

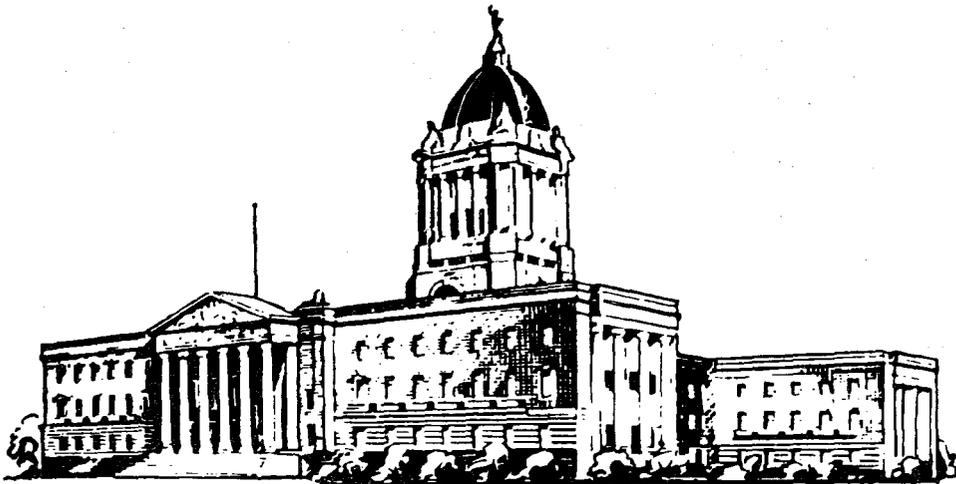


First Session — Thirty-Fourth Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS
(HANSARD)

37 Elizabeth II

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



VOL. XXXVII No. 87 - 1:30 p.m., TUESDAY, NOVEMBER 29, 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.	Virden	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
WASYLCIA-LEIS, Judy	St. Johns	NDP
YEO, Iva	Sturgeon Creek	LIBERAL

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, November 29, 1988.

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

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

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

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

Hon. James McCrae (Attorney-General): Mr. Speaker, it is my great pleasure to present the first report of the newly reconstituted and independent Law Reform Commission.

INTRODUCTION OF GUESTS

Mr. Speaker: Prior to oral questions, may I direct Members' attention to the public gallery where we have from the Churchill High School thirty Grade 9 students under the direction of Mr. Dan Bergen. This school is located in the constituency of the Honourable Member for Osborne (Mr. Alcock). On behalf of all Honourable Members, we welcome you here this afternoon.

We also have with us this afternoon in the public gallery from the Sisler High School twenty-six Grade 11 students under the direction of Miss Thompson. This school is located in the constituency of the Honourable Member for Inkster (Mr. Lamoureux). On behalf of all Honourable Members, I welcome you here this afternoon.

ORAL QUESTION PERIOD

Radon Sampling Public School Testing

Mrs. Iva Yeo (Sturgeon Creek): I wish I could ask my question today in Russian. However, I cannot.

Some Honourable Members: Oh, oh!

Mrs. Yeo: My question is for the Minister of Education (Mr. Derkach). Today we have heard that the level of lead in the drinking water in a number of our schools is causing a risk to our children. As the Minister may well know, radon gas levels in Manitoba generally

exceed American ETA guidelines and may exceed much looser Canadian standards. There are also hot spots where levels are far above safe amounts by anyone's standards. While the public has been alerted to the dangers of radon gas in their homes, there is no action by this Government where public facilities are concerned.

Our children may spend up to seven hours a day, five days a week, in school in an environment which has been described by experts as more dangerous than doing laps in a pool of PCBs. Will the Minister tell Manitoba parents that his department has a testing program for public schools and, if so, what are the results?

* (1335)

Some Honourable Members: Oh, oh!

Hon. Leonard Derkach (Minister of Education): Mr. Speaker, I could say a few words in Russian; however, I do not think they would be understood by too many in this Chamber.

With regard to the lead levels in the drinking water, when I returned to the office this morning I was of course alerted to this problem through the news media and certainly before that. My department has already moved to ensure that the recommendations that have been set forth by the Department of Environment are going to be carried through.

A letter has gone out to all school divisions this morning recommending that the procedures be followed as have been recommended by the Minister of Environment (Mr. Connery) with regard to flushing the lines before the water is used. Certainly this is not the end of it all. We will be following up and ensuring that if there is further action that can be taken to ensure the safety of students and personnel working in schools, that will be done.

Mrs. Yeo: Mr. Speaker, it sounds to me like the Education Department does not have any testing for radon in public facilities. I am wondering when Manitobans can expect such a program to commence with the Department of Education working with the Department of Environment.

Mr. Derkach: Mr. Speaker, all I can tell the Honourable Member right now is that we will be working in harmony with the Department of Environment to ensure that the safety of students is protected in our public school system. Certainly there are dangers that are known by the Department of Education from time to time. When it involves matters which are in the responsibility of the Minister of Environment, we are certainly going to be in touch with them and ensure that the safety of all personnel working in our school system is ensured.

Financial Assistance

Mrs. Iva Yeo (Sturgeon Creek): I will ask the Minister of Education if his Government is prepared to provide financial assistance to school boards where buildings may require some modifications because of high radon levels?

Hon. Leonard Derkach (Minister of Education): Mr. Speaker, as the Member knows, the ventilation aspect in our schools has certainly been improved over the last number of years. Where there is a good ventilation system the dangers are not that high. I have to say that we are not taking anything for granted and we will be addressing the problem. Where there is a severe problem, that will be addressed.

High School Review Report Release

Mrs. Iva Yeo (Sturgeon Creek): Mr. Speaker, with a new question to the same Minister, during the recent process of Education Estimates, responses were frequently and I quote, "pending the results of the High School Review." When asked about the Home Economics Program, the International Baccalaureate Program, the Advanced Placement Program, and to my surprise even when I asked the Minister about programs for the gifted, his answer was we will have to wait and see what the High School Review has to say about it.

Being that on August 8, the Minister stated the report would be ready in its final form by the end of September, can the Minister now tell this House when we can expect answers to some or all of these questions?

Hon. Leonard Derkach (Minister of Education): Mr. Speaker, I am pleased to say that the High School Review will be in my hands in the next week or so. At that time, we will be able to table that High School Review and follow the actions that are suggested or perhaps put in a plan of implementing some of the recommendations that the High School Review has. As the Member can appreciate, the translation has taken some time. I have discussed with her on a one-to-one basis on several occasions and I am sure that she understands the problem that we have had in getting the entire report translated. If we handed the report out without the translation, we would certainly be criticized for that. So we want to ensure that the report is going to be ready in its complete form before it is tabled.

* (1340)

Curriculum Planning

Mrs. Iva Yeo (Sturgeon Creek): Mr. Speaker, being that I have been in contact with some people from the translation office and they tell us that it usually takes one week to 10 days to do translation, I am very surprised that when the Minister has had this report in his hands for four months that it would take this long. I have had calls from young people organizing

courses in their second semester of high school. Will the Minister at least release the recommendations for necessary credits so these students will know how they can organize their classes so they may graduate?

Hon. Leonard Derkach (Minister of Education): Mr. Speaker, it may only take a week or two weeks to translate a document, but there are many documents that are being translated at the same time. Therefore it does take somewhat longer than what the Member for Sturgeon Creek would indicate that it would take to translate a document. I am sure that staff within the Translation Department are working as hard as they can to ensure that documents are translated. They are certainly not biding their time; they are not wasting their time. They are working at these documents and I do not have any criticisms of the department for doing a job as quickly as is possible.

With regard to programs that are being planned by students in the second semester, we are not anticipating any immediate changes to the curriculum as it exists right now, at least in the next few months. The recommendations are going to have to be studied and then we are going to make sure that divisions and people who are going to be affected by those recommendations have an opportunity to react to them as well, Mr. Speaker, so it is not a matter of getting the High School Review and then saying, this is now the law.

Recommendations

Mrs. Iva Yeo (Sturgeon Creek): Was this document not important enough for the Translation Office to give it some sort of high priority? What time line will this Minister plan for, ahead of the game, to establish firm directions for implementation of these recommendations approved by his department?

Hon. Leonard Derkach (Minister of Education): The Member should know that the High School Review was not commissioned by this Government. It was commissioned by the former Government. Therefore, we want to ensure that when the recommendations are put before us we have an opportunity to assess those recommendations and have an opportunity to see how they are going to impact on our educational system. It would be very irresponsible for us to say that once the recommendations are received they will all be implemented. I do not think that is the way anyone wants to proceed.

With regard to the expediency of the report, all I can say to the House is that the department that has been responsible for the translation has been working as hard as they can. All we can do is wait until that document is in its complete form.

City of Winnipeg Environmental Concerns

Mr. Gary Doer (Leader of the Second Opposition): My question is to the Minister of Environment (Mr. Connery). For the last six months, the Minister of Environment has promised to consult with the City of

Winnipeg on the environmental concerns between the city and the province and to develop a "workable plan" with the city on enforcing, really, what is his responsibilities as the Minister of Environment.

Can the Minister please advise us on the status of the numbers of projects that are involved between the province and the city under the new Environment Act, the sewage disposal system, the sewage treatment systems, the landfill sites, the disposal systems of dangerous goods, an item I have asked for before in terms of the Charleswood Bridge? Could he please advise us what the status of this is, besides all the rhetoric we have been getting in this House?

Hon. Edward Connery (Minister of Environment and Workplace Safety and Health): Mr. Speaker, the Member is aware of a few of the concerns that we have to address with the City of Winnipeg. We have a committee, working, of the Urban Affairs. We have sat down and we are discussing some of the issues to go before the City of Winnipeg before we go forth, that we go forward united, and then we are meeting with the mayor and the members of the city council to discuss the issues that we have before us. We have department people meeting with officials from the city to discuss several of these issues, and when we have a resolve we will address them.

Charleswood Bridge Environmental Impact Study

Mr. Gary Doer (Leader of the Second Opposition): In briefing notes in the Minister's own department, it states clearly that the Charleswood Bridge project should and must be licensed under the new Environment Act but the province does not want to. Could the Minister please explain to the people of Charleswood and the citizens of Winnipeg who will have to pay for that bridge why he is not following his own department's advice on mandatory environmental impact studies in that project? -(Interjection)-

* (1345)

Mr. Speaker: Order, please. Order.

Hon. Edward Connery (Minister of Environment and Workplace Safety and Health): It is obvious that we are going to have to change more of the locks on this building.

The Charleswood Bridge is under consideration by our department. When we have come to a conclusion, we will let the Member know.

Mr. Doer: While he is changing the locks perhaps he can develop the policy. When people are not following through as Ministers on policy, documents have a tendency to get out to the rest of the public who are concerned about these issues.

City of Winnipeg Sewage System

Mr. Gary Doer (Leader of the Second Opposition): My question to the Minister is the control of the input in the city sewer system again is clearly documented as a responsibility of his department, why has his department not acted in terms of this background and plan with the City of Winnipeg? It is a very important item in light of the Maples explosion. Why has he just baffle-gabbed this issue instead of developing a very serious plan on a very serious issue in the City of Winnipeg?

Hon. Edward Connery (Minister of Environment and Workplace Safety and Health): The situation that occurred in the Maples was indeed a very serious situation that took place. As the Member should know, the sewage system is not a concern or not the responsibility of the province. The transportation of dangerous goods is the responsibility of the province and comes under The Dangerous Goods Handling and Transportation Act. It is our attempt to ensure that people do not put hazardous substances into the sewer system.

Mr. Doer: The city and the province have been meeting in official delegation meetings continuously. I believe they met, in fact, this week. What we are asking for is what is the plan? What is the strategy? How are you going to implement your Act that was proclaimed six months ago?

Effluent System

Mr. Gary Doer (Leader of the Second Opposition): A further question to the Minister is, the disinfectant system and the effluent of the City of Winnipeg is again an area that the province is responsible for under the new Environment Act. What is the strategy of the province? What are the discussions with the city and the province in terms of resolving this issue as well which is not the billion dollar item that we all know as very, very difficult to achieve in the short term. I would admit that in this House. It is an \$8 million to \$10 million item in terms of the water quality in the City of Winnipeg with the effluent in the sewage treatment plants, where is the status of that six months after the Minister has received his responsibilities?

Hon. Edward Connery (Minister of Environment and Workplace Safety and Health): We had a presentation to us some two weeks ago of the chlorinating of the water going into the river system. It is a major cost item. It is not an item that we are backing away from. We are in discussions with the city. As the Member opposite knows that they knew when the Act was coming into place for some time and did not consult with the City of Winnipeg prior to it coming into effect. Had the Government prior, being responsible and had done a lot of the consultation before the Act came into place, we would be a lot closer to resolving some of the issues that are there right now.

Ambulance Services External Review

Mrs. Gwen Charles (Selkirk): My question is to the Minister of Health (Mr. Orchard). The Minister of Health, when pressured in this House to increase ambulance funding in this province, at least to the rate of inflation, decided instead to announce an internal review before discussing that with the services involved. Many, if not all of the ambulance associations have asked for external reviews. My question to the Minister is simply, why does he continue to refuse to agree to an external review?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, because an internal review ought to indicate to Government (a) direction to take; (b) the necessity for program change, policy change and focused funding.

Report Release

Mrs. Gwen Charles (Selkirk): Will the Minister of Health, if he insists on the external report only, table in the House the parameters he has set for that report and when can we expect the finality of it?

Hon. Donald Orchard (Minister of Health): I am hoping that the finality of it is finalized very quickly.

Mrs. Charles: I am sorry he finds this funny.

Consultation Association

Mrs. Gwen Charles (Selkirk): What plans does the Minister have to meet with the province's ambulance services and associations in order to avoid another demonstration on the steps of the Legislature which is being considered.

* (1350)

Hon. Donald Orchard (Minister of Health): Mr. Speaker, I met with the representatives of the Ambulance Association in my office—I am going by memory—some three or three and a half months ago. I spoke to the First Conference of Ambulance Attendants and Associations at the International Inn approximately one month ago and I simply want to indicate to my honourable friend, if she wishes to organize a demonstration in front of the Legislature, that is entirely within her prerogative.

However, Mr. Speaker—

Mr. Speaker: Order, please. May I remind the Honourable Minister that answers to questions should be brief?

Affirmative Action Board Appointments

Ms. Avis Gray (Ellice): My question is for the Minister responsible for Culture, Heritage and Recreation (Mrs. Mitchelson). On August 11, the Minister agreed to provide information in this House about the number

of women, visible minorities, physically handicapped and Natives who had been appointed to boards and commissions by this Government. It is now November 29 and we still do not have a reply. Can the Minister today tell this House what percentage of these groups have been appointed to boards and commissions and will she table that information?

Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Recreation): It is unfortunate I was not asked that question in my Estimates because I did have the information right there in front of me in my Estimates book. For answers, I will get that information and bring it to the House tomorrow on the appointments that have been made in my department and what proportions they are.

Ms. Gray: Mr. Speaker, and we look forward to that information tomorrow.

Appointment Numbers

Ms. Avis Gray (Ellice): A supplementary to the same Minister, the information provided by this Government shows that of 34 chairpersons appointed, only four are women and none are Natives. Would the Minister tell us how her Government is supporting affirmative action when this Government once again shows its true colours and appoints almost exclusively men and non-Natives as chairpersons?

Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Recreation): Maybe the Honourable Member could ask those questions of the Minister who is responsible for the Affirmative Action Program in this Government. I indicated I would supply for her the information on my department and the appointments but I do not believe it is under my jurisdiction to answer those questions.

Board Appointments

Ms. Avis Gray (Ellice): With a supplementary to a new Minister, I am not sure if anyone on the opposite side wants to take responsibility for affirmative action, but my supplementary question is for the Minister responsible for the Status of Women (Mrs. Oleson) and it is a very simple, direct question.

Could the Minister tell us does she support her Government's performance of board appointments when only 87 of 254 are women, and when only four of these board appointments as chairpeople are women?

Some Honourable Members: Oh, oh!

Mr. Speaker: Order. Order, please.

Hon. Gary Filmon (Premier): Mr. Speaker, the information that the Member is asking is information that I have supplied publicly before but for her information I would like her to know that I do not know where she gets the numbers from, but the actual numbers are that since this Government has been

ected, more than 40 percent of our appointments to boards and commissions have been women. That is a number that exceeds the proportion of women who were appointed by the New Democratic Party during their entire six-and-a-half-year period in office. They did not reach 40 percent; we have exceeded 40 percent within the course of six months of our Government.

Some Honourable Members: Oh, oh!

* (1355)

Mr. Speaker: Order, please. Order.

Prairie Conservation Plan Drafting Process

Mr. John Plohman (Dauphin): This morning the Premier held a news conference with the officials of the World Wildlife Fund to announce the Prairie Conservation Action Plan for the Province of Manitoba. What he did not say is that the former Government had participated actively in the development of that plan. He was questioned before he admitted, Mr. Speaker, that the 28 projects that were listed were actually funded by the Wildlife Fund during our former years in Government over the past three years. He did say that under new initiatives, that he was drafting an Endangered Species Act. What he did not say to the people of Manitoba is that Act had been drafted by the former Government, by March of last year that Act had already been drafted. He did not tell the people of Manitoba.

I ask the Premier to advise this House why he chose to mislead the people of Manitoba and the news conference, Mr. Speaker—

Some Honourable Members: Oh, oh!

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

POINT OF ORDER

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

Hon. James McCrae (Government House Leader): When one is accused of choosing to mislead, the implication is clearly a deliberate misleading. The Honourable Member ought not to ask questions like that.

Mr. Speaker: Order, please. I have to ask the Honourable Member for Dauphin to kindly withdraw those remarks.— (Interjection)— Kindly withdraw.

Mr. John Plohman (Dauphin): Mr. Speaker, I am not going to say at this point in time that he chose to mislead. He may have inadvertently done so, so I will withdraw those words.

Mr. Speaker: I would like to thank the Honourable Member for Dauphin.

Mr. Plohman: But I would ask this First Minister (Mr. Filmon) why he left the impression to the people of

Manitoba that he had initiated the drafting of such an Act, The Endangered Species Act, when it had already been drafted by March of 1988?

Hon. Gary Filmon (Premier): Mr. Speaker, it is interesting to note that the former administration seemed to have so many things done that they never revealed publicly or were able to implement during their time of Government.

Time after time in this House we have Members opposite telling us all these wonderful things they did or were about to do. I can recall the Member for Dauphin (Mr. Plohman) approaching me during the Ukrainian Festival in Dauphin, telling me, you know about this project that we had almost completed. We looked through the files, we did not find any mention of it. I will say to the Member for Dauphin (Mr. Plohman) that today I did no such thing as attempt to deliberately leave the impression that the Government had done all of these things.

What we said was that we were committed to this plan of action, we were committed to the plan that was presented to us by the World Wildlife Fund. We are the first province in the country to commit to the adoption of their plan in Manitoba. We are also very committed to all of those things that they are choosing as environmental and conservation initiatives as being important to the prairie region and to Manitoba in particular, one of which is the adoption of an Endangered Species Act, Mr. Speaker. If the Member for Dauphin wants to, on behalf of the senior civil servants and the people who work for the Government of Manitoba, take full credit for having developed that Wildlife Endangered Species Act, then I say he would be misleading this House and the people of Manitoba if he were to suggest that he developed that Act or he wrote that Act, because I know he is not capable.

Some Honourable Members: Oh, oh!

* (1400)

Mr. Speaker: Order. Order, please.

Mr. Plohman: I have never seen such bafflegab in my life. It is new meaning for that old word.

Endangered Species Act Introduction

Mr. John Plohman (Dauphin): The fact is that in his announcement under Other New Initiatives he said the drafting of an Endangered Species Act, and I have a copy of an Endangered Species Act that was drafted before March of 1988, so who is inadvertently or deliberately misleading this House? I ask the First Minister (Mr. Filmon) if indeed this Act was drafted as it was, as well as The Ecological Reserves Amendment Act, which are two important Acts dealing with conservation and sustainable development, why has he not presented those Acts to this House during this Session of the Legislature?

Hon. Gary Filmon (Premier): Mr. Speaker, the fact of the matter is that there were many projects, there were

many pieces of legislation that were ongoing under the former administration. We, as a new Government, have a right and responsibility to the people of Manitoba to ensure that anything that we present is in keeping with the goals and the objectives and the directions that we are setting as Government. When those Acts are ready to be presented to the House, he can compare them to see whether or not they are the same form as those that were being done by the department under his jurisdiction, or whether indeed there are some changes in keeping with issues, directions and objectives that we as a Government have.

Mr. Plohman: Mr. Speaker, it is clear that this First Minister (Mr. Filmon) has just jumped on the sustainable development and conservation bandwagon after the Prime Minister announced the centre. They never had it in their plan. I ask the First Minister (Mr. Filmon) why he has sat on two very important Acts that are critical to the implementation of such a policy on sustainable development when they have been prepared before March of last year and he still has not introduced them in this House? Why has he sat on those Acts instead of introducing them in the Legislature?

Mr. Filmon: Mr. Speaker, all of those initiatives that we as a Government are going to be undertaking will be presented to the House in due course.

Deportation Reversal Request Sally Espineli

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, my question is for the First Minister (Mr. Filmon). Once again I would like to bring to the attention of this Chamber that Sally Espineli still remains in the Philippines. The Premier (Mr. Filmon) has met with representatives from the Philippine community. I have requested that the Premier call the Minister of Immigration. This Chamber has been petitioned from the Philippine community itself. The First Minister has written to the Minister of Immigration. My question to the Premier is what correspondence has he received regarding Sally Espineli's case and is he content with it?

Hon. Gary Filmon (Premier): I will take that question as notice.

Premier's Intervention

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, Sally Espineli is not alone. There are other immigrant workers in the garment and domestic industry who came to Canada under the same circumstances. In fact, the Court of Appeal has just dismissed another case which would imply that another Manitoban will be deported. Will the First Minister (Mr. Filmon) act today and look into this case and possibly prevent another unfortunate deportation?

Hon. Gary Filmon (Premier): Yes, Mr. Speaker, I will look into that matter as well.

Human Rights Commission Sally Espineli Ruling

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, the Canadian Human Rights Commission will be making a decision on the Sally Espineli case in January. In the meantime other Manitobans face similar deportation. Will the First Minister (Mr. Filmon) ask the federal Minister of Immigration to halt all similar deportations until the Human Rights Commission has given its final decision?

Hon. Gary Filmon (Premier): Mr. Speaker, I will look into all aspects of that matter as to the jurisdiction of the federal Human Rights Commission on this and other matters. When I have further information to share with the Member, I will.

Grand Rapids Forebay Effect on Community

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, I would like to respond to a question asked on Monday, November 14, Hansard, page 3047, from the Member for The Pas (Mr. Harapiak) dealing with the Cormorant Grand Rapids Forebay. I will just be very brief. It may help the Member for Dauphin (Mr. Plohman), who feels that he is not clearly on the record. I have some information to put on the record dealing with his past performance, so it may be helpful to soothe his feelings today.

The question was what has the Minister done with the recommendations that were made to him earlier this year. First of all, there were not any recommendations made to the Government of Manitoba. However, one of the committee members, not officially, unofficially, sent a letter to Mr. Plohman, Cormorant Joint Flood Committee Report.—(Interjection)—I just ask the endurance of the Member because it is in the interests of him and his Government's record. If I may come directly to the point, I would like to say that the people of Cormorant are totally distraught, disappointed and dismayed by this Government's record—this is March 15, 1988—with respect to the extreme fluctuations of water; further—this is '88—the systematic genocidal policy of inaction by your Government makes one question, how good our laws and rights are in this country, genocidal policies of the former New Democratic Party. To date, nothing has been done to alleviate the problem—

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

Drought Assistance Applicants' List

Mr. Bill Uruski (Interlake): Mr. Speaker, my question is to the Minister of Agriculture (Mr. Findlay), and it deals with the announcement regarding both the drought payments to farmers. During the Estimates process, the Minister indicated it would be several weeks before announcements will be made as to which areas would qualify for assistance under the federal

Drought Assistance Program, as well he has indicated that he will not be participating in the federal program. During the course of that debate he also criticized the former administration for not participating in payments to Interlake farmers.

I would like to ask, first of all, whether he has found the list of those farmers who were missing and whether that list will be provided and whether or not the province now will be participating in that program.

Hon. Glen Findlay (Minister of Agriculture): With regard to the drought payment, I can assure the Member that there is continuous negotiations going on between the federal-provincial levels of Government at the bureaucratic levels in terms of looking at the mechanism of putting that program in place.

With regard to the Interlake farmer question, there has been a lot of communication going back and forth attempting to establish whether the list that is there is genuine and the acres that we had been guaranteed that were attached to that list were adequate. I think it is safe to say at this point in time that there is some consideration being given to looking at the list of farmers and maybe having to going back and re-establishing what the appropriate acres that should be attached to that list of farmers.

But I can assure him that there is an act of process of negotiation going on and we have had two phone calls since the election trying to get that thing in place.

Eligible Areas Announcement

Mr. Bill Uruski (Interlake): Mr. Speaker, can I ask the Minister when he expects the announcement to be made as to which areas will be eligible under the Drought Assistance Program that was recently announced? First of all, there has been no announcement under the Feed Security Program which, as I understand, forms the basis for payments under the federal program for cattle; and as well when the announcement will be in place as to payments under Crop Insurance which will form the basis for payments under the Grain Loss Program of the federal Government. When does he expect those announcements to be made?

Hon. Glen Findlay (Minister of Agriculture): If I caught the Member's question, he wants to know when the information from the Livestock Feed Security Program Measurements will be announced. Best I can say is the data has been collected and the corporation is in the final process of determining the exact figures by municipality and I would have to say in the not too distant future those figures will be out on a municipality basis.

In regard to the grain program, as I said earlier, the officials are meeting and trying to establish the guidelines to be sure that the program is properly targeted to those farmers who are hardest hit by drought and that the announcements will be forthcoming in that direction. I would hope that something is in the position for announcement within a month. That is about as early as I could offer a solution.

Mr. Uruski: I thank the Minister for that information.

Federal Stabilization Program Provincial Participation

Mr. Bill Uruski (Interlake): I ask him one more question on a related subject dealing with the whole question of cattle in the province.

The Minister has indicated his intention to join the Federal Stabilization Program. Since the 1st of December is almost upon us and he indicated that the 1st of December would be the date that he would be making a decision, one way or another, whether there would be a provincial program that we had put in, is he now prepared to indicate that there is an answer from the federal Government and that the province will be entering the program and, if not, when is he prepared to enter into a provincial program that was proposed by our Government earlier this year?

* (1410)

Hon. Glen Findlay (Minister of Agriculture): I gave the Member a copy of the letter that we sent to the federal Government on November 1 offering to join the program. As he well knows, there has been a little bit of a delay because of the election. The federal Minister of Agriculture will hopefully be appointed before long. We expect a reply back once that new Minister is in place.

Officials have carried on intense negotiations between this province and the federal Government and amongst all provinces across the country in terms of achieving the level of playing fields so all provinces can enter the Red Meat Tripartite Stabilization Plans. The process is an ongoing process. I would hope that the December 1 deadline, although it is close, it looks now like December 15 is the more probable time because there is a federal-provincial meeting just a few days ahead of that. We hope that is the time those announcements will occur.

High School Review Prejudgment

Mrs. Sharon Carstairs (Leader of the Opposition): My question is to the Minister of Education (Mr. Derkach). I was surprised earlier in this Question Period with his responses to the High School Review, particularly shocked, if I might say, by his use of the word that it was not commissioned by this Government. It left me with the uneasy feeling that somehow or other he thinks the report is less valid because it was not commissioned by his ministry. Has this Minister already judged the report and found it wanting? If he has, how does he explain that in light of the independence of the commission?

Hon. Leonard Derkach (Minister of Education): As normal, Mr. Speaker, the Leader of the Opposition has decided to misconstrue what has been responded to a question asked by the Member for Sturgeon Creek (Mrs. Yeo).

There is no way that the report has been prejudged at this particular time. Certainly it is true that the report

was commissioned by the former Government. It was not commissioned by this Government. That is simply a statement. It does not mean that we have in some way prejudged this report at all. We understand the way that the structure was set up in terms of the committee that was made up to review the situation. Certainly, their comments are going to be respected. This Minister is going to consider all the recommendations that are made. There is no guarantee at this time that every single one of those recommendations will be implemented.

We first of all want to take a look at those recommendations, see how they apply to our education system and then adopt those that we think will enhance the education system of this province.

Recommendations

Mrs. Sharon Carstairs (Leader of the Opposition): With a supplementary question to the same Minister, the Minister has had the report for four months. Can the Minister inform the House today if his departmental staff have indeed assessed these recommendations? When the report is released next week, which we anticipate it will be, will those recommendations be indicated to both the Members of this House and the public at large?

Hon. Leonard Derkach (Minister of Education): As I have indicated in this House before, the recommendations that are going to be made or that are being made in the High School Review will be considered after the High School Review has been presented to me in its entire form. That should be at the end of this week or the beginning of next week.

Mr. Speaker: Order, please. The time for oral questions has expired.

SPEAKER'S RULINGS

Mr. Speaker: Prior to Orders of the Day, I have two rulings for the House.

On November 18, the Deputy Speaker took under advisement a point of order raised by the Honourable Member for Concordia (Mr. Doer) respecting the words "scare tactics by Members opposite," spoken by the Honourable Minister of Environment (Mr. Connery).

On August 24, I ruled that the phrase "scare tactics" was not unparliamentary. In this case, the context and other factors which assist in determining whether or not particular words are unparliamentary are virtually identical.

I am therefore ruling that the Honourable Member did not have a point of order.

On October 27, the Honourable Member for Concordia (Mr. Doer) raised a point of order respecting the phrase "... like the former New Democratic Party rigged the system" spoken by the Honourable Minister of Northern and Native Affairs (Mr. Downey).

The Honourable Minister was making a general observation about the Second Opposition Party and

was not directing his remarks to a specific Member. Our own practices, including my ruling of November 14 and those of the House of Commons, have tended to be more lenient with respect to general observations about a group of Members. I am, therefore, ruling that the Honourable Member did not have a point of order.

ORDERS OF THE DAY

Hon. James McCrae (Attorney-General): I move, seconded by the Honourable Minister of Northern Affairs (Mr. Downey), that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider of the Supply to be granted to Her Majesty.

For the information of Honourable Members in the committee room, the Estimates of the Department of Labour are before the committee, followed by Environment and, in the Chamber, the Department of Attorney-General followed by Municipal Affairs.

MOTION presented and carried and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty with the Honourable Member for Minnedosa (Mr. Gilleshammer) in the Chair for the Department of Labour, and the Department of Environment and Workplace Safety and Health; and the Honourable Member for Seven Oaks (Mr. Minenko) in the Chair for the Department of Attorney-General, and the Department of Municipal Affairs.

CONCURRENT COMMITTEES OF SUPPLY SUPPLY—LABOUR

Mr. Chairman, Harold Gilleshammer: I would like to call this committee to order to discuss the Estimates of the Department of Labour. When last we met we were on item 2.(k) Pay Equity: (1) Salaries, \$214,000—the Member for Radisson.

Mr. Allan Patterson (Radisson): I would just like to make some comments, Mr. Chairman, thank you. First of all, in Pay Equity, may I wax professorial and go back to something that has bothered me for some time? I would like to get it on the record.

I have a concern for the use of the English language or the language of Shakespeare, and the way it tends—and a lot of it is through influence from across the border—to get sloppy and get into misuse.

I wrote a letter to the Minister on September 27 pointing out the misuse of the word "gender" which, let me just quote, "is an entirely unnecessary euphemism for the word 'sex'." It does arise in legislation, in reports and matters, such as human rights, affirmative action, pay equity and so on, and admittedly academia and the media are also guilty.

At the time, I brought attention to the errors in some of the tables in the Annual Report of the Pay Equity Bureau where in a table here, Appendix A on page 17, I have Summary of Gender-Dominated Classes, and on page 15 a heading, Average Hourly Wages by Gender

and now, in horror, I just happened to open this latest discussion paper and here I see a heading on page 22 defining gender dominance.

Now, if I may revert to some basic English, the word "gender" refers to the classification of nouns and pronouns and objects as masculine, feminine or neutral, and "sex" refers to the classification of organisms for the purpose of reproduction in the male or female or hermaphrodite, so thus a woman is a noun of the feminine gender but means a person, the female sex.

To quote Fowler's *Modern English Usage*, which is the authority on English usage, gender is a grammatical term only to talk of persons or creatures of the masculine or feminine gender, meaning of the male or female sex, is either a jocularity which may be not permissible according to the context, or a blunder. So these continual uses of the word "gender"—and the Leader of the Third Party (Mr. Doer) used it a great deal last night—are blunders in the use of the English language. I would just like to get that in the record and, if I were in the Department of Labour, I would put out orders that corrections are to be made.

However, aside from that, Mr. Chairman—

Hon. Edward Connerly (Minister of Labour): Shakespeare also wrote a play. It was called "Much Ado about Nothing."

Mr. Patterson: If that is the way the Minister feels about it, he is entitled to it, but I just report, if the Government of Manitoba or employees want to misuse the language it is their privilege. Thank you, Mr. Chairman.

To get back to matters of a little more substance, could the Minister tell us—I am not saying they are of no substance—how many females are on the Labour Relations Board and on the Labour Management Review Committee? Are there any?

* (1440)

Mr. Connerly: The Labour Board, for one thing, we will find out is a board that has had no replacements I do not think since we took office. The previous Government ensured that they would have some longevity. Some of them are there until 1993 or 1992, some until 1990 and some until 1989 which is coming up some time next year. What was the other one that you wanted?

Mr. Patterson: The Labour Management Review Committee. Perhaps I should apologize, they should have been brought up earlier on.

Mr. Connerly: If I had known you wanted boards, I would have brought my—

Mr. Patterson: I did not realize that other people would be here.

Mr. Connerly: Two of the vice-chairs are females or women, and five of 24 of the other members are women. From the employees' side, three of 12 are women and

we can determine two out of 12 of the employer representatives are women. It is not a very good mix as far as the representation on the Labour Board but it is something that I inherited. To remove them would take some difficulty and we are not in the process of doing that. When we are reappointing to the Labour Board, we will be attempting to achieve more women balance on there because I feel they have, on the labour side, a very important role.

As you know, women make up basically half of the labour force in Manitoba and should be represented on a board; that is so important. It would be a matter of asking the various groups when they are giving us their representatives to ensure. Of course we do not have to take those that they suggest, we can refuse. Unlike the previous Government, if they do not have a sufficient number of women and other groups to make a proper make-up of the board, then we do not have to accept that representation.

Mr. Patterson: That is the Labour Board. Do you have available the Labour Management Review Committee?

Mr. Connerly: I do not know if we have it right here, Mr. Chairman, but I was at a meeting and there are very few women on that committee also. I believe that is another committee that I do not believe we put anybody on since we came into power. I think that was another one. We can take it under advisement and get the answer for the Member for Radisson if he would want that.

Mr. Patterson: Mr. Chairman, yes. Thank you, Mr. Minister, I would be glad to get that. I think I might mention that while definitely there are many women in the organized labour movement and many of them in, of course, as we know positions of high responsibility and authority, they seem to have a better representation of the management side. Certainly on the management side as well there are increasingly capable women coming into positions now where they would be capable of representation on the Labour Board, women who are in the field of law and specializing in labour relations matters. I know maybe they are not all that up the hierarchy yet, but many of my own students from the university, females who are into, maybe not the straight labour relations end, but in personnel management and human resource management in many large firms around the city. I appreciate the Minister's comments to the effect that he will be taking that into consideration in future appointments.

Mr. Connerly: Just so that the Member for Radisson (Mr. Patterson) knows the respect and esteem—the respect for the abilities of women in the work force or in the political arena is that my complement of three people in my office to keep me going are all women. So I can assure you that I have the utmost confidence in women, and my first campaign chairman was a woman who did an excellent job and got me elected. So I have the utmost confidence in their abilities to perform well.

Mr. Patterson: I do not want to hold things up unduly, Mr. Chairman, as we are getting well on to the end of

things here. Just in the matter of pay equity, a great deal was made of it—you said private sector, by the third party. I am not pushing for a fast implementation of it in the private sector. While I do not think it should be unduly held up, I do not think it hurts to have at least a short look at its operation in the public sector where it has been under way for some reasonable time now with the Civil Service itself, but it is now getting under way in the other sectors. But a great deal was made last night of this male/female, or sex wage gap of roughly one-third. It varies a bit depending on the various studies, groups and the data, but nevertheless all of that gap is not due to pay equity. The study of that has shown there is no way of getting an exact figure on it but studies have shown that something in the order of the range of around 5 percent to 15 percent of that one-third gap is due to pay equity or could be cured by pay equity. So I appreciate that in spite of implication otherwise that the pay equity is not going to eliminate the 35 percent. That will do it for me, thanks.

Mr. Connery: I think there are a few things that I should put on the record just for some clarification. The Member for Thompson (Mr. Ashton) yesterday was indicating that the previous Government was gung-ho to further pay equity but it was only into one sector that they were planning to go and that was into the school districts; that was the target that they had for this year. But there were some arguments—I should not really call them arguments—some rationale as to why the difference between men's and women's salaries are as far spread as they are. Whether they are good reasons or not, I think they are logical.

This was some information that was sent to me by one of the groups and it says that for tradition and other reasons some women consciously choose occupations which earn a lower rate of pay and this could be because they only want part time. They are raising a family and only want to work for three or four hours a day, and the jobs available for that are of a lower rate of pay. It also says that female university graduates in 1984 earned only 68 percent of what a male university graduate earned. But this disparity, it says, is largely due to the fact that many women continue to choose professions such as social work and teaching that pay less than engineering and architecture. Even when inroads are established to male dominated occupations such as medicine and law, many women opt for family practices which pay considerably less than surgery or corporate law.

They also go on to say that some women also deliberately choose fields in which there are predictable hours and relative ease of job market entry and exit, factors compatible with raising a family.

Not only is there a smaller percentage of women employed in unionized positions but also the impact of non-unionization is greater on women than on men because of the types of jobs chosen by some women. It also says that there is an overrepresentation of women in part time jobs which could allow for the second person—the family raiser—that women as you know to take time off for maternity leave and so forth.

Even if they went to university at the same time with a male and took the same course and both graduated

with the same degree or same honours, same grades, if that woman took 10 years out of her career to raise a family, when she went back into her profession, would be at a lower level and likely never catch up. When you want to take a look at the wage spread between men and women, the actual wage in what a woman earns for the same work that a man does, there is not that great of a difference. Because of the nature of women and their family raising and so forth, I think this is where a large part of the spread is in what women make compared to men.

* (1450)

Mr. Steve Ashton (Thompson): Quite frankly, I am very surprised by the statements of the Minister over the last few minutes. He was trying to assure us yesterday of his full commitment to pay equity. Now he seems to be coming up with all sorts of excuses for the current situation. If he would have cared to have checked, he would have found that, yes, pay equity would not result in a complete equalization of wages. I know in terms of the public sector, where women have made 81 percent of the wages of men, that the implementation of pay equity would bring women up to wages that would be 91 percent of the wages of men showing that a significant part of the difference, if not all, but a significant part of the difference is the fact that the work that women do is undervalued. Even some of the explanations that are used that may explain the situation, but it still does not deal with the underlying causes.

Yes, perhaps women have chosen social work for example as compared to engineering. Does that mean that social work, because it has received a lower wage than engineering over the years, should remain at that level? We could take other comparable occupations. Women have been very involved for example with child care. We had a case at the university, I think, which demonstrated just how undervalued that service is. That is what pay equity is all about. It is not about taking excuses. I was really surprised with the Minister's statement that somehow most of the underlying cause was somehow just a question of choice amongst women when in fact study after study has shown that regardless of the choice factor that the jobs women are in, female-dominated job classifications, are by and large undervalued within firms and in the economy in general. Is the Minister suggesting that we not proceed with pay equity for example in the private sector, that it is not going to make any difference? Does he not have any studies on the impact in the private sector that pay equity would have?

Quite frankly, I am surprised with these series of explanations. I think the only thing that the Minister's explanations lead to is the conclusion that we need two things: (1) is pay equity, to make sure that women are not stuck earning less than they deserve; and (2) is a proper policy of affirmative action to assure that women have the opportunity for all job classifications.

In fact, I would even add a third thing that the Minister should be arguing for and that is improved situations in terms of Employment Standards, so that for example women do have a better opportunity to participate in

the labour force. Right now there are a lot of systematic barriers, whether it be in terms of the inability that people have to get proper maternity leave. I would also suggest we have paternity leave, I think, whether it be in terms of dealing with family responsibilities while they are continuing to work. We do not have the kind of leave that other countries do which allow people to continue to have their parental responsibilities as well but working the workplace.

I am wondering what the Minister is suggesting. Is he suggesting that pay equity is not going to make the difference in the private sector? If he is, does he have statistics to back that up?

Mr. Connery: Once again, the Member for Thompson tries to leave misinformation on the record. We have not, for one minute, backed away from our commitment to proceeding with pay equity.

I agree that through the Employment Standards we have to improve certain things for women in the workplace where because of their family raising and so forth, we need to make allowances and to assist them to carry on a career and raise a family at the same time. No, we are not backing away from pay equity, not for one minute. Pay equity, there are many things that cause people to be paid different, not only women from men but women between women that get paid different wages. So there is an equity in many areas. It is a matter of pay equity as saying what is the value of this job compared to another job. That is the role of pay equity. As I told the Member last night, that pay equity has also caused inequity between people in the Civil Service of the same category.

Mr. Ashton: Mr. Chairperson, the Minister says he is not backing away from pay equity. Yesterday he told us, and I use his exact words, that they have put pay equity on hold. We have seen the impact that has had in terms of the current budget. We have seen the fact that they are not proceeding at this point in terms of school divisions or municipalities. The Minister also knows that the previous Government had committed itself to implementing pay equity in the private sector during its last term in Government. He knows that it was only because of the defeat in mid-term that it was not implemented. I think it is totally improper for him to suggest that there were not plans in terms of the private sector.

How can the Minister say that he is not backing away from pay equity when his own budget, his own statement yesterday, says quite clearly it has been put on hold. One of his statements today, I think, put into question the commitment the Minister has. I am starting to hear more and more excuses now as to why we have an unfair situation out there. I have never said and no one has ever said pay equity is the total solution. I just listed two other aspects to it that are important. I asked the Minister specifically since he is now suggesting that the inequality in the private sector is somehow related to other factors, what statistics he has to back up that observation? I pointed out, in the case of the public sector that having pay equity in the public sector would result in women earning 91 percent of the salaries of men. Presumably the other 9 percent is what should

be dealt with, with affirmative action, ensuring there are proper opportunities for women. But that is cutting nearly, in fact, more than cutting the gap in half.

I would like to ask the Minister, not for his observations or his amateur analysis of the economy, I would like to ask him specifically the gap in the private sector between women and men and what percentage is related to pay equity causes?

Mr. Connery: He says about different jobs. I presume the Member supports the legislation that was put in by the previous Government. I am assuming that he supports that legislation. He is not nodding, I guess he is not sure if he supports it.

Mr. Ashton: I will wait for an answer. That is a straightforward question.

Mr. Connery: We presume by what he is saying he supports the previous legislation. As you know, if we went into child care with pay equity, because of the total domination by females, there would be no adjustment in pay equity. So when the Member says that we did not move in that area, it would have no effect on those women in the pay child care sector, because there is a totally female-dominated category. There are no men to compare to. Pay equity compares women in an employer-specific location to men in that and then comparing their job to the job that men are performing. Then they should be paid equally or based on how their job compares to the job that the men are doing. So there are lots of flaws in that legislation and will not solve all of the answers—what we are doing in our consultative process just to determine how we should be going, what models we should be using in furthering pay equity in other sectors.

* (1500)

Mr. Ashton: Once again, I think the Minister is not answering the question. It seems like every time I ask a direct question I get some parallel answer which does not deal with it. If the Minister wants to discuss the situation with child care workers, yes, there is that difficulty of not having the comparative classification within that sector. But there are point systems that are established. There are other comparisons. If child care workers, for example, were dealt with as part of the overall public sector which I feel they are, then one could establish the comparisons with the overall public sector. There is no doubt, I think, in anyone's mind that child care workers are grossly underpaid given the responsibilities that they have, and given also the increased training responsibilities.

I was asking in regard to the private sector because this is one of the fundamental differences between this Minister's approach and this Government's approach, and the previous Government's approach. Unfortunately I believe the Liberals are supporting this Government in not proceeding with pay equity in the private sector, and I am not talking about this year. I did not suggest that the New Democratic Party was going to be proceeding in 1988, but it was committed to introducing pay equity in the private sector during its term of

Government, and it would have done so if it had been able to complete that term in Government.

I was asking specifically in terms of the private sector, since what we are hearing from the Minister today is excuses in regard to pay equity and that is what is the current gap between the earnings of women and men in the private sector, and what factors does the Minister believe are related to pay equity? I just gave the Minister the statistics for the public sector, what are the statistics for the private sector?

Mr. Connery: In the private sector in 1985—and that is the last statistics that we have—there was a 68-cent gap; and in the Civil Service there was an 81-cent gap, and that was in 1985 under the previous Government. The best guess is that pay equity would address 10 to 20 percent of the wage gap that there was between the female and male employees in the workforce, that pay equity was not going to solve all of the answers. It would bring some better realization for women but it was not going to solve it all.

Mr. Ashton: Just one final observation, I would love to have the opportunity to continue this debate, I am sure, on other occasions but I think the statistics the Minister has given show why we have to move with pay equity in the private sector. Women are earning 68 percent of the wages of men in the private sector. There are about 330,000 women, 76 percent of all women, are working in the private sector.

The Minister with his own figures indicated that pay equity would move women to at least 78 percent and possibly 88 percent of the wages that men receive. As I said, other factors would help even further in equalizing. Pay equity is not the only answer. I think the Minister in his own answer gave the reason why in the New Democratic Party we are so concerned about the need to move ahead with pay equity. As I said, it would not have been put in place this year, but we had a commitment and there is no commitment from this Government in regard to pay equity in the private sector.

We will probably be continuing this debate I am sure in this committee in upcoming years. As I say I have a lot more comments I would like to put on the record, but I realize we do have a time constraint.

Mr. Connery: There is a good possibility that he might not have much of an argument next time.

Mr. Ashton: If you bring in pay equity in the private sector . . . more than happy.

Mr. Patterson: Just one more—

An Honourable Member: No more Shakespeare.

Mr. Patterson: Wordsworth this time. The Minister mentioned in the House yesterday or the last few days words to the effect that much of the labour legislation in Manitoba was a disincentive to investment in Manitoba.

Now throwing aside final offer selection, just what specific things in The Labour Relations Act, or The

Employment Standards Act, or whatever, has the Minister been given to believe that it acts as disincentives to investment? What specific things have been brought up by individuals or firms considering investing in Manitoba?

I should point out that under the New Democratic Party administrations, particularly and initially with the Roblin—I am sorry—the Schreyer administration starting in 1972 and from then on there has been a good bit of very progressive labour legislation passed in Manitoba, and that was subsequently followed by many other jurisdictions and, by and large, if we just forget about the current dispute over final offer, but just consider everything other than that it could be said that Manitoba has on the whole excellent labour legislation. I am wondering just what specific things the Minister might have in mind to change to address any specific problems that might have occurred concerning investment, you know, other than a consolidation into a general labour code that has been mentioned.

Mr. Connery: I think, Mr. Chairman, we are now back into what you would consider Minister's Salary since we have deviated from Pay Equity, if you would want to pass Pay Equity then we can deal with the Minister's Salary and I would answer that question at that time.

Mr. Patterson: I did not realize, I was thinking when this is finished we are out, but—

Mr. Connery: No, you get one more shot.

Mr. Chairman: On item (k)(1) Salaries—pass; item (k)(2) Other Expenditures, \$101,500—the Honourable Minister.

Mr. Connery: The Member wanted an answer to the question that he gave, I assume, or were you just making a statement on those.

Mr. Patterson: Oh, we are not in there, I thought we were. Okay, sorry.

Mr. Chairman: On item (k)(2) Other Expenditures—pass.

Resolution No. 108: Be it resolved that there be granted to Her Majesty a sum not exceeding \$8,566,800 for Labour for the fiscal year ending 31st day of March, 1989—pass.

We will revert at this time to item No. 1. under Administration and Finance, (a) Minister's Salary \$10,300—the Honourable Minister.

Mr. Connery: In response to the Member for Radisson, there were many things that were disincentives to people coming to this province, or expanding in this province. As you know, we lost many, many major head offices to Toronto and to Montreal, to Alberta, to Vancouver, during the last six, seven years that was very detrimental—(interjection) I can go back and get my list, it is a very extensive list. Why did not Canada Packers rebuild in this province, because of the disincentives.

Now, as to what we will deal in labour legislation, as you know we brought forth FOS, we are bringing forth a new labour code for the next Session, so what amendments and improvements to labour legislation, of course, I am not privy to tell the Member until the time that we bring it forth in the form of a Bill. I think he appreciates that is Cabinet approval for whatever we do so we would be making those announcements.

Mr. Patterson: What specifically did Canada Packers say to the Government that would lead them not to invest here that is related to our labour and employment legislation? What specific clause in The Labour Relations Act—

Mr. Connery: Which straw breaks the camel's back is very difficult to say when companies are looking at coming to Manitoba. I could go back to my files, it was in one of the speeches I made last year in the House, that was in conjunction with the infamous person I met in the elevator—supposedly that is where I did my research according to Members opposite—but it just happened that I met him again in the elevator and he is a consultant who deals with businesses that would like to invest in Manitoba and he reiterated a whole lot of issues that were detrimental to people coming here. This fact that comparing Manitoba to Alberta, there is a sales tax; we have the highest corporate tax; we have the highest individual personal taxes that we have, income taxes. It just carries on and on; the payroll tax that we have here, the amount of red tape and paperwork. So there is a disincentive that was there and we are going to have a long job to bring these taxes down and different things that are disincentives to business. As time goes by the Member for Radisson will see the things that we are doing.

* (1510)

Mr. Patterson: Mr. Chairman, that is all well and good but my question was not answered. I was not talking about income tax and so on. We are concerned with the Department of Labour and I was asking what if any specific pieces of legislation and particular articles or clauses in those pieces of legislation have outside investors indicated that they do not like, because of which they would not invest here?

Mr. Connery: I would dearly love to answer the Member opposite. As you know when we bring in—the Member for Thompson would just love me to do that. Then they say, oh those are the pieces of legislation that you are going to change. I am not going to walk into that trap. I do not think the Member for Radisson is trying to set me up. I realize that but I see the Member for Thompson with his ears well perched waiting to see what I would say. Whatever legislation comes in, and there is going to be lots of legislation coming in, amendments, improvements. When that is ready we will make that declaration or let you know in the form of a Bill. You will have ample opportunity to discuss it.

As far as the new labour code we will be taking that out in a general sense to the client groups and I believe it would be incumbent to let the Opposition have some look at what we are doing. You will not see it in the

Bill form. That is not appropriate for us to do that, but to allow people to have some input. Once it goes outside of my office then, of course, as you saw today it does not even have to go outside my office in a formal way to appear in public.— (Interjection)— Freedom of information. We would appreciate giving you the opportunity to pass comment on this labour code. I think it is a very important one that is coming forth, mostly for the non-unionized people.

Mr. Patterson: Just one last comment. It may be a bit of redundancy here but I would hope that we would be able to give full support to the legislation that does come out. Again I would have to support some of the comments that were made by the other Opposition Party to the effect that the New Democratic Party have—

An Honourable Member: Be careful who you get in bed with.

Mr. Patterson: No, but to the effect, it is well-known and established. I mean after all the first sort of major revisions in labour legislation in Manitoba for some years took place in 1972 under the Schreyer administration. I am not saying by any means that everything that the NDP administration did was great and right but nevertheless as I said before the legislation was taking leadership in several areas that many or most other jurisdictions have subsequently followed. I would not want to see backward steps in some of the legislation. That is my only point, Mr. Chairman.

Mr. Connery: Just to ensure the Member for Radisson that whatever steps we take will be in the best interests of the workers of Manitoba.

Mr. Chairman: Shall the item pass—the Member for Thompson.

Mr. Ashton: Mr. Chairperson, since this is Minister's Salary, it is usually appropriate to make some closing remarks.

Mr. Connery: I am just a poor farmer now, remember that.

Mr. Ashton: The Minister is making some comments here. I am just trying to aim toward getting some sympathy for myself. I am afraid that until he and his Government change their course in terms of labour in this province they are not going to get much sympathy from myself. Many others were concerned about the position of working men and women in this province. I think, as I outlined in the beginning of the Estimates, we are seeing what the true agenda of this Government is. We see nothing whatsoever in the course of these Estimates that indicate that it is any different than I outlined at the beginning.

I outlined the specific reasons why I made the accusation that this Government is headed, I feel, for a B.C. style labour relations climate. In fact I think it is clear from what they have done thus far with final offer selection, the haste with which they moved not

looking at final offer selection as was indicated in the Estimates. They have done no research into it. They have not talked to people who have been involved with it. They have not given it a chance. We have seen it with the Labour Education Centre. I think probably the most petty cut that I have seen this Government make in the entire budgetary process, cutting the amount of the budget of the Labour Education Centre when they have enough money—they had a hundred times that amount to give back to businesses in terms of tax breaks on the payroll tax. In fact, their total rebate to business is about \$40 million and yet they did not have just barely over \$200,000 to working people in this province.

I have mentioned about the Unemployed Help Centres which come under the budget of another department, I think once again indicate the views of this Government. I think the fact that the Minister refused to answer the, I think, the excellent question from the critic for the Official Opposition as to what exactly they meant when they were talking about labour legislation inhibiting investment in this province and we heard it again from the Minister of Finance only yesterday. The fact that the Minister refused to answer that and to quote an American analogy, "on the grounds that it might incriminate him," because I think it is exactly what he said, I think indicates that we have reason to fear what the agenda of this Government really is. I hate to talk about hidden agendas but I think that answer indicates that there is a hidden agenda. Obviously there is more to it, there had to have been. They have been talking about it for six and a half years, I would like to know what else is going to be affected.

Is it going to be the list that was put forward by the Attorney-General when he was Labour critic which would have rolled back labour legislation 15, 20 and 30 years in this province, eliminating many of the positive changes that the Opposition critic pointed to that took place in the mid-Seventies and then later under the Pawley administration? Is that their agenda? Quite frankly, I fear what their agenda is. I fear in particular what their agenda would have been if they were in a majority situation right now. I think the only check that we have on the Conservative Government as promised in regard to labour legislation is the fact that we have a minority Government situation and I would hope that the Opposition Parties would be able to use that as a way of putting a check on the agenda of this Government.

I think the saddest part too is not just that this Government is looking at rolling back in terms of legislation but the fact that we have seen, and once again it has been shown in the Estimates process how little commitment they have to moving forward. The Minister himself said in terms of pay equity that it has been put on hold. The previous time frames that were there under the NDP are no longer in place. I think there has been no assurance given whatsoever, particularly to women in the private sector that this Government is going to proceed with pay equity.

Similarly, the Member talks about changes in employment standards. We were planning on bringing changes this Session. This Government has put it on

hold and quite frankly given their statements in regard to labour legislation. I do not think we are going to get the significant kind of progressive changes that we need in this province. I have outlined other areas in this Estimates process where I think we need changes. Some of them are budgetary items such as the Labour Board which does need more resources, most definitely. I have outlined other areas in regard to the Pension Commission. I do not think workers in this province can wait a decade for indexed pensions. I think that we need the same sort of process that has been put in place in two other provinces. We need to start implementing that now and we require leadership from this Minister and this Government to move ahead to ensure that people do have at least some indexing of pension benefits.

There are many other items that we have raised and I say "we" because what I have raised in this committee has been on behalf of the New Democratic Party. But the bottom line I think is quite clear from the discussion of the Estimates in this department this year and that is this Minister may use all the rhetorics he likes about working people in this province but the record of this Government in just six months, whether it be in regard to labour legislation, the Labour Education Centre, the Unemployed Help Centres; whether it be in regard to issues such as pay equity has not been a progressive agenda. In fact, it has been quite the opposite. I think what we are going to be seeing in the next period of time, it is going to require a tremendous pressure on this Government to even do the most basic things. For example, such as put in a program to deal with the impacts of free trade.

* (1520)

They have yet to announce anything that is going to deal with the fact that there will be workers—there will be winners and losers. They do not have a plan in place at all to deal with those who will lose because of free trade, and there will be those who will lose because of free trade. There will be those who will be laid off.

I think this is typical of the fact that this Government is going to require a lot of pressure from the Opposition Parties. In a lot of cases I think the Opposition Parties actually bring in initiatives, such as we have done in regard to plant closures and other issues that we will also be bringing in, because this Government does not have initiatives on its agenda.

What its agenda is, clearly in the first six months it is anti-work or anti-labour. I do not think anyone would argue with that, even the newspapers, for example, their editorials have said, what do you expect? Quite frankly, I suppose cynically I could answer you, what do I expect for a Party that has, for the last six and a half years criticized labour legislation in this province, criticized working people's representatives and their unions? It is pretty vicious attacks.

I guess what I say is, I expect from this Government that they stop their agenda now, that they not proceed with any hidden agenda, this phantom series of labour items that are inhibiting investment, because that is just not the case out there.

The bottom line for us in the New Democratic Party is, as I said and it has been clear throughout the Estimates process, this Government is most clearly anti-labour. We are going to be fighting against their actions on final offer selection; we are going to be fighting for the Labour Education Centre. We are going to be fighting to see some action on pay equity and employment standards.

We are going to be continuing to fight with this Government because we know they are not going to do anything for the working people of this province unless we in the Opposition fight long and hard on their behalf.

Mr. Chairman: Item 1. Administration and Finance (a) Minister's Salary—pass.

Resolution No. 107: Be it resolved that there be granted to Her Majesty a sum not exceeding \$1,408,200 for Labour, Administration and Finance for the fiscal year ending the 31st day of March, 1989—pass.

Mr. Connery: Are you done?

Mr. Chairman: Yes.

Mr. Connery: I just want to thank the Members of the committee for their participation, particularly for their kind words and praise of our Government, and have a good day.

Mr. Chairman: That brings our consideration of the Estimates of the Department of Labour to the end and I thank all Honourable Members.

We will take just a short five-minute break till we start the next Estimates.

(RECESS)

* (1530)

SUPPLY—ENVIRONMENT AND WORKPLACE SAFETY AND HEALTH

Mr. Chairman, Harold Gilleshammer: I would like to call the committee to order. This section of the Committee of Supply will be dealing with the Estimates of the Department of the Environment and Workplace Safety and Health.

We will begin with a statement from the Honourable Minister responsible.

Hon. Edward Connery (Minister of Environment and Workplace Safety and Health): I am honoured to present for the first time the Estimates of the Department of Environment and Workplace Safety and Health.

This Government is firmly committed to the protection and enhancement of the quality of the workplace, public and natural environments, for the health, safety and well-being of present and future generations of Manitobans. In accomplishing these objectives, the Government is committed to providing an opportunity

for all Manitobans to influence the quality of their living and working environment.

For the third consecutive year, the department has prepared Supplementary Information for Legislative Review of Estimates. I believe all Members have received a copy of this information. I hope this additional information will assist Members in reviewing the department's Estimates. I welcome any comments or constructive criticism Members may have on this information. It is through feedback such as this that this document can be improved to be one of greater assistance in the Estimates review process.

Before proceeding with my comments on major departmental programs and operations, I wish to extend my sincere thanks to all departmental staff, to the many organizations that relate to the department and to the many members of the public who participate on an ongoing basis in the consultation process and also contribute in other ways in the delivery of departmental programs.

As has been the case in past years, resources will continue to be scarce relative to departmental operations. I am, however, pleased with the overall progress the departments are making in the areas of Environment and Workplace Safety and Health. For the Member for The Pas (Mr. Harapiak), I will bypass the Workplace Safety part and go straight to the environment.

To begin with, I will briefly update Members on the status of the acid rain situation. You may recall that the previous Government proposed to limit Manitoba's SO₂ emissions to 550 kilotons per year by 1994 and from the current 738 kilotons per year. On top of page 9, this is from briefing notes. The Member for Wolseley (Mr. Taylor), if you want to follow the top of page 9, I am just starting at the top.

Following a number of public hearings held throughout Manitoba by the Clean Environment Commission, specifically in Thompson, Flin Flon and Winnipeg, a regulation was approved requiring reductions of SO₂ emissions at HBM&S in Flin Flon and Inco in Thompson. As was the case last year, the department's main legislative thrust during the 1988-89 fiscal year will again revolve around the new Environment Act. This legislation was proclaimed effective March 31, 1988.

I will also provide a brief update to Members on the status of other regulations that the department is either developing or reviewing. Specifically, the waste disposal grounds and gasoline and associated products regulation amendments have been completed in draft form and are currently under public review. As well, the department is in the process of preparing revisions to the swimming pool regulation. I expect that a revised draft of this regulation will be completed during the 1988-89 fiscal year. As is the case with all department regulations, these will be submitted for public review and input before finalization and implementation—a process which is now a formal requirement for all new regulations under The Environment Act.

The department, in cooperation with the Manitoba Hazardous Waste Management Corporation has again

conducted a very successful Household Hazardous Waste Days. This occurred during Environment Week. As well, I wish to confirm that the Manitoba Government, through the Hazardous Waste Management Corporation continues to support the activities of the Manitoba Waste Exchange.

Pesticide management continues to be a high priority with the department. During the 1988 calendar year, some 269 pesticide use permits were issued by the department. These permits were issued to Government agencies, municipalities, cities, towns, villages, weed control districts, golf clubs, school divisions and a number of private corporations. Overall, the logistics of receiving applications and issuing permits continues to work well. To date, no legal enforcement measures have been required. The department's pesticide container disposal activities continue to operate quite successfully at the municipal level.

* (1540)

During the past season some 41 drums of pesticide residue were collected for storage at the Gimli facility. As well, approximately 71,000 metal pails were reported as being drained, crushed and recycled or buried at municipal landfills. Some 120,000 plastic containers were rinsed and disposed of by incineration or burial at local landfills.

I will also briefly comment on the smoke from peat and stubble fires issue. As Members may recollect, the Clean Environment Commission held a series of public hearings on this issue which concluded on December 7, 1987. The commission's report has recently been presented to me. Following the review of the report and with input from my colleagues, I expect to proceed to Cabinet with a number of recommendations to deal with this troublesome and repetitive problem.

I will now move on to the new Environment Act. As part of the implementation activity the department carried out extensive public consultations dealing with the proposed regulations under this Act, discussing the issue of ministerial agreements and reviewing the environment assessment process. These regulations are now in force.

During the period January 18 to February 10, a total of 10 public consultation meetings were held throughout the province to inform the public of the proposed regulations and the process for implementing the Act. Considerable input received from the public has been used to finalize the regulations required under the Act.

The regulations being referred to dealt with the definition of Class 1, 2, and 3 developments and outlined the administrative time frames with respect to departmental actions on applications under the Act, defined proposal requirements and modified existing regulations under The Clean Environment Act which had to be accommodated under the new Act.

All efforts with respect to implementation of the new Act are on schedule and, quite frankly, with the Act now in place I look forward to our being even more effective in our efforts to protect and enhance the quality of the environment of Manitoba.

With respect to the department's Hazardous and Special Waste Management Program, I will provide a brief update on the status of implementation.

Transport of dangerous goods, regulation training of local provincial and federal Government staff by the Manitoba Fire College is continuing. The department has successfully concluded an agreement with Transport Canada on the funding of training of surveillance staff involved in administering the Federal Transportation of Dangerous Goods Regulation. Under this agreement, Transport Canada reimburses the province 100 percent of the cost incurred.

Several regulations have been passed under The Dangerous Goods Handling and Transportation Act, specifically a regulation respecting classification criteria for dangerous goods and hazardous waste, a regulation respecting the purporting of environmental accidents and a regulation for the hazardous waste manifest system. An anhydrous ammonia regulation under this Act is presently under development.

To date, 28 hazardous waste carrier licences have been issued by the Department and approximately 165 companies and agencies have been registered with the Department as hazardous waste generators. The department continues to make steady progress in the implementation of a sound and sensible Hazardous and Special Waste Management Program.

With respect to the Manitoba Hazardous Waste Management Corporation, I am pleased to confirm that this corporation is now up and running and is starting to make itself felt in the area of hazardous waste management. A chief executive officer and other key corporation staff have been recruited. The corporate agenda is taking shape, satisfying me that the steady, thorough education and planning efforts being taken will pay major dividends.

The department, as part of the Crown corporation's mandate, transferred a number of functions to that entity and is discussing the transfer of others. Specifically the corporation now has the responsibility for relationships with the Manitoba Waste Exchange and has been given a temporary permit to manage the Gimli facility. As well, the corporation is actively involved in the Household Hazardous Waste Days activity.

On a more general note, I wish to recognize the continuing contribution that a number of other activities make to the protection and maintenance of our environment. Worthy of mention are the Public Health inspection activity, Water, Air and Terrestrial Quality Monitoring, the measures taken by the Department to enforce Environment Act licences and the continued application of environmental assessment and review procedures. All of these efforts collectively are critical if we are to retain the type of environment that we presently have.

I would also like to bring Member's up to date on the work of the national Task Force on Environment and Economy. Before doing so, I would like to acknowledge the significant contribution made in this regard by my predecessor, Gerald Lecuyer, as Task Force Chairman.

The report of the national task force was presented to the Canadian Council of Resource and Environment Ministers in September of 1987. It calls for major changes in the way both Governments and industry should manage environmental protection. The report calls upon all Governments to adopt policies of sustainable economic development and to better integrate their environmental and economic planning and decision making. The task force report calls for all jurisdictions to develop conservation strategies to protect both our fragile environment and our economic well-being. New institutional structures called Round Tables on environment and economy were also recommended in the report. These structures report directly to the First Ministers and oversee and advise on the environment economy integration process in Canada. I am pleased to reaffirm the Premier's recent announcement respecting the establishment of Manitoba's Round Table.

I have no hesitation in expressing my commitment to this report. Many environmentalists and industrialists have used this document as a major breakthrough. In fact, the report was presented to the U.N. General Assembly last fall. It has clearly established itself as the leading response in the world to the Brundtland Commission Report. Here in Canada, the report has already received the endorsement of the First Ministers and the support of numerous organizations from coast to coast, including the Business Council on National Issues.

In Manitoba, we have been very active over the past several months preparing our implementation plans. In the next few months we will be finalizing these plans.

Before concluding, I would like to comment briefly on a few other operational areas of the department. A worker adviser office which, as Members are aware, provides support to claimants who are experiencing difficulty in having their Workers Compensation Board claims resolved. The level of claims continues to be high, certainly higher than we would like to see.

The department's Planning, Research and Evaluation Branch continues its efforts in the development of a comprehensive developmental strategic plan. This plan will be completed during the 1988-'89 fiscal year.

As well, this branch will continue to be extensively involved in a number of special projects, including the occupational health services study, the implementation of the workplace health hazard regulation, the national task force on environment and economy trend monitoring and program evaluation.

Mr. Chairperson, that concludes my introductory comments for the Department of Environment. Thank you.

Mr. Chairman: We will now hear the customary reply by the critic of the Official Opposition.

Mr. Harold Taylor (Woleseley): I am going to defer to the Member for Osborne (Mr. Alcock) who has some questions and a pressing meeting with your House Leader thereafter, if that is agreeable.

Mr. Chairman: Are you going to make a response? We have to have the Member from the Second Party given an opportunity to make his comments.

Mr. Harry Harapiak (The Pas): I would just like to put a few comments on the record. I would like to thank the Minister for his opening statement, and especially for his acknowledgement for work that the former Minister did, Gerald Lecuyer, in dealing with the national task force.

I just wanted to mention on the environment that people are becoming more and more aware of their surrounding and how they are affected by decisions made by both Governments and industry, and also the habits of the general public. I think that we have to be more aware, and I am sure that in comments the Minister has made that we are affected by our own habits.

There was just a conference that was held in Toronto on June 24 to 27 in which there was a statement which came from where it spoke about the world's atmosphere, and how it is affected by pollution, which results from human activities and also the operations of corporations operating and some of the work habits are not that good. So we are threatening our own existence. One of the serious issues facing us is the warming trend of our atmosphere. We do not know if this is a permanent trend or something that is just coming in a cyclical form. But we have to be concerned with it because it is affecting our ozone layer. We are certainly going to be affected to a much greater degree if that continues to become much larger than it is now. It is going to be affecting us to a great degree.

* (1550)

We have put in several resolutions in the House during Private Members' Hours dealing with environmental issues. I guess one that has received a lot of attention is one dealing with the Rafferty-Alameda Dam. It is really surprising that the Minister would not have interceded on behalf of Manitobans when that licence was issued. Having had the opportunity to go to Estevan and see the dam first-hand, I was surprised to see that the construction is already taking place and when I asked, the Minister said well, we did not issue, they have not been issued with an operating licence. I am sure the Minister does not believe that once that dam is built, that that operating licence will not be given as well.

I think he should have been a little bit more forceful, or shown any force when speaking up for Manitobans. I think he should still reconsider and come forward and hold those environmental hearings. When you talk about sustainable development, we have been assured that there would be environmental hearings about how that environment will be affected. If you have hearings in that instance, why are we not having hearings which deal with Rafferty-Alameda?

We also submitted a resolution dealing with the ozone layer and waste management. I think that is one of the areas that there is a lot of public education required, and the public is becoming much more aware of how much of our waste can be used as a resource, and is a resource. The public was really participating when there were "Hazardous Days" and "Waste Days" held.

So with just those few comments, I will be asking questions as we go along in that department. I see the

Member for Osborne (Mr. Alcock) is very anxious to ask his few questions before he takes off to his meeting so I will close it up.

Mr. Chairman: I would remind Members of the committee that debate on the Minister's Salary is deferred until all other items in the Estimates of this department are passed. At this time, we would invite the Minister's staff to take their places at the table.

Item 1. Administration and Finance, (b) Executive Support: (1) Salaries \$210,600—the Member for Wolseley.

Mr. Taylor: What variance has the department seen on this item over the last five years? Has it been relatively stable, the volume we are talking here?

An Honourable Member: On Executive Support in the Minister's Office?

An Honourable Member: What page are you on?

Mr. Taylor: Just the same item that the Chairperson mentioned. It is Executive Support: (I) Salaries, \$210,600.00.

Mr. Connery: There has been obviously very little change in the last period of time.

Mr. Taylor: That is satisfactory, Mr. Chairperson. I have no other questions on that line.

Mr. Harapiak: Mr. Chairman, there is an addition of two Professional/Technical staff and a deletion of two people in one other area. I would just like to clarify where these changes took place, the Professional/Technical people.

Mr. Connery: It was just a change in category.

Mr. Harapiak: I do not believe that is correct, according to the explanation on the bottom of page 29.

Mr. Connery: They went from managerial to Professional/Technical.

Mr. Harapiak: In what area are those Professional/Technical people working?

Mr. Connery: They are my support staff.

Mr. Jay Cowan (Churchill): Sometimes it is helpful to have an organization chart with names attached to it. If we can have that then one can start to address where individuals are moving. I think that is going to be necessary in this instance. Can the Minister make that available?

Mr. Connery: Sure. It is just a definition change.

Mr. Cowan: Which individual—

Mr. Connery: It is our SAs and EAs.

Mr. Cowan: That is interesting because, if I recall correctly, I believe it was in the Labour Supplementary Estimates, it said that the E.A. and the S.A., those positions had been eliminated to provide for cost effectiveness. It has always been the practise of Ministers, no matter how many portfolios they have had, to have a maximum of one E.A. and one S.A. Sometimes they had a special advisor but in most instances they had only one E.A. and one S.A. I find it somewhat then confusing, if not even misleading, that this detailed Supplementary Estimates for Labour would say those two positions had been deleted in order to save money as a cost-saving measure, and yet we find those two individuals over here in Environment being paid exactly the same thing.

I think one should have a look at the report which is not under discussion at the moment, but the report on the Department of Labour and clarify that so that misleading statement is not left on the record.

Mr. Connery: There would have been four had there been two Ministers and they do not show up in the Department of Labour.

* (1600)

Mr. Cowan: That is not the way it has worked in the past. The way it has worked in the past and the way it is worked in every other department is that one Minister, no matter how many portfolios that Minister has, has one or two assistants, one executive assistant and one special assistant. They may or may not chose to have a special assistant; they may or may not chose to have an executive assistant. When I was in office, there were times when I had both. There were times when I had only one of those on staff and there were times when I had someone who worked with me in a special advisory capacity as House Leader that was seconded in. But it is not a cost-saving measure on the part of labour. There are still, exactly as there has been in the past, exactly as there will be in the future, unless this Government is going to change policy, one E.A. and one S.A. for each Minister. I just make that point because I think the description in the Department of Labour is somewhat confusing at the very best, and possibly misleading for that reason.

Mr. Connery: Well, it is not misleading at all. As you can see here is where we have the Special Assistant, Charlene van Engel, and the Executive Assistant, Doris Maxwell.

Mr. Cowan: In Labour, it says that the E.A. and S.A. positions for the Minister were deleted as a cost-saving measure. It was not deleted as a cost-saving measure; it is a paper deletion for the Department of Labour. But, for this Minister, there still is a standard complement of E.A.'s and S.A.'s.

Mr. Connery: Well, there were four staff years last year and there are two staff years now in S.A.'s and E.A.'s; so there is a reduction of two. The Member can carry on as long as he wants, but there was a reduction of two.

Mr. Cowan: If the Minister had picked up another portfolio, there would be a reduction of two more. If the Minister only had one portfolio, there would still be two for the Minister. The point is that every Minister has one or two, no more, and the fact is that there is, in the Department of Labour, when you put this Minister's responsibilities together there is no cost-savings with respect to E.A.'s and S.A.'s. If one only read the Department of Labour's Report, one would have that opinion.

Mr. Connery: If one wants to say to a Minister there has been no reduction, but to the Government there has been a reduction.

Mr. Chairman: Item 1.(b)(1)—pass. 1.(b)(2) Other Expenditures \$54,100—pass.

1.(c) Planning, Research and Evaluation: (1) Salaries, \$243,700—the Member for Wolseley.

Mr. Taylor: Could we get an explanation for the difference between the two budgets in that line?

Mr. Chairman: Could I ask you to speak into the microphone, please?

Mr. Taylor: Could we get a clarification from the Minister for the reason for the increase? Was it straight normal salary increases? It would look like there is more than that in there.

Mr. Connery: It includes the pay equity adjustments. It also includes increment and also the 3 percent GSI.

Mr. Taylor: Because we are looking at 16 percent, 17 percent in there, and so you are saying all these others, in addition to the base pay increase of 3 percent makes up the difference. There are no other activities in that way of term positions or anything of that nature.

Mr. Connery: It would be a significant merit increase possibly in there. Staff reclassification, you know, as an increment you move into another upward category.

Mr. Harapiak: I wonder, in this area of Planning, Research and Evaluation, is there any research carried out into the needs of environmental hearings, or where is that decision made, by the Minister, or does the Minister just make that on his own judgment or experience, or when are those decisions made.

(The Acting Chairman, Mr. Edward Helwer, in the Chair.)

Mr. Connery: As you know, the different proposals, some require a Clean Environment hearing, some only require directors to make certain assessments. So, if it is required, I guess as the Minister, we do make those decisions. As you know, with the Roblin-Russell one, that was a decision made by the Minister to have a Clean Environment hearing out there.

Mr. Harapiak: Under that explosion that carried on in the Maples, I recognize that it is under the responsibility of the municipal Government, but is still under this

Minister's responsibility. You could have called a Clean Environment hearing to hear the concerns of the people who are involved in hauling liquid waste because there are some people who called us with some recommendations that could be made and we are under the impression that we could have come up with some recommendations that would improve that whole area of handling of liquid waste.

Was there a recommendation from the Research Department or from staff not to have any environmental hearings it or did the Minister make that decision on his own?

Mr. Connery: Our department would give us information on it. We could hold a Clean Environment hearing into everything that goes on and of course it would get to the point of ridiculous. In this case, the situation was that it was the transportation and handling of dangerous goods. There are very explicit and severe and good regulations involved in the handling of dangerous goods and transporting them and putting them in the sewers of course is part of the handling makes it illegal. So from the aspect of the material going in there, there are regulations in place, and very severe fines for those who get caught doing it.

As you know, it is a very difficult situation. You would have to have almost a policeman for every vehicle that would ever be handling hazardous goods to do it. So what we have to do is hopefully catch somebody doing it and hopefully get a severe fine out of a judge and it will be a deterrent to people prior to the new legislation. It was cheaper for people to dump hazardous waste in a very unsafe place, whether it be in a sewer or a river and if they were caught, the fine was far less than the costs of disposing of the product in a safe way. With the new legislation, of course this is not so and the cost of the fine far, far exceeds the cost of disposing it safely.

Mr. Harapiak: Rather than using your time to try and catch someone disposing of it, why would you not have called the hearings and met with the people who are involved in the hauling of liquid waste? It is my understanding from talking to those people that there is no safe place for disposing of it. Yet there are some recommendations. I know you are going to say that you can burn it off and I do not think that is a very environmentally safe practice either. We are talking about recyclable materials in every other area and yet some of this material is recyclable, it can be taken to the refinery and utilized again. There is no safe place for disposing of this gasoline. So I think if you would call for an environmental hearing you would come up with some good recommendations as to how we can dispose of it. It is not only handling of it and hauling of it, it is the disposing of it. There is no place that exists now for them to be disposing of this material at this time.

Mr. Connery: The Member I think should know, coming from the previous Government, that there is the Hazardous Waste Management Corporation, whose obligation is to assist anybody in disposing of a hazardous waste material; whether it be through the

waste exchange; whether it be to recycle it—they know where material can be recycled—or to having it transported some place for incineration or disposal in some way. A lot of product goes to Sarnia, Ontario for disposal from Manitoba, so there is a means of disposing of any hazardous goods. Unfortunately, the cost of doing some of it is very high and so we get some unscrupulous operators who take the wrong route and dispose of it environmentally unsafe.

Mr. Harapiak: I would like to think that most of our operators are good business people with good business practices and they are forced to use some practices that are not safe because there is no place of disposing. You say it can be refined. That is true but some of the major oil companies have places of disposing of their gasoline products but some of the other ones there is no place because they will not accept; Shell Oil and Imperial Oil will not accept the petroleum from other sites. Yet I was told that if someone from the Department of Environment approached them, they could probably come up with some agreement that would accept some formula for accepting petroleum products. Has there been any effort made to approach Shell Oil and Imperial Oil to utilize some of the facilities they have?

* (1610)

Mr. Connery: We have talked about it before, the Member and I. We will ask our staff now to do an investigation with them to see if that is an option.

I would like to make sure that we are not insinuating that a lot of our businesses are bad businesses. There is a very low incidence of people who go the wrong route and dump material where they should not and in a manner not conducive to a good environment. There is only a very small number that do it. Of course, they are the ones who draw the attention, such as the one in the Maples.

Mr. Harapiak: I am surprised that the Minister is saying, now we will approach this. I have raised this with the Minister on a previous occasion. I feel that surely if you speak on some issue to the Minister of the Government that he will follow it up and see if there are any possibilities of utilizing that avenue. Surely, when it was raised with you by another Member of the Opposition, you would have pursued it at that time and not wait for the Estimates process to now give it to your staff and now we will look at it.

Mr. Connery: I can assure you that many issues that the Member has brought up, we have followed up on. This is one that to this point we have not.

I think the Member should know very well that they were in Government for many years. All of these things now that should be reacted upon and done within six months were things that could have been done from the prior Government and were not. The Member knows very well when the spill at Manfor came up, they were in the process of investigating. Our staff were up there. It was not a new spill. It was a spill that had not been very vigorously pursued by the previous Government. Environmentally, of course, we all know that they were

not a good environmental Government. They just did not follow up on the problems they had. They were tense in the country by the environmental list.

I have inherited the rebuilding and the recharging of a department that has been allowed to be run down over many years. It is a department that is very, very important to the future of all of our lives. We have to be very diligent in our pursuit of environmental safety.

Mr. Harapiak: I think that when the next Government comes in, there are still going to be issues facing the new Government as well. We are living in a changing time.

The previous Minister was very aggressively looking at all the aspects of the Environment Department. To say that he was negligent in his duties, I think the Minister is misleading the committee. I think that some of the leadership that the Minister showed when he went on that task force, which is a national task force, shows that he was not neglecting his duties as a Minister. I think the Minister puts things on the record that are not quite true.

Mr. Connery: The previous Government, I have to acknowledge, did an awful lot of looking, but that is where it ended. It was very slow on acting.

The Leader of the New Democratic Party (Mr. Doer) in the Legislature has repeatedly asked about Gravure Graphics, cleaning up the mess that was there. That mess accumulated over many, many years and was there when the Member for The Pas was in Government and had an opportunity to do something about it. As I brought to the House's attention, we did clean up the site at Gravure Graphics, that the material has been transported to a safe location. Every three months they will continue to keep the site clean on a three-month basis as they accumulate some product. Then they will haul it to the safe site. Hopefully within a short period of time, we can come up with a solution for safe disposal. I think what it was with Gravure Graphics was a department that was willing to cooperate with the owner of the product and went in and found a safe storage spot. So I am very pleased that we are looking and we are discussing but we are also making decisions and finalizing them.

Mr. Taylor: Mr. Acting Chairperson, the Planning and Research numbers of positions and salaries are established at six and what I want to know is for how long has that level of establishment been in place?

Mr. Connery: That number has been constant for some period of time.

Mr. Taylor: Supplementary to that, do we have a certain number? I hear some of the staff saying that there is an additional staffperson totalling really seven, not six. Is that the case or is it six?

Mr. Connery: No, six.

Mr. Taylor: It is six, and that has been for some time. Okay, the next question is, given this department is a merged department just recently, has—

Mr. Connery: It has not merged—sorry.

Mr. Taylor: Is there going to be any merger impact in this area is the question?

Mr. Connery: When you are saying a merger, a merger with the Department of Labour, I am assuming that you are looking at. I do not anticipate any merger. I think we are going to see the Department of Environment be a Department of Environment as it is now. There are always plans within Governments to make changes, improvements and whatever, and of course those are always ongoing. When we make changes we will not see a merger between the Department of Environment and the Department of Labour. That is the furthest thing from my comprehension.

Mr. Taylor: You see it is not your intention to have tasks undertaken on a joint basis in any way between the two organizations?

Mr. Connery: No.

The Acting Chairman (Mr. Helwer): Shall item 1.(c) Planning, Research and Evaluation, Salaries pass?

Mr. Taylor: The earlier discussion really gives rise to a series of questions, Mr. Acting Chairperson, that I would like to ask the Minister is that we have a problem with toxic materials and recognize certain people handle that responsibly and collect their materials and deal with it in a safe fashion and make arrangements commercially for disposal. Many others operate in ignorance and others operate at times in direct contravention of city and municipal by-laws, the federal regulations as it apply in some cases, and our new Environment Act.

Has there ever been an apprehension prosecution case under the new Act, in regards to dangerous goods mishandling?

Mr. Connery: I think maybe you are looking at The Dangerous Goods Handling and Transportation Act if you are looking at the handling of hazardous goods. There have been several under The Dangerous Goods Handling and Transportation Act.

Mr. Taylor: The recent incident we had in the Winnipeg sewer system was not a new situation. It is something that has been there for some time, and we did not see the necessary action previously.

My question to the Minister is what has he done in the sense of discussions with the city in assuring that there be certain procedures followed which will give some sort of guarantee that there is not a mishandling of dangerous goods other than the discussions? The discussions are fine. What are the solutions that the Minister is coming up with at this time?

Mr. Connery: The sewer system is the responsibility of the City of Winnipeg. What comes out of the sewer system into the rivers comes under Clean Environment. The material that was put in there comes under The

Dangerous Goods Handling and Transportation which is there.

Now, the City of Winnipeg has the responsibility of the safety of those deposit areas, as the Member should well know, having been on city council for some period of time prior to being elected, should know the responsibilities of the City of Winnipeg. Maybe he should have taken some action prior to being elected an MLA.

* (1620)

Mr. Taylor: It is very interesting to note that instead of coming up with solutions to the matter when a question is posed in a responsible manner, the Minister of the Environment (Mr. Connery) takes his queue from the First Minister (Mr. Filmon) and takes the low road. The Minister very well knows that in the functional areas of which I worked at City Hall, I brought forward innovative studies and innovative legislation, things that had not even been looked at before in Winnipeg. I admit to having not worked on Works and Operations Committee and as such was not an expert on it and do not presume to be an expert on the myriad of things that are dealt with by Winnipeg City Council; and I think it is irresponsible for the Minister to take that sort of attack.

The question I pose to the Minister is, given the proposal now before Winnipeg City Council for a solution to this inadvertent dumping of hazardous materials into the sewer system, is he satisfied with the fact that they are not proposing any close monitoring as a procedure, but instead only occasional spot checks?

Mr. Connery: As the Member knows maybe, I do not know if he got a copy from the Member for Concordia (Mr. Doer) of one of our department documents which list a whole series of items that we are in the process of trying to resolve with the City of Winnipeg.

As the Member well knows, the Act came into place March 31. Prior to that there had not been consultation with the City of Winnipeg, and you are very, very aware of that. So that left us in the cold and starting off with a new Act, and a lot of power in that Act; and it was not our feeling that we come in with a sledgehammer and start to dictate and say to the city, you have to do this, this, and this, which really would not be appropriate and it would not be in the best interests of the Government of Manitoba and the City of Winnipeg.

So what we are trying to do as a Government is to sit down with the city to resolve some of these environmental problems in a very sane and rational economic way, not putting the environment at risk. But as the Member for Wolseley (Mr. Taylor) well knows the sewage problem in the City of Winnipeg is one that we cannot resolve tomorrow. We have a long range plan. He knows very well that the City of Winnipeg is opposed to chlorinating the water, so we want to have discussions on chlorination. Are we going to back away and say it is not necessary or, yes, it is necessary, and we feel you should. We are going to do that in consultation with the city, not in consultation in our office, do we have the right and are we going to do it?

So there are many, many issues that we have to resolve along this line, and these are the big issues that cannot be resolved in one, two, three, four, five, six months, some of them are going to take a long time and study. And I think being in civic Government you realize maybe it is a little faster than provincial Governments to react and to bring in legislation, but it is a slow process.

But we are working with it, as he well knows by the document we have listed, many of the areas that we feel are of utmost concern and we will be continuing that process, talking with the city and coming to some final resolutions.

As the Member well knows, we have come to a resolution on several issues, environmental, air and the dangerous goods handling and transportation. I will continue to discuss and will continue to come to resolution on the problems.

Mr. Taylor: Specifically, is the Minister satisfied with the fact that the city will not be monitoring on a constant basis the dumping of toxic materials into the two to three dump locations that will be provided and the only occasional spot analysis post facto from that dumping, is he satisfied with that solution which is the long-term solution proposed by the city?

Mr. Connery: Our department officials are discussing these issues on a department to department line. We will be discussing, as an Urban Affairs Committee, the larger issues, the bigger issues with the Mayor and the representatives of City Council.

Mr. Taylor: Mr. Acting Chairperson, is the Minister aware that the city is not proposing in its new fiscal year, 1989, for the adding on of inspector staff to the Water and Waste Department, so that any monitoring could be done in the future? In other words, there is no contemplation on the horizon of any of that being done. Does the Minister find that satisfactory?

Mr. Connery: The whole idea of waste disposal is not satisfactory. We have to ensure that people do not dispose of it into the sewers, but that is only one of many illegal means of disposing of hazardous waste. It can be put into ditches, it can be put into creeks, rivers, just all over the place and that is part of the problem. It is catching people and it is very difficult. I think the Member realizes that the RCMP are watching for this sort of thing. In some instances the people of Natural Resources are environmentalists under our legislation. The City of Winnipeg when the dumping of the inflammable material into the sewage system played a very active role in trying to determine who would put the material into the sewer system and were not able to.

So we do have, besides our own staff, which are at limited numbers, we do utilize the other enforcement agencies that are out there, whether it be of municipal or provincial RCMP.

Mr. Taylor: Were there instructions given to other departmental staff, in other words not just

environmental but other provincial officials, and to the RCMP who are the contracted police force for this province to be vigilant specifically for these people that take hazardous goods in specialized tank trucks all over the province to watch for dumping activities?

Mr. Connery: Many of the RCMP—and I am trying to remember the numbers, is it 300 or 400?—about 300 of the RCMP officers have been trained under the Dangerous Goods Handling and Transportation Act so that is the one that is funded with the federal Government at \$183,000 a year or something. This year there will be \$183,000 of federal money coming in to help training on the Dangerous Goods Handling and Transportation Act. So there are many RCMP officials. Firemen are now being trained and municipal officials have been trained to the Act and to the vigilance of trying to catch these people who would do it illegally. Most people dump it in a very, very safe and proper way environmentally, but it is just that odd one that does it and nevertheless the consequences can be very severe, as we saw in the Maples.

Mr. Taylor: Further on that point, I am glad to hear that the training is proceeding as far-ranging as the Minister indicates. I think that is a positive step. I just want to know if there were specific instructions about the dumping activities. The part of the training is how do you deal with it in a normal sense, how do you handle this if it is an accidental spill, that sort of thing? My question, if I could just be maybe a little more precise then is, specifically people doing illegal dumping as the Minister said in creeks, in fields, in ditches, wherever and we know that has happened from time to time, but are there specific instructions out to other departmental staff, other than just his department as well as his department and, along the same lines, was that request made of the city Government, because they have many employees who are out mobile or in vehicles to watch for the same sort of thing. Has there been any special instructions and, if so, can we get a copy of them?

Mr. Connery: The City of Winnipeg people are starting to be trained also in the program. As far as special written regulations, no, but even the Natural Resources people that are out in the country are always on alert for what is happening. If they see an environmental truck, we know that they will report it in if somebody is dumping goods there. A lot of the Natural Resources people are sworn in as inspectors under The Environment Act. So when you look at that number of people that are out there, the Natural Resources people, that really increases the number of people who are watching for those sorts of incidences.

* (1630)

Mr. Taylor: I agree with the Minister that all of those people out there are an advantage. I just thought it would be prudent on the part of the Minister to issue a special instruction to his staff and through his Cabinet colleagues to the other departmental staff just to be aware. Like he says, be those extra eyes out there so there can potentially be more spottings of these illegal

acts and therefore we can start as a province to rein this practice in.

I would hope he would give serious consideration to implementing such a position and, secondly, I would ask has there been anything conducted with the City of Winnipeg in the sense of the implementation of a joint publicity program to bring the same level of awareness up amongst the general public that if you see a truck dumping in a ditch somewhere, phone the Environment Department, phone the local police or some sort of an awareness program would mean that the general public who are sometimes more environmentally aware, I think, than the politicians some days, will also be out there and watching. Has there been any consideration of anything of that nature?

Mr. Connerly: I think watching the proceedings from the explosion in the Maples and the subsequent TV articles on it, the showing of a truck on King Edward Street, I think it was out there. I think the general public were made very aware of the necessity to report. There was a request at that time. I guess it is almost on an ongoing basis. Periodically you try to inform the general public. Unfortunately, there is nothing like an incident that happened to draw it to the public's awareness. You can put ads in the paper, that sort of thing, and you will get a very small percentage of the public reading it and being aware. It is a very difficult thing to educate the public as you very well know.

The free trade debate, with all the material, the volumes of pro and con, and very few people read it and that is the unfortunate part. So very few people really take the time to read it. To put on a really high-profile campaign would cost an awful lot, hundreds of thousands of dollars. So I appreciate the Member's comment as far as raising the profile to the Department of Highways. We ask a lot of people, of those on the road, to be watching out for anybody doing something environmentally—well, something wrong, in violation of the Act.

We will take that comment under advisement. I think it is a good one and we will see what we can do with it. It is very simple, very cheap, does not cost any money, just a little request out to the various departments to heighten their concerns.

Mr. Taylor: I think the Minister brings the point out about the effectiveness of publicity when you are mounting up dollars, and his example of the free trade one was where the "pro" side outweighed the "con" side by about a factor of 10, I think.

Mr. Connerly: Be nice now. Be nice.

Mr. Harapiak: It seems that part of the responsibility is the preparation of the documentation identifying policy options and program needs for priority issues, and knowing the number of members from the agricultural community and connected with the farming community, I am wondering if there has been any research or any papers done on the consideration of the elimination of the use of 2,4-D in the agricultural field.

Mr. Connerly: Nothing has been done provincially but the federal Government is pursuing it and to duplicate their work I think would be a waste of money. In many instances like PCB's, as you know, the federal Government will come out with a regulation or legislation, and provincial Governments have to enact the equivalent legislation or they come under the federal legislation.

Mr. Harapiak: It has been proved that it is a cancer-causing material, so I am glad to hear there is somebody doing some research on it. I am sure that they can come up with some other material to use as a spray in the agricultural field. Have there been any results coming from the federal research that has been carried on in that area?

Mr. Connerly: No it is not conclusive. But I would like to tell the Honourable Member that we could ensure that nobody would get sick, nobody would get cancer, nobody would get anything, if we shut down everything that moves in this world. Of course everything we do, there is a risk. Some environmentalists say that nothing should happen that would have any effect on the environment, which means that we would have to stop doing everything. As a society, we would die. So while there is risk, an environmental risk, the potash mine at Roblin-Russell is an example that there will be some environmental damage to the tailings, when the tailings are outside, we know that. At the same time, we want to ensure that there is very minimal risk. We think by doing the studies and the hearings that we have had, there will be a minimal risk, and a risk that is environmentally sustainable.

When you cut a tree down, you have got to replant it. It takes some time before that tree grows to be another tree. So there always is some environmental damage. But if we do it properly with the proper consultations and the proper studies, we can do these activities in a sustainable and economically viable way.

Mr. Harapiak: When it is pointed out that it is a cancer-causing material, so you would think there was—you say you can replace a tree but it is pretty difficult to replace a human life. There should be some additional research done to make sure that the proper clothing is used.

I know, having worked in the agricultural area, quite often the right protection is not being used by the operators and mainly because they are not aware of the fact that it is a cancer-causing material. So I am sure that there is not only the handling of the material but also the effect that 2,4-D has on the wildlife in the area. The Minister can say we can stop progress altogether and not utilize anything and go back to the old days of picking the weeds that are on the fields, but I think we have gone beyond that. I think with the research that is available we can surely work at coming up with some new commodity and can have the same characteristics that 2,4-D has.

Mr. Connerly: I want to suggest to the Member for The Pas that I have killed weeds by hand and I have killed them by chemical. I have come to the conclusion I

enjoy the chemicals better than the hand version. It is a lot harder on the system. Fortunately though I was built short and close to the ground, so it was not quite as hard on me as a lot of other people who kill them by hand. But, sure, everything we do and everything we bring into this environment has to be scrutinized an awful lot more closely than what we have in the past. I think, if I recall the numbers, there are something like 50,000 hazardous chemicals in North America and they are generating 2,000 new ones a year. If I recall the figures, it is in that area somewhere.

Mr. Harapiak: While we are speaking on the area of spraying, I am wondering if there was any involvement with the department in that whole area of herbicide spraying with glyphosate, I think is the right technical word for it. It is used as a management tool by Manfor for killing poplar. Was there any involvement with the department in that spraying?

Mr. Connery: We are just looking. There is a whole list of things that we do and I read in my opening statement about pesticides and licensing of operators and handlers that we do on an ongoing basis. The numbers were there if you read back through my opening speech, the numbers were there. It is the kind of things we are doing with pesticides.

Now, the Member talks about people having equipment. I will tell you, this is a very perplexing problem, and I am sure the previous Government faced it also, is that trying to ensure that staff wear the equipment that they are given. You can give a person all of the respirators and gloves and eye protection and rubber boots and whatever is required to handle chemicals, and then they leave it all in their vehicle and go out and do it. In Workplace Safety, I see so many times people jackhammering without their earplugs in and no goggles on and no safety boots. You go to them and you say where in the heck is your protective equipment? It is in the vehicle, it is too hot out, or I do not like a safety hat on.

We have to come to resolve with it. I spoke to the Chamber of Commerce on it. We will be into some discussions with the Chamber of Commerce, those kind of groups, to come to resolve. That is part of the problem. That gets under more of the Workplace Safety and Health rather than Environment.

* (1640)

Mr. Harapiak: One other area, I am wondering, while we are on the subject of spraying, if the Minister has had an opportunity to come up with a position on spraying for mosquitoes for Eastern Equine Encephalitis.

Mr. Connery: It was a good dry year this year.

Mr. Harapiak: I recognize that you were saved. Has the Minister positioned himself if you would spray or not spray?

Mr. Connery: We have not, because of the lack of necessity this year, when we came in it was already

dry. We did not get into any discussions. I guess we would move very quickly to decide what we would do as a department. I have not made a personal commitment or decision on it.

Mr. Harapiak: One other area that there was a bit of concern raised. I am not sure, this being a dry year, if the problem would have been worse than other years or better and that is the whole area of bacterial beach monitoring. Has that program been discontinued or is there still monitoring going on? Winnipeg Beach is the area that I am referring to. There were some technical reports that were supposed to be coming forward dealing with many years of testing.

Mr. Connery: Unfortunately, under the previous Government a lot of good programs were terminated. Of course that program was terminated under the previous Government. It is not in place at this time. There are a lot of programs. As you know money is scarce and that is why some of the programs were cut under the previous Government. What money we can get for what programs is going to be where the decisions are.

I would like to list, while we talk about spraying and the concerns about spraying, that my wife's father passed away from Equine Encephalitis when she was six years old so there is also a hazard to adults when we do not spray.

Mr. Harapiak: The Member was saying that the program was terminated under the previous Government but it was terminated waiting for a technical report. What are the results of that technical report?

Mr. Connery: The present status is that Beach Monitoring Program had been carried out during the summers of 1984, '85, '86, '87. A similar program is not being planned for 1989 due to the following: the previous programs have provided a complete characterization of beach water quality; beach water quality is excellent at most beaches and meets existing recreational quality water guidelines at all beaches.

If further monitoring is desired in this area, such monitoring should be associated with an epidemiological study. Such studies are expensive and would yield very little practical information that could be used for water quality management in Manitoba.

Mr. Harapiak: Were there results from the technical study that was carried out after all of those years of sampling?

Mr. Connery: An interpretive report has been prepared and has been circulated widely. I guess it would be available for them. It is not a document. So we could get it. What the document really said is that there was not a major concern. That is probably why the previous Government did not carry it on.

The Acting Chairman (Mr. Helwer): Item 1—the Member for Wolseley.

Mr. Taylor: I hope at the conclusion of these Environment Department Estimates, for the benefit of

the Minister and of Manitobans, that the conclusion will be that he is long on ideas and short on leads.

I wanted to ask the Minister about the Manfor spill and if he has had the reports back on the recent test drilling on the extensiveness of that spill?

Mr. Connerly: Well, they have had a lot of problems out there, believe me. Manfor's problems are very serious. As you know, there was a major bunker spill, but the conclusion that has come from it is that it has been there two or three years or more that they felt that bunker fuel was leaking. There are consultants who were hired to do a study to come up with a recommendation and by December 15 they will have that recommendation of the firm that was brought out to do the research to determine what is required.

I do not think any of the pollution has gotten to the river at this point. They have been tracking it to watch that it does not get into the water base and into the river. It is a major clean-up, they have some major problems there that have been developing over a period of years and it is going to be of some major cost to clean it up and it has to be done, and it will be done. But it is not as easy as Gravure Graphics, where you have a bunch of barrels. This thing has gone underground so we will not know until the consultants get back to Manfor to let them know what process they think they need to take to clean it up.

Mr. Taylor: Have they even been able to determine the extensiveness yet?

Mr. Connerly: It is still on Manfor property and they do not anticipate that it is going to move off of Manfor property. It is going to be contained within that property.

Mr. Taylor: A further question to the Minister is will the consultant's report that you referenced be coming in by December 15, and will it deal with the extensiveness of the problem, method of removal, containment and final disposal, will that all be coming forward at that time?

Mr. Connerly: That is the intent of the consultant's report.

Mr. Taylor: Why would it be your intention to table that report before the House?

Mr. Connerly: Yes, it is being done for the company and, of course, our people will be involved so it is not one that we would be tabling. It is a report that was commissioned by Manfor, but I know that our department will be involved in the resolution of the clean-up, but it is their document. It would not be our intent to—our concern is to clean up the mess.

Mr. Taylor: Mr. Acting Chairperson, are you aware whether the Minister responsible for Manfor has an intention to table it, and the reason I say that is that it has been brought up in the House, and you are right, it is not a small problem, it is a pretty big one, and it is one that has raised a lot of concerns and it might put a lot of people's anxieties to rest if that Minister did see the wisdom of tabling the report.

Mr. Connerly: You would have to, I am sure, ask the Minister of Industry, Trade and Tourism (Mr. Ernst) if he, as the Minister in charge, whether he was prepared to table it. It is an internal working document and I can see why Members might want to have it. I am sure the Members of the previous Government might not be so anxious to see it tabled, but our resolve is to clean up the site and assure that the pollution does not travel outside the Manfor property, in fact, if we contain it in a small area within the Manfor property—we do not even want to see it spread within there.

Mr. Taylor: Mr. Acting Chairperson, on a different subject.

Mr. Harapiak: I just wanted to raise—after that comment the Minister made dealing with Manfor, I am sure the Minister is aware that there was bunker sea oil being unloaded and during the normal operations of unloading bunker sea oil there will be some spillage. That is what was accumulating over the years, but there was a break which caused this final spill which made everyone aware of how massive the spill was. So it was not an accumulations of spills over the years, it was just the normal operations when there was some bunker sea oil being spilled in a workplace.

Mr. Connerly: The information I have is that they suspect that it had been leaking for some period of time, but, yes, there was a final break which brought it to their attention, but it got into the sewer system and everything out there, just a major, major problem.

Mr. Taylor: Mr. Acting Chairperson, on a different subject, I hope the mikes are picking that up now. I think I am just about eating this one here.

Mr. Connerly: You are not like that juror who was falling asleep. The baby keeping you awake at night, Harold? You have lost your zip.

* (1650)

Mr. Taylor: I have. Yes, the baby is keeping me awake at night. I have to admit to that, twice last night and twice the night before. You are lucky. Anyway, I will persevere here.

On to a favourite subject, the Honourable Minister of Health (Mr. Orchard) was in here whispering in my ear a moment ago and I know why he took off. We were getting into chemical spraying and all that and he was worried we were going to be talking about spraying orchards. He said, "When are you getting into the good stuff?" I said, "What do you mean? He says, "Oh, about the PCBs and the boxcars."

And I thought this might be a time to ask the Minister again what we have in the way of inventory of number of provincially-jurisdictioned and federally-jurisdictioned PCB sites. As the Minister is well aware, I have more than a little concern about the subject, but also a concern about the varying numbers of sites that seem to vary quite wildly over time.

Mr. Connerly: I think we explained to the Member for Wolseley why the numbers were changing all along. As

people came forward to tell us they had PCBs, that added a site to the list, then as we consolidated them in and the very small amounts went over to Manitoba Hydro, as he knows. The total provincial at this point is 44, and there was 20 federal. We have not had communication, obviously, with them in the last little bit, so 44 provincial sites.

Mr. Taylor: Further on that, we are looking then, I gather, at 64 with maybe a little variation here. How do we then have the statement of over 100 sites which was the quote of the Honourable Minister at the National Waste Management Conference opening luncheon. I just about fell off my chair. How did we climb that high? Was there something that was unusual in the numbers of reportings, because I gathered the variations were relatively small, five, ten, a dozen, something like that. As the inventory fluctuated with consolidations, disposals, whatever, how did we get that high at one point then?

Mr. Connery: As the Member knows, or should know, that as I explained earlier, that initial list was a federal list, and when we got into the inspection and so forth—and of course a lot of consolidation took place. There were a lot of little bits of PCBs around that have been consolidated so this number will change. Probably if you ask us next week it could be 40 or 48 as more people come forth, but we would hope by now, with the new regulation in place that it is mandatory for people to declare that they have PCBs and for us to ensure that they are safely stored.

As the Member for Wolseley (Mr. Taylor) knows, PCBs stored in a safe manner in a safe site with all of the proper fencing and labelling and water for certain, depending on the size—as the Member I think has read the regulation that there are three different classifications of PCB sites depending on what size they are as to what—they get more severe as the numbers get larger.

We think it is a good regulation and we think it will help us, but these numbers will continue to change and once we get a hazardous waste site in place, who knows, they might be collecting some of it also. We would rather see somebody with a capacitor to get that out of there and get it out as being a site. It is much easier to pick up a small capacitor with one or two litres of oil and to consolidate it than to have to go back and inspect it, and of course those people are glad to get that monkey off their back also.

Mr. Taylor: Is it fair to assume that the Minister is satisfied now with the storage method employed by CPR in the North Transcona Yards?

Mr. Connery: I think Environment Canada is satisfied. They consolidated the one out of the Weston Yard into the Transcona Yard and, just to put on the record, that there are four barrels in total. There was one barrel in the Weston Yard and there were three in the Transcona Yard. So they put them both together and of course now we got four barrels—not a very large amount of oil in those capacitors.

Mr. Taylor: A four-barrel boxcar moves fast. It is an aside, do not worry, Ed.

Mr. Connery: I will not call you any names, that is okay.

Mr. Taylor: I brought my strong arm here with me.

Mr. Bob Rose (St. Vital): Given that change that we saw after there was a bit of a foofaraw over that storage method, will it be your policy to push the federal Environment Department to maintain normal standards as is now the case in CPR, if you or your department encounters repeaters of an incident like that?

Mr. Connery: I would be very surprised in the light of the publicity that any incidents would happen, but of course there is always personal judgment that takes place and what you perceive to be—even within the regulations—good and not good, there will always be some differences of opinion, but it has got to be by our inspectors satisfied that it is safe.

Of course, as you know that the regulations are very specific, that is a tough regulation. It does not leave much room for maneuvering. As far as drip pans, so that there is containment; if there was a spill, there is sawdust in the barrels. If it leaks, it can contain in the sawdust probably anyways. With the drip pans there that somebody could obviously see if a barrel started to leak very gently and you would notice that because the inspection periods are very close together. So we are not likely to see anything happening.

As the Member well knows, the PCBs are not a hazard in their current form as an oil or as an insulator within the capacitors and transformers. It is when they burn that they are a hazard, so to ensure that they are not close to an area where there is inflammable material or something that would burn readily. As the Member knows, the Manitoba Hydro site is a totally metal building. You would have to go in there with an awful lot of inflammable material, if you ever wanted to try to burn that site. But it is only when they burn at low temperatures, or temperatures in 500-degree, 600-degree, 700-degree range Celsius that they create dioxins and furans, and that is when they become a hazard and become carcinogenic.

Mr. Taylor: I hope the Minister accepts that there is a danger if the PCB laden oil is also put on exposed flesh as well. It is not less of a danger than in the burning context, but I hope he is aware that the absorption aspect of PCBs into the fatty tissue of the body and the fact that the body seems to lack an ability to divest itself of that accumulation is also a danger. That was the reason that I was worried about the Transcona site because of the potential of kids getting in and just curiosity carrying them away.

The interesting point I would put to him is that when the federal inspector inspected that site while I was on CP land, she said it was fine and a couple of days, I think three days later, her Minister refuted her points. He point by point said what should be in on federal sites and it was a little incongruous to see the two juxtaposed, that one trained official saying everything is okay, and the Minister, the generalist, knowing the obvious points that had to be taken to make it safe.

Mr. Connery: I wonder what the Member for Wolseley would have said if he was in an election at that time I was Minister of Environment, probably would have been on the very environmentally concerned side. The Member for Wolseley mentions that getting it on your skin is very hazardous. I am sure that the Member has heard that I have talked personally to many of the employees who have worked for the hydro and the telephone companies and they absolutely pooh-poo the concern about having PCBs on their hands. Some people have worked with PCBs on their flesh for 30 or 40 years and they used to use it to wash grease and that off their hands, because it was a good cleaner for them. I do not recommend people doing it.

The biggest casualty or problem came in Japan, I think it was Japan, where it got into cooking oil and was used on rice. Of course, ingesting it is an absolute stupid thing to do, but at the same that is really the only time. There was one other place, I think there were two incidents where there was some injury from PCBs and I think they were both through ingestion if I am not mistaken. The real danger is drinking it or getting caught in the smoke from it burning are the very hazardous parts of PCBs.

Mr. Taylor: I wonder if the Minister has had any reports about the fact that the Ontario Workers Compensation Board is considering PCBs in its normal state, not in its incinerated state, as a recognized carcinogen in the workplace. Being aware of that, he might realize there are dangers. The dangers tend to be very long term, normally two decades or more, before the impact with cancer being produced in the body.

I have a question directly on this and this is relating to the new regulations that we have talked about. The Minister has mentioned in the House a number of times that first he was satisfied with the existing regulations. Later on he said that they were to be revised. The question I have for him is does he see any further things along those lines that he feels needs to be done?

Mr. Connery: There are umpteen hazardous—we know of thousands of hazardous—

Mr. Taylor: Sorry, just on PCBs.

Mr. Connery: Do we need to do anything more?

Mr. Taylor: Yes, exactly. Is there anything that you see should be done that had not been done by a previous administration, or just had not been covered off technically, or there is something else coming that we maybe are not aware of at this time that he is contemplating?

Mr. Connery: The action plan at CCREM is being reviewed, but I think after reading the regulation the Member would agree that it is a very specific and I think a very good regulation. If he has suggestions as to how it could be improved, I would be willing to entertain him. I do not think there is anything in the mix right now.

Mr. Taylor: If the Minister has, I can come in later so he could bring it out. The other question I have got is,

is the Minister aware that not all federal people, I am talking federal employees and those industries under federal jurisdiction, are handling materials like PCBs without having the benefit of the new training which he alluded to earlier? I can make reference to a specific example which is the air-handled shipment of PCBs coming out of Winnipeg International Airport to Georgia, in which the military staff could not be confirmed as having had any training nor could their supervisors be confirmed as having any training other than they were used to handling armaments which are dangerous, but they had no special dangerous goods training. Was he aware of this?

Mr. Connery: I have to answer in the next episode.

Mr. Taylor: Right.

The Acting Chairman: The hour is now five o'clock and it is time for Private Members' Hour. Committee rise.

CONCURRENT COMMITTEES OF SUPPLY SUPPLY—ATTORNEY-GENERAL

Mr. Chairman, Mark Minenko: I call this section of the Committee of Supply to order, please. We are continuing to consider the Estimates of the Department of the Attorney-General. I believe the only item remaining is item 1.(a) Minister's Salary—the Honourable Member for St. James.

Mr. Paul Edwards (St. James): As I was preparing my comments, which will be very brief today, I was thinking what salary we might recommend for this Attorney-General (Mr. McCrae). I am pleased to say that I have discarded all of the traditionally, I think, ridiculous—and I guess in an attempt to be funny, people suggest them. I have discarded those because I recognize, and I have only been in politics for a few months, the enormous sacrifices that one makes to be in politics, and I can only imagine the sacrifices one makes to be in Cabinet and hold the three positions that this Attorney-General does.

I know that it is oftentimes financial sacrifice, always family sacrifice, quality of life, and in particular when one lives outside the City of Winnipeg. So I am certainly not going to suggest that this Attorney-General, for instance, be paid one land transfer or \$3 for the three positions that he holds, Attorney-General, House Leader and Minister of Consumer and Corporate Affairs. I am happy to be able to stand and pass payment of what I consider to be not a lot of money for a lot of work. I think it is important to recognize that as Opposition Members and as MLAs that we are all in this and we are all paying a fairly high price to be in politics.

I just want to make one comment beyond what I have already said, and that is that I do not agree with a lot of the actions that this Attorney-General takes and I do not agree with a lot of the inaction that I see this Attorney-General succumbing to. I, however, am a Member of the Opposition and it is my job to point out the defects of the department as I see them on a

daily basis. I have attempted to do that and I am aware of the constraints this Attorney-General is under. I believe that he has too many portfolios, but that is simply my opinion. It is not for me to decide that. It is for me to criticize the Attorney-General as I see him operating within that department, and now Corrections as well.

I am particularly disturbed by what I think is a lack of real commitment to rural Manitobans and their justice issues. I am particularly concerned by what I sense to be a lack of real commitment to Native Manitobans. I will not go into detail on how I support those. The Attorney-General knows well the criticisms I have made in both of those areas.

I am also, and this will be my final criticism, unhappy with what I consider to be a decline into cheap shots and oral trickery. As I say, I am new to this House and I think I started out in this House perhaps succumbing myself to an overly aggressive accusatorial, if you will, adversarial stance, and I am trying to monitor that. I hope that the Attorney-General (Mr. McCrae)—and I sense that he has gone the other way, almost into that type of debate. Hard debate in my view is a different thing from what I have called cheap shots and trickery of suggesting, innuendo, and accusing people of not expressly ill motives, but personal attacks.

I think Manitobans voted in April of this year for a new style of Government. I think they voted for better decorum, responsible and gentlemanly conduct by all Honourable Members in the House. I have confessed that I have had my moments when that has slipped me. I am going to make a concerted effort and I believe I have to maintain a high level of decorum and responsibility in the statements I make. I want the Attorney-General to do the same. I suspect that in the last few months—and I have been quite frankly shocked on occasion by comments that have come from him. I want him to recommit himself to those principles as well. Let him hold back on his vitriolic attacks.

* (1430)

With those comments, I want to restate my support for this appropriation of Salary in that I do not say that this Attorney-General (Mr. McCrae) does not put in many long hours. What I do say and have said is that his intentions, in my view, are overly divided between responsibilities. I simply make those comments as an Opposition Member. I think it is in my prerogative to do so. Thank you.

Mr. Bill Uruski (Interlake): I just want to make a few comments to the Attorney-General. Having been away when the Estimates process began, I want to indicate that I for one recognize that the Attorney-General, as one Member of many, has and I have stated in the past, has I am sure and will continue to dedicate many, many hours in his portfolio. I believe that he is overworked. He will not ultimately be able to do the kind of job that is demanded of him in the public arena by the workload that he is carrying. I think it will take its toll. I know for one that he, as any who are in his portfolio, will be dedicated to the interests of Manitobans.

There is one area that indeed I want to urge him to reconsider and that is our discussion last night, and I know that he is, and that is the area of looking at seriously allowing the Native people, who do not have the economic base in which to do the kind of research that is necessary, to allow the Native people to research and develop alternate ways of administering justice in their own communities. I think it is fundamental to the success of this commission that some assistance be provided. I hope that he will reconsider that as I was getting from him last night.

I believe that the Government is going in a wrong direction in terms of its priorities dealing with crime in the Province of Manitoba. The Conservatives berated the NDP for doing away with the Law Reform Commission indicating that it was a very important and needed board that required, of course, the appointments of outside citizens, outside the Civil Service and re-established the commission. I have no difficulty with that move. But on the other hand, they are down playing the whole area of crime prevention at a time when people wish to deal with crime prevention at the local level, the formation of local committees and doing more at the local level in crime prevention, and there appears to be a down playing of that emphasis. In my mind, if I was to choose one over the other, I would choose crime prevention. I would emphasize that whole area of crime prevention rather than, if I had to make the decision within my own department, as to what to choose.

There was the other night as well, and I want the Attorney-General to—maybe he has that information for my colleague, the Member for Rupertsland (Mr. Harper), he agreed to provide information regarding their discussions on what could be considered the gag order. He was to provide that information to my honourable friend. I hope that he will provide that shortly. As well, Mr. Chairman, we have not touched upon the Liquor Control Commission which I know is under the jurisdiction of the Attorney-General, and I have not had a chance to look at the act that is presently in place. But I am assuming that the Attorney-General will be bringing the Liquor Control Commission before a legislative committee and, that being the case, I will conclude my remarks and I thank the Attorney-General for the few comments that he responded to the questions that I had last night. I know that, in terms of the scheduling of other Estimates, we will be able to catch him another time.

Mr. Edwards: Mr. Chairman, just briefly, I have comments that I neglected to make when I initially spoke on this appropriation. I want to thank the staff who were present with the Attorney-General (Mr. McCrae) during the Estimates process. I realize that, because of the vagaries of the Estimates system and the number of hours that are allocated, I certainly felt short-changed in terms of time and I am sure my honourable friend from the NDP did as well.

We felt that that was a great hamstringing to us in going through these Estimates, but I know it also caused the staff to show up and they were not in fact needed, and it caused them delay and trouble in coming down to the House and I want to thank them for coming and

I think it is a very, very fine staff that the Attorney-General has.

I know that morale has been low, particularly in the Crown Prosecution side, and I think that the Dewar Report was a good idea and I think the report was thorough and very instructive, and I look forward to that morale improving. I am sure it will, and I want to just simply put on record the Opposition's appreciation for the very fine job that the staff of the Attorney-General's Department do.

Mr. Elijah Harper (Rupert's Land): Yes, just a short question, I had asked the Attorney-General (Mr. McCrae) about the letter yesterday, and I was wondering whether he would provide me a copy today.

Hon. James McCrae (Attorney-General): Mr. Chairman, last evening when I returned after the dinner adjournment, I sent a copy of the Premier's memorandum to all Deputy Ministers, including a copy of the Premier's letter to the Judges of the Inquiry, and sent it over to the Honourable Member's desk. Perhaps, if he looks inside his desk, it might be there. If it is not, I think I have another copy here—yes, I do, I can send it over right now. But I did bring those copies in after dinner. I believe the Honourable Member for St. James (Mr. Edwards) got his. But if the Honourable Member for Rupert's Land (Mr. Harper) cannot find his, I will send one over to him right now.

Mr. Chairman: Shall this item pass? (Agreed)

Mr. McCrae: Very briefly in response to the Honourable Member for St. James and the Honourable Member for Interlake—

An Honourable Member: We might not support the motion now, just take it easy.

Mr. McCrae: I must say I appreciate the both Honourable Members' comments regarding a number of matters. Certainly, I found the comments of the Honourable Member for St. James magnanimous and kind, and I appreciate those comments.

With regard to his suggestion that I am overworked, well, Mr. Chairman, I can only counter by saying that I am here to work, to serve the people of Manitoba. I do so every waking moment from day until night, during the week, but I assure the Honourable Member that I do have the opportunity to charge up my batteries every once in awhile and get home to my constituency. I would like to be able to do that more often and perhaps, when the Legislative Session is over, I will be able to spend a little more time in my community responding directly to the concerns raised by my constituents.

But the Honourable Member knows that discussions about workloads for Ministers is not something appropriately brought to the attention of the Ministers themselves. I make no complaints and I think that with regard to the conduct of the portfolios, I am certainly doing the best that I can and so far I am quite pleased with the results that we have been able to produce.

The Honourable Member has made some comments and I have taken note of them, and the Honourable Member knows that I listen to what he tells me in this House. He knows that sometimes I am able to take his advice, not always, but sometimes. Certainly the Honourable Member is effective in some ways and one of them being identifying issues, and the Government is here, the Opposition is there, and our democratic system works well when we have that kind of dialogue that goes on in this House.

So I appreciate the Honourable Member's comments about rural issues. I do not agree with them. I appreciate what makes him want to say them, but I have stated some thrusts we have undertaken in this Government since our election and since taking office on May 9. So with respect, I cannot agree with what he tells me, but I look forward to further advice from the Honourable Member as we go along.

* (1440)

The same comment about our commitment to Native Manitobans. I think the Honourable Member will have to give the Government of Manitoba some time before he can make that kind of what I would suggest is a premature decision or premature judgment about the conduct of this Government. But up until now, I can say I am quite proud of the commitment that we have shown to Native Manitobans, both through the Minister of Native Affairs (Mr. Downey) and through my department.

The Honourable Member talked about cheap shots and oral trickery and personal attacks. I could not help but think of something I said last night to his colleague, the Honourable Member for St. Vital (Mr. Rose), and that is some of the answers we give in this House are directly proportional to the provocative nature of the questions asked. I put that to the Honourable Member, and I appreciate some time he may feel offended but he must remember there are times I might feel offended too. Even so, this place is a place for debate, sometimes political debate. No matter how we might try, I suggest that it is going to go on as long as the Honourable Member is the Honourable Member and as long as I am me. I think it makes for good debate. I certainly do not intend any personal attacks on the Honourable Member, because there is no need to look behind and suggest there is anything wrong with his motivation when he comes to this House with the issues that he raises.

So with that being said, I hope that is satisfactory to the Honourable Member. I think we do present a new style of Government.—(Interjection)— We present an open style of Government and a competent style of Government with which I am proud to be associated. My colleagues and I all work very hard at what we are doing and we are doing our best to serve the people of Manitoba.

The Honourable Member for the Interlake (Mr. Uruski) spoke also about funding for the inquiry. I think the comments I made to the Honourable Member for St. James (Mr. Edwards) apply equally to the Honourable Member's comments. I cannot agree with him when

he talks about a down play of crime prevention. I made a speech last Friday in which I made some announcements. If the Honourable Member took the time to find out just what it is that we are trying to do, I think it points to more of a commitment to crime prevention than we have seen in the past. I do not question the actual commitment in the past, but I do question the process undertaken by the previous Government. Our investigations since taking office have shown that there were some "I's" left undotted and some "t's" left uncrossed. I cannot be overly critical of the previous Government for that because I know the commitment was there.

The commitment is there with this Government too. I think what we are doing is carrying out the basics of a program begun by the previous Government and making some changes that will improve on what the previous Government did. So I cannot accept the criticism, in any way, this Government is down playing crime prevention. As a matter of fact, it is a major priority.

The Law Reform Commission is a matter of some pride to me. I believe the previous Government made a mistake in its budgetary prioritizing, and we have tried to correct that mistake. The Honourable Member for Interlake (Mr. Uruski) referred to the so-called gag order. I think the memorandum I have provided to the Honourable Member for Rupertsland (Mr. Harper) today puts that matter to rest. What we had was a red herring raised in this House which began elsewhere but it was a red herring. There is absolutely no question but that anyone involved with the Government of Manitoba is not only welcome to appear before the inquiry but is encouraged, as the Premier's memorandum will bear out. I think the Honourable Member for Rupertsland should be satisfied with that.

With respect to liquor control, the Honourable Member for Concordia (Mr. Doer) and I discussed the proper forum for discussion of the Annual Report of the Liquor Control Commission last evening. We did a little checking and indeed the proper place for that would be before the Standing Committee on Public Utilities and Natural Resources. That will be scheduled at the appropriate time.

Finally, Mr. Chairman, to respond to the comments made by the Honourable Member for St. James (Mr. Edwards) about the staff of the Department of Attorney-General, he is absolutely right. I could not dream of better people to have the opportunity to work with as a Member of the Government than with the people who are involved in the Department of Attorney-General. I am proud to work with them. They have served me well since I came into office. There have been problems identified which are being diligently and energetically addressed by people within the department. I think that by the time we get around to the Estimates for the next fiscal year and we have this discussion, the Honourable Member will have even less to talk about than he has this time around. I thank my Honourable Members for their participation.

Mr. Chairman: Item 1.(a) Minister's Salary—pass. Order, please.

Resolution No. 20: Resolved that there be granted to Her Majesty a sum not exceeding \$4,079,200 for Attorney-General, Administration and Finance, for the fiscal year ending the 31st day of March, 1989—pass.

This concludes our consideration of the Department of Attorney-General.

SUPPLY—MUNICIPAL AFFAIRS

Mr. Chairman, Mark Minenko: I now direct Members' attention to consider the Estimates of the Department of the Minister of Municipal Affairs (Mr. Cummings). Does the Honourable Minister have his opening remarks?

Hon. Glen Cummings (Minister of Municipal Affairs): Mr. Chairman, the Department of Municipal Affairs is not one of the larger departments in appropriations, but it is one of the departments that has a great deal of linkage to other areas within Government. I am pleased to have the opportunity to present our Estimates this afternoon.

The Supplementary Information has been provided to Members opposite. I look forward to have the opportunity to discuss what is included in that and any additional questions that Members opposite may have.

Obviously, the primary clientele of municipal corporations outside of the city, or our clientele is the 200 municipal corporations outside of the city and the various and numerous elected officials who manage Local Government Districts. First of all, perhaps it would be appropriate, and I am sure the Members opposite would join with me in recognizing the contribution that municipal people make to the running of our communities and the often thankless job they are involved in.

I have had an opportunity to meet with both members of the Urban Association and the Union of Manitoba Municipalities this past spring and throughout the summer on an infrequent basis but, nevertheless, have had an opportunity to have some fairly direct contact with the executives of those associations. We have shared what I think has been open and frank discussion. By way of explanation to the Members opposite, I would like to indicate that as a department we have used the executive of the two organizations as a sounding board for various questions that we are dealing with and issues that come forward from time to time. We look forward to using them considerably more in the near future.

Day-to-day relationships, of course, are primarily the responsibility of staff. My Deputy Minister will be here shortly. Although it is not in my Estimates, I would like to indicate that we have, during the course of this year, and it was indicated in the major Estimates of the province, that the Province of Manitoba did remove the cap from the PMTS. This year, the municipalities were able to achieve a 17.8 percent increase in that funding.

The overall Estimates this year for Municipal Affairs show a modest increase, 3.8 percent, as compared to last year's Adjusted Vote. Salaries reflect the current collective agreement reached earlier this year with the

MGEA. Classification requests, merit increments and pay equity provisions are included.

On the Operating Expenditure side, I would like to provide an overview, some of the changes in program functions and resulting changes in funding. Almost consistently, throughout every branch of the department, operating costs have been held near to or below last year's levels. The major exception is our Research and Systems Planning Branch where operating costs for system services are expected to rise significantly because of the computerization of the assessment system. The projected funding increase confirms commitment to assessment reform, a commitment that I am pleased to indicate that was in large part shared by our political predecessors. Of course, we have always felt that this system should have been brought on stream, or this reform brought on stream more quickly because of some of the inequities that we feel have existed throughout Manitoba. The Conservative Government of the late Seventies appointed the review committee which examined the assessment of the system and recommended some 160 changes.

* (1450)

One of the major recommendations and one that we believe will be an objective to help accurately measure the value of real property is that of moving to a current value assessment. To achieve real equity taxation, however, depends on the assessment system's ability to accurately measure the current value and reflect that in the manner in which we level taxes. We have not been able to achieve that goal. We have out-of-date assessments. Individual property taxpayers have often received tax bills which are out of line with the relative value of their property. Specific groups of ratepayers have felt they have been unfairly treated.

We have seen declining farm land prices that have not necessarily been reflected in the assessment values upon which they have been taxed. Conversely, in some suburban growth, and we have seen properties paying what may have been less, or being assessed what may have been less than what they would have been paying if they had received more current assessment.

Municipal Governments have been affected by inequities in the assessment system. Their provincial contributions to the education system are determined on the basis of this division of total assessment and of course, if there are inequities in the system, it will show up there as well.

The Weir Committee recommended computerization, indicating that was a more practical way of approaching the problem than to hire a continually increasing number of assessors and staff to provide the service.

We believe it is essential a computerized system be developed that is capable of providing automatic mass reassessment. I think that will be one of the very large benefits of the system when it is up and going, and that is that reassessment will become current on an ongoing basis.

Presently, we have some 60 districts, municipal districts outside of Winnipeg, where a department has

not been able to meet the statutory requirement to assess every five years. We have had an opportunity to discuss that this summer with the municipalities. The ramifications of the court challenges relative to the City of Winnipeg also were important. The courts are directing that not only must assessors be reassessing on a frequent basis, but resultant assessments must reflect recent or current market conditions.

The Court of Appeal ruling said that the assessed value of a particular property must bear a fair and just relation to the amounts at which other properties are assessed and this is a fundamental requirement in the assessment process.

To that end, I think the objectives that we have to meet are fairly clear.

While the initial outlay of computerization will be significant, but the ongoing costs of this system would, of essence, be cheaper to the department and, therefore, to the taxpayers of the province. We reduce the possibility of human error and it will allow us to have our assessors in the field providing the service, updating and keeping assessments current, which is also a concern that we have to deal with, particularly as we move forward into the era of computerization.

The system which is being developed is known as the MACS (Manitoba Assessment Computerized System). Funds are requested under appropriation 5. at 1.5 million for this fiscal year to develop the first phase of the MACS Program. When Phase I is completed in '89 in time for a province-wide assessment in '90, MACS will have the ability to maintain address and ownership information, legal description, school division and other jurisdictional information as well as total assessments. It will maintain characteristics and calculate assessed values for land, maintain sales data for land, produce assessment and tax notices for over 370,000 individual properties outside of the City of Winnipeg, and the second phase which will begin to come on stream in 1989 and targeted for implementation in a subsequent reassessment year, the remaining critical elements of the system should be operational.

There will be farm, residential building characteristic maintenance, automatic mass reassessment on property rolls, as I indicated earlier. Sales data will be held for buildings. We will have business rolls and personal property rolls.

As the Members are aware, as with all costs associated with the Assessment Program, the cost of MACS will be shared through provincial-municipal partnership and will be partially recovered through the Minister of Municipal Affairs' levy.

The members of the Manitoba Association of Urban Municipalities and UMM have both raised the validity of this cost-sharing formula. They have raised some valid concerns and increases in the Minister's levy, may present some difficulties for local Governments and for their ratepayers.

As well, municipalities are not the only beneficiaries, however, of an up-to-date assessment system, so it perhaps is worth discussion that 75 percent of the

system is a very high cost for the local authorities. School divisions will benefit, provincial education system benefits, and we have given a commitment this summer to continue discussions as to the future funding of this system.

We believe that we made reductions in operating expenditures in other branches of Municipal Affairs to demonstrate the department's commitment to assessment reform and its ability to adapt and adjust programs and accommodate this essential initiative.

I want to assure you that there are no cuts to be made to traditional programs that municipalities have come to rely on. Grants in lieu of taxes are expected to be up by over 300,000.00. Members will be aware that existing grants in lieu is a variable exercise which depends on municipal mill rates and properties acquired by the province. As a matter of fact, in setting the estimate for that amount of money becomes somewhat of a difficult exercise for the department because there are consistently properties coming on stream for which the Government is responsible.

Urban transit grants, we expect will remain at or near the same level. Centennial grants are expected to remain at or near last year's level. Police service grants are expected to rise approximately \$30,000.00. Concerns regarding the shared formula have been expressed and I have reconvened the Advisory Committee on Policing, a provincial-municipal committee whose members represent the municipal organizations and the province, and they will be reporting back to me later this year. We expect local Government general support grants to increase marginally by approximately \$10,000.00.

Planning grants to planning districts remain at the same level, reflecting the ongoing and steady interest in land use planning. Two new districts are in the process of being formed, the Rossburn and the Ste. Rose district. On a personal note, I might indicate that is in my home riding, the Ste. Rose constituency. In addition, the R.M. of Erickson is joining the Westlake (phonetic) Planning District.

I think it is appropriate that we congratulate those councillors because I have added a personal note of support because I believe that we need to have a strong and ongoing planning process in this province. Where we do not have planning and where we do not have development districts, we are prone to making decisions that may not be in the best long-term interests of the communities. We now have a total of 27 districts with 73 municipalities and several other municipalities that are expressing an interest.

Expenditures related to Capital are down by close to one-half million dollars. This year's funds committed to capital will be under the Transit Bus Program to assist the City of Brandon. The program dollars will be continued to be committed on the many ongoing direct service programs delivered to the municipalities.

We continue to support training within the department with a series of training seminars held earlier this year attended by well over 100 municipal officials. The Annual Municipal Officials Seminar in Brandon saw 460 municipal officials gather to share their concerns.

Municipal Affairs will continue to help in this area and help with these informative sessions, and I would expect that they will continue to be well attended.

We would expect to see a continuation of long-standing improvement with the Certificate Program, Municipal Administration. On the impetus of the Administrators' Association, in conjunction with the university, plans are afoot to expand the program so an Advanced Certificate in Municipal Administration can be earned by interested municipal secretary-treasurers.

Mr. Chairman, that completes my opening remarks. I would invite questions from the critics opposite and invite staff to come down and join me. Do we have a question, sorry?

* (1500)

Mr. Chairman: The Honourable Member for Selkirk, with her opening remarks.

Mrs. Gwen Charles (Selkirk): I will be very brief in opening remarks. As is noted, we have taken some time out of Municipal Affairs Estimates in order to allow the Attorney-General's Department to complete some of the questions that were being asked. I think that was worthwhile. Apparently I am being told by the New Democratic Party that the agreement is not necessarily in place. I think the A-G's Department, the Law Enforcement, has a little bit more weight than perhaps the municipalities.

I must indicate to the Minister that I have been very pleased with the cooperation I have received in this House with he, as Minister of Municipal Affairs. I myself, as is known, was a town councillor for the Town of Selkirk, and I believe that the politicians at the community level have a much more difficult job than we, even in this Legislature. They are responsible day and night to their citizens, and the citizens very readily let them know whether they are pleased or displeased. They do not have the Party system nor the structure in which to fall back upon.

I would like to indicate my support for all those who stand for office in the municipal area and hope that we in this House can serve them well, not by purely arguing for arguing's sake but by discussing the issues involved. I was also pleased with the Minister's overview on what he is planning to do or looking into for the assessment value, for the policing discrepancies and rate changes. I hope he will get into that further within the Estimates. I will cut short any opening statement I have here this afternoon because I wish to get on with the Estimates themselves.

Mr. John Plozman (Dauphin): Mr. Chairman, just very brief remarks as well, I, first of all, want to indicate that I do not think that it was automatic that if the Attorney-General's Department went over that, the next department would necessarily absorb all of the time. So I think it would have to be split amongst several departments. I have not talked to the House Leader though to know whether that is the case.

I just want to mention as well that we will want to discuss the number of areas including the status of

the assessment review as was touched on by the Minister, the timetable, the principles to be applied, the tax-sharing agreements, some questions on that. We had proposed, when we were in Government, some changes to those and we want to see what has happened this year as a result of not capping those—as well, a number of individual issues.

I have some questions on some municipalities where there have been specific problems and issues, such as Ethelbert and Shellmouth. I will be asking the Minister for some details on those issues, the Municipal Board and the change in membership, and the various kinds of deliberations that they were involved in; the issue of municipal infrastructure and the discussions with the federal Government, where that is at, whether we are making some progress for a tripartite agreement; changes on the police services grants and assessment for those costs; Land Use Committee of Cabinet, PLUC, what work is being undertaken there, any changes in policies; work on the integration of land and water policies and strategy, whether that is continuing from our previous Government; the status of LGDs and whether there is an intention to move towards municipal status by this Minister and Government. Those kinds of questions, I think, we will be interested in following up, and I look forward to an opportunity to discuss those issues with the Minister.

Mr. Chairman: Would the Honourable Minister like to invite his staff?

As is the practice, item 1.(a) Minister's Salary will be deferred until the completion of the other appropriations.

Item 1.(b) Executive Support: (1) Salaries—the Member for Dauphin.

Mr. Plozman: Mr. Chairman, can the Minister indicate how many assistants he has on the payroll in this section who are involved with his own work, E.A.'s and S.A.'s?

Mr. Cummings: I have one full-time assistant in my office and I have two part time.

Mr. Plozman: Mr. Chairman, so that is the same number of SYs as previous, I see, in the Estimates. There is no change in that. I just wanted to ask the Minister if that is correct, that there has been no change in the number of staff in Executive Support.

Mr. Cummings: Yes, that would be correct, that is the same number.

Mr. Plozman: The increase is substantial, \$319,000.00. Are those just increments or are there changes in salary schedules?

Mr. Cummings: A good chunk of that is severance pay, plus there are some reclassification dollars as well.

Mr. Plozman: Not wishing to prolong this area, could the Minister undertake to provide a sheet to the Opposition critics outlining the reclassifications?

Mr. Cummings: Yes, I can do that. I might indicate that the staff that I have taken on has come on at the lower end of the pay scale.

* (1510)

Mr. Chairman: 1.(b)(1) Salaries—pass; 1.(b)(2) Other Expenditures—pass; 1.(c) Human Resource Management: (1) Salaries—pass; 1.(c)(2) Other Expenditures—pass; 1.(d) Research: (1) Salaries—pass; 1.(d)(2) Other Expenditures—pass.

1.(e) Financial and Administrative Services: (1) Salaries—the Honourable Member for Dauphin.

Mr. Plozman: Mr. Chairman, I would think that this might be an appropriate place to discuss, and the Minister can indicate if that is the case, the tax-sharing formula with the municipalities, the corporate and personal income tax formula that is in place. If I am correct, this would be the place to ask those questions, dealing with Financial Services. I would like to ask the Minister, first prefacing my question that we had planned in our Budget of spring of 1988, to cap the cost sharing or the tax-sharing benefits, I believe, at 3 percent for the municipalities. The Minister and his Government have chosen not to do that, which has meant that the tax-sharing formula has yielded a substantial amount more money for municipalities than would have otherwise been the case.

Can the Minister indicate what the projections are or what the actual figures are for the tax-sharing formula in terms of the increased revenue to the municipalities this year?

Mr. Cummings: I am not sure if the Member is seeking the appropriate sized dollar that was applied in the changing of the formula but, as we have indicated all along, there was about a 17-percent increase in the flow of monies. If he is questioning or if he is leading to the fact whether or not this exposes the municipalities, if you will, to the fluctuation of the size of that fund, that is what we have indicated to them all along. While in releasing this amount of the reserve to maximize their receivables in conjunction with the changing in the remittance date with education tax, they have been shown the manner in which this tax has accumulated in an effort to make sure that in the future they are able to successfully argue with whatever Government is in place in the future as to what is in that fund and what they would be entitled to, regardless of what formula a Government may wish to impose.

There is and has always been on our part an effort to demonstrate to them as well that this does mean that if there was a dramatic downturn in the amount of money available to this fund that in fact they would receive less. At the same time, when it is a growth fund, we feel that it is a guarantee to them that to continue to take part in what is the first and only opportunity they have to participate in a growth fund in this province.

Mr. Plozman: I know the benefits of not capping it. Obviously, the municipalities get the windfall benefits of higher than inflation increases. That was the case the past year, I believe the last couple of years and certainly would be the case this year. That is why I wanted to know the figure. The Minister is saying it is

17 percent. It is probably the actual yield as opposed to 3 percent. Can the Minister indicate how many more dollars that is as a result of the removal of the cap? Are we going from \$35 million to \$47 million? What are the total dollars?

Mr. Cummings: I believe the change in dollars would have been \$47.1 million to be exact. We can provide the precise figures to the Member if he wishes, but those are the global figures.

Mr. Plohan: The Minister is saying that the total is now increased to \$47.1 million from a figure that was 17 percent below that?

I want to ask if it is appropriate at this time also for the Minister to comment on the Farm Tax Rebate Program that my colleague, the Member for the Interlake (Mr. Uruski), has questioned the Minister of Agriculture (Mr. Findlay) on, and one that I believe is administered by the municipalities and would obviously be serviced or liaised on through this section of the department. Could the Minister tell me if that is the case?

If it is, I would like to ask the Minister whether he has received any information from the municipalities on the current results of that program for the ratepayers in their municipalities as compared to what they had the previous year under the old program that our Government had introduced which had a \$500 cap placed on it for every farmer who was paying school taxes. Now the formula is 25 percent of the school tax which obviously gives much greater benefits to those with much more land and, in many cases, those who are not even farming. Out-of-province investors in land are benefitting a great deal because there is no cap. It is a 25 percent formula. Therefore, if a person is paying \$100,000 in school taxes, they get \$25,000 back instead of the \$500 that our program had. I want to ask the Minister whether he has received any feedback.

I happen to know that in at least one municipality that we have surveyed, 249 of the 255 landowners are receiving less under this program than they were last year. Only six are receiving more under this generous program that the Minister of Finance (Mr. Manness) has introduced. So I ask this Minister whether he has received any feedback from the municipalities on this program, and what the results of it are to the farmers in those areas.

Mr. Cummings: First of all, I think the Member probably realizes this program is carried in the similar vein as the one that they administered. Inasmuch as it came through, it was administered through the Department of Agriculture. Obviously the municipalities were cooperating in the administration at the lower level. This department was obviously closely involved.

The Member can argue that he has found a municipality where the net difference to the majority of the landholders or the farmers was reduced, as opposed to the previous program. The truth of the matter is that what we have done quite simply is given a form of relief to those who are paying the taxes, those who are the landholders. As someone who has

personally experienced paying a great deal of rent over the years, I think that it is an unfair comparison to say that when the landowner receives some relief that this is not necessarily of benefit to the leaseholder. Frankly, the previous program discriminated against a fair number of people who found themselves in a position whereby they had put their life's savings into agriculture—their retirement and their lifesavings were in their farm—but found themselves in a declining farm market and so were, as a result, forced to hold on to their land and yet they could not participate in any form of protection from the taxes that were being levied against that property. I think any Government program has to have a clearness to it and in this case, if you were trying to provide a subsidy to farmers, then you would do what the previous Government did.

* (1520)

What we are doing is providing relief to farmers, but to the landholders who are the ones who have to ultimately pay the bill. Frankly, there is a considerable difference when you see a large number of retired people and widows, people who have been forced off the land for various reasons who could not access the previous program. Quite simply, we felt that a program that would provide a simple calculation, that tried to make it a little bit more simple for the municipalities to deal with across the counter.

I think it can be fairly stated that, if we had our way, we would have had the program out a little sooner so the municipalities would have perhaps not been faced with some people coming back retroactively to apply for this relief, and certainly that is something that we will be cognizant of whatever direction the Government would choose to take in another year but, coming into Government when we did, the program was not moved through to the municipalities as quickly as it should have been.

I would only indicate, however, for those who came in and paid their taxes in advance and then had to go back afterward to apply for the relief, if they were in a good enough financial position to come in and pay their taxes in advance, that in fact it was not a great hardship for them. The problem was in fact that the municipality had to do a little additional paperwork which, as I say, we are cognizant of and certainly would watch for in future.

Hon. Clayton Manness (Minister of Finance): Mr. Chairman, it is not my intention to take an awful lot of time. Certainly, the time belongs to Members in the Opposition, but I rise at this point to indicate particularly to Members of the New Democratic Party that I become a little nauseous at times when they begin to attack a program which is so eminently fair.

Again, just to recite some of the comments made by my colleague, for individuals who pay land tax—indeed, that happens to be obviously the landowners, most of whom, of course, are active farmers—that the relief that has been granted in our program is in direct proportion to the tax they pay. So if they paid \$6,000 of education tax on their property, they were given 25 percent off. If they paid \$600, they were given 25 percent

off. What could be fairer than that type of system, unless you have a philosophical hang-up and you believe big is bad? That is what the Members opposite are really at. They believe that if you happen to own a larger tract of land, that is bad and, therefore, you should pay the penalty of taxation.

As we know, during this point in time, over the last number of years, the biggest losers in the farm community, in the grains community particularly, have been the large farmers. They are the ones who have lost the most without doubt. I look particularly at the MLA for Dauphin (Mr. Plohman). He looks kind of askew at my comment.

I know they are against bigness, and yet in the situation where they favoured individuals who were on small holdings, there could be big piggeries, there could be big dairy farms, there could be big, intensive farms on small acres, drawing the full benefit of their program. Yet, by their definition of equity, that was all well and good even though there may have been very large, exorbitant incomes, indeed nothing wrong with those incomes because that was free choice by those individuals to move into those industries.

Mr. Chairman, I just cannot sit here any longer and listen to the New Democratic Party attack a program which is directly fair, does not attempt to balance equity one way or another, but gives back relief in direct proportion to what it has been paid in support of education taxation.

Mr. Plohman: Again, I mean there is only so much time to debate the issues, but I want to just make one comment on this, Mr. Chairman, before the critic for the Liberal Party has an opportunity to discuss this issue further.

The Minister of Finance (Mr. Manness) has said that this is an eminently fair program. He seems to have only used one criteria, and that is that if the farm owner was paying a larger amount of school tax, he or she should get back more, and that is why he feels that a percentage is better than a flat amount. I think that in fact the ultimate fairness of that program is somewhere in-between the two programs, the program that his Government has put in place and the program that our Government had put in place.

I think that the Minister of Finance, and I speak to the Minister of Municipal Affairs (Mr. Cummings), whose Estimates we are dealing with and who has input as the Minister of Municipal Affairs in this issue, should consider capping the total amount at some level because it is a fact that large landowners—not necessarily farmers or operators but large landowners may be speculators on farm land—are receiving a tremendous amount of benefit and, as a matter of fact, taking a large amount of that benefit out of this province. I do not know that we are in the business in this province of providing relief to land speculators outside of this province. I ask the Minister of Finance to consider that, to consider where that money is going.

Our figures indicate that the increase in that program from \$9 million to \$12 million is about a \$3 million difference in the program. He said that they have

enriched the program, but in fact almost all of that increase is going out of the province. I do not think that benefits Manitoba farmers. The fact is the small farmers are getting less benefit under their program as evidenced in the R.M. of Brokenhead. That is not a mind set, that is a fact, 249 out of 255 are receiving less. That is an unfairness in their program. It is not an enriched program. Do not those farm operators need the benefits? That is all I am saying, and I am asking the Minister and the Minister of Finance to consider. That is all I am going to say about that.

I think that he should consider that large farmers also got significant benefits from the deficiency payments from the federal Government because again there was no capping on some of the programs.

Mr. Cummings: I guess I would hate to allow the Member for Dauphin (Mr. Plohman) to leave the impression on the record that for whatever reason that he can conjure up that we are discriminating against various sizes of landholders. A fixed percentage of the total taxes is what we relieved from the tax burden of every farmer, every landowner in this province. What could be more fair? At the same time, we previously had a Government that allowed half-a-billion dollars in interest charges to go to the large institutions outside of this province and he wants to talk about largesse. I am sorry.

Mrs. Charles: I would ask the Minister if he could, under this farm tax rebate, give an indication of what the definition of a landholder is. I understand that some people who had rezoned their land into residential but still maybe farming were left out of this program, and I would like him to comment on that, please.

Mr. Cummings: Yes, and it is a legitimate question, because the first information that went out with the program indicated that this would be for land that was zoned agricultural. There was subsequently, because it was brought to our attention and in fact we had been considering it, the fact that there is a fair bit of land adjacent to urban centres in many cases that had been zoned residential but in fact was still being actively farmed, and the intention was to relieve the actual tax burden on the land that was being actually farmed, so subsequently that land was included in the property to be eligible for the 25 percent relief.

Mrs. Charles: I guess that leads to one of my questions in that there seemed to be some confusion over the description, the communication of this land tax rebate, in that many of the municipalities I spoke to had the impression that it was not going to be retroactive, that certain parcels of land were going to be left out. I wonder if the Minister could indicate to me why, as I was informed, and perhaps it was misinformation, that the municipal officers were informed that there was going to be absolutely no retroactive rebate given, and those that were under residential zoning, although they would be farming, would not be included in the tax rebate. Where did this discrepancy of information come in?

Mr. Cummings: There was a letter which was sent out. I cannot remember precisely the date, but there

was a letter sent to all municipal authorities clarifying that particular question. I would assume that once the administrators received that letter that the question should have been answered.

Mrs. Charles: I appreciate that a letter was sent out clarifying it. I am just wondering why they did not have the full indications of how they were supposed to receive the tax rebates and proceed with them in their municipal offices, why they were misinformed at the beginning. Was there a communications breakdown or what was the cause of that?

Mr. Cummings: There were informational seminars held originally to bring the municipalities up to speed on this. Perhaps it was because of the time frame that was involved. For whatever reason, there did seem to be some confusion, which I will admit to the Member opposite. Hopefully, we have it corrected with the additional information that went out. If, for whatever reason, there is still someone who does not feel satisfied with that information, by all means, contact the department.

* (1530)

Mrs. Charles: Thank you for the answer. I think there is further confusion in that I understand that the various designations of agricultural land varies as to zoning municipally and zoning provincially, as well as what is agriculture as considered under the Department of Agriculture and under the Department of Municipal Affairs. I believe it is nine acres and more under the Department of Agriculture and it is different under the Department of Municipal Affairs. I guess my concern is, with all dealings with Government, that the biggest complaint when you are outside of Government is that you go from one department to the next and all the background and information changes. I guess I was just asking for confirmation as to whether there is some correspondence in relating the exact definitions from one department to the next.

Mr. Cummings: I think probably we are both talking about the same problem, only we are approaching it from different directions. It has always been a problem of Governments, whether it is provincial or federal, to define precisely what is a farm. For the purposes of this program, however, we indicated that it would be relative to what was being actively farmed. In other words, livestock intensive operation on a small acreage, it would not be critical as to what size that acreage would be. One number that is used a considerable amount in relationship to zoning and because of a figure, I believe it relates back to Land Titles originally in the amount that they would allow for subdivision without a survey, and that figure had to exceed four acres. That is why there are a lot of parcels that are probably in that size, some of which may be active farms. So the definition was "actively being farmed."

Again maybe I could elaborate a little bit in that area. It has been my feeling, and the department has, I think, consistently worked in this area, that it certainly is wise to use the input of the local authorities to make decisions at the local level because local councils know

better than most what is going on in their districts. To that extent, we expected to receive input from the local councils as to what they saw as an actively farmed piece of property and make that decision.

Mrs. Charles: I am very involved with the idea that municipal Governments are entities that should be respected. I think the Minister feels the same way. So I have some problems when programs come up where municipalities have to handle monies that are collected and rebated on behalf of Government programs. So I would ask the Minister whether there has been any follow-up study done on the amount of hours that the average municipality spent in administering this program and whether any compensation has been considered for that.

Mr. Cummings: We tried to simplify the program as much as possible, and I would defy anyone to devise something that is more simple than a calculation of 25 percent of school tax due. We recognized that there would be some work involved. As a result, the Government forwarded, I believe it was 85 percent of the funds up front, as soon as the municipality had indicated what their total education tax would be. The interest earned on that money, we assumed, would help to offset whatever costs might be incurred in additional administration. I do not think there would have been any jurisdiction that was likely to have hired any additional administration, but would have made the best use of what they had, albeit perhaps some overtime. I would indicate, as well, that I would expect this to be on the topic of conversation when I meet with the advisory council of the municipalities.

Mrs. Charles: I guess one of my concerns there is because of the confusion I was hearing from municipalities that they were receiving a lot of the front-line anger of people who at first thought they were going to be left out of the system. So I do not know how you compensate for that. Perhaps again, because we are under some parts of Communications here, I would stress that keeping the municipalities informed of just how they are benefitting from programs would help them understand why they are having to do something for the Government.

To go on with another question, I wonder if the Minister has the amount of money that has been rebated to landholders who live out of the province?

Mr. Cummings: We did not intend to implement a policy that would discriminate against non-resident landholders. Let me give you a very personal example of a young farmer who came back to my district, bought the home farm, could not survive under the economic circumstances, went to Ontario to keep a job to support himself and his family but is maintaining the home farm. Are we, as Manitobans, now going to say that because he could not make it here as a farmer in the early 1980s that he is not entitled to any reduction in education tax? I would think not.

That is one example of where a discriminatory policy—in fact, under the land ownership policies of this province, under the previous administration, it could

very well have been indicated that he was a non-resident landholder and not entitled to continue to hold that land. So that is the kind of thing that we did not want to get into with this program, and made it as universal as possible, albeit wanting to exempt the larger institutions.

Mrs. Charles: Could the Minister indicate if this is a one-year policy or whether he is planning to implement the same policy next year?

Mr. Cummings: It would be nice to be able to announce next year's program, but let me indicate that the reason that this program was in place this year was the same reason that the previous Government had implemented their program, and that was the recognition of the fact that agricultural land was being taxed for educational purposes at a rate beyond which we believed was appropriate. So while the program has continually come out of the Ministry of Agriculture, I would be loath to preannounce any program for next year, but to tell you that the principle involved very likely would indicate where we are headed for next year.

Mrs. Charles: To a new topic under the same heading, it speaks here of a departmental library and I know that in the MAUM resolutions there was a request that the Government set up a library of information in the aspects of employer-employee relations. This came about from my council in Selkirk because, when we are under union negotiation, we understand that unions can bring in expert help but it is very difficult for towns to bring in expert help without looking as if they are bringing in high-price help, and there seems to be an inequity between the players at the table when it comes to union negotiations. So I understand my town council was asking for this resolution to come forward in order that they could have some expertise and gain some expertise in how to negotiate with unions. I wonder if there has been any move toward developing a library or any direction on helping municipalities with union negotiations, other than providing them with a direct person.

Mr. Cummings: There are no plans at this time to get involved in that. I suppose one could argue that we are in an employee-employer relationship, that interjecting a third party might not be necessarily advisable. I suppose I can draw a comparison to the Trustees' Association of the province where there is a great deal of involvement to the point that it requires a great deal of central administration and finance. Until I see evidence to the contrary, I do not think municipalities are prepared to enter into that type of an arrangement. I certainly have not seen a lot of indication that they would be prepared to become involved in funding that type of an endeavour.

* (1540)

Mrs. Charles: One further resolution that was brought forward in the MAUM Conference was the request that the Government of Canada amend the Excise Tax Act for tractors in general municipal work. I understand that is a Canadian Government decision. I wonder if

the Minister has had any correspondence with the Government of Canada to change that.

Mr. Cummings: No.

Mr. John Angus (St. Norbert): Mr. Chairperson, I respectfully request some guidance from the Minister as to the appropriateness of a series of questions I have concerning the additional zone, as to whether or not they should be asked here or at some other time in the agenda? Does he have the appropriate staff to deal with them at this time?

Mr. Cummings: I guess we would appreciate it if we could move along a little bit further to appropriation 7., is it? Then I would be quite prepared to deal with it at that point.

Mr. Angus: A subsequent question on tax assessment, is this the appropriate place to ask this question?

Mr. Cummings: I am sorry, Mr. Chairman, perhaps my microphone was not on. What I am asking is, if we could move on to appropriation No. 7., and then we will deal with it at that point if you would agree.

Mr. Angus: Yes.

Mr. Plohman: What I see is No. 4., Municipal Assessments. If the Member was asking about assessment policy, that would be under No. 4.

Mr. Chairman: 1.(e)(1) Financial and Administrative Services: Salaries—pass; 1.(e)(2) Other Expenditures—pass.

Item No. 2. Municipal Board (a) Salaries—the Member for Dauphin.

Mr. Plohman: Just a question, Mr. Chairman, could I have a list of the new members of the board or could the Minister provide that to us? If he has it here, I would be content to see that on paper. I would like to ask though about the chairman of the board. Who is the chairman of the board that was appointed?

Mr. Cummings: First of all, as regards to the new chairman of the board, he is Mr. Jim Donald, former legal counsel in the Attorney-General's Department. He did a lot of the municipal legal work when he was in that department and seemed to me to be eminently well qualified to take over. If I might be allowed to wax a little bit eloquent for a minute, I think that he is also an indication of where we have been able to appoint someone who is truly non-political. He was appointed from within the Civil Service, where he has acquired his experience and background, and I believe can do a quality and unbiased job, and will be there through many administrations.

I can provide the Member with a list of names that we have appointed to the Municipal Board. Does he want it in handwriting or does he just wish me to report to the—perhaps I could read it into the record if you will. These are the people who have been appointed since I became Minister: Richard Borotsik, Christine

Heywood, Rene Maillard, Abe Yanofsky, Catherine Mernewich, Russ Secord, Carl Pitura and Jackie Ash.

Mr. Chairman: Is it the will of the committee to pass this item?

Mrs. Charles: Just one brief question, I understand the procedure at bringing up items to the board. I am just wondering—under The Clean Environment Commission Act, it says appeals can be heard under that—if the Minister could indicate who brings those appeals forward. Is that a major consideration in this board hearings mandate? I am asking, I guess, how many times do they have Clean Environment Commission hearings. Are they a regularity? Are they sort of abnormally heard?

Mr. Cummings: There has never been a case or a request related to Clean Environment that is brought to that board.

(The Acting Chairman, Mr. Bob Rose, in the Chair.)

Mrs. Charles: I just need clarification then. It does, if I am reading this correctly, say it hears appeals pursuant to The Clean Environment Commission Act. I am just wondering who would initiate those appeals if someone wanted to have it heard on that board.

Mr. Cummings: Did I understand your question correctly, if they wish to have something related to Clean Environment heard in front of that board? Again, as I say, I am not aware of that ever having happened. I would assume the majority of them would be referred to the Department of Environment and handled through that manner, but I am told they have the right to approach the Municipal Board on those types of questions. I do not think the process for initiation of questions such as that would be very difficult. I would like to consult with staff for a minute.

The Member's question, if I understand you correctly, may indicate whether or not the Municipal Board could hear an appeal against a Clean Environment ruling. I presume we are talking vis-a-vis a planning problem whereby something of a noxious nature close to a resident. We do not have the Act with us here to give you a precise answer but we can give you a written one if you wish.

Mrs. Charles: I would appreciate that. I guess I am wondering why this board would hear it when now we have a Clean Environment Board. I am just wondering how that interacts there, so I will wait for a written response to that. Thank you very much.—(Interjection)—

I was just saying I am just wondering how the Clean Environment Commission and the Environment Board itself, now that we are under a new Act, whether one should be taken out of one area and put into the other, and whether this is the plan or whether we are going to have this continue under the Municipal Board. It just seems like a strange place to have it now.

Mr. Cummings: It has been indicated to me that this information was assembled prior to the new

environment legislation. I would be reluctant to be held to this answer. It would seem that perhaps the Municipal Board might not have any role to play under the new legislation, but we would have to check the legislation and the relevance of the two legislations.

Mr. Plozman: I just noted the Minister had indicated he had felt a great deal of pride in appointing an apolitical chairperson to the board, the Municipal Board. I noticed, just so he does not leave the impression he is completely clear of political patronage, that he did not follow that same rule when it came to the rest of the appointments on the Municipal Board. I just note he certainly is not clear of political patronage in those other appointments.

* (1550)

Mr. Cummings: I would only say that I think with the appointment of the chair and the maintenance of Mr. McNairn as acting chair, we have given the board credibility that it may not have had previously.

Mrs. Charles: Just one final question, under capital, it has \$4,000.00. Could you inform me what capital investments have been made?

Mr. Cummings: That is relative to the new boardroom for the Municipal Board at 800 Portage and the communication equipment. That is communications equipment for the board room at 800 Portage, the new Municipal Board.

The Acting Chairman (Mr. Rose): Item 2.(a)—pass; 2.(b) Other Expenditures, \$51,900—pass.

Resolution No. 110: Resolved that there be granted to Her Majesty a sum not exceeding \$391,300 for Municipal Affairs, Municipal Board, for the fiscal year ending 31st day of March, 1989—pass.

Item 3.(a) Salaries—the Honourable Member from Dauphin.

Mr. Plozman: I know under this section, Municipal Advisory and Financial Services deals with appointments of municipal auditors, works with the municipalities, calls on municipalities to ensure they are operating in a proper manner according to The Municipal Act and so on, offers advice.

I would ask the Minister whether he could provide, as I indicated in my opening statement, the current status of the situation at Ethelbert where the council was elected, I believe, two years ago now and had indicated at that time that the new reeve had indicated there were improper procedures followed, and there was a big problem there to clean up. But, first of all, did the department undertake any audits? What were the findings of those audits?

Mr. Cummings: In regard to the Ethelbert situation, first of all, we have noted the situation there. The auditor has noted it, and will be making a comment on it, I am sure, when we receive his report. The process is, in other words, being examined. While I do not have a report in front of me, I would expect one.

Mr. Plohman: Just to clarify without going into great detail, I would ask the Minister to indicate whether the auditor has noted the situation there. I think the Minister's words, whether what he has noted is the allegations that were made, and he will render a decision or a recommendation on those. Is that what I am to surmise from the Minister's remarks?

Mr. Cummings: Yes, I think the Member opposite is saying similarly to what I was trying to say and that is that the Auditor will be passing comment and certainly has been made aware of the situation when he produces his audit.

Mr. Plohman: Mr. Acting Chairman, I had also mentioned in my opening comments that there was another municipality that I wanted to ask a question about. It is about a particular situation in a municipality that I raised earlier in Question Period a couple of months ago dealing with Shellmouth. I would just ask the Minister to provide an update on the situation there insofar as action taken by his department as a result of the allegations that were made and also to ask him whether he would be prepared to table any correspondence that has gone out from his department on that issue.

Mr. Cummings: This was an issue that received a great deal of profile as a result of it being raised in the Legislature. At that point, a member of Municipal Affairs met with council and discussed their procedures and Reeve Mench at that point publicly had indicated that he was prepared to cooperate in whatever way possible. The Reeve mentioned council—after meeting with staff, I think it is fair to say—will be changing the manner in which they conduct their meetings.

As the Member knows, as far as correspondence goes, most of the correspondence, there has only been one letter that has gone from myself to Mrs. Etty, and the body of that letter I read in the Legislature here as a result of the Member having raised the question.

It is not my intention to pass judgment on whether or not a conflict of interest has existed, because I believe that rightfully rests with the courts. If the Minister becomes involved in those types of decisions, I would see the department very quickly deteriorating into an arena to settle those kinds of questions.

I received information from the Municipality of Shellmouth. I would be reluctant to release that without their permission, although I suspect I could receive that permission if the Member has not already received a copy of the letter that they sent me. But I think the larger question—and I believe this is where the Member is leading to—is whether or not The Conflict of Interest Act is working, whether or not, first of all, because of Mrs. Etty's situation where she felt she did not have sufficient fiscal backing to deal with the question, I have been asked by several sources whether or not I thought the Act was operating as it should be.

Let me simply say that I believe that the Act, if properly followed by all of the jurisdictions out there, can do the job and probably is doing the job, but it is a topic that I want to put on the table with the Union

of Municipalities and get further feedback from them about it. It would seem to me—and I might as well put this on the record because it is something that I feel fairly strongly about—that I do not think that we want to put rural councillors in a position where they simply cannot do business with the council of which they are a part. Because we are dealing with some quite small jurisdictions where I believe the biggest concern has to be that they are seen to be open about any decisions that are made regarding a councillor who would end up selling something to the council, that it be handled in such a way that the councillor is not exposed to being charged with a conflict of interest because we do not want to return to a situation where a councillor will, out of the goodness of his heart and we can set examples, where a counsellor who out of the goodness of his heart made a quick repair on a grader tire and found himself charged with conflict of interest by someone else down the street. So I am willing to listen to suggestions, but I believe in fact any problems revolve around the process more than the act itself.

Mr. Plohman: There are a lot of issues that evolve from this one particular situation that I actually had identified in a letter to the Minister, a copy to the critic of the Official Opposition as well, right after the Minister had replied to a question as to action he was going to take. I understood from his statement in the House that he did feel that there were incorrect procedures being employed at that municipality. Insofar as the way I understood it, individual councillors making decisions that should have been made—maybe I am using or paraphrasing in terms of language—but that should properly be made according to The Municipal Act by the whole council, and by resolution.

As a result of that, I ask the Minister whether in fact those are the procedures that are going to be changed, that these decisions now will be all made by resolution, as required under The Municipal Act and then, following from that, whether in fact and if that is the assurance he has received and, following from that, if he has communicated with the Union of Manitoba Municipalities, perhaps to indicate to them the importance of their being aware of the proper procedures and indeed following them because of what can happen under situations such as in this situation.

* (1600)

I think that when something like this arises it gives an opportunity to remind all jurisdictions of their responsibility without them saying, hey, what do you think, we do not know what we are doing, because in fact there is an example where it has happened. I think that provides an opportunity which the Minister should not pass up, and I just wonder what kind of communication he has done, whether he has undertaken with his staff to do a revitalized communication program with municipalities to let them know that this is very serious and that they have to follow these procedures because of what happened in certain situations that have been identified, such as in Shellmouth. I just ask the Minister whether he has been aggressive in that. I think it is an opportunity for him to be somewhat aggressive to ensure that councils are following The Municipal Act properly.

So, I ask him about that in terms of the other issues—The Conflict of Interest Act, that was a first time for Manitoba, that Act. That is a good Act but I do not think it is without flaws, and I think it needs a review to see whether in fact it is doing what it set out to do. There is the \$500 limit factor for municipalities, a question whether there should be a \$500 limit. Does it make it any more right if it is \$495 than if it is \$500.00?

I guess, if you have any threshold, you are going to have a question of whether it should be \$200 or 199 or whether it should be \$5 or \$1 or whatever, but I would think perhaps that should be reviewed. I think the \$300 that the citizen has to put up, that is another issue. Again, it is there for the protection so that councillors and elected officials are not harassed with frivolous complaints and put before courts to justify why certain actions were taken. So I think there is a need for a review and I would like the Minister to commit to that. Of course, in conjunction with the Union of Manitoba Municipalities and the Manitoba Association of Urban Municipalities, I think that it is important that the Minister consider that.

My personal feeling is that councillors and elected officials should not do business with the council unless there is no other feasible and reasonable alternative. Under those circumstances, clearly a tendering process is in order. That is the only way that it can have any integrity. So I feel that we have to be quite strong on that. That is my personal feeling but I know there are differences of opinion, but I think that is the only way to ensure that there is fairness in these situations. I am talking about when there is no other reasonable alternative.

If you are talking about gravel pits, for example, if there is no other gravel pit around except the one that is owned by the councillor, then I think you have to ensure that he or she is not involved in the decision and perhaps a decision has to be made at that point. But you should look at all reasonable alternatives first.

Mr. Cummings: Well, first of all, on the point of whether we are trying to enforce with the municipalities some of the pitfalls of not being aware of what we would deem to be correct procedures, the department consistently meets and updates municipal administrators on the procedures that they should follow and in fact they should be pointing out to their councils when they stray too close to the edge. As an issue, quite frankly, I was seriously considering making it part of my comments to the UMM this past week but chose not to. I believe that there are certain limitations in the relationship between the province and the municipal authorities and one of those limitations is mutual respect.

While some municipalities may stray close to or over the line of what we consider to be proper procedure and perhaps may find themselves from time to time having to deal with the conflict-of-interest legislation, it is our job to advise, it is our job to make sure they have all the information. Ultimately, the decision on how they handle it will be theirs. They are elected the same as we are and as our comments are recorded and, I am sure, will be relayed rather quickly to municipal

authorities out there, I am sure that their comments and their actions in their local communities also will be judged.

In fact, most of your local councillors end up, not so much because they might be the only person who is willing to let his name stand, but very often they are people who are held within pretty good esteem within their local community, even though there might not be a lot of hard-fought electoral battles for the job of being councillor.

Ultimately, the good are separated from the bad by the electoral system. The Bill, the conflict-of-interest legislation which you refer to, I think, is a reasonable piece of legislation but, as with any other piece, should be consistently under review. But I believe in a relationship of mutual respect and I think because of the publicity, as a matter of fact, that this issue has received, that there probably will be a good many municipalities that will be looking to see if they are in fact following what are good administrative practices.

But the topic will come up, I am sure, at meetings with administrators and certainly I intend to raise it at the appropriate time with the municipal officials.

The Acting Chairman (Mr. Rose): The Member for Dauphin.

Mr. Plohman: Thank you, Mr. Acting Chairman, for that recognition at this point in time. I just wanted to follow up with another—just on the same issue, briefly. I think councillors want the integrity of their profession, if we can call it that, their functions, protected. Therefore, I think they support any rules and laws that ensure that any violations or acts that are not ethical are kept to a minimum by laws that protect them so they can show the public that they have tough laws to ensure that everything is aboveboard. So I think they want that. The vast majority, of course just like everyone, are doing things properly insofar as the conflict of interest is concerned.

My concerns are not just with The Conflict of Interest Act. They are also with The Municipal Act, whether that is being followed, the procedures. I believe that the procedures that the Minister talked about were not problems with The Conflict of Interest Act, but with problems under The Municipal Act. That is the one that I thought should be communicated and I do not think there has been that much publicity out there in the ranks. There has been, perhaps in the Free Press a couple of stories and maybe in the local papers, but there seem to be a lot of councillors who have never heard of this from what I gathered. Even talking to people up at Dauphin, they did not seem to know about it.

So I am just saying that I do not know necessarily that all councils know about this and therefore have had it brought to their attention, that maybe they should just take a little review and see whether they are indeed following the proper procedures, particularly where it comes to decisions being made by individual councillors, as opposed to by council as a whole.

I guess I want to ask the Minister one other question because he does have staff who deal with the councils

on a regular basis. This issue was brought to the staff's attention by the complainant, Heather Etty. She had advised them that the procedures that seemed to be followed by an individual councillor, making decisions, were undertaken in those cases. Was there any action taken by the Minister's department to correct it before it escalated into anything more and if not, why not, because that seems to me is the essential part of the job that the officials of the department are there to do in liaisoning with the municipal Governments.

* (1610)

Mr. Cummings: There was discussions with council as a result of Mrs. Etty raising her concerns. She was advised of what her legal rights would be under the—I was not part of the discussions that went on between staff and council, but obviously one of the things the staff has to do is to advise council where they have exceeded or not followed either one of the Acts. But again, because all of these councils are audited by municipal auditors, there are some good deal of these processes that can be judged on the basis of the minutes that are kept. I would suggest that is another area where we will want to have further discussion with all councillors because there are probably a wide variety of manners in which minutes are ultimately kept from councils, judging from experience that I have had in other jurisdictions.

So I would suggest the Member's point is valid regarding the Act. It is also valid regarding the conflict-of-interest legislation, but I would suggest that probably the solution is one of education and cooperation rather than the heavy hand. At the same time, I would indicate the Municipal Affairs Department does have the right and has performed some Special Audits, or in terms of situations where fiscal responsibility is deemed to have been out of control, at the same time have a right to enter into and advise councils where there had been complaints regarding process. From time to time, complaints regarding process do surface, not necessarily in the combination with a headline grabber such as a potential conflict of interest such as this one did.

Mrs. Charles: Along that same topic, I would just ask the Minister to consider as well in looking at the conflict of interest, two items: one, I think, that there is some measure where people employed by the province or elected by the province such as myself in the municipal office would not have to resign from municipal office necessarily in order to take this office and I am not sure that is correct. As well as anyone working for—I am sorry—for Hansard, the Minister is wondering about that but, in the city, you have to resign your councillor position but in the municipalities you do not have to resign your councillor's position when you gain office to the provincial Legislature.

I would also point out that those working for the Government within a municipality and serving on council may have, in my opinion, direct conflicts if they are serving the people on behalf of the province and then serving on the municipal level as well. I think there is a possibility to present conflict there. Also as we have

discussed, the Minister and myself, that should a whole council, a total council, because there are no Opposition Parties in council, decide to disobey a by-law, what the procedures are on them being held accountable. To whom are they accountable? Should they go on for three years to come to the public again? So I would just, not necessarily looking for answers or discussion on that, but just point out those are three areas I would like the Minister to discuss.

I have one last question before I pass this section, and that is on The Freedom of Information Act. I understand a letter was sent out to municipalities telling them to declare all correspondence confidential. I do not know if this is exactly the place that we should be discussing this but, if it is appropriate, could the Minister indicate what means are being undertaken to inform municipalities of how they will be relating to The Freedom of Information Act and what assurances are taking place that they do not either overcompensate or undercompensate for this new Act being in place?

Mr. Cummings: This is a good question and a current one. First of all, let me refer to the letter that the Member refers to—came out of the Deputy Minister's office. First of all, the letter was asking what their intent was regarding keeping future correspondence confidential. Part of the problem, it would appear, in the coming year we may have to take a serious look at The Municipal Act because it may very well be that it is not in sync with The Freedom of Information Act.

I do not necessarily apologize for that. We wish to have The Freedom of Information in place. We are trying to live up to the spirit of that legislation by implementing the policy in this department and in all departments that, even where information has been brought forward that was indicated it would be held in confidence, the freedom of information officer will reapproach the sending authority and ask them if they still feel it should be held in confidentiality or if they would allow it to be released. But it would appear that presently we have a problem that The Municipal Act allows information to be held in confidence that perhaps might need to be amended in the future.

Mrs. Charles: I am sorry. I did say that was my last question but it brings to mind, under municipalities, should someone come to a municipality wanting information that now is declared untouchable perhaps under The Freedom of Information Act, is your department in charge of what the municipality holds as confidential or are the municipalities themselves, or are they just without the Act totally?

Mr. Cummings: As I recall, the way the Act was written, by motion of the council, by agreement with the council as a whole regarding a resolution is how they would release any information that is brought forward. That has not changed because of freedom of information. Nothing is held any more closely because of freedom of information at the local level or at the provincial level for that matter.

There have been several councils who have indicated in correspondence to the province that they will indicate,

on each individual piece of correspondence, whether or not they wish it to be held in confidence. It is not universal that all municipal correspondence is exempt.

Mr. Plozman: I still have a couple of questions dealing with the issue that I raised earlier regarding Shelburne. It is a difficult issue and I think it has to be given the attention that it deserves. The Minister says that the reeve has indicated that he is prepared to cooperate 100 percent and I think that is good. On the other hand, the feedback that I have from the reeve is that he does not feel there is anything wrong, that the council is doing anything wrong.

To put it in perspective, I initially, when I raised the question, was not targeting anything at the council. I was dealing with what I felt was a very blatant conflict-of-interest situation and that is what I raised in this House.

However, it has spun off into other issues and those are the procedures at that council. The only way I can see that he feels there was nothing wrong is if he was never advised any procedures at that council were—that he has done it for many years. The councils have operated in the fashion and no one has ever raised it with them that there was anything wrong with that operation. Therefore, he feels there was nothing wrong.

I have to ask again when staff had this matter raised with them, did they—and I am not after any particular staff, I am not trying to put anybody on the spot. I am concerned about the issue. I am asking the Minister, did the staff advise the municipality, the reeve and the secretary-treasurer that there was something wrong with their procedures, after receiving a complaint from this individual, or did they only react in terms of its implications for conflict of interest, as opposed to procedures and there has to be resolutions and so on? That is what I am concerned about at this point.

Mr. Connery: They were told, No. 1, council should, as a whole, decide issues of this nature and their procedure was not correct.

* (1620)

Mr. Plozman: The Minister is saying they were told that when this issue was raised with him, so that is before it was raised in the House. What action did they take as a result of being told that?

Mr. Cummings: Mr. Acting Chairman, I would have to go back and check to see whether there has been a change in the way that the minutes are kept, the way the meetings are proceeding but, subsequent to that, a member of staff returned and indicated the process.

The Member raises the point that the council has publicly and privately said that they did not do anything wrong. I suppose we could get into a long dissertation, both of us, on whether council was acting in an intentional manner and so on. I can assure the Member that because of the nature of this concern that Municipal Affairs will be in touch again with this municipality and certainly I think it is fair to say, as I indicated before, that we will be raising the profile of procedure and

process. But again, these people have been shown in various ways that they have a great deal of community support and that their reputation, their responsibility in the community is appreciated by the community, and we have got to separate the issue from whether or not there was something intentional on the part of council or whether or not simply council has not brought its process up to speed as it will in relationship to the Act.

I mention The Conflict of Interest Act because in fact that is—well, we can question whether they have been following The Municipal Act. In fact, conflict of interest becomes one of the most volatile and one of the most critical questions that the council can get involved in and certainly, in the acceptance of the importance of a procedure in relationship to conflict of interest would reinforce in my mind, and I think with any council, the need to overhaul procedures because it is a very simple way of avoiding some very complicated problems.

Mr. Plozman: My final comment, Mr. Acting Chairperson, and I really would appreciate the indulgence of the Members, I think this is a very serious matter. I agree 100 percent with what the Minister said, but the fact is it really does not matter whether it was intentional or not in this particular case. It makes my point about the need to communicate and ensure that other municipalities are not inadvertently doing something that is in fact illegal.

You could go anywhere in a Highway Traffic Act infraction or whatever and plead ignorance to the police officer and he or she will tell you that ignorance of the law is no excuse. So in fact that is the critical issue, and I am not saying these councillors are a bunch of crooks. I have never said that, I am not saying that. What I am saying is that whether it is intentional or not is irrelevant. The fact is there was something wrong in procedures. The department staff have an obligation to ensure that they are on top of that, it would seem, under The Municipal Act, in their work in liaising with the municipalities, and I am just saying that perhaps they have to be a little tougher in that job and the Minister should look into that to ensure they are on top of it for the good of everyone.

Mr. Cummings: Mr. Acting Chairman, if I might use a farm analogy, I feel a little like the old bull that is in the chute and is refusing to go into the truck. The Member was Minister of the previous Government and all of a sudden, now that they are no longer in Government, they perceive that there is a problem in the municipalities and the way they follow The Municipal Act and the way they follow the conflict-of-interest legislation.

We have stated clearly that we will communicate to the municipalities. We believe that the fact that this has been raised to the level of attention that it has received is probably positive in the long run, not only for that council but for all the councils, and I hope that perhaps this is the end of this question. I want to state clearly again that it is not and it will not be my job to state whether or not a conflict of interest has in fact occurred, because it would be really neat for the Member for Dauphin (Mr. Plozman) to get me hung out on a limb somewhere trying to decide whether individual councillors were responsible for conflict of interest.

Mr. Plohan: Mr. Acting Chairman, I was willing to end this issue. Clearly, the Minister raises a number of inflammatory comments. I was not suggesting that he should judge whether there is a conflict or not. I was not even raising that in my final comments. I talked about the procedures of municipalities where individual councillors are making decisions that are supposed to be made by the council. That was what I was concerned about and I clearly am in support of working in a cooperative way with the municipalities. I want to ensure that.

I am not saying all the problems arose after we left Government and that we had them all solved. The Minister knows that. This is an issue that arose after we were in Government. That is a fact that it was brought to public attention. I followed up as an MLA and I feel that the Minister has a responsibility which he has indicated he is going to follow up. I think there is an important lesson there to be learned. That is all.

The Acting Chairman (Mr. Rose): Item 3.(a)—pass; item 3.(b) Other Expenditures \$168,400—pass;

Item 3.(c) Grants to Municipalities in Lieu of Taxes \$26,809,000—the Honourable Member for Dauphin.

Mr. Plohan: Mr. Acting Chairman, what percent increase was there on the grants in lieu of taxes?

Mr. Cummings: Mr. Acting Chairman, I cannot off the top of my head calculate the percentage change, but what we do is pay the taxes due in full.

Mr. Plohan: In additional property then or would that be mainly due to revised assessments?

Mr. Cummings: I am told there was some reduction in the City of Winnipeg as a result of a change in assessment. The balance was a result of changes in mill rate, increases as a matter of fact.

The Acting Chairman (Mr. Rose): Item 3.(c)—pass.

Mr. Cummings: Mr. Acting Chairman, I might just add so I do not mislead anyone, it would also be some new acquisitions to the province. I cannot think of a specific building at the university but, if there had been a new building on the university, that would have added to that total for example.

The Acting Chairman (Mr. Rose): Item 3.(d) Urban Transit Grants, \$707,000—pass; item 3.(e) Centennial Grants \$17,300—pass.

Item 3.(f) Police Services Grants \$580,000—the Honourable Member for Selkirk.

Mrs. Charles: There are so many questions in this area, I guess I would ask the Minister if he could outline any changes in policy that have taken place under his administration, in that there have been many discussions on the discrepancy of mill rate policing costs between LGDs and municipalities. Why anyone would want to incorporate 750 people because once they do they have to pay their own policing costs. I

wonder if the Minister would make comments on that please.

Mr. Cummings: I would like very much to indicate that there had been progress or a change or an agreed new direction between Government and municipalities. In fact the policing question is—I almost quiver to say this, but it is being studied by a committee of municipal officials and departmental officials who will report back. We are also, I am sure as the Member realizes, faced with federal changes that are slowly working their way through the system, which is causing part of the anomalies that we are being faced with. We will be receiving the report, I would hope, early in the new year, by spring at the latest.

* (1630)

Frankly, there is a large knot in the rope in policing in the various jurisdictions across the province, developed some very large inequities between authorities. Again, the question is going to be whether these problems can be negotiated between the various levels. I am rapidly finding that is one of the major responsibilities with this department is to negotiate between different levels of Government to try and achieve a reasonable solution.

Mrs. Charles: Could the Minister indicate the make-up of the board that is reviewing this? I would assume there is one from each level of Government, LGDs, and municipal as well provincial.

Mr. Cummings: Two from MAUM, two from UMM, staff from the A-G's Department and Municipal Affairs staff.

Mrs. Charles: Since this is still under review, I will pass the item and wait for full consultation when the review comes in. It is very necessary for the province to have some equality out there in policing, not only in the cost but in the services. I think we have some definite problems there. Regretfully, I will pass this and, hopefully, hear more in the new year.

The Acting Chairman (Mr. Rose): Item 3.(f)—pass; item 3.(g) General Support Grants \$1,360,400—pass.

Resolution No. 111: Resolved that there be granted to Her Majesty a sum not exceeding \$30,856,400 for Municipal Affairs, Municipal Advisory and Financial Services, for the fiscal year ending the 31st day of March, 1989—pass.

Item 4.(a) Salaries—

Some Honourable Members: Oh, oh!

The Acting Chairman (Mr. Rose): Order, please; order, please.

Item 4.(a) Salaries \$4,544,900—the Honourable Member for St. Norbert.

Mr. Angus: Through you to the Minister, it concerns the assessments and the Class 3 categories of

condominiums and what your intentions are in relation to righting what I perceive anyway as an injustice. As you know, the City of Winnipeg has gone on record as making that request. There has been a large petition submitted to the Legislature in excess of 1,200 names asking that the Class 3 simply be eliminated and those property owners be transferred over to Class 1. Would you be kind enough to indicate your intentions on this matter please?

Mr. Cummings: This is still a subject of some discussion with the City of Winnipeg. I am not sure that they would be wanting to read in the papers my reaction. We have indicated previously that the changing of The Municipal Assessment Act would, in my opinion, be much better facilitated doing it in conjunction with the reformation, if you will, of the whole Act. Changing it bit by bit can create additional problems. The City of Winnipeg has the ability to use differential mill rate and, in the short term, mitigate.

This situation that we find ourselves in, where the various categories that the city is using right now, in fact, was intended to be a short-term solution to a long-term problem, which I believe with everyone's cooperation and a lot of work between now and next fall, we can have a proper procedure in place to deal with an awful lot of inequities that are out there in the taxation system.

I guess we should raise one flag on this. I think it bears some consideration that the values of what are presently called condominiums are rising at a faster rate relative to single-dwelling homes. I think we might be misleading people a little bit, if we tell the condominium owners that their taxes will necessarily always be less because, if their assessment rises at a continually faster rate, they may not be buffered in the manner that they can be now, even though their taxes are seen to be higher than what they really wish to pay now. So the answer is not necessarily just a simple one, although I believe in the short term that the answer is fairly simple and the mill rate can be made uniform on a temporary basis. I do not think that the Member opposite or that I should indicate that these solutions are all simple.

I know some of the complaints that I made when I was not a Member of this Legislature about the tax inequities that I see out in rural Manitoba. I have since found out since becoming Minister that the solutions are not as simple or as automatic as I thought they were. This whole process is going to be a very complicated and, I would say, a difficult one that will require all of us to probably take somewhat of a non-partisan approach in order to make tax reform work in this province.

Mr. Angue: Mr. Acting Chairman, through you to the Minister, the city, for whatever reason, has decided not to implement a differential mill rate system, and it is a decision that I participated in. I believe that it was a sound decision to not get into pitting different rates for different groups or classifications of people. Nonetheless, it is an unfair method of taxing and, while I appreciate that a selective decision to right one injustice may not always be the best approach when

you have such a glaring and unfortunate wrong, it should be righted. It should be selected out and the regulation should be amended in a piecemeal fashion.

(Mr. Chairman in the Chair.)

It is a fundamental principle of taxation, fair taxation, that the single family home should be treated as individual single family units and they should be taxed in the same category. If there is a massive tax reform agenda and if there are a number of anomalies within the system that are being addressed on behalf of the legal positions and/or the city assessment departments and/or the bureaucrats in both levels, those can be hammered out in a longer process.

But Mr. Chairperson, it seems to me that when we have individuals in condominium and cooperative housing units, a lot of them on fixed incomes, and a lot of them are being penalized because they have moved to a situation in a single family home, where in fact the costs to the city to provide the services is less because of the number of the units that are in the same area for snow removal, for garbage collection, for police patrol, for a number of those things. It just seems tragic that we cannot write a regulation, that this Government cannot take a position and simply write a regulation that says that those homes and those single family property owners in condominiums and cooperative housing units cannot be charged and classed in a single class as the statute will allow.

* (1640)

I do not want to take up any more of the committee's time at this particular stage, because we have two honourable individuals who have agreed to disagree. But, Mr. Chairman, it is virtually tragic that this Member will not simply rewrite that regulation for which we would be supportive and allow those people, those individuals in co-ops, in condominium housing units, to be able to effectively reduce their property taxes, even if it was just for one year. It would be a reasonable and sensible position to take. Thank you very much.

Mr. Cummings: First of all, when we are talking about a long-term reform package, I think that it is fair to say that what we are talking about here is one year between now and when we would have a reform package available for the province. For some of us, it may be the longest year of our lives from the amount of work and policy development and assessment development that has to be part of that. The city does have the tools to do the job today regarding the condominium owner and there are a lot of other inequities out there that have been brought to my attention. I would suggest that some of them are every bit as bad as the condominium owner.

It would have been nice to bring in a package of minor assessment reforms which would have been major changes in some areas but, if this is not done in connection with mitigating measures in other areas and the balance that is needed between various categories, we can very quickly compound the problems that are out there. I would encourage the Member, I realize the Bill that he put forward, and I do not object

or I do not oppose the principle of what he is trying to do. I do, however, feel it is not in the best interests of everyone concerned to do it by that route. I believe the city could make the appropriate changes. In fact, the various pools or categories that the city uses now uses a variable mill rate, if you will, in order to keep the same amount of money coming out of each assessment category.

So it would not be necessarily inconsistent with what they did and try to mitigate the changes that went with reassessment a year ago. So while I do not disagree with the principle, I think we do have a disagreement over the manner in which we could mitigate the problem.

Mr. Angus: It is very difficult for good politicians to not want to have the last word and, while I do agree that there is some reform, general reform going on, I would, in a final plea, urge the Minister to give consideration to how long it will take an individual cooperative housing unit owner or condominium property tax owner to recoup the amount of extra taxes he is going to have to pay because of unfair legislation. It is going to take him several years just to recoup the investment that they are going to make next year, because they will not take the time to right a fundamental wrong in a taxation principle. I urge him to bring in the reforms as quickly as possible next year. Thank you.

Mrs. Charles: I understand that several communities are still having their tax assessment rates frozen because of the manner in which we have to bring in tax assessment. Could the Minister tell me what length of time we can expect that to exist until the freezing comes off, and whether there is any discussion of compensation or some way that communities can gain back some of their taxes lost under freezing?

Mr. Cummings: I assume that the Member is referring to the freezing of the equalized formula. That would end 1990, January 1.

Mrs. Charles: Some communities in that period of time, since the assessment review began, comes off, have had their taxes sort of maintained where other communities around them are coming up. I was just wondering if there was an equalization process to take place. I understand the assessment will equalize, the time phrase will not allow the equalization to have taken place at the same time.

Mr. Cummings: There are two things that would be part of the answer to that question. One is that by 1990 with the information that the Assessment department is gathering and putting into the MACS system, there will be a province-wide reassessment for 1990, which will equalize the assessment differential. In terms of the equalization, part of the assessment reform, with which we have to get involved with the public in a discussion of between now and the introduction of legislation, would be the consideration of whatever mitigating actions would be necessary to stop dramatic tax shifts, if you would. I would go so far as to suggest, even if there is an identified area that should rightfully accrue more taxes, if that is liable

to be very dramatic, that is obviously something that the Government and the department will have to consider, and whether or not there are some mitigating measures that can be used as the city did in the discussion that we just had. But all of these things will be fluid inasmuch as they will be part of the discussion and part of the formula as we change for 1990.

Mrs. Charles: Yes, one last question just for information, is there any special assessment given to land set aside especially for wetlands, such as under the Ducks Unlimited Program, in that in these years of drought if we can encourage farmers to maintain their wetlands it would be to the benefit of all? Can we do it through tax assessment?

Mr. Cummings: You have touched on something that is, I suppose, near and dear to a lot of people in the rural part of the province. Unproductive wetlands are assessed considerably lower presently, and I have been one of the ones I would think over the years who complained about the total assessment on our land and whether or not the unproductive part was being allowed to be considered low enough. There is that aspect now and certainly that is something that in the future Natural Resources, I think, might want to consider as well because there is an active promotion of wetlands and public reserves.

Mr. Chairman: Shall this item pass?

Mr. Plozman: I have been having some conversations here while the last answer was on, so I am not sure that I caught all of them but I just wanted to quickly review with the Minister. Has he made comment as to whether it is his intent to have all residents taxed under the new system, regardless of the income sources of farm residents?

Mr. Cummings: Mr. Chairman, if I could answer that today, we would be quite a ways down the pipe in presenting our assessment reform package, but that is obviously one of the questions that has to come under review. As part of the entire review that will be made in relationship to the assessment reforms in rural Manitoba, that is obviously one of the questions that has to be asked.

Mr. Plozman: Is the Minister saying then that he has not taken a position on whether all residences should be taxed, regardless of the source of income? I find the Minister much more evasive than he would have been perhaps in the election campaign. I thought that was one of the platforms. If I am wrong, the Minister can indicate that was never a platform, but I thought that was. I thought the other part of the platform was that all school taxes would be removed from farm land. Is that part of the principle that the Minister is working on?

* (1650)

Mr. Cummings: Mr. Chairman, this sounds like a few other questions that I have had to answer in the Legislature here inasmuch as I am not going to

announce a decision that has not been made. The whole process of taxation in this province will be reviewed. We will be taking policy concerns out to the public throughout the winter and the department—one of the things that we are able to do with the computerization system is to show the value of properties and show the effect of moving taxation from one area to the other. Obviously the Member remembers our strong commitment to dealing with the amount of education tax that accrues to farm land. The MACS system gives us the ability to make that comparison and to understand any effects in any part of the province by the movement of a tax base.

Mr. Plohman: I guess what the Minister is saying is that it is not as easy to give an answer to this issue now as it was previously in Opposition or during an election campaign when the Minister and his Party were clearly, I think, of the belief that there should be no school tax on farm land. I think that was a very clear platform. He is now talking about computer models and so on.

Some Honourable Members: Oh, oh!

Mr. Plohman: I recall that very clearly. I am sorry if it raises some hackles, and I think it is fair that it be removed.

I guess what the Minister is saying as well is that the automation of the system, of the assessment system, now is completed and that the staff can run models through the system to determine the impact of changes on various categories. That is essential for any political Party in Government, I want to say. When we were in Government, we wanted to have that information together, and I think the Minister now agrees that was eminently reasonable so that you can figure out what kind of decisions you are making, the implications of the decision. You do not want to just make decisions in the dark and not know what the impact is going to be on various people out there. You want to see how it is going to impact.

As a result of the system that we put in place during our time in Government to a large extent and that is now I believe coming to the point of completion, is he now in a position to do that kind of analysis, and will he have that information to share with Members of this House so that we can determine whether we want to support any proposals that he might put forward?

Mr. Cummings: It is only the winter of 1988. It seems to me the Weir report came in about six years ago, in 1982 maybe, so I would not think the Member for Dauphin (Mr. Plohman) could take too great a pride in the speed in which they have moved to implement the recommendations. The ability of the MACS system to provide all of the information that the Member was referring to is not yet within the capacity, but we are early in the new year expecting the capacity will be in place. The real ability that we need from the system as we go through the assessment reform is to be able to make comparisons and do models as to what the effect is. We do not fully have that ability yet.

Mr. Plohman: Mr. Chairman, I think the Minister has clearly supported what I said earlier, that it was

absolutely necessary for any Government in order to make intelligent and informed decisions on assessment reform to have all of that information available first so that they indeed could run models through a computerized system. That is something his other Members were just laughing and saying, and the Minister said himself that I should not and that we should not take a lot of pride in how much we actually accomplished over that six-year period from 1982 to 1988. In fact, all of the groundwork was being laid. It had to be before intelligent and informed decisions could be made. Would the Minister agree with that assessment?

Mr. Cummings: Absolutely, Mr. Chairman. The systems have to be in place. I think the Member for Interlake (Mr. Uruski) will probably remember that when he put out his press release last summer regarding the MACS system that I responded positively in the press, saying that this was a necessary move towards assessment reform. I have always, however, complained of the speed at which it moves. I still do.

Mr. Plohman: Mr. Chairman, I just want to for the record then in summing up this very important area to ask the Minister whether he can give us then a timetable that he is now working on to get this to the public, and then to bring in the legislation in the House. I understood that legislation had to be presented to meet a timetable that we were working under by either this Session or the spring of 1989 at the latest. Does the Minister intend to bring in legislation for the spring of 1989? I heard him say earlier that he is going to consult with the people of Manitoba some time during the winter. Is that clear then that he is going to have proposals to put forward to people to react to, and he will be scheduling those in January and February with the idea he is going to bring in legislation for a spring Session?

Mr. Cummings: Mr. Chairman, I am not going to commit myself to a spring Session but, during 1989, we wish to bring forward this reform package. We will be out during the winter months speaking to the public. The Member for Dauphin (Mr. Plohman) says if we are not in here. I suppose it will rest with him then whether or not I and other Members of Government, and whether or not the public has an opportunity to meet each other and discuss these very important issues.

Mr. Plohman: Mr. Chairman, I have heard a different version of that a couple of years ago when we were dealing with a one-person majority and Ministers legitimately could not get out of the House to conduct such meetings. The Minister knows already that he only has a minority situation in any event so there is nothing stopping him from going out and consulting, even if the House is in Session during that particular time. I think that he cannot make the statement with a straight face that it is the Opposition that is keeping him from consulting with the people of Manitoba. So I am hopeful that we in the Opposition will be able to get an opportunity to receive that information that he intends to bring out to the public.

Does he intend to have an all-Party committee deal with this issue in any way in developing a final position?

Mr. Cummings: At this point, as I would see it, it would not be an all-Party committee that would be going out to the public. It would be a Government initiative whereby we would take the information out to public meetings and to meetings with municipal officials. We certainly would expect and would appreciate Members of the Opposition having an opportunity to be at any of those sessions, and the key would be having an opportunity to get enough public participation and enough public understanding of the problem that we are faced with in terms of a major overhaul of the assessment system.

Mr. Plozman: The fact is that if the Government chooses to do it alone, they have to sink or swim on the decisions. If they go with an all-Party committee, the whole Legislature is involved in providing a report. So I think there is some advantage to the Government that they might consider on this matter.

With regard to the Member for Emerson's (Mr. Albert Driedger) comments that we did that once before and the Government did nothing at that time, our Government, that is not true. We just agreed that as a result of that, we started the process of computerization of the system so that we indeed could run models through, and we moved as quickly as we could on those issues. The Minister has acknowledged that, so I wish he would tell his colleagues that, and they would quit making these remarks that are disparaging to the former Government.

Mr. Chairman: 4.(a)—pass; 4.(b)—pass.

Resolution No. 112: Resolved that there be granted to Her Majesty a sum not exceeding \$5,076,500 for Municipal Affairs, Municipal Assessments, for the fiscal year ending the 31st day of March 1989—pass.

* (1700)

The hour being 5 p.m., committee rise.

Call in the Speaker.

IN SESSION COMMITTEE REPORT

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

I move, seconded by the Honourable Member for Lac du Bonnet (Mr. Praznik), that the report of the committee be received.

MOTION presented and carried.

Mr. Speaker: The hour being 5 p.m., it is time for Private Members' Business.

PRIVATE MEMBERS' BUSINESS BILL NO. 42—AN ACT TO INCORPORATE THE ROYAL WINNIPEG RIFLES' FOUNDATION

Mr. Speaker: Second Readings, Private Bills, Bill No. 42, An Act to Amend an Act to Incorporate The Royal Winnipeg Rifles Foundation; Loi modifiant la Loi constituant en corporation "The Royal Winnipeg Rifles Foundation," standing in the name of the Honourable Member for Wolseley (Mr. Taylor).

Mr. Reg Alcock (Opposition House Leader): Mr. Speaker, the Member for Wolseley (Mr. Taylor) is just finishing in the other committee room. I believe there might be an agreement to come back to this item in a minute.

Hon. James McCrae (Government House Leader): Mr. Speaker, if I understand correctly, the first Bill to be called would be Bill No. 42 and then Bill No. 32. Is that correct?

Mr. Speaker: No. In the order listed: 2, 3, 13, 16—

Mr. McCrae: All right. We would like to get Bill 32 on when we could, too. If the Honourable Member wishes, we would give leave to deal with the Order Paper in order and return to Bill 42 when the Honourable Member for Wolseley (Mr. Taylor) comes in, if that is suitable to other Honourable Members.

Mr. Alcock: Yes, I have no trouble giving leave to that, Mr. Speaker. I would just ask that we also include Bill No. 3. I note that it is standing in my name with two minutes left on it. I would like to dispose of it today.

Mr. Speaker: Is there agreement? (Agreed)

DEBATE ON SECOND READINGS PUBLIC BILLS

BILL NO. 2—THE BUSINESS NAMES REGISTRATION AMENDMENT ACT

Mr. Speaker: Debate on second readings, Public Bills, on the proposed motion of the Honourable Member for Elmwood (Mr. Maloway), Bill No. 2, The Business Names Registration Amendment Act; Loi modifiant la Loi sur l'enregistrement des noms commerciaux, standing in the name of the Honourable Minister of Urban Affairs (Mr. Ducharme). (Stand)

BILL NO. 3—THE CORPORATIONS AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Member for Elmwood (Mr. Maloway), Bill No. 3, The Corporations Amendment Act; Loi modifiant la Loi sur les corporations, standing in the name of the Honourable Member for Osborne (Mr. Alcock), who has two minutes remaining.

Mr. Reg Alcock (Osborne): Mr. Speaker, I do not wish to speak to this. I just wish to pass it. I do not wish to have it standing in my name.

Hon. Clayton Manness (Minister of Finance): I move, seconded by the Minister of Municipal Affairs (Mr. Cummings), that debate be adjourned.

MOTION presented and carried.

SECOND READING—PRIVATE BILL

BILL NO. 42—AN ACT TO INCORPORATE THE ROYAL WINNIPEG RIFLES FOUNDATION

Mr. Harold Taylor (Wolseley) presented Bill No. 42, An Act to Amend an Act to Incorporate the Royal Winnipeg Rifles Foundation; Loi modifiant la Loi constituant en corporation "The Royal Winnipeg Rifles Foundation," for second reading.

MOTION presented.

Mr. Taylor: The Royal Winnipeg Rifles is a very, very famous regiment in the City of Winnipeg. It is now a reserve regiment. It was not very long ago that this regiment, otherwise known very affectionately as the "Little Black Devils," celebrated its 100th anniversary as a regiment in the service of this city.

This Act is specifically related to the fund-raising foundation which is in support of the Winnipeg Rifles Reserve Regiment, and this is a foundation that was incorporated just a few years ago. The foundation Act of incorporation was found, however, to be somewhat in want, the result being a petitioning by that organization to amend the Act so that it is a more efficient Act of incorporation and one that will benefit the regiment by being able to divert monies raised through the foundation to promote and assist the regimental band by providing any trappings, equipment or music not provided by the Department of National Defence of the Government of Canada. That is the main intent of this amendment to the incorporation Act of the Winnipeg Rifles Foundation.

The other points being is that they also wish to see the deletions of certain clauses. This Act, by the way, is found in Chapter 53 of the Statutes of Manitoba, 1986-87, and the striking-out clauses would be clauses (c), (d) and (e), which were found to be unnecessary to the operating of the foundation and, in fact, were somewhat of a hindrance. So this not being an Act which I think has a lot of controversy to it, I think very much it will be an Act in which I hope there will be the unanimous support of the three Parties in this House to deal with it this afternoon and to pass it on to the committee stage so that it could be dealt with in final form this Session.

I am asking and soliciting the support of the Government Party and the other Opposition Party so that we might deal with it in that fashion this afternoon. Thank you very much, Mr. Speaker.

Hon. James McCrae (Attorney-General): I rise to participate in the debate on Bill No. 42, standing in the name of the Honourable Member for Wolseley (Mr. Taylor), and very briefly just to tell Honourable Members

in the House that we can support moving the Bill to the committee for further study and, if necessary, amendment. At this point in time, we have not seen any particular need for amendments. The amendment suggested to the Act to incorporate the Royal Winnipeg Rifles Foundation, that amendment seems fairly simple and straightforward. So without taking up too much of the time of the House in debate on the matter, I would indicate the support of Honourable Members on this side of the House.

Mr. Bill Uruski (Interlake): On behalf of Members on our side, I am sure there will be some questions in committee on this Bill but, as the Attorney-General has pointed out, there are not many major concerns on this legislation and we are prepared to let it go to committee as well.

QUESTION put, MOTION carried.

BILL NO. 13—THE MANITOBA HYDRO AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Member for Flin Flon (Mr. Storie), Bill No. 13, The Manitoba Hydro Amendment Act; Loi modifiant la Loi sur l'Hydro-Manitoba, standing in the name of the Honourable Member for Inkster (Mr. Lamoureux). (Stand)

* (1710)

BILL NO. 16—THE REAL PROPERTY AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Member for Elmwood (Mr. Maloway), Bill No. 16, The Real Property Amendment Act; Loi modifiant la Loi sur les biens réels, standing in the name of the Honourable Minister of Municipal Affairs (Mr. Cummings). (Stand)

BILL NO. 20—THE WATER RIGHTS AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Member for St. Norbert (Mr. Angus), Bill No. 20, The Water Rights Amendment Act; Loi modifiant la Loi sur les droits d'utilisation de l'eau, standing in the name of the Honourable Member for Wolseley (Mr. Taylor).

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, I am wondering if, by leave, I could speak to the Bill and leave it stand in the Member's name.

Mr. Speaker: Does the Honourable Minister have leave? (Agreed)

Mr. Albert Driedger: Mr. Speaker, I appreciate being able to put a few comments on the record regarding The Water Rights Amendment Act. It is funny how the situation changes with some of the legislation when you have activities like a federal election taking place in-between times. It seems to take a different perspective.

Initially Bills like Bill 13 and Bill 20, we considered they were free trade Bills basically, and most of the debate that took place was along those lines. I find it

interesting and I consider this a Bill that was brought forward and was supposed to create the arena and the scenario where free trade could be discussed in this House, and it was used for that purpose. As I indicated just a minute ago, it is after the fact. The momentum certainly is not there for Bill No. 20.

The reason I just want to make some comments on, this is because I think anything to do with water nowadays draws an awful lot of attention. I think the fact that we have had a major drought this year has created a lot of onus, a lot of different attitude towards water generally. I do not know exactly what the intention was of the Bill when it was presented. It was definitely an anti-free trade Bill because if you look on one page where it says, any water that would go out of Canada. The only place where water could possibly ever go out of Canada would be to the United States, because that is the only place where we are bordering on a country that could take advantage of that.

I do not necessarily want to get into the aspect of why this Bill was brought forward. I assumed it was for an opportunity to bash the Americans. It does clearly when it indicates that regardless of the agreement that was signed by the federal Government and the United States, that any agreement, this would be above that, it would not be included. Obviously, it was meant to be an anti-free trade Bill. It was meant there specifically against the Americans because of the agreement that was signed. We could go through that whole scenario but, because the federal election is over and we have a responsible Government at the federal level now that is going to continue and implement the free trade deal, that has changed everything, to some degree, and I am very pleased. I think very positive things are going to come out of this.

I would like to just make a few comments about the attitude that came forward from both Opposition Parties in terms of the scare tactics that were used to some degree, how we would sell our water, how they would come and take our water away. I recall in the years of debates that we have had here where they said, and I have to repeat this again, where the then Member for St. James talked about the Marines coming in and getting what they needed from Canada. That was the context and tone in which the debate took place with free trade. That is the context, the speed it was given by the Members of the Opposition. They were trying to paint the big, ugly Americans, our neighbours there who would come and take everything.

They should go and read history. That is at a time when there was lots of controversy at one time, a long time ago, these things maybe applied, but certainly at this stage of the game the relationship that we have developed with our neighbours to the South, I think, is a very meaningful and positive thing. That is why I just wanted to put some comments on the record on this. Water is very important and that is why our Government is coming forward with major initiatives in terms of trying to deal with this, with the drought-proofing aspect of it.

I find it passing strange the Leader of the New Democratic Party (Mr. Doer) as well as the Liberal Party, have been getting up and been so negative about the

Rafferty-Alameda Dam. They have been negative about that, all aspects of it.

I can fully accept that we have to all be careful about the environment but there is not a Member in this House, regardless of political affiliation, who would allow anything to develop when it comes to water that I believe would be willingly detrimental to our system.

That is a thing that I find so interesting that, when the Leader of the New Democratic Party (Mr. Doer) gets up and pushes for an environmental study, I think he is playing politics. He is playing politics because he knows full well that the acceptable thing in the public eye right now is environment. It is a very important thing and I do not belittle it, but he is using that scenario to sort of try and create a little bit of publicity, trying to get some following from it, but I think he is doing the project harm.

We have given the Member assurance, all Members assurance, that the environment is going to be protected, that we need these kinds of projects for the Souris River. If these people would get their heads out of this building and get out there and talk to some of the people in there, they would find out that there is support, there is need for this kind of project.

I liken this project very much to the Roseau River Development that was slated for my corner of the province years ago. It was under the NDP administration at that time and the Minister at that time was Sid Green. They went out and we had almost the same scenario develop where there were major concerns. It was a little different context because we talked of some protection for economic sanctions that had to be made in terms of bridges, etc., etc.

The project was finally squashed. In retrospect, I am sorry to this day that project never flowed because the problems that would have been addressed—the Americans wanted to do some drainage works. They wanted to undertake certain water projects on their side. It affected us on the Canadian side downstream and we raised such scare tactics and it was such hullabaloo that the project went down the tubes. It never was proceeded with.

It bothers me to this day that is the approach that is being used by the Leader of the NDP (Mr. Doer) and some of the Liberal Opposition, saying the Rafferty-Alameda is bad business. They say it is bad business, fight it, stop it, study it to death. We studied the Roseau River project to death and that is why that project never took off.

Now, when I go through my municipalities that are involved, we have these municipalities that now have to take and address bridges across these rivers, bridges that are restrictive. Farmers cannot communicate back and forth even with their farm vehicles any more. The municipalities cannot afford to pay these costs. Now they have to be addressed in a different way.

All those costs, all those bridges, all these things were dealt with in those hearings at that time and we studied and we had meetings and we studied and that project died. I am very concerned that the kind of noise that we hear coming from here, if we follow those kinds

of tactics, we will do the same thing with a project of this nature, except that apparently it is started already and it will go.

We still have the assurance from the Americans that the water quality that is going to be coming out of the States is going to be good quality water. We have rules and regulations in place, I want to tell you, and it works. If Members do not believe that, the new Members, they should look back at the history of the Garrison Diversion on the American side which was supposed to affect our water base negatively and regardless of which Government was in power, whether it was the NDP or whether it was the Conservative Government, our aim was the same. We did not want any diversion from the Mississippi water base and then to the Red River water basin, and we fought it and there were the controls in place. We managed to stop it. We managed to stop it, to the chagrin, to some degree, of the American people who felt they needed that kind of a project out there for irrigation, but they made some adjustments and the project was stopped. Our water was protected.

* (1720)

So why, when we have a Bill like this which says be negative against the Americans—that is what it says, be negative against the Americans. I happen to think that Americans are the best neighbours that we could wish for anywhere in the world. Anywhere in the world, we could not have better neighbours than them and they are prepared to cooperate. They are and they have done and they will do so on the Rafferty-Alameda and the Souris River. They will cooperate with us and give us good quality water.

What is happening now in the Red River? We are so low of water, in places you can cross the Red River with boots if you want to at this stage of the game. That is a water supply that services many of our communities. So our Minister of Natural Resources (Mr. Penner) has gone to the States. He has talked with the people and he has said he has made arrangements with them so that they will release water from water-holding projects that they have there to be able to supply us with that kind of water.

These are the Americans we are supposed to be scared of. They are going to take and accommodate us. Mr. Speaker, if this previous administration—and I should be the last one to always jump on them—but if they had followed a development program over the last 20 years of water retention, we would not have the major problems with water that we have today. But they did nothing, absolutely nothing! If you look at the history, the last building years were the Conservative building years under Duff Roblin. That is when dams were built. The St. Malo Dam was built at that time, "Duff's Ditch" was built at that time, but projects were undertaken and they were positive projects.

Since that time, nothing, nothing, and what we are doing, and I have to justify that out of the last 20 years, the NDP have been the Government for 15 years. In the four years, in-between time from 1977 to 1981 when we were there, those were tough years. There was an economic recession. We could not do that kind of

spending that we were planning to come forward with programs. Now we are developing programs of water retention, waterproofing, and we have no hesitation about going to the Americans and making deals with them to make sure that we have a good relationship with them.

That is why I cannot understand why anybody would bring forward a Bill of this nature. It is stupid; it is a stupid Bill. But what it does, what this kind of thing does, Mr. Speaker, is it creates a problem when we are trying to negotiate on a friendly basis with our neighbours to the South. This kind of legislation does not do any good. It hinders the process. But, as I indicated before, and I do not want to repeat all the aspects of why it was introduced, but it has changed a little bit. The whole thing has been changed now because free trade is coming anyway. The Americans are happy, we are happy, and I hope that we can enhance development in terms of water problems. I would like to see the Roseau River project reinitiated again somewhere along the line.

We have other projects. The Minister of Natural Resources (Mr. Penner) has major projects that we are starting to develop. We are trying to work in conjunction with Ducks Unlimited to try and get projects going, anything to keep our water back. I have to indicate to Members here that, during my first years in the Legislature, I was a promoter of initiating grants to allow farmers to brush land and to break land to get more land into production. That is the sort of mentality, you know, our farming was built on that, to get more land into production, to produce more.

When grain prices fell, I have changed my position on that. I think a person should be allowed to realize that sometimes the direction you have been moving in is not the right direction. At that time, I would certainly promote the idea at this stage of the game that we should talk about not breaking every acre of land that is available. We should start thinking of maybe going back to planting trees.

If you just read all the articles in the National Geographic, all the concerns about what is happening in the world in terms of us raping and pillaging the forests, the water basins, and we have to start thinking different. We have to start thinking in terms of planting back trees, to be able to keep our water back instead of draining all the sloughs and swamps. I will tell you something, I got a raft of them in my constituency—the Sundown Swamp, the Menisino Swamp. Up until now, it was always "get that water out of there."

I am suggesting that we develop, as we are right now, major water programs so that we can keep the water back, because that is the most precious commodity. If you think it is not important, I will tell you something. I ran out of water in my well the other day and, if you want to know a panic situation when you have frightened kids around, I will tell you something, oh, boy. So I think it is very, very important to make sure that we do the right things with water, use a common-sense approach, and not try to use this for political reasons or scare tactics. Thank you, Mr. Chairman.

Mr. Speaker: By agreement, that will remain standing in the name of the Honourable Member for Wolseley (Mr. Taylor).

HOUSE BUSINESS

Hon. James McCrae (Government House Leader): I rise to announce that the Standing Committee on Economic Development will meet on Thursday at 10 a.m. in Room 255 to consider the Annual Reports of Channel Area Loggers, Moose Lake Loggers, and the Communities Economic Development Fund.

BILL NO. 20—THE WATER RIGHTS AMENDMENT ACT (cont'd)

Hon. Glen Cummings (Minister of Municipal Affairs): Mr. Speaker, I agree to leave it standing in the name of the Honourable Member for Woleseley (Mr. Taylor), if I could speak for a few minutes.

Mr. Speaker: There has already been leave.

Mr. Cummings: I would like to reinforce some of the comments that we have just heard from the Minister of Highways (Mr. Albert Driedger). He lives somewhat closer to the border than I do and probably has a more personal feeling about the fact that we do not need to have a sense of fear in dealing with the country, in dealing with the people to the South of us.

Let me say a few words about this Bill. (Interjection) The Leader of the Third Party (Mr. Doer) says, he is just worried about water. The examples that we have had in this province particularly and the experience that Canada as a whole has had, as far as I am concerned, does not indicate that we have not had the ability to deal from a position of strength with our neighbours to the south. It does not indicate that we need to start, even in the face of the trade arrangement that has now been made, acting in a manner that is irrational in relationship to what is, first of all, in the trade deal and, secondly, what we see in terms of experience that we have had historically with our neighbours to the south.

The Rafferty-Alameda has been something that has consumed a fair bit of time in this Legislature this summer. I alluded to it before but I wanted to repeat it in relationship to this particular Bill No. 20, and that is when we look at the situation of Souris and the water that is impounded to south of the border. It is a perfect example of where we have had cooperation with another country, who have been willing to send water to us beyond what they were required to do. They released water down the Souris that we would not have seen if it had not been as a result of good will and cooperation with our neighbours to the South.

The quality of a great working agreement that we have with the Americans over the years has shown that they are tough bargainers. They have, in the trade agreement that has been signed, committed themselves to a form and committed themselves to a system that will mean that they will have to deal more fairly with us and by predetermined guidelines in the same manner that we will have to deal fairly with them in whatever issue happens to be the one that concerns us at that particular time.

Mr. Speaker, the concerns about water and water rights as set out in this Bill, I find quite astounding. I guess I would not want to try and steal the words of my friend from Emerson, but in fact what we have here is a situation where someone has dreamed up the idea that we could be somehow at risk, the same as they said we were at risk regarding our sales of energy, our hydro sales. What has happened is that as a result of the trade arrangements that we have is that our hand is, in many ways, strengthened in terms of dealing with the Americans in the sale of energy. We can still negotiate the kind of price, any kind of price that we can get, but our sales of energy to the Americans cannot be discriminated against in the manner in which they could be presently.

When we look at the very powerful poll lobby that the Americans have, we see where they were able to pretty well pull the wool over the eyes of the previous administration in terms of pricing. The pricing arrangement was touted as being a particularly important landmark in how we price the sale of hydro-electric energy. It was priced in relationship to the cost of coal and steam generation. I am sure the Member recalls the fanfare that went with that. All of a sudden, coal south of the border during the course of the construction of the American coal-fired generation station, the price of the coal dropped virtually to the equivalent of the cost of transportation and handling of the product. The product itself became similar to our flax straw, where the work that was put into putting it in place was really the only value that it acquired.

Based upon that, the Government of the Day decided that they could develop a viable hydro sale based on that kind of a principle. They found out very quickly that there were some variables involved there that worked very much to the detriment of this province and to the future financial structure of this province because our debt load largely centres around the cost of—

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

Mr. Jerry Storie (Flin Flon): The Minister of Municipal Affairs continues to get his research on Manitoba Hydro pricing of exports from Mr. Cleverley of the Free Press. It has been said at least 20 times in this Chamber and publicly—

Mr. Speaker: What is the Honourable Member's point of order?

Mr. Storie: The point of order is that the Minister is imputing motives and suggesting that others have not told the truth about the hydro sale to Northern States Power. The Minister said the export price of power was tied to the price of coal. For the Minister's information, if the coal was given to NSP, there would still be a net benefit—

Mr. Speaker: Order, please; order, please. The Honourable Member does not have a point of order.

Mr. Cummings: Mr. Speaker, obviously I came a little close to a nerve there. He says that if the coal were

given away that there would still be a profit. In fact, what I had indicated was that the value of the coal virtually did drop to where it was given away. That was the relationship that sale was entered into on.—(Interjection)—The Member for Flin Flon (Mr. Storie) is nattering away back there. He is trying to say that there is a dispute over the value of the coal. He in fact agreed with me that if the value of the coal dropped that had an influence on the profit or margin that we ended up with.

Mr. Speaker, we see an example of the paranoia that has existed in the previous administration in relationship to dealing with the Americans.—(Interjection)—The Member for Flin Flon (Mr. Storie) said, this is not paranoia. He has not contradicted what I have said. However, he is trying to divert me from the direction of which I am referring and that is that we must continue as a country, as a province to deal in a straightforward and intelligent manner with our neighbours to the South, whether we are dealing in power, whether we are dealing in the sale of products, whether we are dealing in the sale of any other goods or services.—(Interjection)—I noticed he used the past tense, Mr. Speaker.

Some Honourable Members: Oh, oh!

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

Mr. Cummings: He used the word "was." I wonder if there was significance in that.

Mr. Speaker: Order, please. All Honourable Members—order!—who wish to participate in the debate will have an opportunity to do so in due course. At present, the Honourable Minister of Municipal Affairs has the floor.

Mr. Cummings: The problem that we are faced with is a problem of perception. Obviously, I do not think there was anyone who really anticipated that Bill No. 20 was going to pass or that this was going to become law in this province. Frankly, I think it was introduced with somewhat tongue in cheek, perhaps trying to raise some concerns. I simply mention the concerns about the pricing of coal south of the border. I was leading up to, before I was so rudely interrupted by the paranoia of the Member opposite.

What I was leading up to is the concerns regarding the lobbies south of the border where one of the most powerful lobbies in Washington and probably in any other part of the United States is the American coal lobby, a coal lobby that—the Member for Flin Flon (Mr. Storie) wants to create a little bit of disturbance back there, relationship to the coal lobby. I am not sure that he is the final authority on negotiating on behalf of this province or on the ability of the American coal lobby to influence whatever deals might want to be brought forward by American authorities or by ourselves.

* (1740)

What the Free Trade Agreement does and what this Bill No. 20 fails to recognize is that there is now an opportunity for fairness and equity between our two jurisdictions and that the opportunities for lobbies which

have the very narrow objective, and that is to protect their own turf, to protect their own product, and to create artificial pricing problems so that they can market their product, that their ability to do that is now restricted and our product can compete effectively, and compete on a very much more competitive basis because we now have a level playing field that has some equality for both sides.

There are those, and the Member for Flin Flon (Mr. Storie) is one of those, who kept playing on the idea that whether it was water, whether it was energy or whether it was the sale of any other of a number of a products that we might deal with the Americans, simply forgot that the principles of GATT are involved in every other part of this agreement. Where we become involved in trade that is outside of the GATT Agreement, then we have other rules that come into play.

Mr. Speaker, it has been said by those who have a lot more knowledge of the agreement than most of us in this Chamber that if the majority of agricultural commodities were to enter into a discussion or a dispute over jurisdiction within the next short time that they would probably still refer to the GATT Agreement rather than going to the free trade rate.—(Interjection)—Mr. Speaker, sometimes one has more difficulty with his own benches than he does with the Opposition. This is not even Friday afternoon.

An Honourable Member: Are you speaking for the Bill or against it?

Mr. Cummings: Last time I checked, I was speaking against this Bill. This should not happen, Mr. Speaker, but unfortunately there seems to be a great deal of frivolity in the benches behind me. I think the perpetrator of this may very well have to make amends in the not too distant future.

Mr. Speaker, if I could wrap up my comments on Bill No. 20, I think that the idea that was put forward that the big bad Americans were going to run away with our water simply plays down the fact that Manitobans and Americans can and will continue to deal. There is nothing in this agreement that would affect the ability of anyone to force this country or this jurisdiction to do something with water that they had no intention of doing.

I have a great deal of difficulty keeping a straight face considering the comments that are coming from behind me. I have to tell you that if Bill No. 20 were to pass that there would be a great deal more frivolity concerning the ability of the Members of this Legislature to discern between good legislation and bad legislation, and this is bad legislation.

BILL NO. 25—THE UNFAIR BUSINESS PRACTICES ACT

Mr. Speaker: On the proposed motion of the Honourable Member for Elmwood (Mr. Maloway), Bill No. 25, The Unfair Business Practices Act; Loi sur les pratiques commerciales déloyales, standing in the name of the Honourable Minister of Finance (Mr. Manness).

POINT OF ORDER

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

Hon. James McCrae (Government House Leader): Mr. Speaker, on Bill No. 25, I would like to raise a point of order with respect to Bill No. 25.

I am concerned that the Honourable Member for Elmwood (Mr. Maloway) has introduced a Bill which has resource implications for my department, the Department of Cooperative, Consumer and Corporate Affairs. I am advised by my department that the carrying out of this Bill cannot be done with the existing resources. As a result, I am not sure how the Honourable Member for Elmwood was intending that this Bill be administered.

For example, was the Honourable Member assuming that the Consumers' Bureau or that the staff of the Consumers' Bureau have so much free time that they can just pick up this Bill and administer it fully? Or was the Honourable Member assuming that we would just take three to five staff and assign them to this Bill, thereby reducing the number of staff engaged in the current activities of the Consumer Affairs Division of the department?

I can assure the Honourable Member that either assumption would be wrong and has implications to the level of service the Consumer Affairs Division is currently providing the public. The Honourable Member should understand that the Consumers' Bureau does not only handle complaints, they have a substantial licensing and investigative component within the bureau.

I would ask the Honourable Member, what area should we give up resources from so that the bureau could deliver the services suggested by this Bill? The Honourable Member suggests we should do more with less, but that does not take away from the inadmissibility, I suggest, of Bill No. 25 concerning The Unfair Business Practices Act. The Honourable Member for Elmwood has never been the Minister of this department and, therefore, I do not believe he is in a position to recommend on that type of resource reallocation.

I would suggest to you, Sir, that this is a money Bill and should not be presented as a Private Member's Bill. The precedents on this matter, Sir, are absolutely clear. I need only refer you to Mr. Speaker Walding's ruling of March 17, 1983, regarding a Bill proposed by the then Honourable Member for St. Norbert, Mr. Gerry Mercier, entitled "An Act to Amend the Criminal Injuries Compensation Act."

When you check the precedent, as I am sure you will, Mr. Speaker, you will see that Mr. Mercier's Private Member's Bill proposed to amend The Criminal Injuries Compensation Act by adding one clause that would have allowed the board to provide compensation for the victim's pain and suffering. That was not even clearly an obligation as the section only provided that the board "may" award compensation.

In the case of the Bill proposed by the Honourable Member for Elmwood (Mr. Maloway), all of the

obligations are mandatory. I submit that Bill No. 25 is out of order, and it may not be presented to the Members for debate.

I would only remind you, Sir, that our rule is only an elaboration of the constitutional requirement that all money matters be brought to the House with a message from the Lieutenant-Governor. This is essential to maintaining control of the public finances by the Government.

The rule involved is Rule 53 in our Rule Book and, Mr. Speaker, I would like to refer you to the situation I referred to regarding The Criminal Injuries Compensation Act. On March 17, 1983, the then Honourable Member for Fort Rouge, Mr. Penner, raised the following point of order and I quote:

"The Bill, as I have read it, in effect, and I will explain that in a moment, calls for the expenditure of public funds or necessarily would lead to the expenditure of public funds. If I am right in that conclusion as to the import of the Bill, then it would be my view that the Bill can only be introduced by a Member of the Treasury Bench with a message from Her Honour the Lieutenant-Governor and cannot be introduced as a Private Member's Public Bill."

In response, after hearing the then Honourable Member for Fort Rouge and Mr. Mercier and Mr. Anstett, Mr. Speaker Walding ruled as follows:

"I thank all Honourable Members for their advice on this matter and I say to the House that the principle of the Bill, whether it is a good idea or not, is quite irrelevant. On this matter, it comes down to a matter of House procedure and whether the Bill is technically in order to be presented to the House or not.

"As the Honourable Member for St. Norbert has mentioned, I did seek legal advice on this matter from people whose job it is to be able to advise on such things, and it is made clear in the letter that the Honourable Member for St. Norbert has that, as far as this House is concerned, it has always been the practice for many years back to consider any Bill which can be considered a money Bill which either orders the Government to spend money or authorizes it to do something to spend money is, in fact, a money Bill and therefore needs a message from Her Honour.

"I would, therefore, regret that I cannot present this Bill to the House."

I believe it was Rule 53 that I referred you to in coming to a conclusion on this matter. I would ask you to consider what Rule 53 says, to consider the circumstances in the matter raised by Mr. Mercier in this place and the ruling of Mr. Speaker Walding, and to find that Bill 25 fits within the discussion in that case. It is a money Bill and is therefore not something that this House can entertain as a Private Members' Bill.

* (1750)

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

Mr. Jim Maloway (Elmwood): Mr. Speaker, to the point of order, I would suggest that since the Legislative

Counsel's Department drafted the original Bill and it was approved and submitted to the House for first reading, the Attorney-General (Mr. McCrae) has had a couple of months now in which to voice these concerns. Leaving it at this late date really causes me to question where he was a couple of months ago.

I have been operating under the assumption that Legislative Counsel had approved it with some type of discussions with the Clerk, and it has been my understanding all along that this Bill was acceptable to the House. Once, of course, it had gone through first reading, I thought that it had cleared those hurdles, and for him to come at this very late stage and suggest that somehow it should be considered a money Bill and, therefore, out of order is mind boggling, to say the least.

What the Bill really does is in effect give the Consumers' Bureau additional powers, and I do not personally see why the Attorney-General (Mr. McCrae) would have to proceed and hire several more staff because of the Bill. All it does is give the person who is occupying that position right now more power, in effect, may make that person's job more easy because now the head of the Consumers' Bureau can only mediate and spends a tremendous amount of time in paperwork and the mediation process, which is very time consuming. I think the Attorney-General would agree.

This Bill will give that person a lot more power to get to the problem a lot quicker. So I would submit that it may make his job easier and not require as much staff as we have right now. From a Government that got into office by saying it was going to do more with less, that is surprising. I would think that the Minister would want to find ways to deal with that.

Mr. McCrae: Further on the same point of order, the Honourable Member refers to Legislative Counsel having approved the Bill. If I understand correctly, this Bill did not have its genesis at the beginning of this Session but perhaps at the beginning of the last Session. At that time, on the understanding that the Bill was a Government Bill, I could certainly understand Legislative Counsel taking the position Legislative Counsel did but, even so, it is not a matter for Legislative Counsel to tell this House whether a Bill is approved or not.

The Bill has been on the Order Paper. I did my research, I raised the matter. There is no point on a matter like this that is inappropriate in terms of timing, of raising the point, and it is not for Legislative Counsel to decide but for you, Mr. Speaker, to decide the admissibility of Bills in this House and whether Bills can be put to this House.

Mr. Speaker: The Honourable Member for Churchill (Mr. Cowan) on the same point of order.

Mr. Jay Cowan (Churchill): On the same point of order, I have listened with interest to the comments by the Government House Leader (Mr. McCrae) and they seem to me to be predicated upon one assumption, and that assumption is that this Bill is going to require additional staff, or in that way impose an additional burden on the Government because of its implementation.

The fact is that the Member for Elmwood (Mr. Maloway) has very clearly stated that it is his belief, and I believe he has consulted with Legislative Counsel who are paid to be aware of the Rules of this House and the way in which this Legislature works and paid to provide advice equally to all Members, whether they are Government or non-Government Members, and they have indicated to him that this Bill would fit within the rules of the House as a Private Member's initiative. So that is the first point that has to be made.

The second point is that it is an assumption on the part of the Government House Leader (Mr. McCrae) that additional staff will be required. We do not know that to be the case. So I think to base a ruling on what is an assumption that may or may not come to pass would be a dangerous precedent to set. One can very clearly rule out of order a Bill if it does impose a tax or impose a direct charge, and I think that was what was contemplated in the rule on 53(1).

I think also one has to put this Bill in the proper context. Would in fact this Bill require a message if it was brought forward by the Government, because that is what is at issue here? The point is that a non-Government, non-Cabinet Member of the House does not have authority to bring forward a message from the Lieutenant-Governor-in-Council. So the question is, would this Bill, if it were being brought forward by a Cabinet Member, require a message? I would suggest to you, Mr. Speaker, that it would not require such a message and that there had been other Bills and we can go back if you wish and chart out the precedents. There have been other Bills that could have had exactly the same impact, or could not have had an impact on the Government Treasury that were brought to this House without a Government message being attached to it. Certainly, if there is a direct charge, one would have that message attached but there is not in this particular instance.

So I think on that account and I would ask you to use that—I would ask you to take this under advisement in the first instance, which I believe you will. I would ask you to use that as one of the pivotal points of logic when trying to determine whether or not this Bill should be accepted in the form in which it has been presented by a Private Member.

With respect to the question of Mr. Mercier's Bill, Mr. Mercier's Bill could provide for compensation, as I understood it, and that was The Criminal Injuries Bill. In that respect, it would require a message because it could have required on the part of the Government or could cause a Government to have to flow a direct grant, and that is certainly contemplated in 53. But it is not contemplated in this particular Bill. The Member has indicated that he did check it with the Department of Legislation. He used the best available resources that are there to be equally available to all of us and they have said this Bill would meet the test of the Rules of this House.

It does not require direct compensation. It would not require, I suggest to you, a message from the Lieutenant-Governor-in-Council if in fact it was being brought forward by a Cabinet Minister. It is different from the Bill that Mr. Mercier brought forward with

respect to direct compensation and the final point, the Government House Leader (Mr. McCrae) said that the Member for Elmwood (Mr. Maloway) had not been a Minister of a department and, therefore, might not realize the impact of this Bill on the department.

I have been a Minister of several departments and I had brought forward legislations as a Minister of several departments. I can tell you, Mr. Speaker, that in every instance my staff said to me when I brought forward that legislation, this will impose an extra duty upon us and we will need additional staff. That is the role of staff to identify where in fact additional staff might be required and I can tell you in many of those instances I said to them, I hear what you are saying, I understand what you are saying. Unfortunately, that additional staff will not be available to you and for that reason we cannot, even although we would like to and even though there may be some who would suggest that it would be necessary to have additional staff, we cannot have additional staff with respect to the implementation of that Bill.

The Bill indeed went through the House, or Bills, plural, went through the House. They were indeed passed. They went through the House without messages because messages were not required and they were exactly the same sorts of Bills which the Attorney-General, as Government House Leader, is now objecting to on the basis of Rule 53 which does not apply in this instance, did not apply in those instances, and is distinct and different from all the examples which he has provided.

So I would hope that you take this under advisement and we would be prepared to assist in developing a further precedent if you feel it is necessary in this regard.

Mr. Speaker: First of all, let me thank the House for their indulgence, for allowing Members to advise the Speaker on this matter. I will definitely take this matter under advisement and report back to the House.

Is it the will of the House to call it six o'clock? The hour being 6 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).