

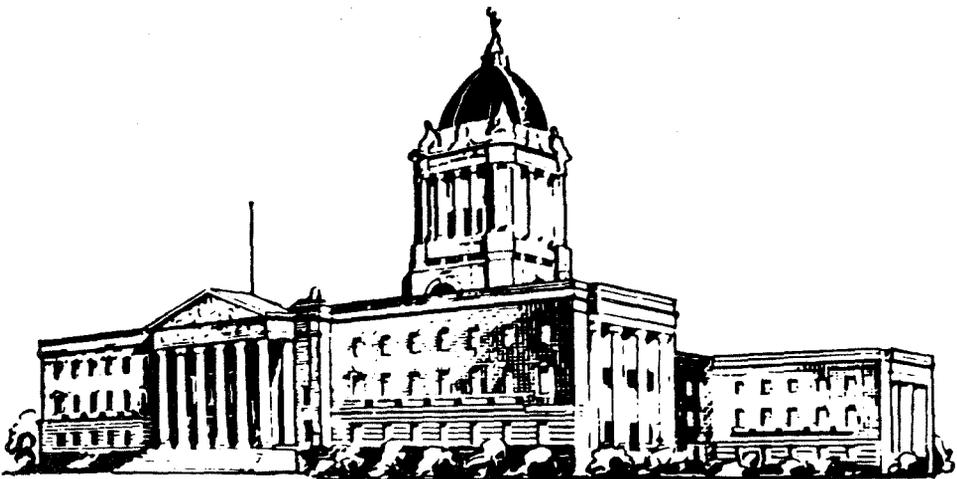


First Session — Thirty-Fourth Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS
(HANSARD)

37 Elizabeth II

*Published under the
authority of
The Honourable Denis C. Rocan
Speaker*



VOL. XXXVII No. 72 - 10 a.m., FRIDAY, NOVEMBER 4, 1988.



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fourth Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, November 4, 1988.

The House met at 10 a.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Mr. Harold Gilleshammer (Minnedosa): Mr. Speaker, I beg to present the First Report of the Committee on Private Bills.

Mr. Clerk, William Remnant: Your Standing Committee on Private Bills presents the following as their First Report:

Your committee met on Thursday, November 3, 1988, at 10 a.m. in Room 255 of the Legislative Building to consider Bills referred. Your committee elected Mr. Gilleshammer as Chairman.

Your committee considered:

Bill (No. 18) - An Act to Amend an Act to Incorporate the Manitoba Motor League; Loi modifiant la Loi intitulée. "An Act to Incorporate the Manitoba Motor League."

Bill (No. 24) - An Act to Incorporate the Dauphin General Hospital Foundation; Loi constituant la fondation de l'Hôpital général de Dauphin.

And has agreed to report the same without amendments.

Your committee has also considered:

Bill (No. 22) - The Liquor Control Amendment Act; Loi modifiant la Loi sur la réglementation des alcools.

And has agreed to report the same with certain amendments.

Your committee recommends that the fees paid with respect to the following Private Bill be refunded, less the cost of printing:

Bill (No. 24) - An Act to Incorporate the Dauphin General Hospital Foundation; Loi constituant la fondation de l'Hôpital général de Dauphin.

All of which is respectfully submitted.

Mr. Gilleshammer: I move, seconded by the Honourable Member for Swan River (Mr. Burrell), that the report of the committee be received.

MOTION presented and carried.

ORAL QUESTION PERIOD

Impaired Drivers Stiffer Regulations

Mr. Paul Edwards (St. James): Mr. Speaker, my question is for the Attorney-General (Mr. McCrae).

The Speech from the Throne speaks of a commitment to deal with the problem of drinking and driving. The recently-released Attorney-General's Annual Report for '87-88 discusses the shocking statistics which came out of the 1986 Roadside Survey of Nighttime Driving Behaviour. One out of every five Manitoba drivers at night has been drinking. One out of every 20 Manitoba drivers at night is legally impaired, yet still 30 percent of Manitoba drivers estimate the odds as 10 to 1 that an impaired driver will be stopped by police. There are obviously a lot of people out there who still think that the crime is getting caught, and that they can drink and drive and not get caught.

Manitobans want their Attorney-General, I believe, to get tough with drunk drivers, not just talk tough. What are the Attorney-General's new plans as promised to deal with this problem, and when will they be in place?

* (1005)

Hon. James McCrae (Attorney-General): Mr. Speaker, indeed the Honourable Member has identified a serious matter in our society, not only in Manitoba, but elsewhere. The Government of Manitoba has made reference to this problem during the election campaign. Presently, there is a committee of Ministers working on countermeasures to deal with impaired driving in Manitoba. That committee is actively pursuing the matters referred to in our election platform. In addition, these Ministers involved: the Minister of Health (Mr. Orchard), the Minister of Education (Mr. Derkach), the Minister of Highways and Transportation (Mr. Albert Driedger), the Minister responsible for MPIC (Mr. Cummings), and myself; in addition to that, there are officials working in all of our departments coordinating the steps we intend to take and announcements will be forthcoming.

Alert Program Public Awareness

Mr. Paul Edwards (St. James): I am happy to hear of this committee within the caucus. We, however, know that the Attorney-General (Mr. McCrae) did not act quickly enough for the people of Winnipeg Beach to help them with the policing in their summer season. Will he act today for the people in Manitoba and commit today, before this holiday season gets into full swing, to widely publicize the ALERT Program so that all Manitobans know that the odds are greater than 10 to 1 of getting caught drinking and driving, and will he

assure Manitobans today of the completeness of this year's program on Manitoba's roads?

Hon. James McCrae (Attorney-General): The Government of Manitoba, I can assure the Honourable Member, is diligently acting on the initiatives that we will be proposing. I can assure the Honourable Member that we see the urgency of such measures just as much as he does in the interests of all Manitobans. For the benefit of the safety of Manitobans, we indeed are working very hard on this project.

Impaired Drivers Licence Suspension

Mr. Paul Edwards (St. James): In terms of new initiatives, has the Attorney-General considered lengthening the mandatory provincial driver's licence suspension which now stands at only three months for a first offence on top of the federal suspension, and has he considered building in a provincial fine for getting your driver's licence back on top of the demerit points and on top of the federal minimum fine for a first offender? Again, I think it is imperative that the Attorney-General, and the Attorney-General has said he realizes this, get tough with drunk drivers. These are initiatives that I would suggest, and has the Attorney-General considered them?

Hon. James McCrae (Attorney-General): I remind the Honourable Member that it was the Progressive Conservative Party that came forward during the election campaign with the proposed initiatives in this particular area. I appreciate the suggestions the Honourable Member has made. Our committee will review those suggestions, along with many others that we are working on.

Dewar Report Availability

Mr. Paul Edward (St. James): A new question to the Attorney-General (Mr. McCrae), and I look forward to action at the earliest opportunity on the drinking and driving.

The Attorney-General has now had the long-awaited Dewar Report for over three weeks. He knows that morale in the Criminal Prosecutions Branch is low. He knows that the public confidence in the department was seriously shaken by that incident. This inquiry was commissioned indeed to deal with just those problems. When will he be making this long-awaited and very important report public?

Hon. James McCrae (Attorney-General): As I have said previously, I have the report, I am reviewing it and I will be making it public at the appropriate time. I believe the reaction of the Government to the report is very important for the future of the department and for the future perception of the justice system in our province, as well as the future smooth operation of the justice system. The matter occupies a considerable amount of my time. I can assure the Honourable Member of that, and I will not be rushed in terms of bringing forward the proper response to the report. But I can tell the Honourable Member we are working hard on that.

Victim Impact Report Availability

Mr. Paul Edwards (St. James): Again, for the Attorney-General (Mr. McCrae), it was with some interest that I noticed in the '87-88 Annual Report for the Attorney-General's Department that was recently tabled in this House that the apparent total success of the Victim Impact Statement Project was mentioned as a highlight, yet the Attorney-General has been sitting on the assessment report of this project for over four months now.

My question is, when will he be getting to this report, and how long will the victims of crime in Manitoba have to wait for a definitive decision on the continuation of this very important statement project?

Hon. James McCrae (Attorney-General): The Victim Impact Project is a project confined not just for the Province of Manitoba. That part of the project that is being conducted or has been conducted in the Province of Manitoba is one part and must be viewed in the context of pilot projects going on in other provinces as well. That assessment is under way, that assessment of how we can proceed in the future is under way. It is not a matter of holding on to a report. The work is still being done.

* (1010)

Native Justice Inquiry Gag Order Clarification

Hon. James McCrae (Attorney-General): While I am on my feet, I would like to refer to an issue raised yesterday in this House and raised in the media, reference to civil servants appearing before the Inquiry on Native Justice in Manitoba. There were two people identified in the newspaper reports as having been denied the right to appear. That was something they reported to the Commission of Inquiry. We know now that the one person was not an employee of the federal Government but an employee of the band. Now I can report that the person reported as being an employee of the Probation Service of my department was indeed not an employee of the Department of Attorney-General but a volunteer probation officer.

Mr. Speaker: The Honourable Member for St. James (Mr. Edwards), with a final supplementary question.

Mr. Paul Edwards (St. James): Getting back to the project, I invite the Attorney-General to table the assessment report if he is not sitting on it. It has nothing to do with lobbying the federal Government with respect to amendments of the Criminal Code which are required. I would certainly like to see that report. I am sure many Manitobans would.

Deputy Attorney-General Acting Status

Mr. Paul Edwards (St. James): Finally for the Attorney-General, Mr. Speaker, the Attorney-General's

Department has now had an Acting Deputy Attorney-General since July. When will the Attorney-General be getting around to making a decision as to a permanent Deputy Attorney-General so that his department can get back into full swing? In that, I also ask for the Dewar Report to deal with the administrative problems in this department and get this department's morale back up to full swing and get the department back up to full swing.

Hon. James McCrae (Attorney-General): I hope that the Honourable Member was not making any comment on the quality of the Acting Deputy Attorney-General who we have working with us at the present time. I certainly would not want to associate myself with any of those kinds of comments.

I think the Honourable Member somehow is missing a few things that have been happening in my department since the change of Government on May 9. I can remind the Honourable Member about the changes at the Land Titles Office in Winnipeg that were taken immediately and the improvements made. I can remind the Honourable Member about the work that has gone into restoring RCMP services into rural Manitoba. I can remind the Honourable Member that we now have again an Independent Law Reform Commission in this province.

Those are just three things that came to my mind immediately. But, Sir, much has been done since May 9. I am proud of the work done by the people who work in the Department of the Attorney-General. We have a fine department. No department is without problems. Those problems we are addressing ourselves to.

Free Trade Agreement Impact Social Programs

Ms. Judy Wasylycia-Leis (St. Johns): There is a very important national debate going on in this country concerning the impact of the trade agreement, the Mulroney-Reagan agreement, on social programs. But regrettably, here in this province we have a Government and we have a Minister of Community Services (Mrs. Oleson) who has not shown any interest in that debate, who has not given any insights into the very critical issues of that debate.

In fact, on September 22, during Estimates, the Minister of Community Services said she had not read the trade agreement. My question is to the Minister of Community Services. Given that she said also in Estimates that the trade agreement, in her opinion, would have no impact on social services, is the Minister now in possession of any information, any documentation which shows that the trade deal will have no effect on the management of social services?

Hon. Charlotte Oleson (Minister of Community Services): I should remind the Member that the Free Trade Agreement has to do with commerce. It is a commercial agreement. It does not involve social services.

Mr. Speaker: The Honourable Member for St. Johns (Ms. Wasylycia-Leis), with a supplementary question.

* (1015)

Ms. Wasylycia-Leis: As I said, Mr. Speaker, we do not have a Minister or a Government prepared to engage in this important debate.

My further question to the Minister of Community Services (Mrs. Oleson) relates to the fact that she is in possession of material from members, staff of her own department, pertaining to the negative impact of the trade agreement on social services, the management of social service institutions. I am prepared to table that memo that was prepared for this Government to equip it to run this Government after its election.

My question to the Minister of Community Services is, can she now confirm, has she read that briefing note from her staff? Can she confirm that under the Canada-U.S. trade deal, social service management firms will be free—firms from America, firms that are in the profit realm of the economic sector—to take over the management of Manitoba's social programs, and that the Manitoba Government would have no recourse in the event that happened?

Mrs. Oleson: The Government manages our social programs in this province. I see nothing that would indicate to me that definitely they would be jeopardized by free trade.

Some Honourable Members: Oh, oh!

Hon. Donald Orchard (Minister of Health): Quit being a falsehood spreader.

Mr. Speaker: Order, please. The Honourable Member for St. Johns, with a supplementary question.

Ms. Wasylycia-Leis: I just heard the Minister of Health (Mr. Orchard) suggest that I was spreading falsehoods. I would ask, on a point of order—

Mr. Orchard: Mr. Speaker, on a point of order.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. The Honourable Minister of Health (Mr. Orchard).

Ms. Wasylycia-Leis: I am on a point of order, sorry.

Mr. Orchard: Mr. Speaker, on the—

Ms. Wasylycia-Leis: He started it.

Mr. Orchard: My point of order first. Mr. Speaker, on a point of order, I did not accuse my honourable friend, who was posing a question, of spreading falsehoods. I made that allegation to the Member for Brandon East (Mr. Leonard Evans) that he is spreading falsehoods.

Some Honourable Members: Oh, oh!

Mr. Speaker: The Honourable Member does not have a point of order. The Honourable Member for St. Johns (Ms. Wasylycia-Leis), with a supplementary question.

Ms. Wasylycia-Leis: I would hope that no Member in this House would accuse another Member of spreading falsehoods. I raise this issue today because I am concerned that the Minister of Community Services (Mrs. Oleson) would stand up in Estimates and say she has not received any concerns from staff and tell us today, give us no indication that she has read the briefing note provided for her and has in fact misled the House, not intentionally but has misled the House in terms of this agreement and the impact on social services.

My question to the Minister of Community Services (Mrs. Oleson), I want to know if this Minister and if this Government are prepared to at least assess the situation, tell us if we are wrong, if those analyses are wrong, or if—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. I have understood the Honourable Member's question.

Mrs. Oleson: Yes, I would like to indicate to the Member that she is wrong.

Some Honourable Members: Oh, oh!

Mrs. Oleson: I have seen nothing to clearly indicate to me that there is definitely a danger to social programs in Manitoba by the introduction of free trade.

Mr. Speaker: The Honourable Member for St. Johns, with a supplementary question.

Ms. Wasylycia-Leis: It is regrettable that we have a Minister who is prepared to say that there is nothing to indicate to her that we are wrong, but she is not prepared to even look, research or read any of the material. That is a shocking statement to the people of Manitoba.

Mr. Speaker: Order, please; order, please. Does the Honourable Member have a question?

Ms. Wasylycia-Leis: My supplementary question is to a new Minister on a related matter. It is to the Minister—

Mr. Speaker: Will the Honourable Member kindly put her question now?

* (1020)

Impact Cultural Industries

Ms. Judy Wasylycia-Leis (St. Johns): Yes, Mr. Speaker. My question on this same area of concern is to the Minister of Culture, Heritage and Recreation (Mrs. Mitchelson). Given that there was a report today on the news that the Ottawa Citizen has revealed that there is an administrative strategy accompanying the American trade bill on this Canada-U.S. Trade Agreement that cultural industries would be the first area, a priority area for targeting of American enterprises and for involvement in our economy, could

the Minister of Culture, Heritage and Recreation (Mrs. Mitchelson) tell us what measures she has taken to ensure that cultural industries here in Manitoba will be protected from such economic interventionist moves on the part of American firms and the American Government?

Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Recreation): I would be pleased to answer that question, because as long as we are Government in the Province of Manitoba, cultural industries will be protected.

Some Honourable Members: Hear, hear!

Mrs. Mitchelson: Mr. Speaker, I want to indicate to the House that Manitoba has depended on trade with other countries for many years. We are dependent on trade now and we will continue to be dependent on trade. The major problem with not having a Free Trade Agreement is that we are in danger of losing what we presently have now with the United States, protectionist measures that could be taken by the United States if we did not have a trade agreement would be more detrimental to us as a country.

Some Honourable Members: Oh, oh!

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

Meech Lake Accord Free Vote

Mr. James Carr (Fort Rouge): My question will be shorter than the last one posed.

Some Honourable Members: Hear, hear!

Mr. Carr: I would like to direct it to the Premier (Mr. Filmon) if I could. All Manitobans this week were glad to welcome the Premier of Quebec in his visit to our good province. It again focused our intention on the issue of the Meech Lake Accord. One of the issues that came out of the Premier's visit to Manitoba was the whole notion of a free vote on the Meech Lake Constitutional Accord. As the Premier will know, the Leader of the Opposition (Mrs. Carstairs) has stated many times that her caucus will be free to vote any way it wants, according to its conscience on the Meech Lake Accord.

I wonder, given the fact that there seems to be a diversity of opinion within the Conservative caucus—

Mr. Jerry Storie (Flin Flon): On a point of order, Mr. Speaker, the Member promised—

Mr. Speaker: Order, please; order, please. The Honourable Member for Flin Flon (Mr. Storie) does not have a point of order.

Mr. Carr: I wonder if the Premier (Mr. Filmon) will offer the same freedom of choice to the Members of his caucus that my Leader has offered to Members of ours.

Hon. Gary Filmon (Premier): I am glad, firstly, that Premier Bourassa accepted the invitation of the

Canadian Club to come to Manitoba so that he, once again, focused an opportunity for a question by the Member for Fort Rouge (Mr. Carr) on Meech Lake. I know that he was having difficulty in finding a preamble that would get him into this sort of questioning. I am delighted that he now has had that opportunity.

Mr. Speaker, I would like to address that particular issue about the Leader of the Liberal Party (Mrs. Carstairs) suggesting that now her caucus were free to vote in accordance with their conscience because in April of this year she said unequivocally after the April 26 election campaign that every single Member of her caucus was against the Meech Lake Accord. She repeated that, she repeated that at the start of the legislative Session after the Throne Speech this year. In early August, she is on the record as saying every single Member of her caucus is against the Meech Lake Accord.

I would not then, a number of months later—in response to trying to look as though she is conciliatory and reasonable and willing to listen and be considerate of the views of Manitobans that she then says, well, they are free to vote as they choose as long as they vote against the Meech Lake Accord. That is nonsense and I will not stand for it.

* (1025)

Mr. Carr: Mr. Speaker, we are a little tired of the Premier's (Mr. Filmon) accusations of nonsense. The Leader of the Opposition (Mrs. Carstairs) has offered a free vote to her caucus ever since this was debated back a number of months. By the way, the Premier (Mr. Filmon) has not yet told this House whether or not he will allow a free vote in his caucus. Will he or will he not?

Mr. Filmon: Mr. Speaker, unlike the Liberal Party that has taken the very open position of saying it does not matter what the people of Manitoba say in their presentations before the open public hearing—we are against it, Meech Lake is dead, that is what they said. That is the kind of openness, that is the kind of open mind that they have about the views of the people of Manitoba.

We in the Progressive Conservative Party of Manitoba have been consistent. We have said we fought hard for the assurance that the people of Manitoba would have open public hearings, free and open public hearings throughout this province of ours so that their views could be put on the record. After we hear those views, we will then take a position on the Meech Lake Accord, unlike the Liberal Party under their autocratic Leader, under their closed-minded Leader—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, order, please.

Mr. Filmon: —who has said that it does not matter what the people of Manitoba say. They will bring down the Meech Lake Accord. That is their position.

Mr. Carr: Mr. Speaker, the people of Manitoba will not be fooled. The answer is no, there will not be a free vote.

Introduction to Legislature

Mr. James Carr (Fort Rouge): On a related issue, the Premier (Mr. Filmon) has mused aloud in the press and so have many Members of his own caucus that the Meech Lake Accord will be introduced after Estimates, but he has not said that to the Members of this Legislature. I thought maybe today on a Friday I would give him that opportunity. When does the Premier (Mr. Filmon) intend to introduce the Meech Lake Accord into this Legislature?

Hon. Gary Filmon (Premier): Mr. Speaker, just so that nobody is putting words in my mouth and I know that nobody would believe what the Member for Fort Rouge (Mr. Carr) was saying in terms of what my position might be on the Meech Lake Accord, I have not responded to his question vis-a-vis whether or not there would be a free vote in our caucus. Only when I am prepared to respond publicly will I say something with respect to that. No amount of his questioning is going to change that matter. When and if I decide to make that position public, I will. The people of Manitoba need not take his views of what my position might be because they probably bear no relationship to fact, as they normally do not.

I will say here in the Legislature, as I have said publicly, that the Meech Lake Constitutional Accord Amendment will be introduced to this Legislature after we have dealt with what we consider to be the important issues in this House, and that is the establishment of Estimates, the spending priorities and the spending assurances for all of the departments of the Government of Manitoba. After those have been completed, we will be introducing the Meech Lake Accord resolution in this House.

Medical Community Government Relations

Mr. Gulzar Cheema (Kildonan): Mr. Speaker, my question is for the Minister of Health (Mr. Orchard). This Government's only solution to the chronic shortage of psychiatrists in Manitoba is to authorize the transfer of two physicians from one place to another without consulting both individuals. Now we see the result of this kind of unilateral action. This unilateral action has alienated the whole medical profession. My question is to the Minister of Health. How does he plan to mend the rift he has created between this Government and the medical community of Manitoba?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, I am very pleased to have my honourable friend pose this question this morning. I wish to correct the factual inaccuracies in his preamble.

First of all, there was consultation with the psychiatrists at Selkirk. That consultation included discussions centering around their temporary secondment to relieve the problem at Brandon. That occurred prior to my statement in the House on Monday. My honourable friend wishes to create a rift between members of his profession and this Government, I do not wish to do that.

* (1030)

POINT OF ORDER

Mr. Speaker: Order, please. The Honourable Opposition House Leader, on a point of order.

Mr. Reg Alcock (Opposition House Leader): On a point of order, Mr. Speaker, at the risk of being chastised by the Government House Leader (Mr. McCrae) for raising once again imputation of motives, the Minister of Health (Mr. Orchard) is clearly imputing the motives of the Member for Kildonan (Mr. Cheema), and I would ask him to withdraw it.

Mr. Speaker: The Honourable Government House Leader, on the same point of order.

Hon. James McCrae (Government House Leader): Mr. Speaker, I think there is a record that is broken around here with regard to imputation of motives. It was not so long ago this morning that the Honourable Member's colleague from Fort Garry (Mr. Laurie Evans) was suggesting that people on this side of the House were spreading fear. What is the difference? We are talking a debate in the House, we are talking questions and answers. The Honourable Member cannot, each time an allegation is made in this House, suggest that people's motives are being impugned.

Mr. Speaker: The Honourable Member for Churchill, on the same point of order.

Mr. Jay Cowan (Second Opposition House Leader): On the point of order, yes, we are engaged in debate, but that debate is contained within certain frameworks, precedents and practices. It has always been the practice that when a Member has made an allegation against another Member that if that other Member rises in his seat and suggests that his motives have been impugned, that the Member apologizes.

The second point is that the Member for Kildonan (Mr. Cheema) has on numerous occasions said that he is not creating a rift and he is not advocating on the behalf of one particular group. One has to take his word in this House for that statement, and that is not being done by the Members of the Government.

Mr. Speaker: Let me thank all Honourable Members, and I will have no other option but to review Hansard.

The Honourable Minister of Health, to finish his answer.

Hon. Donald Orchard (Minister of Health): Mr. Speaker, to continue, there has been consultation. That consultation continues. It continues with the psychiatrists at Selkirk, it continues with the Manitoba Medical Association as the bargaining agent for those physicians. The question which we are asking to resolve is an acute shortage of psychiatric manpower for 300 patients in Brandon, 2,000 outpatients. We are not asking for a permanent transfer of psychiatrists from Selkirk to Brandon. We are asking for up to 90 days

of assistance whilst we, with cooperation from the MMA, resolve the longer-term problem of permanent manpower shortage of psychiatric specialty in Brandon. It is a temporary 90-day solution.

Mr. Speaker: Order, please.

Psychiatric Transfers Government Options

Mr. Gulzar Cheema (Kildonan): Nobody is refusing help for Brandon. My question is this Minister, in view of his error of judgment, we are looking at a resignation of psychiatrists who have been at Selkirk for 17 and 28 years and with the possibility of mass resignations from Selkirk Mental Centre will drive these people away from Manitoba. My question is, Mr. Speaker, could the Minister tell us what were the other options considered before he made this unilateral decision?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, I offer some regret of my honourable friend from Kildonan. We have not negotiated in the newspapers. I have not attempted to negotiate in the Chamber of this Legislature. We have been following the normal process involving the Civil Service contract, the employment and bargaining agent, namely the MMA as representing the doctors' union. We have been in discussions and consultation at senior departmental official level with the psychiatrists from Selkirk prior to my announcement to this House on Monday. We have been following all of the normal bargaining negotiations in an attempt to resolve a very critical problem for 2,300 Manitobans in Brandon needing psychiatric treatment. They are part of Manitoba's population fabric and deserve service, and we are asking 90 days of cooperation from psychiatrists with the experience that can tell us and analyzes what the problems are in permanent recruitment in Selkirk based on their long-term experience in Selkirk, and give us proper direction to future negotiations. That is not an unreasonable request to make on behalf of those 2,300 Manitobans.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order.

Brandon Mental Health Centre Patients' Interests

Mr. Gulzar Cheema (Kildonan): This unilateral action has shown what kind of effect it will have on psychiatric manpower in Manitoba. My question is to the First Premier (Mr. Filmon). When will this Government begin consulting with the people of Manitoba and especially those affected by this disease, instead of reordering their life overnight without knowing them?

Hon. Gary Filmon (Premier): This is a very serious issue. We have a critical shortage of psychiatric professionals at the Brandon Mental Health Centre.

We as a Government have an obligation to look after the needs of those vulnerable people in our society, the psychiatric patients in Brandon, as we do with all

individuals. This is a difficult decision and not one that we take lightly. But we take the responsibility seriously. We cannot be seen to simply represent the interests of one group in this whole issue. We have to look and put first and foremost the interests of the psychiatric patients. Faced with a decision in which we have to ask for the assistance and cooperation of Members of the provincial Government staff, professionals who work as civil servants, having sought their cooperation, ultimately we have to make a decision as to whether or not we will take the lead in this issue and ask, if the volunteering is not forthcoming, issue a directive that we must ensure that these people are protected, that the psychiatric patients who are at risk in Brandon are being looked after adequately. We have taken that decision. We regret that there may be some disagreement with that decision, but we believe it is the only decision that a responsible Government can take.

Free Trade Agreement Impact Energy Resources

Mr. Jerry Storie (Flin Flon): I am reluctant to ask this question in fear that the Minister responsible will continue to be an apologist for the Mulroney free trade deal, but I have a question for the Minister of Energy and Mines (Mr. Neufeld).

I have tabled in this House three legal opinions, one coming from Manitoba Hydro Crown counsel, indicating that the Free Trade Agreement is going to limit our ability as a province to provide incentive rates, preferential treatment subsidies to attract investment in the Province of Manitoba. My question is to the Minister of Energy and Mines. Could the Minister indicate whether he believed that those opinions which indicate our sovereignty as being attacked through this agreement are accurate?

Hon. Harold Neufeld (Minister of Energy and Mines): The fast answer to that question is no, I do not believe that the sovereignty of Manitoba is being attacked.

I think the Member for Flin Flon (Mr. Storie) well knows that agreements will not be attacked under the Free Trade Agreement. As far as all of our energy is concerned, any energy we export is through contract and, inasmuch as it will not be attacked, it will not be affected.

Mr. Storie: The Minister is not being straightforward with the people of Manitoba. In fact, Mr. Speaker, he absolutely contradicted statements which he has made on many occasions.

Mr. Speaker: Order, please; order, please. Does the Honourable Member have a question?

Mr. Storie: Yes.

Mr. Speaker: Will the Honourable Member kindly put his question?

Energy Industry's Future

Mr. Jerry Storie (Flin Flon): The question is, given that this Minister has acknowledged in the Free Press today that the Alumax Aluminum Smelter deal now hinges on whether Manitoba Hydro is going to have the freedom to provide incentive rates, given that he said publicly that they cannot under the Free Trade Agreement, will he now acknowledge that the Free Trade Agreement has cost Manitobans 400 jobs, construction jobs, economic development? Will he now confirm that no future energy-intensive industry in this province is going to come forward if this Free Trade Agreement goes ahead? He says he cannot provide a subsidy.

Hon. Harold Neufeld (Minister of Energy and Mines): I read the article in this morning's Free Press, and nowhere in it did I state that the Free Trade Agreement had anything to do with the agreement with Alumax. What the Free Press article stated was that Alumax has told us the rate of Hydro they would like us to provide. We have always said that the rates of Hydro are published and it is the published rates that we will offer to Alumax. If the Member for Flin Flon (Mr. Storie) expects his constituents and the constituents of others in this House to subsidize, through their Hydro rates, a U.S. multinational company, let him so state.

* (1040)

Mr. Storie: Mr. Speaker, the Minister is asking the questions and if I may be permitted an answer.

Mr. Speaker: Order, please. I have recognized the Honourable Member for Flin Flon (Mr. Storie), with a supplementary question.

Mr. Storie: Mr. Speaker, my final question is, this Minister (Mr. Neufeld) has contradicted himself again because he knows that Manitoba has used incentive rates to create jobs in Manitoba. I refer specifically to Inco.

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

Implication Energy Provisions

Mr. Jerry Storie (Flin Flon): Mr. Speaker, my final question is to the Minister. Given that this agreement is going to impact on our ability to attract energy-intensive industries—there can be no doubt about it. This Minister has said so implicitly in his remarks to the Free Press today on the Alumax Smelter. Will he now stand up for Manitoba, talk to his federal colleagues, talk to Mr. Mulroney, tell him to stop lying about this Free Trade Agreement, tell him to tell the truth about the implications of the energy provisions in this agreement, protect the interests of Manitoba once and for all?

Hon. Harold Neufeld (Minister of Energy and Mines): Mr. Speaker, the Free Trade Agreement has never entered into any discussions with Alumax or anybody else. The first issue for us is, will the rates offered be

good for Manitoba, and that is the total good for Manitoba, jobs created and the economic benefit that comes from that. We must decide whether or not the rates that are demanded, that are asked for, are for the total good of Manitobans, and not for the good of Manitobans with respect to the trade agreement.

Ambulance Services Funding

Hon. Donald Orchard (Minister of Health): Mr. Speaker, yesterday in Question Period the Member for Selkirk (Mrs. Charles) posed certain questions about ambulance funding and has indicated that, "This is an issue that we have brought up in the Legislature many, many times. Perhaps we are beginning to see some action. I just wish we had been told about this three months ago," referring to the study into ambulance service.

I wish to refer my honourable friend to an answer I gave to her on Wednesday, August 17, 1988. The answer was: "Secondly, and more importantly, we are now in the process of a complete review of the ambulance funding system and its organization in the Province of Manitoba, a review which I am hopeful will provide us with the guidance as to how we can enhance the ambulance services in the Province of Manitoba to the betterment of the people of Manitoba."

I wish to table this answer of 11 weeks ago so that my honourable friend is aware of answers given to questions she posed about reviews in ambulance service.

Mr. Speaker: Order, please.

PCB Storage Sites Manitoba Total

Mr. Harold Taylor (Wolseley): Mr. Speaker, my question is to the Minister of Labour and the Environment (Mr. Connery). The role of the Opposition is to keep the Government honest, make certain that there is a direction, leadership, a rational approach, consistency, openness, and sensitivity. On an issue very serious to Manitobans, there has been a lack of direction in leadership, an irrational approach, inconsistency, closed mindedness and insensitivity.

I am referring to the dealing by the Honourable Minister of the Environment on PCBs. Last week at the National Waste Management Conference which I attended, which was sponsored by his department and at which he was the speaker at the opening luncheon, that Minister made a statement on PCBs that is at odds with information that we have had from him and his department. That is on the numbers of sites. We have had all sorts of catcalls from the other side of the House on the issue. The question I am asking is, what is the right answer?

We had the first ones, and I am going to lead to it, 42, then through the 50s, the 60s, then 72, now at this statement. Which is the right statement, the statement made in his speech last week of over 100 sites? Is it

the 72 on the report that was waved around by the Minister? What is the right number and when will we have the final answer?

Hon. Edward Connery (Minister of Environment and Workplace Safety and Health): Mr. Speaker, I wonder if he wants me to segregate out those that are in boxcars or just buildings.

Mr. Speaker: Order, please. The Honourable Member for Wolseley, on a point of order.

Mr. Taylor: Mr. Speaker, on a point of order, that sort of a comment I think takes from the office that the Honourable Member for Portage la Prairie (Mr. Connery) holds. I would ask him to kindly withdraw, please.

Mr. Speaker: Order, please. The Honourable Member does not have a point of order. Order, please. Order. It seems to me that the Honourable Minister was referring to two different subjects here in his answer. The Honourable Minister of Environment, to kindly finish his answer.

Mr. Connery: I see the Member is very sensitive to his previous actions. But, Mr. Speaker, I was just talking to our department this morning about our PCB sites and as to what progress we were making. They have identified now 32 provincial sites that have been inspected. They estimate that there are 20 federal sites in the province.

Every week there are calls from people who have a few PCBs and, at the same time, we are consolidating small amounts of PCBs to eliminate sites. So out of the 32 provincial sites that have been inspected, our department has found that three need some significant improvement, and those three sites are in the process of being improved.

We know that PCBs are not a hazard if they are stored properly in the proper conditions and flagged so people do not accidentally trip on them, that they have to have the fire alarms and the water system and everything else to protect them, and there is no concern with PCBs.

Mr. Speaker: The time for oral questions has expired.

INTRODUCTION OF GUESTS

Mr. Speaker: Prior to Orders of the Day, may I draw Honourable Members' attention to the gallery where we have with us today from the Grant Park High School, 12 students under the direction of Mr. Ed Ienzmann. This school is located in the constituency of the Honourable Member for Fort Garry (Mr. Laurie Evans).

On behalf of all Honourable Members, I welcome you here this morning.

ORDERS OF THE DAY

Hon. James McCrae (Government House Leader): Mr. Speaker, will you be so kind as to call Bill No. 37, The Crown Corporations Public Review and

Accountability and Consequential Amendments Act, followed by the Bills in the order they are listed on the Order Paper?

HOUSE BUSINESS

Mr. Jay Cowan (Second Opposition House Leader):

On a matter of House Business, some time ago, about a week ago, I had asked the Government House Leader (Mr. McCrae) if he could indicate how many more Bills will be forthcoming in this Session. I would ask him, if he has had an opportunity to review that questions if he can provide an answer at this time?

Hon. James McCrae (Government House Leader):

I am not in a position today to provide the Honourable Member with that information. As I recall saying last week, the Bills will be coming forward as they come forward but, to the extent that I am able to provide the Honourable Member with information, I will do so as soon as possible, hopefully Monday.

Mr. Cowan: I appreciate that answer and, just to clarify, we are not asking for a specific number nor will we hold the Government House Leader to a specific number, but we would like some general idea.

Mr. McCrae: On that understanding, I will be happy to speak with the Honourable Member on Monday.

SECOND READING

BILL NO. 37—THE CROWN CORPORATIONS PUBLIC REVIEW AND ACCOUNTABILITY AND CONSEQUENTIAL AMENDMENTS ACT

Hon. Clayton Manness (Minister responsible for Crown Corporations) presented Bill No. 37, The Crown Corporations Public Review and Accountability and Consequential Amendments Act; Loi sur l'examen public des activités des corporations de la Couronne, l'obligation redditionnelle de celles-ci et certaines modifications corrélatives, for second reading. (Recommended by His Honour the Lieutenant-Governor.)

MOTION presented.

* (1050)

Mr. Manness: Let me begin my saying I am delighted to present Bill No. 37, our legislative action in support of one of our major election platforms, namely, that dealing with Crown corporation accountability and the depoliticization of Crowns.

The history of our Crowns in this province over the last six years in particular has been a sordid affair, in many respects almost outrageous. For the record, and I am not going to dwell overly on this particular point, but I think it is important that I recount the following financial losses in a combined fashion of these particular Crowns: Hydro, Manfor, MTS, MPIC, the Manitoba

Development Corporation. In 1982, the combined loss of those Crowns in millions of dollars was \$13 million. In 1983, that number increased to approximately \$90 million. In 1984, it dropped to \$29 million. In 1985, it jumped back to \$35.7 million. Then the last two years, 1986, the loss combined across the Crowns, \$108 million, and then the big year, 1987, \$210 million. When I talk about a sordid history of Crowns in six short years in the Province of Manitoba, total losses in the Crowns I have just announced in detail, in six years, \$486 million, incredible financial losses.

Manitobans saw other things with respect to their Crowns. They saw Crowns outside their mandates. They saw MTX involved in Saudi Arabia. They saw Manitoba Hydro becoming involved in activities that I think were questionable. Indeed, if you listen to the question put forward by the MLA for Flin Flon (Mr. Storie) this morning, again he seemed to be indicating that Manitoba Hydro has no mandate, that indeed all that should be cared about is creating jobs in Manitoba. That is the mandate that he would ascribe to Manitoba Hydro. That is what Manitobans saw with respect to their Crowns.

They saw Crowns using unethical business practices, again MTX officials and personnel involved in a situation where those employees found themselves flogged. They saw discriminating hiring practices involved with that particular corporation and they came to learn that there were kickbacks involved in activities involving one of our treasured Crowns.

Manitobans saw that Crowns were subject to horrible political interference. MPIC boards were stacked with political friends, also at MPIC, deliberately hid reinsurance losses, and we just again have to refer to some of the comments made by Mr. Kopstein in his report, deliberately hid some of the reinsurance losses, indeed admitted to in committee by the former MLA for Gimli who said he took a political decision with respect to some of the financial disclosures associated with MPIC.

What else did Manitobans see with respect to MPIC? They saw massive losses. They saw reserves depleted in the space of two years, ones that had been built up over some 15 years, in the space of two years totally wiped out.

Again, they saw horrible political interference with respect to Hydro, a reign of terror by a career bureaucrat who ruled the Manitoba Energy Authority and Hydro with an iron fist. They saw also within Hydro deception as regarding the true expected profits of Limestone, and still today we do not know really the true profit associated with the Northern States Power Agreement, Mr. Speaker.

They also saw again, with respect to Hydro, no discussion of rate shocks that we can all expect once the capital cost of Limestone hits the system.

Manfor saw a change of year-end, deliberately changed so it would not impact on the 1986 election, so that it would not have to disclose publicly \$20 million lost just before that '86 election. They saw also with Manfor—or they will, I am sure, in time—still the site

of untold stories of political interference. There is a story yet to be told with respect to that particular Crown.

Mr. Speaker, I can also talk about Flyer Bus paying someone, some company, millions of dollars to take that Crown corporation off our hands, and still liabilities associated with warranty claims that are still hanging around our necks collectively as Manitobans.

Again within the area of the Communities Economic Development Fund, and I am not going to move into this because that is an issue that is being taken up now by the Provincial Auditor in the sense of a special audit.

The list goes on and on. It just is not financial concerns. Manitobans now over the last three years in particular, but specifically over the last six years, have a litany of events which has caused them, in my view, to lose confidence completely in their Crowns. As I said, the list could go on and on, but it is a sordid, sorry story. It is a horror story, and it is one that hopefully can be put behind us after Bill 37 receives support from the House.

Again I ask the question, Mr. Speaker, is there any wonder why Manitobans have lost confidence in their Crowns? Throughout this entire process, on three occasions, the former Government said that they had a way to ensure better Crown accountability and Crown management. I think it is important that we review these models.

First of all, they were going to set up a Department of Crown Investments. I can remember the former MLA for Rossmere, the Minister of Finance at the time, also then the Minister in charge of the Department of Crown Investments, when he introduced that legislation saying that Act would ensure accountability and better review.

Mr. Speaker, that department of Government began to be wound down in 1986 because it had failed and indeed, in 1988, one of the first actions that I had on my desk as a Minister was to make the final payments with respect to that department of Government, the Department of Crown Investments. It was a failure.

From there, the former Government moved to the next model, and that was to have a committee of Cabinet called the Economic Resources Investment Committee, ERIC for short. It was going to be a subcommittee made up of the most senior Cabinet Ministers. That was presented to the people of Manitoba as being the watchdog of the Crowns to ensure that it stayed within its mandates. That was a failure too, abject in every respect, because it was after the implementation of that committee of the Cabinet that the most significant losses were presented to the people of Manitoba.

Finally that led to 1987 and the presentation by Crown accountability legislation, hosted at that time by the present Leader of the N.D. Party (Mr. Doer), and of course it had as its main thrust the development of a public investment corporation management, PICM for short, a body of bureaucracy. By the fact that it had five senior Cabinet Ministers, it was going to guarantee once and for all that Crowns were going to stay within their mandates, that they would not in any way be taken

off to spend millions of dollars either in a foolish sense or continue these horrible losses. Mr. Speaker, that bureaucracy was going to consume \$2.5 million a year once it was fully staffed. It was, of course, trying to cause greater consistency across the Crowns and that was probably one of the best features with respect to that particular legislation.

Mr. Speaker, this is where we found ourselves. We recognized the problems basically to be these: (1) that Crown boards need good people, they need competent people to be appointed to them; (2) that Ministers could not be part of the boards for which they are responsible; (3) that the rate-setting mechanism had to be shared with the public in an open forum; (4) that Ministers responsible have to be truly responsible.

* (1100)

If parliamentary responsibility is to mean anything, Ministers who are responsible have to understand not only their responsibility but their requirements to enact that responsibility.

Mr. Speaker, Crown corporations, we also felt it was important that Crown corporations must report to the public more frequently. We also felt that employees must have access to someone to report if there are flagrant breaches of mandates or procedures within the Crowns. We felt it would also help restore public confidence in Crowns if community people sat somewhere as an advisory group or a management resources group, aside from Government, and we felt that Crowns must be required to stay within their legislated mandates.

The fourth item that we tried to weave into this legislation, we felt that within the public view that management of Crowns must be divorced from Crown accountability in an open fashion. That is what we have attempted to do. We have tried to somehow, in the public view, separate Crown accountability, the reporting, and the open and frequent reporting of the activities of Crown from the sheer responsibility of the management functions.

Mr. Speaker, these became then the building blocks of our legislation. We included some aspects of the former legislation that were deemed to be good. For the edification particularly of Members of the NDP, we felt that the conflict-of-interest provisions that had been included in the former Act, indeed are included in other Acts across Canada, were worthy and that we would maintain them.

Also, there were former provisions dealing with the Audit Committee of the boards as being mandatory. We felt that they should be maintained. The levy against the Crowns for the costs of this particular advisory Crown corporation should continue, and also we felt that the provision of a labour-management committee, the continuation of that was a wise feature that had been contained in the former Act and one that we wanted to maintain.

We acknowledge these contributions, but they are a far cry from the Leader of the NDP (Mr. Doer) yesterday saying in Question Period that 90 percent

of the former Act had been incorporated in this new Act. Mr. Speaker, there can be nothing further from the truth.

We developed our model of Crown accountability. It is enshrined in Bill No. 37. In my view, it is the most progressive, it is the most open, it is the most accountable, and the most efficient Crown accountability legislation anywhere in this land. I am proud on behalf of this Government to be able to present it to the people of Manitoba by way of this forum.

We propose a Crown Corporation Council, seven eminent Manitobans from the community, people who first of all, hopefully, can read balance sheets; people who understand risk, business trends and accountability; people who understand mandates; people who understand strategic plans. Not all of these people will be politically appointed. People who have read the Bill will indicate that there will be an individual who will be named by the Chartered Accountants Group of Manitoba, also a person who is the head of the Faculty of Management at the University of Manitoba. This council will report through a Minister to Government.

Probably the most important feature of the council will be that it will expect and require the boards, the Crown corporations to stay within their mandates. It will act as a repository of business talent and expertise for corporate boards to draw upon for orientation, coordination and advisement with respect to matters such as strategic planning, performance measurement, capital expenditure consideration and financial reporting.

It will also force boards to, whenever any Crown corporations is considering a new endeavour, a new market endeavour, a new service endeavour, be fully ensured that never falls within the legislative mandate as given to the Crown corporation by the elected people of this province. This council will also report frequently to the public. This council will act as a mechanism for consistency in respect of matters of Crown policy and, as suggested by the Provincial Auditors, matters of administration.

I can think of one item specifically. The Leader of the NDP Party (Mr. Doer) indicated, as was requested by the Provincial Auditor, there be some consistency with respect to the remuneration paid to the chief executive officers of the Crowns. This now will allow for that type of guideline, that consistent guideline.

This Crown Corporation Council will provide a last resort, a whistle-blowing mechanism, as we want to call it, or you can call it the Ian Ferguson clause, a place where individuals and employees particularly of a Crown corporation who have a legitimate story to tell, it will allow them to present that if indeed senior management has turned a deaf ear to it or if the Minister of the day has turned a deaf ear to it. This Council now will have an opportunity to listen to that legitimate concern and report publicly.

This Council will provide public accountability incremental to the public utility process through

requests of corporate CEOs and auditors, and quarterly reporting of council's requests to the Minister. This Council will provide for meaningful involvement, as I said earlier, of experienced community leaders and respected professionals. In my view, this council will also reinforce the application of Ministerial responsibility.

The general provisions of the Act will do this. It will remove Cabinet Ministers from boards. It will more clearly vest corporate boards with proper management responsibility and authority. It will establish chairpersons' responsibilities and obligations to Ministers. It will establish a meaningful reporting process between the internal auditor, audit committee of boards, and the Provincial Auditor. It will provide early public warning of significant financial problems developing in Crowns. It will provide greater public access to relevant information on Crown performance. Again, I refer to the quarterly reporting and annual registries of public complaints. It will also provide for the establishment of Crown CEOs as ex-officio non-voting members of corporate boards. It will provide for constructive labour-management committees.

Mr. Speaker, I will go into all these areas in a little bit more depth, but I think it was important that we highlight at the beginning a summary of all the provisions that we anticipate that this Act will provide for. I will leave the Public Utility Board approval of rates, I will leave that as a separate item towards the end.

Let me begin with a little bit more detail. We feel it is very important that the Crowns be depoliticized and that there be a revesting of management authority and responsibility. To this end, this Act provides the duties of the board. They must prepare a strategic plan every five years. They must lay out specifically and fall specifically within the mandates that are provided within this strategic plan.

In other words, if a Crown corporation has decided that it wants to follow a new marketing course, a new service-oriented course, they have to present that strategic plan not only to Council, not only to the Cabinet of the day but of course, if it requires an increase in rates, it must be presented to the Public Utilities Board. To this end, to the removal of the politicization, there will be no Ministers on boards. Again, I will quote what Mr. Kopstein said in his summary and I can tell the Members opposite we use where possible, even though our legislation for the most part was drawn and drafted long before Mr. Kopstein reported, we felt very delighted in some respects that some of his recommendations fell specifically in with our feelings on some of these issues.

Again, I read for the record what Judge Kopstein said with respect to Ministers: "It is appropriate the Government be empowered as it presently is to appoint an MLA to the MPIC Board of Directors. The practice of appointing the Minister responsible as chairperson of its board of directors is inappropriate."

Mr. Speaker, I think I have covered off two points by reading that recommendation. In our viewpoint, there is nothing wrong with an MLA still on the board because there has to be some connection because indeed the

Crown is responsible to the people of Manitoba. Through the legislative process, they are responsible. There should be a representative of the 57 of us on that board and maybe, in due course, an Opposition Member. Maybe that will happen some day. But remember, Crowns are created by those of us who represent the people. Those are our views with respect to Ministers, and that is the most important point, that there should be no Ministers on boards.

* (1110)

Powers of the board, boards in our view must be in control of its own activities as long as they are within the mandates, as indeed had been given to them by the people of Manitoba through us, the elected officials. Therefore, they have to still have the powers to pass their own by-laws. They have been given that. But again, it has to be done within the narrow frames of the mandates. The council that we are proposing will ensure that they stay within those narrow guidelines.

The re-vesting of Ministerial responsibility, because it has become apparent to us and to all Manitobans through many of the problems associated with Crowns that Ministers of the Day were sort of abdicating in a major respect there ministerial authority and responsibility. We are going to try and again make that point. The powers of the council, Mr. Speaker, we are doing away with PICM. The council that we are putting in place will go through a Minister.

Council's reports will be forced to be made quarterly, just as Crown corporations will be expected now to report quarterly. The council itself will have to report quarterly, openly, publicly. But beyond that, the Crown of the various boards and the boards are going to be expected to report to their Minister after every meeting so that their Minister knows what is going on, so that their Minister will be in a position to report publicly what is going on. That will be the same case with respect to the council. The Minister in charge of the Crown Corporation Council will also be expected to be in close contact with the council after the fact, not sitting in a day-to-day presence whenever they meet, not being there, but to be fully informed as to what activities, what concerns the council may have. In our view, it is important that Ministerial responsibility be reestablished.

This council, as I have indicated before, will be called upon to help orientate new board members. Indeed it will have a wide spectrum of resource ability. Hopefully, that will be drawn upon by new members of Crown corporation boards because the council, again, will reflect the community values in this respect.

I have indicated before how the members of the council will be established, and I have reviewed before the duties of that particular council. Without doubt, and I cannot say this often enough, one of the most important responsibilities of the Crown Corporation Council will be to ensure that Crown corporations continue their activities, maintain their activities within their mandates. We have heard the MLA from Lakeside (Mr. Enns) on several occasions address this particular point, having been a Minister of Crowns, having sat as

an MLA on Crown boards. Mr. Speaker, it is just imperative that occur, and of course that will be the No. 1 responsibility of those appointed people to the Crown council.

Let us talk, for a moment, Mr. Speaker, with respect to the public rate approval process. Manitoba Telephone System, Manitoba Hydro, and MPIC will be expected to appear or mandated to appear before Public Utility Boards at any consideration of a rate change. That is just not only a rate increase, that is a rate change.

Factors to be considered, Mr. Speaker, we have given the Public Utilities Board some direction as to what factors are to be considered. Not only are they to look at financial considerations but, if there are compelling social factors that can be presented in an argument, we have mandated the Public Utilities Board to look at those, to take those into account before they reach their decision.

We have indicated that a process for multiyear approval should be there, that it may not be necessary that every Crown go before the Public Utilities Board every year. Let us put it a different way. If a Crown corporation decides that it wants to present to the Public Utilities Board a plan for rate increases covering three years, and that is the maximum years that we have allowed—three years, let us say 5 percent, 5 percent, 5 percent. If the Public Utilities Board in its wisdom says that that is an acceptable plan to them, then it would be obvious that the Crown corporation would not have to come to the Public Utilities Board in the second or third year, because their plan covering three years would have been acceptable at that point in time. To us, that is an important element of the approval process.

The Public Utilities Board can order refunds, and this has been an important issue with the Canadian Consumers' Association. It is one of three that we have included within this particular Act as brought forward by Mr. Peltz in all his roles. We believe that the Public Utilities Board should be able to seek opinion of either the Court of Appeal or ask the court to render an opinion. It is important in our viewpoint that the Public Utilities Board be able to seek an opinion from the court with respect to matters that just are not financial in matter, and we have allowed for this within this Bill.

Bill No. 37 of course, through the Public Utilities Board process, will provide for independent third-party approval and the regulation of Hydro, Telephone and Autopac rates. It will provide for consideration by the Public Utilities Board, as I have indicated, of compelling social policy considerations. It will provide for multiyear reviews and approvals. It will make explicit Public Utilities Board powers with respect to orders for refund or compensation to be paid by the corporation, and will make explicit the Public Utilities Board's right to make application for and to receive opinion from the Court of Appeal.

We feel there are tremendous powers of this Act to require the named Crown corporations to go before the Public Utilities Board, but we think it is very important, for instance, in the case of Manitoba Hydro that the decision by the Public Utilities Board to allow

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or to deny rate increases, that those decisions be based not only on the operating cost of Manitoba Hydro but maybe more importantly the capital plan because, when you have a corporation like Manitoba Hydro that has a debt-to-equity ratio of some 98 percent, it is obvious that if the Government of the Day indicates to Manitoba Hydro, for instance, given the mandates of that corporation, given the financial plan that shows there is some benefit to additional building of a power plant, by that process of events, rates are automatically down the road going to be impacted.

* (1120)

It would seem to me, in the context of Manitoba Hydro, it might be better then that once the Public Utilities Board is considering rate increases they obviously then have to consider the capital development plans of Manitoba Hydro because, of course, rate increases will flow from there. We have allowed for that within this Bill.

Within the area of MPIC, the Minister of MPIC (Mr. Cummings) leads me to believe that within the Autopac area there are 25,000 rates, rate classifications, rate areas. No one can expect the Public Utilities Board to rule on 25,000 rates. That is why, through this legislation, there will be a direction that the compulsory levels in the broadest rate areas, hopefully some 25 or however many those numbers are, will be passed judgment by the Public Utilities Board.

With respect to Manitoba Telephone System, that process is well in hand and there is no anticipation of change there. We have called and we have allowed for enhanced audit functions. This is one of the prime objectives and one of the prime responsibilities of the council, because we are drawing from the community those people who should be able and, hopefully, understand financial statements, balance sheets.

Those people who feel that there is something wrong, they now have the powers not only to report their concerns to the public, but have the powers to call on the specific Crowns to investigate some of their financial matters, to call upon the auditors, the Crown corporation auditors, to call upon the Provincial Auditor, if they so choose, to do a special investigation of the finances of the Crown.

So we have used some of the best material from the existing Crown Accountability Act introduced by the former Government in 1987, but we have enhanced them. We have done it through special audits and reports. We have done it again through the Audit Committee. The duties have been spelled out. They are spelled out into the Act because we take that function so seriously. It is so important that every Crown corporation board has developed a subcommittee of that board that will deal specifically with an audit of the finances.

This was something we believe was suggested in the last election by the Leader of the Liberal Party (Mrs. Carstairs), who felt that there should be greater beef-up with respect to the auditing function of the boards. We have provided that within this Bill.

Mr. Speaker, there is one area that we are particularly proud of and one may want to call this the 'whistle

blower" provision, they may want to call it the "Ian Ferguson" clause, but we feel for once that there has been an opportunity, there is a full opportunity now, I should say, for individuals working for Crown corporations who know of something going wrong, they now have an opportunity. If that word has not been listened to by either senior management or the Minister responsible, they now have a body to which to take that complaint or that concern.

This is not for frivolous matters; this is for legitimate complaints. They now have a group of people who will listen. The council, upon listening, will be obliged to report that publicly on a quarterly basis. Mr. Ferguson—one can remember the MTX episode—desperately tried to explain some of the problems and the concerns he had to senior management. They refused to listen to him. Nobody would listen to him. There is now in place a group that not only have to listen but has to report publicly.

In our view, this provides for a light-year leap with respect to that openness and accountability. Council will also be expected to look for early warning indicators as to maybe something going wrong with respect to a Crown. Not only will they have access to the audit reports that have to be done on the boards but, if they sense something, they will be able to demand special investigations.

There will be quarterly financial statements that will be made public now by the boards. There will be a registry of complaints. That is built into this particular Bill, again as recommended by Judge Kopstein. The Public Utilities Board will again now be meeting on a timely basis with respect to rates. There will be another opportunity at that particular point in time for the Crown corporations' activities to come under scrutiny.

So I think we have done all we could to present, in an open way, early warning indicators to the people of Manitoba that possibly something is amiss, something is going wrong in their Crowns. One of the areas which we are most proud, Mr. Speaker, is the enhanced public information. Crown Corporations Council will receive submissions again from any legitimate employee. Their reports, all reports will be available for inspection. Reports referred to committee will be available for inspection, quarterly financial statements, not only of the Crowns but of the Crown Corporation Council itself will be made available to the public.

The registry of complaints by boards, that will be made available to the public. The registry will be accessible—pardon me, I have to withdraw one thing—the registry will be accessible by the council, not by the public as a whole, but there will have to be a registry in place. It will be accessible by the council. Mr. Speaker, in my view, this Act, Bill No. 37, provides for tremendous enhanced openness.

In the last few moments I have left, I want to address some of the early criticism I have heard from some Members opposite. It seems to me at this early date most of the criticism of the legislation is directed toward the service committees and the undoing of it. I must say when we drafted this Bill, I had a pretty open mind with respect to service committees. To me it was not

a big issue whether they were in or whether they were out. I read very carefully Judge Kopstein's remarks within this area. It seemed to me—and I gave them very great weight, Judge Kopstein's remarks—I did because of course we had never commissioned his investigation of MPIC. It was the former Government. He made some very strong, profound statements within this area. I want to repeat again what he said with respect to service committees.

“Present legislation requires senior management of the corporation to hold annual public meetings to explain the objectives of the corporations to receive suggestions from members of the public regarding the improvement of service and to receive and investigate complaints. That process would be a time-consuming and often unproductive exercise.”

Mr. Speaker, it seems to me that if the process of service committees are good that boards will see that goodness and will, on their own volition, go to the community as it happened. Indeed, the Telephone System right today is holding public meetings, and I am led to believe that 50 to 100 people have been turning out. Most of them are not there to complain, are not there to have the objectives of the corporation explained, but are there mainly with respect to finding out more regarding the long, the new telephone service plan.

It seems to me that boards ultimately will do the right thing in a public sense, that they will go to the public indeed if they think that there is a benefit in doing so. Mr. Speaker, nothing in this Bill prevents Crown corporations from going to the public in any fashion and holding such meetings.

In our view, to mandate the Crowns to go to the public in this fashion is not productive in the sense that it is going to cause another set of meetings, people who for the most part are going to come there with complaints that probably should be addressed more specifically by either their representatives that should be addressed more specifically at the Public Utilities Board hearing.

Mr. Speaker, the Members opposite are saying that they may like to still reintroduce this. Again, I say we do not have a strong feeling on this, but again in our view, more legislation for the sake of legislation proves nothing. It is obvious though to us from this point of view that this is a very good Bill, because the early criticisms that have come from the main Opposition have dealt in one very narrow specific area.

* (1130)

Let me conclude by saying this Bill, in essence, places Crown corporations at arm's length from Government by separating management from accountability. Board members and management of the Crowns will be expected to work within the mandate and the strategic plans of their respective Crown corporations. The Minister is responsible and the Crown Corporation Council will be expected to report in an open and frequent fashion to the public, restoring ministerial authority and responsibility, and I underline the word “responsibility.”

Mr. Speaker, the Government believes, through this progressive legislation, that public confidence can once again be re-established in our Crown corporation. The Government considers this a fulfillment of a major election commitment. It is proud at this time to be able to lay before the people of Manitoba Bill No. 37, and it hopes it can expect the combined support of the House on this particular, important area of Crown accountability. Thank you very much.

Mr. Speaker: I would like to inform Honourable Members that I have some difficulty with the document which was tabled by the Honourable Member for Flin Flon (Mr. Storie). It is a document which seems—it is unsigned and does not seem to be directed to anybody. Therefore, I am going to follow precedent and I am going to take it under advisement, and I will come back to the House. The Honourable Member for St. Johns (Ms. Wasylycia-Leis), I am sorry, not Flin Flon.

Mr. Reg. Alcock (Osborne): Mr. Speaker, I move, seconded by the Member for Fort Rouge (Mr. Carr), that debate on this Bill be adjourned.

MOTION presented and carried.

DEBATE ON THIRD READING AMENDED BILL

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

Mr. Speaker: Bill No. 10, The Court of Queen's Bench Act; Loi sur la Cour du Banc de la Reine, standing the name of the Honourable Member for Flin Flon (Mr. Storie). (Stand)

DEBATE ON SECOND READINGS

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

Mr. 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; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine, standing in the name of the Honourable Member for Wolseley (Mr. Taylor). Pass? (Agreed) Is the House ready for the question?

The question before the House is second reading of Bill No. 8, The Court of Queen's Bench Small Claims Practices Amendment Act.

Mr. Jay Cowan (Second Opposition House Leader): My understanding is the Bill was standing in the name of the Member for Wolseley (Mr. Taylor). Has he indicated that he does not wish to speak on the Bill?

Mr. Speaker: Exactly.

Mr. Cowan: Then I move, seconded by the Member for The Pas (Mr. Harapiak), that debate be adjourned.

MOTION presented and carried.

Mr. Cowan: We have no right to do that when the Minister is not here for his own Bill.

Some Honourable Members: Oh, oh!

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

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

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 9, Statute Law Amendment (Re-enacted Statutes) Act; Loi modifiant diverses dispositions législatives (Lois réadoptées), standing in the name of the Honourable Member of The Pas (Mr. Harapiak). (Stand)

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

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae) Bill No. 11, The Child Custody Enforcement Amendment Act; Loi modifiant la Loi sur l'exécution des ordonnances de garde, standing in the name of the Honourable Member for Elmwood (Mr. Maloway). (Stand)

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

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 15, The Cooperative Promotion Trust Act; Loi sur le fonds en fiducie de promotion de la coopération, standing in the name of the Honourable Member for the Interlake (Mr. Uruski). (Stand)

**BILL NO. 21—THE HIGHWAY TRAFFIC
AMENDMENT ACT**

Mr. Speaker: On the proposed motion of the Honourable Minister of Highways and Transportation (Mr. Albert Driedger), Bill No. 21, The Highway Traffic Amendment Act; Loi modifiant le Code de la route, standing in the name of the Honourable Member for Assiniboia (Mr. Mandrake). (Stand)

**BILL NO. 27—THE PRIVATE ACTS
REPEAL ACT**

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 27, The Private Acts Repeal Act; Loi abrogeant certaines lois d'intérêt privé, standing in the name of the Honourable Member for Inkster (Mr. Lamoureux). (Stand)

**BILL NO. 28—THE AGRICULTURE
PRODUCERS'
ORGANIZATION FUNDING ACT**

Mr. Speaker: On the proposed motion of the Honourable Minister of Agriculture (Mr. Findlay), Bill

No. 28, The Agricultural Producers' Organization Funding Act; Loi sur le financement d'organismes de producteurs agricoles, standing in the name of the Honourable Member for The Pas (Mr. Harapiak).

Mr. Harry Harapiak (The Pas): Mr. Speaker, I am pleased to stand and speak on Bill No. 28, a Bill dealing with the agricultural producers in the Province of Manitoba. I think it is extremely important that the agricultural community have a strong voice in those matters that affect them today. We all know that agriculture is going through a very trying time and we understand that just as there are organizations that speak for other interest groups throughout society, that there is a strong desire for the agricultural community to also have a strong voice to speak on behalf of producers so that they can influence some of the issues that are facing the agricultural community, the farmers. I know that there are many issues in the whole area of agriculture that farmers do not have control over what happens to their industry.

I am speaking about the whole area of whether—it was demonstrated this past summer of how really we are at the mercy of the weatherman when the production is dependent to such a great degree on the amount of moisture and the amount of sunshine that we do receive, and also the international markets which really are very critical to farmers.

We know that there are many areas where there are many subsidies that are paid to the agricultural producers, subsidies that are much greater than what we receive for subsidies in Canada. I think that quite often the people who live in the urban parts of the province are not aware of what a contribution the agricultural community makes to the entire population of Canada. I think if you took time to read and see what it costs us for our food production, that we are in a much more favourable position in Canada. Really, it is a credit to the farmers, who are very efficient producers, that we as Canadians enjoy much cheaper food—(Interjection)—The Member for Arthur (Mr. Downey) seems to want to put some comments on the record. If he wants, I can sit down and he can put those comments on the record right now.

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

Hon. James Downey (Minister of Northern Affairs): Mr. Deputy Speaker, if the Honourable Member would submit to a question.

Mr. Harapiak: I will have no problem submitting to a question once I complete commenting on this Bill.

It has been recognized that farmers in Manitoba are a very diverse industry. There is considerable diversity among the producers themselves, and there are presently several organizations that are speaking out on issues in rural communities. We can look at the National Farmers' Union who are a strong voice in speaking up for the agricultural producers in Manitoba. I know that the Minister of Northern and Native Affairs (Mr. Downey) has some difficulty accepting some of the membership in the National Farmers' Union, but if he takes the time to see the contribution that they

have made in Manitoba over the years, I think even he, in his own biased way, would recognize that the National Farmers' Union has made a positive contribution to meet the needs of agricultural workers and producers in Manitoba.

The Canadian Agricultural Movement is an organization that is strong in the eastern part of Manitoba, and I think that they have a place that they can make a contribution to the agricultural community. They are a counterpart to an agricultural movement in the United States which is very strong. They have been successful on making some contribution in some of the improvements that needs to be made in the whole area of agriculture.

* (1140)

The Keystone Agricultural Producers, as well, are active in this province. As well as the Keystone Agricultural Producers, there are several commodity-based groups which are also active in Manitoba and they make a good contribution to whatever commodity they are producing in. There are strong representations made so the areas that they are active in are made sure that there is active research and active promotion made so their products are recognized in society as to how positive a contribution they are making to the whole economy of the province.

Given the diversity of the whole agricultural community which has its advantages and sometimes its disadvantages, I think it would not be reasonable to suggest, as does Bill 28, that there be a single unified voice for all of the Manitoba producers. Further, it must be questioned whether that unity can be achieved by legislation. I feel that common purpose must grow from within the founding community. I do not think that it can be forced by legislation to be a single unified voice. I think if there is time that it could be nurtured, then I think that there would be an opportunity to bring that into being.

The Minister of Northern and Native Affairs (Mr. Downey) seems to be really irate about the labour unions. I think that if we followed some of the processes that are present when labour unions come into existence, if we were given a free vote to the organizations to form that organization, then I would have no difficulty. The way this is being proposed, there is no opportunity for the producers who are involved in it to have a vote. I think that is one of the difficulties that I have with the Bill.

If the purpose of Bill 28 were to foster a spirit of cooperation among the various producers to strengthen the voice of producers and to ensure that concerns were heard, I could support it. I think that there are some areas that I question that are going to be brought about by the way this Bill is presently set up.

However, as the Bill is proposed, it imposes an organization in an undemocratic fashion. The Member for Arthur, the Minister of Northern and Native Affairs (Mr. Downey), always gets up and blows his horn about unions. I think that if unions were formed in this way, I am sure he would be getting up on his feet and making a lot of noise about how undemocratic a process was

being carried out in order to form a union. I think if we give the agricultural organizations, the agricultural producers in this province, the same process as the labour unions follow in their formula to form an organization, then I would have no difficulty with that whatsoever.

Part 2 establishes an agency to decide which organizations are qualified to represent the farmers. In Part 3.1 of the Act, the agency decides which of the qualified organizations will be most representative. Why not let the producers make that decision instead of letting the certification group make that decision?

The membership of the certification agency in Section 3.2 is said to be not less than four and not more than five. In that area, there is apparently a typing error or a mistake in the way it is set up, because in one area it says that the agency shall not consist of not less than four and not more than five members.

Further on, when it goes on in 3.3 speaking about the membership, it says that where not all of the persons referred to in Subsection 2 are willing to accept an appointment, the agency shall consist of those persons willing to accept an appointment under Subsection 2, such additional persons appointed by the Lieutenant-Governor-in-Council as are necessary to constitute an agency of not less than three members. I think a correction will have to be made during committee stage and I am sure that the Minister will be coming forward with a correction at that time.- (Interjection)-

The Member for Arthur (Mr. Downey) is once again having some comments to make from his seat as he normally does, and I wonder if he is going to be getting up again at the end of my words.

Mr. Deputy Speaker, the membership of the certification agency in Section 3.2 is said to be not less than four and not more than five, but Section 3.3 provides for a committee of not less than three. Given that a majority of that committee of three, it is conceivable that a meeting of two people could determine who would best represent 20,000 farmers in Manitoba. This is not a democratic action.

You can carry this a little further. If two people make up a quorum, does the chairman of the committee have a vote? So then one person could be deciding for 20,000 farmers in Manitoba of who can be a representative of that committee. I really do not think that is a democratic way of letting the farmers in Manitoba be represented. This is not democracy in action.

Why not let the farmers decide through a referendum, as is provided in 32.1 where 60 percent of the majority is required to designate a producer organization for a particular product? I think if it is good enough for one section of the Act to have a referendum, why not let the producers decide by referendum how the organization should be formed as well? Surely, the Manitoba farmers would find that this is a more acceptable process than having the agency decide who would best represent them.

I think that the role of the agency in determining the representation for Manitoba farmers, as I described in Parts 2 and 3, should be redrafted to allow for direct

producer participation as in the case of Part 4 for designated producer organizations. I think that there would be more consistency in the Act itself and I think it would be more of a democratic process if that were followed through. I think at all times we want to give every opportunity for the producers themselves to be making decisions as to who is going to be representing them. I think the more democracy you can build into this process, the better off the producers are going to be, the more they are going to be accepting the Act as it is being brought forward.

Mr. Deputy Speaker, one other area that I have a concern in is why can there be representation from only one organization as stated in 6 and 16.2? Is that not comparable to having only one point of view in this Chamber? Why could the referendum process I spoke of earlier as a substitute for the certification agency not provide for some form of proportional representation? I think that the Legislature is a good example of that. We do not only have one voice in this Legislature. We allow for other points of view.

Mr. Downey: So does this legislation.

Mr. Harapiak: The Member for Arthur (Mr. Downey) once again from his seat says so does the legislation. It may be he has a different interpretation of the Act than what I do, but I do not think that it gives an opportunity to have representation from different areas.

At the national level, we now have the Canadian Federation of Agriculture which consists of representation from a variety of regions and interests. Despite internal differences, and I think sometimes that is the strength of an organization, this organization has spoken to national policy issues. Could the same not happen within Manitoba? I think within this province we can see where it works at the national level for the Canadian Federation of Agriculture. Why would it not work in Manitoba?

* (1150)

I think that the Minister should have a look at this and see if it is good enough for having a process of that sort where there is a variety of regions and interests represented. There are differences of opinion but yet they are able to function. I think that the same could be happening within the Province of Manitoba and the Minister should be giving that consideration as well.

Some will argue that a structure did exist previously with the Manitoba Farm Bureau. There were similarities but it was strictly a producers organization at that time. So I do not think it could be quite comparable.

I would like to repeat that unity of purpose cannot be directed or imposed. It can, however, be nurtured through a spirit of cooperation that would be built on trust and understanding. As I was saying, Mr. Deputy Speaker, I think that the purpose of unity cannot be imposed on people. I think it has to come through the spirit of cooperation and that spirit of cooperation and trust requires time, and the way the Minister is choosing to bring this process forward, there is not time for that spirit of cooperation to go. So I have some concerns in that area.

I think that the farmers should determine, through a democratic process, the kind of organizations that would best represent the diverse interests of Manitoba agriculture. A simplistic approach which seeks to impose a solution runs the risk of fragmenting the voice of Manitoba farmers rather than unifying it.

As I raised in my opening comments, I think that there is a need for a unified voice in Manitoba and since I have been in this Legislature, at every opportunity I have had, I have spoken in support of having a unified voice for the farmers of Manitoba. I think there are many conditions that are affecting the farmers of today that we do need a strong unified voice, but I guess I am afraid that the process that is being brought forward in this way is not going to be bringing that unified voice forward.

It is not a democratic process. I know that the Member for Arthur (Mr. Downey) continuously chooses to bring up the unions in Manitoba, and the unions are established in a much more democratic process than what is being brought forward in this piece of legislation here. I think that maybe you could take some points from some of the union organizations on how they bring about their organization. Then I think that they could learn something from the way the unions are formed in Manitoba. So I think that they could learn something from the union organizations in this province, and they could shed some of that democratic process that is followed in those organizations when they are brought forward and they could be brought forward here and they would serve the farmers in this province well.

The legislation as it is proposed right now must be altered. First, I think is to change the role of the certification agency. Let it provide a process for farmers to decide rather than deciding for farmers. I think the way that the certification board is set up, the farmers are not making the decisions for themselves. You have another body there that is not representative of the farm organizations. I think they should allow for representation on a proportional basis rather than an all-or-none basis which is being put forward here.

I mentioned earlier there is an opportunity in this Legislature for a diverse point of view, and I think in Manitoba in the agricultural community that could be accepted as well. There is room for diverse points of view and I think it can be well served. Diversity does not hurt organizations. I think it strengthens organizations and we should not be afraid of it.

We should allow for a procedure to designate the funding to the organizations of his/her choice as determined before on a proportional basis. Let the producers decide where it will be going to.

Mr. Deputy Speaker, as I mentioned earlier, I know there is a need for a strong united voice in Manitoba and I have supported that all along, but I think that the process here is wrong, that we should be giving a more democratic opportunity for the people to come forward and have more say in their organizations that are going to be speaking on behalf of the agricultural community, and I think that they should be coming forward and giving them more democracy in the process that is being developed. I would hope that the Minister could bring that forward.

One other area I had a question in, and that is in Part 2.1 where it speaks about the determination of qualified organizations. You talk about the promotion of interests of Manitoba producers and the development and promotion of a unified policy for Manitoba producers. I think that there is a need for unified policy. It goes on to say "is generally prepared to accept" into its membership all individuals actively engaged in farming in Manitoba with the payment of an annual membership fee. I do not understand what the Minister means when he says "is generally prepared to accept." Does that mean that they are going to be making a choice on everyone who wants to become a member, if they are going to be allowing them to become members of that organization?

There are some areas that we are going to be suggesting some different approaches and I really think, as much as we would like to see one voice in Manitoba, if the farmers should decide in a democratic way, that one voice would be much more acceptable than the way that is proposed now.

Mr. Downey: I would like to speak on this Bill. However, if it would be the wishes of the House to pass it directly to committee and get on with the business of the Province of Manitoba and move to have this legislation put in place for the farm community, I would abstain, but I would want to have the assurances from the Members opposite that they would be willing to do so.

Not having the support of the New Democratic Party or the Opposition to move this directly to committee to get on with the job -(Interjection)- I withdraw, Mr. Deputy Speaker.

The Liberals are saying it is fine with them to move it directly to committee, but again it is the obstructionists of the New Democratic Party in Manitoba who are stopping the farm community from having fair and equitable representation from grass roots by having an organization. That says it all. I could actually sit down, but I will not.

I am extremely pleased and proud today to stand here again in the Legislative Assembly and support a legislative action that is in the best interests of Manitoba's farm community. There are rewards if one waits long enough in this process that they do come to reality.

I am pleased today to see one of the writers who has stuck with this debate for the last 11 years that I have been involved, and here she is again today. She is dedicated to the farm community and I think we should acknowledge Arlene Billinkoff and her writing on this matter, because there is no one who has followed it more closely than she, in her articles.

Let me say as well that I find with interest the lack of knowledge the Member for The Pas (Mr. Harapiak) has when it comes to the farm community. Of course, it was demonstrated in the lack of support that he has in his constituency, in not being able to muster the farm vote. As small as it is up there, it is extremely important to The Pas, and I would have thought that he would have been somewhat more supportive of those farmers who are dedicated to the—

Mr. Deputy Speaker: The Honourable Member for The Pas (Mr. Harapiak), on a point of order. Order, please.

Mr. Harapiak: I would like him to know that I have won the support of the farm community in the last three elections.

Mr. Deputy Speaker: The Honourable Member did not have a point of order.

Mr. Downey: Let me say that the Member had better covet that support because it is now gone. He has now lost it, and I can assure you that the word out of The Pas is the farmers are abandoning him, as are the Native people abandoning the New Democratic Party.

Let us talk a little bit about the history of where we have come from. In 1977, one of the commitments of the Progressive Conservative Party was to move on farm organization, not a general farm organization Bill as this one is, but on The Cattle Producers' Act. As Minister of Agriculture of the day, I was extremely pleased to bring that legislation forward.

* (1200)

One of the other things though that I had equally as important a role in doing was requesting the Legislative Assembly for funds for different groups, and to my friend for The Pas (Mr. Harapiak), to my friend from the Liberal Party, let me say one of the grants that I took extreme pride in doing was at that time cutting off a \$20,000 grant to the left-wing NDP farmers' union group in this province, and I do not make an apology. I did not make an apology then, and I do not make an apology today. They are a left-wing negative group, Mr. Deputy Speaker, who do not represent the broad interest of agriculture, but one specific left-wing ideology.

I have many friends in the farm union movement. It is not a personal attack on any individual within the farmers' union movement, but it is the ideology and the philosophical approach which they try to sell to the people of Manitoba. It did not work and it will not work, never ever in this province because they are free-thinking people and they are not going to be hoodwinked by a bunch of socialist ideologists.

Let me say as well one of the areas that we have to talk about in our history. That was the former Minister's desire. The Member for Interlake (Mr. Uruski) and the former Member for Lac du Bonnet wanted to have a farm organization but totally under the control of the New Democratic Party, like a Beef Marketing Board. You know, famous that NDP Government were to have the hands of the levers, their hands on the heads and control of the people within the farm community. They were going to have a vote on whether or not the farm community wanted to have a marketing board. I brought books, stacks of boxes of protests against what the Government were wanting at that time.

Well, history is history, Mr. Deputy Speaker. The New Democrats got kicked out because of their position then on agriculture. They got back in, not because of the support of the farm community but because some

of the people in the city felt that they were more strongly supportive of the labour, of the consumer groups, and again speaks out well. The Member for The Pas (Mr. Harapiak) clearly says in his opening remarks, he expects the farmers should have a cheap food policy for his people in this province. He supported a cheap food policy, exactly what he said.

Mr. Deputy Speaker: The Member for The Pas, on a point of order.

Mr. Harapiak: On a point of order, Mr. Deputy Speaker, I clearly did not say I expected the farmers to have a cheap food policy. It was recognized that we do have a cheap policy in Manitoba and I was not supporting it in any way.

Mr. Deputy Speaker: A dispute over the facts is not a point of order. The Honourable Minister of Northern and Native Affairs.

Mr. Downey: Objecting to this legislation and objecting to the farm people who have a stronger voice in society, is supporting their cheap food policy, Mr. Deputy Speaker. That is the whole point. He is supporting a cheap food policy by allowing the farmers not to have a strong voice in society.

One has to take further recognition of individuals in this Assembly and, as time goes on, it proves that things happen that should happen in a democratic society. The present Minister of Natural Resources (Mr. Penner) cannot go unrecognized in the dedicated years that he has put in as the president of the (Interjection)-Keystone Agricultural Producers—

Mr. Deputy Speaker, what we are talking about is where we have come from. The present Member of the Cabinet, and he is the former president of the Keystone Agricultural Producers, put several years of hard dedicated work into the organizing and showing the need for a farmers' organization in Manitoba, taking the membership I believe from several hundred when he started to some close to 5,000 that is currently out there, 5,000-plus. Out of a clear number of farmers of probably in the neighbourhood of 15,000, that is over a third or a third probably of farmers who had voluntarily supported a farm organization which were, and let us be honest, part of the recommendations I am sure that came from them in this current Bill, which I am pleased we can again say consultation, Cabinet Members, rural Members supporting this Bill on behalf of the farm community. There is nothing wrong with that in a democratic society. It is actually the way it should be.

So I compliment my colleague, the Minister of Natural Resources (Mr. Penner), in his efforts to build that organization, and the farmers rewarded him, the constituency which he represents, sending him to the Legislature to work with the present Minister of Agriculture (Mr. Findlay), my other colleagues, to pass the kind of legislation that is in their interest. One can say we would have a conflict of interest. That is not the case. Our conflict of interest is the interest of our farm community that we have seemed to overlook in the last few years under the New Democratic Party,

not having a voice in this Assembly. They got their just reward on the 26th of April by being turfed out, and again demonstrating by the numbers of farm people sitting on the Conservative benches in Government.

I do take my hat off again to the Members of the Liberal Party who have recognized—and I say this fairly, not politically motivated. I think they are fair-minded people and I think they are supporting it (Interjection)—No, I will not go overboard. I think they are supporting it because they realize the need for a farm voice in Manitoba. Yes, there are political fall-outs that come with it, but I do not think they will be able to take the claim for this. I think that they will be able to say they were fair in their support for it, and that is where it is at. It is fair-minded support.

Mr. Deputy Speaker, that is what we have never had from the New Democratic Party in Manitoba. As a former Member of the Legislature—and I have to again put on public record when I am talking about being part of the process—I can remember the day that I introduced the farm legislation when the former Member for Inkster got up and 40 minutes, I thought I had done the worst thing in the Province of Manitoba that ever had happened. He had given the best lesson in debating in this House that I ever had. After I got out and realized where he was coming from and where I was coming from, then I was more than ever convinced that I was doing the right thing. I had for years really opposed what the NDP were doing and to come to the Legislature with a Bill that I knew was right and he was so opposed to it and the NDP were so opposed to it, I just felt good about it after I realized that this is really where it is at.

I was pleased that I had that lesson, because I have to say I learned from it and today I think the former Member for Inkster has changed his ways somewhat too as far as the New Democratic Party is concerned. Sid Green is the man's name. So I give him—oh no, it was not Don Scott. With the greatest of respect for the most recent Member, no, there is no class of comparison. I say kindly to Don Scott, I think if he had have been able to survive, he would have even left the NDP Government in the House, as did the former Member for St. Vital.

Mr. Deputy Speaker, so we have seen the movement in a democratic system of finally justice is coming to the Legislature in legislation because democracy is working. Let me say as well that we should not overlook the work that other people in the farm community have put into this. I gave credit to the Member for Rhineland (Mr. Penner), but I have constituents, as all Members in this House have constituents, who have worked diligently over the last three or four years, talking to their friends and neighbours, selling them memberships in farm organizations. A lot of their energy, Mr. Deputy Speaker, went into encouraging their neighbours to buy a membership when they could have been dealing with policy matters and lobbying Government, but their energies were going to try and survive and save their organization.

We got to a critical stage where many of those people said if the farmers, my neighbours really cannot see the good that we are doing, my energies are playing

out, I do not know whether I can carry on that much further. Well, I take my hat off to those farmers who worked diligently to support themselves but also to get their neighbours involved. To that end, we have had some 5,000 members now in that organization.

I think the Member for The Pas (Mr. Harapiak) talks about non-democratic system. I will at any time put this legislation, parallel and compare it with the labour legislation in Manitoba and the way the actions of the labour unions work compared to the way this democratic Bill will work. I will do that comparison for him day in and day out.—(Interjection)— There is a vote. The Member says from his seat—he is now on his seat, not his knees as he was when he was speaking on the Bill. What he is saying, is there a vote. Mr. Deputy Speaker, there is the opportunity not to participate if the farmers do not want to participate and opt out. I defy him to show me in any piece of labour legislation the opportunity for a Member to opt out of the labour union. I defy that, Mr. Deputy Speaker.

* (1210)

In fact, there have been court challenges on religious grounds that people do not want to be involved in the labour union. Show me the opportunity for anyone in the labour movement to voluntarily opt out. It does not exist. And he talks about democracy, Mr. Deputy Speaker? That is why I think Workers Compensation was in such a difficult situation. The former administration really did not understand what legislation is all about. One can never write perfect legislation.

Mr. Deputy Speaker: Order, please. I can understand the enthusiasm with which all Members of the Chamber would like to participate in this debate, but I would ask them to allow the Honourable Minister of Northern and Native Affairs (Mr. Downey) to complete his remarks, and perhaps they could then rise and put their remarks on the record.

Mr. Downey: —(Interjection)— No, Mr. Deputy Speaker, I intend to take my full 40 minutes because this subject —(Interjection)— well, the Member for The Pas (Mr. Harapiak) I am sure says, oh, no. I would sooner be delivering this than receiving it.

Let us make sure we fully appreciate why we are moving on this legislation. Again, I want to make reference to, as though some people may say not very effective but I would that I had contributed somewhat in this process. I have to be honest that probably some 10, 11, 12 years, prior to entering politics, one would have really said, at that stage, what need is really out there? Well, I demonstrated in the cattle industry that there was a need. It is now being demonstrated in the general society of the agriculture community that there is need. But we have a change.

The economic conditions of agriculture have reduced tremendously the numbers of people who are producing food. When we see the strengths of other groups in our society, as we have developed over the last 10, 15 years, we have seen the formation of groups and organizations that have had effective voices when it comes to dealing with Government. Whether it is in

the social services side, whether it is in the hospital medical care, all groups organizations, professions, truly have legislation that gives them the opportunity to assemble and to come forward with a unified voice. As importantly, Mr. Deputy Speaker, it gives them the opportunity to come forward and have an adequate funding source to carry out the type of research activities. Lo and behold, the Members of this Legislature fully appreciate the need for Legislative support staff to do research.

Mind you, I have to say, Mr. Deputy Speaker, I wish the Liberals would sometimes use it a little more effectively. I think it might help the process in this Legislative Assembly. I could not help let that one go by. I am trying to be somewhat more statesman than that. That was an opportunity that I just had to take. The point I make is quite often made by the Members themselves, so I have to say no more about it.

The point is, they need the kind of funding to do the research, to make their case to Government, to make their case to the general public in the best interest of food producers in this country. Again, we have to put on the record and show that other provinces in Canada have moved very effectively to have strong farm organizations.

Many, many times the example of Quebec has been brought to our attention of the strength of the farm community and their ability to lobby. Probably, Mr. Deputy Speaker, the first organization in Manitoba or one of the first organizations in Manitoba that were an effective lobby group for farmers was the dairy industry. Their organization and their actions speak loudly and clearly as to the impact that they have had on society. Again, it is also a major known fact that they have had a major impact in Canada. The impact, the dairy association has had and the impact they have had as far as organizing and looking after themselves, it is slow in coming but it is here. This I really think is a day that one should celebrate that we are going to see the farm community have someone who clearly carries the message on their behalf to the people.

There are still those individuals who are out in our farm communities saying we do not need anyone to speak on our behalf. We do not want to be told or dictated to or what we should belong to. I think this legislation looks after that. I think it spells it out very clearly. They are not going to be forced. We still live in a free society that if they do not want to participate they do not have to. This is legislation that I think gives them the fair and open opportunity to do so. In not doing so and leaving those people out, I think would be the kind of legislation that all Members would want to support.

Again I make reference to my colleague who is so strong on the supporting of the labour unions. I am not opposed to labour unions. Let not the record show that. I am not opposed to labour unions as long as they operate fairly and squarely keeping in interest the workers who they represent, keeping in interest their role in society and not abusing the rights given to them by any legislative body. I am going to put on the record for the Member for The Pas (Mr. Harapiak) because I think it is important that I do so. I will use an example.

Again I am not attacking the union. What I am saying is I would like to sit down and discuss it with the union movement in a fair and open manner.

We currently have a company known as Moose Lake Loggers. That may not have a lot to do with this particular Bill at this particular time, but it does. Some of the people who work for Moose Lake Loggers some day would like to farm. They want to start farming in The Pas area. Unfortunately, the Member for The Pas never really thought of that. His mind cannot for some reason think past the boundaries of union movements.

(Mr. Speaker in the Chair.)

The point I want to make here is that the unions have such a stronghold on the wood supply of Manfor at The Pas that Moose Lake Loggers who would consider putting a training program in place for the Native community, for the people who are looking for better job opportunities in that northern community, they cannot and have been restricted from having a training program at Moose Lake Loggers camp because the unions say that the wood that goes to Manfor has to be provided at X number of dollars wage per hour.

So you cannot have a training program that would pay trainees less money to teach them how to produce wood, to teach them how to get involved in the forestry industry, because the unions say the wood going in has to have a certain labour component price attached. Is that really, in all fairness and honesty, what we want? To restrict the Native community from having their young people trained in the forestry industry, is that what we want? Because that is what we are getting.

You can ask Chief Jim Tobacco at Moose Lake who recently has made some comments about his concern about the problems in their community. The young people do not have enough to do. It is not because of the lack of social programs, it is because we have lack of economic opportunities. Right in that community at Moose Lake, if we had a training program for Moose Lake Loggers, those young people could go and work productively in the forestry industry. But no, they cannot because the labour union says you cannot pay them less money as a trainee than the individuals who are currently supplying wood, because it will take away from the strength of the union.

That is absolutely, totally unfair. I, as the Minister responsible, will be talking to my colleague, the Minister responsible for Manfor (Mr. Ernst), my colleague, the Minister responsible for Resources (Mr. Penner), and the Minister of Labour (Mr. Connery) as to how we can work towards accomplishing that goal, not the goal of breaking the union, not the goal of taking away from their strength, but to help the young people in the Native community at Moose Lake to get a job in the lumber industry so that it does take them away from their encouragement to get involved in activities that lead them to another statistic in our crime rate.

That, Mr. Speaker, I wish the Member for the Pas (Mr. Harapiak) would read and I wish he would read it very carefully, my comments in that regard because that is what he supports. I support the opposite, Mr. Speaker, which encourages people to become involved

in their industry, their agricultural sector, in a fair and equitable, democratic way.

Mr. Speaker: Order, please.

Mr. Harapiak: Mr. Speaker, I wonder if the Member for Arthur will submit to a question.

* (1220)

Mr. Downey: I have sat here for days waiting for a question from the Member for The Pas (Mr. Harapiak). The House started sitting some time at the end of July and I have not had a question from the Member. Why would today all at once it would be upon him to ask a question? Certainly I will respond to any number of questions the Member for The Pas would want to ask, but I would prefer to finish my remarks, and next week and the week after I would invite him to rise daily and ask me a question dealing with any matter that is uppermost in his mind.

I realize that I deviated a little bit from the Bill, but I did want to put on the record for the Member for The Pas some of the basic differences between what this legislation is and what this current labour legislation is all about. I think there is one other difference.

The Members who are funding the farm organization are doing so, as I said, up front, then they can opt out. The other thing that this does not do, I do not believe that in any way, shape or form that this legislation allows the organization to fund a political party with a checkoff. I wonder if the Member for The Pas (Mr. Harapiak) can give this House the assurance that there is not any labour legislation that allows the labour union to give some of their dues to a political party. I wonder if that Member for The Pas or any Member of the New Democratic Party could stand and give an unequivocal "yes" that there is not one dollar directed to a labour union or to the New Democratic Party. I wonder if he could stand and say that. I challenge him to do so. This does not give the power of the organization to fund any political party, and it is wrong if a public piece of legislation does so in any development or formation of any organization. It should only be given to a political party on a person's own individual willingness to do so, not directed or done so by legislation.

Mr. Speaker, let me just go through some of the comments that were made by the Minister when he introduced this. "Promote the interests of Manitoba producers," again, I say I know the Liberal Party—and they are going to support it—are supportive of those principles, and what are we saying when we promote the interests of Manitoba producers, we are talking about the bottom line. We are talking about promoting the incomes of farmers. We are talking about promoting the interests of farmers when it comes to land ownership in this province. Again, a misdirected direction that this former administration took the farm community that they restricted Canadians from owning farm land in Manitoba, that they were the great goddesses of this province and could dictate who should own farm land in Manitoba, taking away the right of being a Canadian and owning farm land in Manitoba.

"Development and promote a unified policy voice," there are many areas of policy that we have to have a unified voice on. I can name several of them, Mr. Speaker, and it is one I think that is extremely important to touch on today, the last five minutes that I have in my speech, and here is where I cannot compliment the Liberal Party. Sorry about that, but we have to leave here.

I have to say as well that on this next few minutes that I am going to talk, I today publicly take my hat off to Justice Emmett Hall who has finally stood up - (Interjection)- oh, they say that old Tory—and told the people of Canada that the free trade arrangement between Canada and United States will have no impact on the medical services and the Medicare and the social programs in Canada. Finally, that has happened.

Back to the farm organization, what has the farm organization been saying about free trade? We are establishing an organization today that, yes, there are many members of it will be members of the Keystone Agricultural Producers, 5,000 farmers who recognize the need for free trade. I would hope, Mr. Speaker, and I would plead with the Liberal Party here today that they pay attention to what comes out of a unified voice under legislation such as we are producing here today. I would hope the individual who, I am sure, belongs to an organization at the University of Manitoba as a former professor, who is a seed grader, would say if his organization of profession speaks as an organization—yes, he has the right to differ, but in basic principles and theory he believes in it.

I would hope that would flow through to him that in the best interests of the producers of Manitoba, this legislation is in their best interest as from that flows the support for free trade.

I have a hard time in understanding why again the Liberal Party are so opposed to it, not this Bill, but what will flow from the organization that will be established under this Bill. I would hope that they would seriously rethink their positions, whether it is the livestock producers, whether it is the canola producers, whether it is the wheat producers, whether it is any kind of producers. Give them the opportunity to better themselves in society, not keep them suppressed as they have been. Let us open them up to world and the American market that will happen with the Free Trade Agreement.

I am, of course, of the clear opinion that the Conservative Party in Canada and every province have been putting forward the information that people should be convinced. The unfortunate thing is that is a lot of information that has gone forward that has only convinced people that there is tremendous confusion out there. If that was the strategy of the Liberals and the New Democratic Party, they have accomplished it, but I do not think they have done anything for the process of politics for the betterment of Canada.

Another important point that this Bill does not do, and that is to be engaged in the wholesale or retail market, again an extremely important principle of farm legislation. They are not going to be using incomes of farmers that would go for the operating of their

businesses on a basis of competing. That would not be fair to take a checkoff from farmers for the operation of an organization that went out and directly competed against them as we see Government doing when a Crown corporation is established to compete against the private sector.

So it is an important principle again that this Bill spells out very clearly that they are not to get into the marketing of retailing, but I think and I say this wholeheartedly that this legislation is milestone legislation, it is historic legislation and it is absolutely needed in a time in our society when farm numbers are continuing to diminish. That as other groups in our society get stronger voices, the need is demonstrated to equalize and balance the opportunities in our society. That is what this Bill will do.

I say to you, Mr. Speaker, to this House, I compliment my colleague, the Minister of—

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

Mr. Downey: Mr. Speaker, I therefore recommend it—

Mr. Speaker: Order, please.

Mr. Bill Uruski (Interlake): If the Honourable Minister is finished speaking, does the Bill stay open

Mr. Speaker: When this matter is again before the House, the Honourable Minister will have six minutes remaining.

Mr. Uruski: Okay.

HOUSE BUSINESS

Mr. Speaker: The Honourable Government House Leader, on House Business.

Hon. James McCrae (Government House Leader): Mr. Speaker, I would like to make note that the Standing Committee on Public Utilities and Natural Resources will meet on Tuesday morning at 10 a.m., Room 255, to consider the Annual Report of the Manitoba Telephone System, and on Thursday morning at 10 a.m. to continue consideration of the Annual Report of Manitoba Hydro.

* (1230)

COMMITTEE CHANGES

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I have a committee change. I move, seconded by the Honourable Member for St. Boniface (Mr. Neil Gaudry), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: the Honourable Member for Springfield (Mr. Roch) for St. James (Mr. Edwards); the Honourable Member for Selkirk (Mrs. Charles) for Fort Rouge (Mr. Carr).

Mr. Speaker: The hour being 12:30 p.m., this House is adjourned and stands adjourned until 1:30 p.m. Monday.