of long-run benefit to the province, particularly when it is happening in Saskatchewan and they can dredge up these horror stories and these potential images of trade-offs between the Saskatchewan Government and the federal Government on a park versus a dam, etc., I guess it makes great copy in the newspapers but it is playing the crassest politics with this issue that you can have. My colleague, the Attorney-General (Mr. McCrae), reminds me it is playing short-term politics because that is correct.

\* (1750)

Had we had the Liberal Neanderthal dinosaurs 25 years ago in the House, we would not have Lake of the Prairies. Ask the people of Manitoba if they appreciate having Lake of the Prairies and they will tell you yes.

I suppose we could even go so far as to say, if we had the Neanderthal dinosaur Liberals in the House 30 years ago, we would not have the Winnipeg Floodway. I believe they probably argued against it because they, 30 years ago, are of the same narrow and limited vision that they are demonstrating today. There is not one of you in the City of Winnipeg and all of your Members with the exception of one come from the City of Winnipeg—all of your elected Liberals but one come from the City of Winnipeg. Not one of them would say that the floodway is not beneficial to the City of Winnipeg.

When it is politically convenient, we will argue with them against the moon if we are a Member of the

Liberal Party if it is politically convenient. We will argue that day is night and night is day if it is politically convenient. But in the reasoned overview of what is being proposed, let us take our political narrow blinders off and let us look at a vision of the future. I believe that the Rafferty-Alameda Project will, in the long haul, benefit Manitoba because it will reduce flooding and, secondly, because it will maintain a much more even supply of water in the Souris River.

My honourable friend, the Member for Wolseley (Mr. Taylor) says, maybe. I suppose when the Neanderthal Liberals were in Opposition, when Lake of the Prairies was being proposed, he would have said maybe then. Our honourable friends in the Liberal Party could say maybe, maybe, maybe and never make a decision, but show some vision for the future if you want to represent your constituency in your province. Do not take the narrow, political, partisan view of this that we can win a few votes by opposing this and start looking out for the people of Manitoba. Do not insult the people of Southwest Manitoba by saying they do not know what they are talking about when they are in favour of this project.

**Mr. Gary Doer (Leader of the Second Opposition):**

It is indeed a pleasure to listen to the speeches here this afternoon. I think we can all affirm again that indeed the Dean of the Legislative debate continues to be the Member for Lakeside (Mr. Enns) in his eloquence and his proposal on this project. However, I do disagree with some of his very serious conclusions in terms of where this debate will lead.

The debate has gone on in this House time and time again on the advantages and disadvantages of the Rafferty-Alameda Dam. The documents have been filed; the reports have been read. The reports have been somewhat portrayed as Parties on all sides of this issue would prefer to portray them. Indeed, the latest report, I would suggest, does not end the debate on this issue. It indeed adds arguments, unfortunately I believe, to both sides of this debate.

The Government is claiming that the report indeed gives the Government the position that "great benefits, substantial benefits" were the words that were used by the Government to portray this report in terms of the long-term benefits to Manitobans dealing with the Rafferty-Alameda Dam. But when you go through the report, you cannot find that term and conclusion that there will be substantial net benefits to Manitoba. You are left again with questions about the flow of water, albeit there will be less flooding in certain periods of time. And you are left with the conclusion that the water quality that has been inadequately described already by the U.S. Corps of Engineers, as reported by the United States Environment Committee, has had inadequate information. The whole issue of water quality continues to remain a question that has no answer in terms of this Rafferty-Alameda Project.

So what should we do about it, Mr. Speaker? Well, we can continue to have this debate on either side with each of us gaining solace from the various groups that we feel that have our position and support our position on this issue. We could continue to disagree about the

same reports that are in front of us, disagree about a written sentence. We could talk at length about the tremendous projects that have gone before us in Manitoba and their benefit.

I do not diminish for a moment the short-term advantages of the Floodway. Having worked on the flood projects and sandbagged—I think the year was '66 or '67—as a volunteer for a couple of weeks—'66. In fact, I think I probably sandbagged the Honourable Member's house in that St. Vital area, if I recall correctly. He was probably away in Florida, Mr. Speaker. No, I am sorry, I did not mean that. I know I was back in St. Vital and was sandbagging as a volunteer. So I do appreciate the Floodway. The irony of course, I think, is the Floodway is one of the greatest public projects that demonstrates why you cannot put the issue of private property in the Constitution.

That is what nine Premiers agreed to, that you could not put private property in the Constitution because projects for the public good, such as the Floodway or bridges, etc., would not be allowed if one private property holder would not allow it to go forward.

When we have disagreements about the interpretation of the facts or the interpretation of a considerable lot of studies, we usually go to an independent public third source to referee or judge those disagreements so that, when the final decision is made, it is made by a person or persons who are independent of the partisan politics, who are independent of partisan data or the technical data that is very much part of a negotiating committee, in this case.

We often go to somebody who will provide for the people of Manitoba to get a last and independent hearing of the various and conflicting opinions that are taking place in this province. I have met with people from southwest Manitoba who want this project to go forward and I do not deny that. I have met with a few people who have a lot of concerns about this project. I have also met, well before the Minister of Environment (Connery) issued the licence on June 17, I met with people from the SCRAP position which is obviously opposed to the Rafferty and Alameda Dams. In fact, I met with them in Brandon—

**An Honourable Member:** Those are all your hacks.

**Mr. Doer:** —I do not diminish the people who are for this project. I do not think we should diminish the integrity of the people who are against it. I remember groups of people trying to diminish the role of Mr. McKinney back in the Garrison Diversion project. I do not think it serves any cause, any good at all to diminish the motivation of people who are for or against this project.

Given these fundamental disagreements in our province, given the fundamental disagreements between the political Parties in this Legislature, and I believe with all the sincerest motives in terms of this project, why are we afraid to subject this information to an independent third party, federally-required environmental impact study, where all the reports and all the data can be filed together and one person, just

like a court of law or a panel of people who are experts would hear the information, would hear all sides of the advantages, the disadvantages, the long-term, the short-term effect, and would say, I recommend that the Government proceed with this project in the terms of the issuance of the licence in Saskatchewan, or I recommend that the Government stop.

It seems to me that just makes fundamental good sense. We are not going to resolve this with all the excellent speeches in this House. We are not going to resolve this obviously with all the technical reports that we can start stacking up to here. It seems to me that prudence, in terms of the development of this project, requires us to ask the federal Minister to err on the side of the environment, as he said he would do in the House of Commons on April 19, ask our federal Minister, no matter what political stripe after November 21—and I suggest before November 21—to have an independent environmental study.

Let the people who are in favour of this project go forward. Let the people who are opposed to this project come forward and let us live with the results of this independent environmental study, let us live on behalf of Manitobans with their recommendations. I am perfectly willing to go with whatever a federal environmental impact study will recommend to us as a province, and let us get on with the other very, very important activities that quite frankly we should be cooperating on in terms of our environment, whether it is the greenhouse effect, whether it is the effect of the drought and the long-term impact of the drought on Manitoba, whether it is economic development as it affects the drought, as it affects this economy. Let us get on with these other issues.

\* (1800)

Why can we not just ask for an independent federal environmental impact study where the public have some rights, where politicians disagree or agree from either side, where people for and against can present their opinions? I think that makes good sense. That is why the federal law is there. I applaud the federal Government for amending the federal environmental laws to provide that right. I do not agree with the federal Minister issuing this licence before the study was provided. I think now we have enough disagreement in this House, legitimate disagreement in this province to call on the federal Government to go through with their obligations to have the federal environmental impact study. That is what this resolution calls for. I would be willing to live with the results of that federal environmental impact study, the independent study. I am willing to live with the judge's decision on a court case. I am willing to live with Judge Kopstein's analysis of Autopac when I do not expect that it is going to be terribly positive for the former Government in some of its areas. Why not the same kind of process with this very important project?

**Mr. Speaker:** When this matter is again before the House, the Honourable Member (Mr. Doer) will have six minutes remaining.

The hour being 6 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. tomorrow (Thursday).