



Third Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(HANSARD)**

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHEEMA, Gulzar	The Maples	Liberal
CHOMIAK, Dave	Kildonan	NDP
CONNERY, Edward	Portage la Prairie	PC
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Clif	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Liberal
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
HARPER, Elijah	Rupertsland	NDP
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	NDP
MANNES, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold	Rossmere	PC
ORCHARD, Donald, Hon.	Pembina	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary, Hon.	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 29, 1992

The House met at 1:30 p.m.

Mr. Clerk (William Remnant): I must inform the House of the unavoidable absence of Mr. Speaker and, therefore, in accordance with the statutes, I would ask the Deputy Speaker (Mrs. Dacquay) to take the Chair.

PRAYERS

ROUTINE PROCEEDINGS

READING AND RECEIVING PETITIONS

Madam Deputy Speaker (Louise Dacquay): I have reviewed the petition of the honourable member for Brandon East (Mr. Leonard Evans), and it complies with the privileges and practices of the House and complies with the rules. Is it the will of the House to have the petition read?

The petition of the undersigned citizens of the province of Manitoba, humbly sheweth that:

The Brandon General Hospital is the major health care institution for southwestern Manitoba; and

The citizens of Brandon and southwestern Manitoba are deeply concerned and disturbed about the downsizing of the hospital and view it as a threat to the quality of health care in the region; and

The Manitoba government has chosen not to review the current budget to ensure that cutbacks to vital services do not occur; and

The administration of the hospital has been forced to take drastic measures including the elimination of the Palliative Care Unit and gynecological wards, along with the layoff of over 30 staff, mainly licensed practical nurses, to cope with a funding shortfall of over \$1.3 million; and

WHEREFORE your petitioners humbly pray that the Legislature of the Province of Manitoba may be pleased to request that the government of Manitoba consider reviewing the funding of the Brandon General Hospital to avoid layoffs and cutbacks to vital services.

* * *

I have reviewed the petition of the honourable member for Selkirk (Mr. Dewar), and it complies with

the privileges and practices of the House and complies with the rules. Is it the will of the House to have the petition read?

The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the Human Resources Opportunity Office has operated in Selkirk for over 21 years providing training for the unemployed and people re-entering the labour force; and

WHEREAS during the past 10 years alone over 1,000 trainees have gone through the program gaining valuable skills and training; and

WHEREAS upwards of 80 percent of the training centre's recent graduates have found employment; and

WHEREAS without consultation the program was cut in the 1992 provincial budget forcing the centre to close; and

WHEREAS there is a growing need for this program in Selkirk and the program has the support of the town of Selkirk, the Selkirk local of the Manitoba Metis Federation as well as many other local organizations and individuals.

WHEREFORE your petitioners humbly pray that the Legislature of the Province of Manitoba may be pleased to request the Minister of Family Services (Mr. Gilleshammer) to consider a one-year moratorium on the program.

* (1335)

TABLING OF REPORTS

Hon. Leonard Derkach (Minister of Rural Development): Madam Deputy Speaker, I would like to table the 1990-91 Annual Report for the Department of Rural Development.

I would also like to table the Supplementary Information for Legislative Review for the 1992-1993 Departmental Expenditure Estimates.

Introduction of Guests

Madam Deputy Speaker: Prior to Oral Questions, I would like to draw the attention of all members of the House to the public gallery, where we have with us this afternoon seventeen Grade 9 students from

Viscount Alexander School. These students are under the direction of Ms. Amélie Gauthier.

Also with us this afternoon, we have 10 visitors in the public gallery from Bemidji State University, under the direction of Professor Alexander Nadessan, guests of the honourable member for Wellington (Ms. Barrett).

Additionally, we have forty Grade 5 students from Royal School, under the direction of Mrs. James. This school is located in the constituency of the honourable First Minister, the Premier (Mr. Filmon) of Manitoba.

On behalf of all honourable members, I welcome you this afternoon.

ORAL QUESTION PERIOD

GRIP Program Coverage Levels - Risk Area 12

Mr. John Plohman (Dauphin): A year ago, confusion reigned supreme in this province with regard to GRIP that was just being introduced by this government, and the government was panicking at that time as to the sign-up levels that would happen.

The minister promised, with regard to Risk Area No. 12, that he would deal with the concerns that they were raising, specific concerns that district Risk Area No. 12 was raising with regard to the soil classification and coverage levels that were being offered in that particular area. On June 7, and again on June 19, the Minister of Agriculture (Mr. Findlay) confirmed in writing that he would implement any recommendations that were made by the committee that was set up to review soil classifications and coverage levels in Area 12, and he would implement them for the 1991 coverage year.

Then on April 23, 1992, this year, the trust that these producers had in this government and this minister was broken when the Minister of Finance (Mr. Manness) told the producers from Area 12 that there will be no changes in the 1991 coverage levels regardless of the report by that committee. There would be no changes.

I want to ask this Minister of Finance why he chose to undercut the written commitment by his colleague, the Minister of Agriculture with regard to legitimate coverage changes for 1991 in Risk Area 12.

Hon. Glen Findlay (Minister of Agriculture): Madam Deputy Speaker, I want to tell the member

that we recognized a year ago that there was some difficulty there. I set in place a committee with two farmers, and I asked those farmers to give me some names as nomination. I picked two people from that list. I asked them to go through and try to identify on some scientific basis some reason that I could go forward to the federal partner and ask for consideration for 1991. I also asked that committee to report by the fall of 1991.

That committee has been working over a course of time. They have used some scientific information generated by a university professor. I have written to the federal minister back in June of last year and again this month of this year asking him to consider the information from that committee relative to 1991. On both occasions, the federal minister has said no to me.

The committee has yet to submit its final report. I understand they have information to gather, and the committee is to review it one more time before it comes to me. That is where it is at. We have set the committee in place. They worked to establish that the methodology used by crop insurance coverages in Risk Area 12 versus 32 soils was really different than what they had in place. I have asked the federal minister for his consideration, and in both cases he has said no.

GRIP Program Coverage Levels - Risk Area 12

Mr. John Plohman (Dauphin): Madam Deputy Speaker, we know what the difference is. We know that the difference is \$10 per acre, and the committee has made its findings known. The minister does not have to wait for a final report. It is \$10 per acre, it is up to \$7,500 for a farmer of 750 acres.

I asked the Minister of Finance: Who are these farmers supposed to believe? The Minister of Finance, who is rebutting the statements made by his Minister of Agriculture, or are they supposed to believe the Minister of Agriculture when he says that he will honour the recommendations of that committee?

* (1340)

Hon. Clayton Manness (Minister of Finance): I am not rebutting anybody's statements. I indicated to the meeting on Monday evening that indeed we had notice of a letter from the federal government overtop of the signature of Mr. McKnight that

indicated they would not consider retroactivity. That was the essence of the statement that was made. Indeed the member seems to have had that information shared with him, because it is the essence of the question that he has put.

GRIP Program Coverage Levels - Risk Area 12

Mr. John Plohman (Dauphin): Madam Deputy Speaker, clearly, this government is giving two sides to the same story. They are not coming clean with the producers of Manitoba. I want to ask the Minister of Agriculture now: Will he admit that the GRIP coverage was incorrectly based on unfactual information, incorrect information, with regard to crop insurance data, and will he now commit to honouring the written commitment he made last year to implement those changes so the producers know in fact what kind of coverage they are going to get for the last coverage year?

Hon. Glen Findlay (Minister of Agriculture): Madam Deputy Speaker, crop insurance has been in place in Manitoba since 1960. A lot of methodology changes have occurred over time. Because GRIP is now another major element, in other words, price insurance, another major element of risk protection, was brought into being in 1991, a lot of the difficulties that existed in crop insurance for some time suddenly became more apparent to producers. We based it on that because farmers on a task force recommended that that be the basis. It is the only basis of information that exists.

I recognize the difficulty in Risk Area 12; that is why I appointed a Soils Review Committee. I also identified that there are a number of other problems with the overall Crop Insurance Program in this province, and that is why nine producers and one professor emeritus from the University of Manitoba are appointed to a Crop Insurance Review to review the program for the entire province and make recommendations to the two levels of government. That process is in place, and we expect them to report in due course.

Yes, there are some changes. There are some methodologies that need to be looked at. We recognize that, but we want the players in the game, the producers, to be part of the process of making the recommendations.

Northern Flood Agreements South Indian Lake Legal Expenses

Mr. Gary Doer (Leader of the Opposition): Madam Deputy Speaker, my question is to the Premier.

Yesterday and today there are news reports dealing with the fact that a tentative settlement with the South Indian Lake community has been reached with Manitoba Hydro. There are further reports that an appalling sum of money is going to be forwarded as part of the tentative settlement to legal counsel, an amount of money of approximately 20 percent of an \$18-million settlement or approximately \$3 million.

Madam Deputy Speaker, the Deputy Premier rightly said he was appalled and shocked at the amount of money that was in the tentative agreement. I would ask the Premier: What action is the government going to take about that amount of money that I think most Manitobans would want to see going to the community, not to one individual lawyer?

Hon. Gary Filmon (Premier): Madam Deputy Speaker, indeed I think all of us are outraged at the prospect that a contingency fee should be paid to any consultant on behalf of the Indian bands that would siphon off literally one-sixth of the money paid by government legitimately to the interest and the benefit of the citizens of one of those northern flood communities or, in this case, South Indian Lake, with respect to flooding damages from hydro projects back in the 1970s.

We are outraged at the thought that an individual should be paid this amount, and the matter of course, when it was brought to our attention, the Deputy Premier (Mr. Downey) indicated that outrage and that concern that the people who should benefit from such a settlement would not benefit from such a settlement.

Regrettably, Madam Deputy Speaker, this is one of the things that is a product of local community governance, that is, the governance of the South Indian Lake band and a committee that they formed, which was called the Community Association of South Indian Lake, after public hearings, deciding to accept this settlement. We do not believe it is appropriate. We have certain mechanisms in place to attempt to avoid that from happening, that such a large amount should be paid to a consultant on behalf of the band, and we are obviously examining

all of those features that are in the agreement to attempt to ensure that such a large amount does not get paid to a consultant and should in fact get paid directly for the benefit and in the hands of the community.

*(1345)

Mr. Doer: Madam Deputy Speaker, the Deputy Premier (Mr. Downey) today and last night referred the issue to the Law Society of Manitoba. Certainly, the Law Society of Manitoba is equipped to deal with inappropriate and fraudulent billings. It appears to us though that based on the mayor's comments that he had thought that the legal partner had done a very good job for the community, the issue here is the kind of agreement and the kind of greed for money that is going to go to this one individual lawyer and not to the community.

The Deputy Premier yesterday said that he had not approved the tentative agreement. When one considers the fact that both Manitoba Hydro and the local community governance reports back to the Minister of Northern Affairs and to the Minister of Hydro who are in fact the same person, the Deputy Premier (Mr. Downey)—he stated yesterday in media reports and again this morning on radio and other reports, Madam Deputy Speaker, TV reports, that he is able to do something with this agreement, that he has not approved it yet.

Would the Premier advise us whether they will be approving this agreement, or will they be requiring a reinvestment of the money that is going to the lawyer, to the community, as it is intended?

Mr. Filmon: Madam Deputy Speaker, I have expressed on many occasions that this government wants the money that comes out of the various negotiations to go to the people, to those Indian bands and their residents, and I have said this publicly. We have said in the course of any negotiations that there will not be high fees paid to consultants, to lawyers, to people on behalf of the bands.

I would say that as part of the self-government approach that the bands continue to bring with them consultants whom they are paying very high amounts of money to. In this particular case, the community of South Indian Lake not only took the precaution of setting up a community association to do negotiations, but held public hearings in which the community gave authority to the mayor to enter into such agreements.

I might say that indeed the offer has not been finalized, and the agreement has not been finalized. The offer is subject to a particular clause that is within the offer that says, quote: No portion of these settlement proceeds shall be used to pay a contingency fee except to a barrister and solicitor entitled to practise in and for the province of Manitoba and then only in complete accord with the requirements of The Law Society Act of Manitoba. Further, no fee determined as a percentage of the final settlement proceeds shall be paid without court approval.

So, in fact, the kind of scenario that was portrayed in the news report would not legitimately be able to be done. We are examining all of the aspects of this and attempting to determine whether or not, in accordance with the material that has been prepared for a potential settlement, we can assure ourselves as well as the residents of the community that these fees will not indeed be paid to expensive consultants and lawyers, but rather go to the benefit of the community.

Mr. Doer: Madam Deputy Speaker, on May 30, 1991, the former minister said the same thing in the House about, quote: I am disgusted at the amount of money going to particular consultants and lawyers.

I recognize it is a delicate balance. It is a delicate balance on the issue of self-governance—even though this is not an aboriginal community, it is a local government district—and the negotiations.

However, the minister said yesterday that management of Northern Affairs and management of Hydro were involved in the negotiations, and he was not aware of those negotiations and the particulars in them.

Given the fact that the previous minister has expressed his outrage at this kind of issue, and given the fact the Premier has expressed it and the Deputy Premier (Mr. Downey) yesterday, how are we going to get a system in place so that those kinds of considerations can be considered in the negotiations which the government in this case is on both sides of the table with the community to be reporting back to the Minister of Northern Affairs (Mr. Downey), so that we can have a balanced approach with the primary goal of having those funds go legitimately to the community members who are directly affected by the flooding?

Mr. Filmon: Surely the member for Concordia is not suggesting that negotiations be handled by

ministers only. There has to be staff involved in the negotiations. There have to be experts. There has to be those who can provide the financial and legal background that is needed to enter into an agreement.

Because we—the former minister, the current minister, the Premier, this government—did not want to have this sort of thing happen, we insisted on this kind of clause in there, and the clause states very clearly, no fee determined as a percentage of the final settlement proceeds shall be paid without court approval. It further identifies the fact that this sort of thing cannot happen as part of the agreement.

We are going to ensure that the terms that we have insisted on to protect the community and to protect the taxpayer are indeed followed, and that would be in accordance with our wishes as a government and with our policy as a government and indeed in accordance with what I think the people of Manitoba expect of us.

* (1350)

GRIP Program Coverage Levels - Risk Area 12

Mr. Nell Gaudry (St. Boniface): Many farmers in Risk Area 12 joined the GRIP program on the condition that a soils review committee would be struck and that retroactive increase in coverage would be available to them for 1991, if the committee decided they were eligible. The Minister of Agriculture signed his name to that commitment. The committee met and determined that Area 12 farmers were eligible for a \$10 increase in coverage. Now the Minister of Agriculture has broken his word to the farmers whom he is supposed to represent.

Can the Minister of Agriculture tell the House why farmers should have any faith in his ability to represent them when he has broken faith with them on the GRIP program?

Hon. Glen Findlay (Minister of Agriculture): Madam Deputy Speaker, I would like to remind the member that the GRIP program in the province of Manitoba will probably pay out about \$300 million to the farm community of Manitoba.

The average per acre payment across the entire province is about \$43 to \$44 an acre. In Risk Area 12, on the class 12 soils, it is about \$51 an acre. On the class 32 soils, it is an average of about \$49 an acre, so that is absolutely significant support to the farm community.

The direction I gave to the committee I set up to review the inequities that appear to exist in Risk Area 12 was that if the federal minister, if it was appropriate and reasonable that we could make adjustments, we would.

I had asked the committee to report as of the fall of 1991. They are just finalizing that report at this time, Madam Deputy Speaker. I have worked hard on their behalf to attempt to get the other partner to agree that there was a problem we should address for 1991. Unfortunately, I can only report at this time that the answer, to this point, to me has been, no.

Mr. Gaudry: Can the minister explain why he is asking these very same farmers to enter into negotiations for retroactive coverage for the 1992 crop year when he has just broken the very same promise to the very same farmers? On what grounds should they trust his word this time?

Mr. Findlay: Madam Deputy Speaker, I would like to remind the member that the agricultural budget contains \$58 million for GRIP support and that member voted against it. That same member voted against it.

Mr. Gaudry: Madam Deputy Speaker, I have a letter from Mr. Richard Vermette, whose letter will be tabled, who withdrew his contract from the GRIP program and then rejoined when the minister promised a retroactive increase. Now he is locked into a five-year contract on the basis of the minister's broken promise.

Can the minister justify his breaking faith with Mr. Vermette and many others like him?

Mr. Findlay: Madam Deputy Speaker, I set up a process for them to analyze it. There have been numerous meetings and scientific information analyzed by the committee with farmer representation on it. They have yet to come to a final conclusion. I understand that they have their documents written, but the committee has to see it one more time before it is going to get to me.

But, Madam Deputy Speaker, as I said earlier, that report was to have been in by the fall of 1991. I have attempted on two occasions, in June of last year and up to April of this year, to get the federal minister's concurrence that he would abide by the information that is in the document that is to come forward. So far, unfortunately, he has said no.

Licensed Practical Nurses Government Support

Ms. Judy Wasylycia-Lels (St. Johns): Today we have all received copies of the Final Task Force on Practical Nursing Education. In that report, the conclusion, the same conclusion that we heard in 1977 with the report on LPNs and the same conclusion that we heard in 1985 with the Judge O'Sullivan report, is made with respect to licensed practical nurses.

We know that this profession, this group of individuals, has been on pins and needles for the last number of months about their future, about their jobs, about their livelihood. I would like to ask the minister in light of this report: Is he prepared today to end the uncertainty for this valuable nursing profession, state unequivocally that this government supports this profession and give us a timetable for the recommendations of this report?

Hon. Donald Orchard (Minister of Health): Despite my honourable friend's question, this government has never said anything or offered anything but support to LPNs in our health care system.

We have offered the same support to diploma-trained registered nurses in the system of health care delivery in Manitoba, four-year baccalaureate-prepared bachelor of nurses in the health care system of Manitoba, registered psychiatric nurses in the health care system of Manitoba. Madam Deputy Speaker, we do that because the system enjoys and needs the services of a mix of professional disciplines in nursing, all of them valuable to the delivery of health care services in Manitoba.

So my honourable friend's inflection that we do not support one trained discipline in nursing is wrong, Madam Deputy Speaker.

* (1355)

Red River Community College Program

Ms. Judy Wasylycia-Lels (St. Johns): Madam Deputy Speaker, considering that it was his decision and his government's decision around education opportunities for licensed practical nurses which caused this task force report in the first place and caused the concern in the community, will the minister and his colleagues lift the moratorium at the Red River Community College for practical nurses,

something that is recommended in this report and something which caused this problem to begin with?

Hon. Donald Orchard (Minister of Health): Madam Deputy Speaker, that is exactly why we have initiated studies, and when they are available to government we make decisions flowing from them.

My honourable friend participated at a press conference in December with great concerns about licensed practical nursing training in St. Boniface Hospital, that it was going to close and not be available. Licensed practical nursing training is ongoing as we speak at the St. Boniface General Hospital.

Madam Deputy Speaker, this government intends to work diligently and carefully in assuring that training programs are available for the nurses that we need of varying professional disciplines and competence in training programs for the delivery of health care in the province of Manitoba.

St. Boniface Hospital School of Licensed Practical Nursing

Ms. Judy Wasylycia-Lels (St. Johns): Madam Deputy Speaker, will the minister take this report then and indicate to St. Boniface Hospital that it will not be acceptable to cut back the St. Boniface College for licensed practical nurses? Will he make some commitment to those in this profession that they will have jobs and educational opportunities to look forward to?

Hon. Donald Orchard (Minister of Health): Madam Deputy Speaker, I will even go one step further and I will indicate to my honourable friend that we have a process in place involving a province-wide review of the employers of the varying nursing professionals which will indicate to us the current employment mix within all of our facilities and give us the best projection they can as to what they anticipate their nursing staff mix to be five years down the road.

On the basis of that report, not only will we be able to guide the educational programs that are available in the province of Manitoba, but we may be able to provide better information than has existed in the past as to what future and anticipated needs for those respective professional disciplines will be in the health care system of Manitoba.

Decentralization Selkirk, Manitoba

Hon. Leonard Derkach (Minister of Rural Development): Madam Deputy Speaker, on April 23, I took a question as notice from the member for Selkirk (Mr. Dewar) regarding decentralization numbers in Selkirk as compared to those that were promised initially.

I can indicate that when we initiated the decentralization move we indicated that we would decentralize some 34 positions to the community of Selkirk. Since that time, a great deal of work and consideration has been given to civil servants, and also a great deal of work has been done with the community.

Madam Deputy Speaker, I am pleased to report today that indeed we have decentralized more than the 34 positions we promised. We have decentralized 41 positions to the community of Selkirk.

Glass Recycling Contract Consultations

Ms. Marianne Cerlill (Radlsson): Madam Deputy Speaker, this government recently had a choice in practising sustainable development. It could have prevented a million and a half pounds of plate glass from entering the landfill as has occurred for the last 10 years, or it could continue to use small, short-term monetary savings as the sole concern or consideration for decision making. Once again, the government turns its back on sustainable development and opts to give business to Oklahoma.

My question is for the Minister of Environment.

Was the Minister of Environment consulted on this tendered contract for recycled plate glass before it was issued, and what was his position on this issue?

* (1400)

Hon. Glen Cummings (Minister of Environment): First of all, Madam Deputy Speaker, I think it should be made very clear that there was a significant variance in the tenders. The Minister of Highways and Transportation (Mr. Driedger) took into consideration the taxpayers of this province and made a decision.

There are a number of factors that are not being brought to the fore in relationship to this glass market, however. It would appear that by various

manipulations, the province of Saskatchewan is trying to keep the glass market that is available in that plant for themselves, and they are trying to blame Alberta and Manitoba for the closure of their own plant.

Impact on Manitoba Businesses

Ms. Marianne Cerlill (Radlsson): For the same minister: Why was the fact that this is the only plate glass recycling operation in Canada not considered in the process? Why is the Minister of Environment allowing these kinds of recycling operations to be eliminated from the economy in Manitoba?

Hon. Glen Cummings (Minister of Environment): Madam Deputy Speaker, obviously, I think the member is suggesting that we would come forward with a subsidy in order to allow this person to continue with his process.

As the Minister of Highways and Transportation (Mr. Driedger) said yesterday, we are actively involved today in regulations that will be dealing with beverage containers in this province, a large portion of which is going to be glass. So we recognize that we are virtually going to be dealing with mountains of glass in the not-too-distant future.

The Minister of Highways and the Department of Environment will be seeking solutions. Some of those solutions will be in conjunction with the Department of Highways, as a matter of fact, Madam Deputy Speaker.

Tender Process Review

Ms. Marianne Cerlill (Radlsson): Will the minister have all contracts tendered by this government reviewed from an environmental benefit and sustainability point of view so that they learn from this mistake and it does not happen in the future?

Hon. Glen Cummings (Minister of Environment): Madam Deputy Speaker, I would have to check the veracity of this information, but it is my understanding that there has been an increasing desire on the part of the plant to refuse Manitoba glass starting long before this contract started.

Madam Deputy Speaker, I do not need to confirm with the member opposite. I know that Alberta did not tender with this plant either. I know that this plant is getting its glass within Saskatchewan. I know that they quit taking crushed glass from Virden long before this contract even came up for tender.

So we know they are restricting their markets continually and forcing other provinces out of the market.

What we need is some western Canadian acceptance of responsibility in this area.

Economic Growth Housing Starts

Mr. Reg Alcock (Osborne): Madam Deputy Speaker, as I continue to ask the Minister of Finance why his economic development policies for this province have failed so miserably over the last four years, he responds by blaming it on the former government or more recently blaming it on the recession. I would like to ask him one very specific question.

Over the last four years housing starts in this country, in Canada, as a result of the recession, have fallen some 31.6 percent. Housing starts in this province, under this minister's economic policy, have fallen some 75 percent. How does he account for the difference?

Hon. Clayton Manness (Minister of Finance): Madam Deputy Speaker, I am happy that the member has seen fit to ask the question.

He must be aware, I am sure, that Manitoba's growth in the first quarter—I am talking about housing starts now—was concentrated in the urban areas, as members would know. This was a 67.7 percent increase from the same period last year. As far as all the provinces, Madam Deputy Speaker, we rank fourth, and I would have to say that the member opposite should stand and applaud that type of statistic.

Mr. Alcock: Madam Deputy Speaker, when I find something about the minister's policy to applaud, I shall.

My question for the minister is very clear. Four years, five budgets, his policies, why are we falling at a rate twice that of Canada?

Mr. Manness: The member is going to have to be a little clearer. He says we are falling. I do not know what he is talking about. I know, with respect to—and I will give him the number.

I will talk about manufacturing shipments. I will talk about employment. I will talk about capital investment. I will talk about bankruptcies in this province vis-a-vis other provinces. If he wants me to go into detail—if you will give me the time, I will be able to present the case statistically, Madam Deputy

Speaker, that we are amongst the highest, in the top two or three in Canada vis-a-vis other provinces with respect to all these statistics.

The course that we are following is the correct one. It is based on sound management. It is based on not allowing the deficit to run wild like the Liberals would have us do. It is based on trying to hold taxes in control like the Liberals would not want us to do, and I am saying to you the course is the correct one.

Mr. Alcock: Five questions, five indicators, he has yet to refute one of them. I will indeed ask the minister the questions about bankruptcies and about capital investment and about building permits. By every criteria, this province is worse off today than it was in 1988 under this Finance minister.

I want to ask him a simple question. Explain to this House why we fell at a rate twice that of the national average under this minister. Why did we fall—

Madam Deputy Speaker: Order, please. The question has been put.

Mr. Manness: I have never ever believed that I, as one individual, indeed as this government, had that much power with respect to economic matters, with respect to housing starts, that we could control ultimately statistics. [interjection]

Madam Deputy Speaker, I have the Leader of the NDP chirping across the floor about deficits. He would know about deficits. He sat in a cabinet that recorded the highest deficits of all time, so he would know fully well the issue of deficits.

The member talks about housing starts. He selectively wants to move into one very important area of economic activity. As I have said, this is a stable province with respect to economic activity. This government has tried to do everything it can to provide an opportunity for businesses and employment growth based on competitive factors. We have done everything we can to try and hold the tax line. We have done everything we can to try and help reduce cost of production so that indeed the province and the entrepreneurs in the province will come forward and prosper.

The member obviously likes to believe, believes that all wealth starts with the creation of house building. He is wrong. He does not understand where the wealth chain begins.

Dutch Elm Disease Program Provincial Funding

Ms. Jean Friesen (Wolseley): Madam Deputy Speaker, the Minister of Natural Resources has finally responded to the hundreds of letters and petitions that he has received on the Dutch elm disease issue. He has chosen to do this by reannouncing a grant of \$147,000 from the Department of Urban Affairs to the city for its integrated management program of surveillance and pruning and replacement.

Madam Deputy Speaker, when you add this to the \$350,000 already announced, we still have a 29 percent decrease from the former funding level of \$700,000. Will the minister explain to the House how a 29 percent decrease in funding for the integrated management program will help us maintain the goal of a managed loss rate of less than 2 percent?

Hon. Harry Enns (Minister of Natural Resources): Madam Deputy Speaker, I appreciate that the honourable member reminded us all that it is that managed loss rate of 2 percent that is at issue here. On my review with my forestry officials, I am assured that this rate of loss can be maintained, but I appreciate that my socialist friends have trouble with the concepts of growth and renewal.

What my review did discover was that we were not replacing the trees, and we were losing in numbers. At a 2 percent loss, in 36 years, half of our elm trees are lost. Where is the greening that we are concerned about in our city? I was pleased to announce—and I am thankful for the amount of support that I received from my government—an additional \$200,000 to ensure that new trees, young trees will replace that 2 percent that we are losing admittedly in this city.

Together with the \$147,000, that makes up the \$700,000 that we talked about. Surely, the issue was—if you want to be fair, then you should never be talking about a reduction to \$350,000. It was \$450,000.

Ms. Friesen: Madam Deputy Speaker, will the minister confirm that the \$200,000 for the new program of replacement of private elms represents 28 percent of the total amount from the province, and that this 28 percent will not be available for the attack on the major problem for both the city and in

fact the entire province of the prevention and removal of dead and diseased trees—[interjection]

The issue is the management of public lands and wildlife. I cannot understand why the member for Portage cannot simply understand that. This \$200,000—

* (1410)

Madam Deputy Speaker: Order, please. The question has been put.

Mr. Enns: Madam Deputy Speaker, I really want to respond to this in as rational and reasonable a manner as I can. It is an important issue to all of us. We have been fighting Dutch elm disease for several decades.

Throughout the Schreyer years of the '70s, it was deemed that \$180,000 was a reasonable level from the provincial government. That was changed by myself during the Lyon years to \$350,000. Now, Madam Deputy Speaker, throughout the six years of the NDP government of Howard Pawley, \$350,000 was deemed to be an acceptable level to keep it at. It never changed. My government felt, as a result of the drought years in those same years, that we should accelerate that to \$700,000. So, Madam Deputy Speaker, that is where it is at.

Point of Order

Mr. John Plohman (Dauphin): Madam Deputy Speaker, on a point of order, I know that the dean of the Legislature would not want to put incorrect information on this on the record.

Madam Deputy Speaker: Does the honourable member have a point of order?

Mr. Plohman: Clearly, there was 350,000—

Madam Deputy Speaker: Order, please. The honourable member for Dauphin does not have a point of order. It is a dispute over facts.

Ms. Friesen: Madam Deputy Speaker, the point is that the past funding levels, in fact, maintained the loss rate at less than 2 percent. Now, he has reduced it. How does he expect it to be maintained at that? Will the minister acknowledge that the issue we now face—

Madam Deputy Speaker: Order, please. The question has been put. The member is entitled to one question. The question has been put.

Mr. Enns: Madam Deputy Speaker, it has been suggested to me—and I read the papers, too—that politics may have something to say in this affair. I want to assure you, Madam Deputy Speaker, I want to assure honourable members opposite, that I pay foresters, professional foresters, good money to give me advice on these matters, and the advice they give me is that the optimum management level is 2 percent removal.

My critic agrees with me, on the opposite side of the House. I am telling her that is the level we are going to maintain it at. Now, if she does not want to believe me, let her speak to me next year about it.

Madam Deputy Speaker: The time for Oral Questions has expired.

Nonpolitical Statements

Hon. Gary Filmon (Premier): I wonder if I have leave to make a nonpolitical statement. [Agreed]

Madam Deputy Speaker, tomorrow, Thursday, April 30, corresponding to the 26th day of Nissan of the Hebrew calendar year 5752, marks the beginning of Holocaust Awareness Week. The Holocaust is recognized as a monstrous outrage against humanity involving a deliberate and senseless attempt at the systematic extermination of an entire people.

In common with Jews around the world, our Jewish community will be mourning and honouring the memory of the more than six million Jewish men, women and children who perished in the ghettos, concentration camps and gas chambers in those days of the Nazi nightmare.

It should be noted that the Nazi death camps were not only a Jewish problem. A total of 11 million innocent, noncombatant civilians were killed by the Nazis, but the largest single group by far comprised of six million Jewish victims, representing fully one-third of the Jewish population of the world.

As the renowned author and Nobel Peace Prize winner Elie Wiesel points out, not all the victims of the Holocaust were Jews, but all Jews were victims.

Holocaust Awareness Week pays solemn tribute to the victims of this unparalleled attempt to destroy a people, as well as to the indomitable will of a people to overcome tragedy and survive.

Regardless of religion or background, it is our responsibility, as people who believe in the concepts of freedom, equality and the worth of the individual, to remember the tragedy and lessons of

the Holocaust by keeping the memory of the six million alive. It is also our responsibility to do all in our power to see that it never happens again.

Manitoba has already made a serious commitment to preserving the memory of the victims on our Legislative Building grounds. I was proud to participate with the Jewish community in planning and implementing the Holocaust memorial which stands on the southwest corner of the grounds, the first such monument in Canada erected on public ground.

I know the members of the House will want to join with our Jewish citizens and with people of good will everywhere in keeping alive and honouring the memory of the six million martyred victims during Holocaust Awareness Week.

Madam Deputy Speaker: Does the honourable Leader of the Opposition have leave? [Agreed]

Mr. Gary Doer (Leader of the Opposition): I would like to join with the Premier and all members of this Legislature in speaking on behalf of the Holocaust Awareness Week, as outlined by the Premier today.

The tragedies of that incident in our history, that huge issue in our history, the absolute inhumanity that went on in our world in the last hundred years, I believe, binds us all together in this very, very important week outlined by the Premier, indeed, not only this important week, but in our whole lives on the issue of racism, hatred and genocide that took place in this century.

Madam Deputy Speaker, as a young child and as a person studying history, one could not believe that these events took place with human beings on the face of this Earth. One cannot understand what conditions led to this genocide that took place. One could not even understand the role of Canada.

When I read back in history and hear about the plea of many people in eastern Europe and in central Europe to immigrate to countries like Canada and the United States and our collective neglect in opening up our arms to those people who were in obvious human danger, their families, et cetera, we should not lose sight of the fact that all of us in this world have something to be aware of and learn from, the genocide that took place, and have responsibility for this act that took place in our century in our world.

I want to join with the Premier (Mr. Filmon) today on his comments on the Holocaust Awareness

Week and the millions of families that did not survive it and the millions of others that did survive it with the emotional scars that will last, not just their lifetime, but must last on to the next century and on to the next century after that.

We must all learn in this awareness week of our collective responsibility for how that happened in our world. I think we have to, in this Holocaust Awareness Week, rededicate ourselves against genocide, hatred, racism, in any form that it shows itself here or in our streets or in our communities because we all have a responsibility to never, ever forget what happened and why it happened in our world.

I know that I have had an opportunity to listen to Holocaust persons who were in camps. You cannot listen without tears coming to your face and thoughts of just unconscionable disbelief. How would you feel if that was your own family in those camps going through those experiences? I still cannot understand it, and I think we all have to take our responsibility in worldkind and personkind to make sure that events like this never happen again. So we certainly support the words of the Premier today on the Holocaust Awareness Week.

Mr. Gulzar Cheema (The Maples): Madam Deputy Speaker, may I have leave, too? [Agreed]

Madam Deputy Speaker, we would also like to join with the Premier (Mr. Fimion) for this Holocaust Week. The sentiments the Premier and the Leader of the New Democratic Party (Mr. Doer) have revealed, it tells a basic thing in human existence, in human life, that has happened. Such a tragic incident, such a tragic disaster in human existence is unthinkable, but those things happened. Six million at least—that is the minimum number they are giving—those individuals, their families simply disappeared from the face of this Earth, their future values and their future inspirations. The Jewish community has gone through a very, very rough ride. I think it is very unfortunate. They are still struggling very hard even to continue to keep up what we all deserve as human beings, to have the right of self-existence and the right of control for their own destiny.

Madam Deputy Speaker, I am speaking from a personal point of view, that people all over the world, when they are being suppressed, when they are being tortured, when violence is occurring, we have to make sure that not even one life is being lost

because of racism, because of prejudice, because of indecent human behaviour.

I think we have an example in this country that Canada is on the forefront of at least trying to solve many problems for the future, so if in this building or in this province we can continue to all work together in the way we have done in the past, specifically when we think about the Jewish community who have contributed to this province and this nation in a significant way in all aspects of life, we owe it not only to the Jewish community but to the human species. The human species is such an entity that as long as we use our resources, our minds in the best possible way, we are very good, but when our minds are gone into the wrong direction, then these kinds of tragedies occur.

* (1420)

We should try to resolve and try to avoid as much as possible. Specifically with the Cold War ending, the world is becoming one nation as such, and ultimately the barriers are going to come down. We have to continue to build on the good will we have built in this country. Thank you.

Committee Changes

Mr. Nell Gaudry (St. Boniface): I move, seconded by the member for St. James (Mr. Edwards), that the composition of the Standing Committee on Economic Development be amended as follows: Osborne (Mr. Alcock) for Inkster (Mr. Lamoureux). [Agreed]

Mr. George Hickey (Point Douglas): I move, seconded by the member for Swan River (Ms. Wowchuk), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Flin Flon (Mr. Storie) for Brandon East (Mr. Leonard Evans), for Thursday, April 30 at 10 a.m. [Agreed]

Mr. Edward Helwer (Gimli): I move, seconded by the member for Niakwa (Mr. Reimer), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: the member for Morris (Mr. Manness) for the member for Ste. Rose du Lac (Mr. Cummings). [Agreed]

I move, seconded by the member for Niakwa, that the composition of the Standing Committee on Economic Development be amended as follows: the member for Kirkfield Park (Mr. Stefanson) for the member for Steinbach (Mr. Driedger); the member

for Sturgeon Creek (Mr. McAlpine) for the member for Lakeside (Mr. Enns); the member for Ste. Rose du Lac (Mr. Cummings) for the member for Charleswood (Mr. Ernst); the member for La Verendrye (Mr. Sveinson) for the member for Gimli (Mr. Helwer); and the member for Niakwa (Mr. Reimer) for the member for St. Vital (Mrs. Render). [Agreed]

* * *

Ms. Rosann Wowchuk (Swan River): Do I have leave to make a nonpolitical statement? [Agreed]

Today, I would like to ask the members of the House to join me in the celebration of the Associated Country Women of the World Day.

This is a special day to celebrate the dedication and mark another step forward in the proud history and the achievement and progress of the ACWW which started over 60 years ago. The aim of this organization is to relieve poverty, the advancement of education, the relief of sickness and the protection and preservation of health.

In the words of the World president: It is special day of dedication marking another step forward in the proud history of achievements. Our aim today is as strong as they were then, but the needs are even greater. We must develop greater freedoms, opportunities and strengths.

This week, Madam Deputy Speaker, there is another group of women dedicating themselves to social change. The Women's Institute of Manitoba has just finished their annual meeting in Winnipeg, and I had the opportunity to listen to many of their discussions yesterday.

Many interesting resolutions have been passed and debated at the meeting, and I would encourage all members to take a look at the policies this group is advocating. Their objectives are very similar to the ACWW: To improve individual homes by providing educational opportunities for women; to provide women with a chance to develop self-confidence and leadership skills to accept new challenges; to improve communities by providing an organized group to initiate and carry out programs and projects; and to provide an organized communication system throughout the province for women concerned with having an influence on society.

An article in today's paper indicates that the United Nations is calling for countries around the world to develop more equitable and progressive

policies for women, from the provisions of more equitable pay, education and opportunities to freer access to family planning information. By ignoring the specific needs of women, the United Nations indicates that women have become a wasted asset.

I would like to encourage all members of this House to support the goals of the ACWW and the WI. I hope that we can all use this opportunity to rededicate ourselves to the achievements and the aims of prosperity and equality for women and for all society.

* (1430)

ORDERS OF THE DAY

Hon. Clayton Manness (Government House Leader): Madam Deputy Speaker, would you call bills in the following order. First of all, second readings, only one bill today, that being Bill 78, and to be followed by adjourned debate Bills 21, 14, 15, 20, 64 and 70.

SECOND READINGS

Bill 78—The City of Winnipeg Amendment Act (3)

Hon. Jim Ernst (Minister of Urban Affairs): Madam Deputy Speaker, I move, seconded by the Minister of Finance (Mr. Manness), that Bill 78, The City of Winnipeg Amendment Act (3); Loi no 3 modifiant la Loi sur la Ville de Winnipeg, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Ernst: Madam Deputy Speaker, I am pleased to introduce for second reading Bill 78 to amend The City of Winnipeg Act. The most significant component of Bill 78 is the amendments to Part 3 of The City of Winnipeg Act dealing with official languages. The bill also contains substantive legislation regarding the following topics: The consolidation and revision of city by-laws, the regulatory powers regarding construction over waterways, the definition of a variance, and the composition of the board of adjustment which hears applications on land use variances and conditional uses.

The remaining amendments, Madam Deputy Speaker, to Bill 78 are of a minor housekeeping nature. I would like to speak for a few minutes, if I could, about the substantive changes, in particular

Part 3. The first, on dealing with Part 3, on official languages—when the city of St. Boniface joined Unicity the rights of local residents in St. Boniface to continue to receive municipal services in French were enshrined in The City of Winnipeg Act under Part 3. Current legislation under that part requires the City of Winnipeg to provide bilingual communication, public notices, billing statements, building information signs, street and traffic signs in St. Boniface. Under existing legislation the City of Winnipeg is also expected to provide bilingual communication at its central offices such as City Hall.

During its review of The City of Winnipeg Act, Madam Deputy Speaker, the Cherniack committee was asked to examine Part 3, and in its final report in 1986 the committee identified a number of deficiencies with regard to Part 3 and proposed recommendations to make the legislation more effective. The concerns raised by the Cherniack committee were as follows: The vagueness of the terminology in Part 3 makes it difficult for local residents to know what they are legally entitled to and leaves open to interpretation what is expected from the city in terms of bilingual communication; concerns regarding the city's compliance with the existing provisions under Part 3 and the absence of a mechanism for monitoring an enforcement of Part 3.

Whether the existing legislation adequately reflects, Madam Deputy Speaker, the original spirit and intent to ensure that residents of St. Boniface would continue to have access to municipal services in French under a Unicity government and whether the designated area for bilingual municipal services should be changed to recognize other concentrations of Francophones in the community. In anticipation of changes to Part 3 of The City of Winnipeg Act the province undertook a consultative process with the City of Winnipeg and the Société franco-manitobaine.

In November of 1989, the Urban Affairs Committee of cabinet and the City of Winnipeg official delegation established a joint committee to consider changes that would make Part 3 clearer and more effective. The SFM was invited to make a submission to the joint provincial-city committee. In January of 1990, the SFM submitted a detailed brief outlining its concerns with regard to Part 3 and its recommendations for change. Subsequently in September of 1991, the province submitted to the

City of Winnipeg and the SFM a discussion paper proposing changes to Part 3 of The City of Winnipeg Act. Meetings were held with the city and the SFM to hear their views on our provincial discussion paper.

Through this collaborative consultative effort I am pleased to say that both the city and the SFM were generally supportive of the overall objectives and direction of the province's proposals. The government's objectives in redrafting Part 3 are: No. 1, to ensure that Part 3 of The City of Winnipeg Act fulfills its original intent to enable residents of St. Boniface to continue to receive municipal services in French after the creation of Unicity; No. 2, To clarify the language and eliminate ambiguity under Part 3; and No. 3, to ensure that the statutory requirements can feasibly be implemented by the City of Winnipeg within a reasonable period of time; No. 4, to provide a monitoring and enforcement mechanism; and No. 5, to harmonize provincial and City of Winnipeg policies on the delivery of bilingual public services.

These objectives will be met by this bill in the following ways. First, the designated service area constitutes the community of Riel which is composed of St. Boniface, St. Vital and St. Norbert. This service area is consistent with the designated area for provincial bilingual services in Winnipeg.

The proposed legislation requires that residents in the designated area of Riel have access to bilingual municipal services either within the community of Riel or at locations designated by council. Residents of the St. Boniface ward are entitled in addition to receive police, fire, ambulance, social services, library services and leisure and recreational programming in the official language of their choice.

The reason for distinguishing between services available in St. Boniface ward and those in the rest of the community of Riel is that historically Part 3 recognized the former city of St. Boniface as the major service area. That, Madam Deputy Speaker, is largely composed of the St. Boniface ward. The largest concentration of Francophones is still located in that St. Boniface ward today.

Secondly, the bill is based on the principle of active offer, the same principle that guides provincial policies. Active offer means that the service providers, in this case the City of Winnipeg, will publicize the availability of services in both

languages and must bring bilingual services closer to the people who are likely to use them.

The revised legislation contains several features to encourage the principle of active offer. There is a requirement for the city to prepare an access guide which shall identify the designated locations where different types of civic services are available in French. This guide is to be updated regularly and is to be made available in city offices and facilities within the Riel community and in various other central locations of the city.

* (1440)

There is also a requirement for the city to appoint French language services co-ordinators to assist in developing and co-ordinating a plan of implementation for fulfilling the requirements under Part 3. The community office in Riel and an office in St. Boniface ward are to offer bilingual communication to local residents. As well, the city will be required to make available in both official languages within the designated area pamphlets, brochures and other similar publications having general readership.

Application forms and billing statements provided to residents in Riel will also have to be bilingual. Many of these services are already in place and will require no additional effort or cost.

Third, every effort was made to develop legislation which would strengthen and clarify the existing provisions of the act while, at the same time, ensuring that statutory requirements do not place unrealistic and unreasonable requirements on the City of Winnipeg.

Where possible, the revised legislation offers the city flexibility on when and where bilingual services shall be made available to the Riel community. Through the preparation and adoption of a plan-of-implementation by-law, council will be able to phase in the implementation of the requirements under Part 3.

Likewise, the legislation is not overly prescriptive. It allows council to determine, with the community, how best to achieve the intent of Part 3. For instance, it is up to the city to determine which facilities and offices are best to designate for the provision of bilingual services.

In implementing Part 3, I would like to point out that federal-provincial financial assistance is available to the City of Winnipeg through the

Canada-Manitoba agreement for the promotion of French language services.

Mechanisms for Implementation, monitoring and enforcement of the requirements under Part 3 will be achieved in many ways. There will be a French language services co-ordinator, and citizens will have the right to file complaints with the city Ombudsman if the service does not comply with by-law requirements or with provincial legislation.

Council must submit to the minister in an annual report which outlines the actions taken by the city towards fulfilling its responsibilities under Part 3. This bill also requires a provincial review of the effectiveness of this legislation five years after it comes into effect.

I believe that the changes to Part 3 will make it easier to understand what is expected from the City of Winnipeg by way of bilingual communication and service delivery. For local residents it will clarify what they are entitled to expect from the City of Winnipeg, and it will provide a nonlitigative means to secure that service.

No doubt, Madam Deputy Speaker, there are those in the community who would have liked Part 3 to contain sweeping changes. However, I believe it is important to balance community needs with the City of Winnipeg's capability and its capacity to implement those changes.

The city needs sufficient lead time to appoint a French languages services co-ordinator and to prepare and adopt a plan of implementation. Therefore, this legislation will be proclaimed in approximately 12 months from the date it receives Royal Assent in order to accommodate those changes.

I think, Madam Deputy Speaker, Bill 78 provides what I believe to be a very progressive and flexible approach to municipal bilingual-service delivery, clarifying the original intent of The City of Winnipeg Act.

In developing its plan of implementation, the City of Winnipeg can involve and engage the community in determining service priorities and the best locations for making those services available.

Madam Deputy Speaker, the City of Winnipeg has requested that the province enact legislation that will permit the City of Winnipeg to consolidate and revise its by-laws into a municipal code. The process of consolidation and revision of by-laws would allow the city to bring together in one

document all its by-laws and to update its by-laws by repealing spent provisions, by clarifying wording, by renumbering sections, by reconciling inconsistencies in the use of terminology and the like. Consolidation and revision of by-laws by the civic administration does not allow them to change the substance or meaning of the original by-laws. In fact, one of the statutory requirements is that the city appoint a revising officer who shall be responsible for ensuring that consolidation and revision of by-laws does not alter the law.

Before council passes the municipal code the revising officer is required to submit a report to council summarizing the changes made to the by-laws as a result of the process of revision.

On the question of amendments to construction over waterways, one of not insignificant proportions, at last session I brought forward legislation enabling the City of Winnipeg to regulate planning and development along waterways, including construction over waterways. This legislation received Royal Assent in July of 1991. It is permissive and discretionary in the sense that it does not require City Council to pass by-laws regulating activity along waterways.

I understand that City Council does intend to pass a by-law to regulate waterways development at designated locations; however, I am informed that the city's by-law will not contain provisions respecting the construction in, on, or over waterways.

This is a very important omission, in our view, in the city's proposed by-law, and therefore we are amending the legislation to require the city to adopt a by-law to regulate construction over waterways.

The City of Winnipeg has requested the province to amend the existing definition of a variance under The City of Winnipeg Act. The present definition does not permit the city to consider and process applications for temporary land use changes as variances. Existing legislation requires that such applications be processed as an amendment to a development by-law. This process is more permanent and obviously more costly, and in some circumstances it may not be desirable to grant a permanent land use change.

For example, a person may wish to operate a parking lot in an area designated for residential use. This change in land use might be considered acceptable in the short run as an interim measure, but not necessarily in the long term. Therefore this

bill contains an amendment to the definition of variances to permit temporary land use changes. The legislation would limit temporary land use changes to a maximum period of five years.

If a use contrary to the development by-law is to continue beyond five years, then an application would have to be made to amend the development by-law.

Madam Deputy Speaker, under The City of Winnipeg Act variance and conditional use applications may be referred by council to a board of adjustment. The present legislation states that the board shall consist of council's appointees and shall not be comprised of any person who holds provincial or municipal office. This bill proposes to amend this provision to exclude any person who held a provincial or municipal position during the three years prior to being appointed to the board.

I consider this amendment an important improvement to the existing legislation because it is intended to enhance the impartiality of board members, not meant to recycle old politicians.

I have described for members, I think, what are the main provisions, the five substantive amendments in Bill 78. The remaining amendments in Bill 78 are generally minor or technical in nature and serve to clarify the original intent of the legislation or to correct small errors that have occurred.

* (1450)

I would, in conclusion, say that I offer again to provide each of the critics from the members opposite an appropriate discussion of this bill prior to their entering into debate, so that they have, at least as far as I can provide it to them anyway, an opportunity to understand all of the ramifications of the bill and the reasons behind each of the clauses being brought forward.

Madam Deputy Speaker, I will be speaking with them to arrange that. I, in conclusion, would recommend Bill 78 to the members of the Legislature for their thoughtful consideration and adoption.

Mr. Steve Ashton (Thompson): I move, seconded by the member for Wolseley (Ms. Friesen), that debate be adjourned.

Motion agreed to.

DEBATE ON SECOND READINGS

Bill 21—The Provincial Park Lands Amendment Act

Madam Deputy Speaker: To resume debate on second reading, Bill 21, The Provincial Park Lands Amendment Act (Loi modifiant la Loi sur les parcs provinciaux) on the proposed motion of the honourable Minister of Natural Resources (Mr. Enns), standing in the name of the honourable member for Interlake (Mr. Clif Evans).

Mr. Jerry Storie (Fin Fion): I ask leave to speak and have this bill remain standing in the name of the member for Interlake (Mr. Clif Evans).

Madam Deputy Speaker: Is there leave to permit the bill to remain standing in the name of the honourable member for Interlake? [Agreed]

Mr. Storie: This bill of course is very important to a lot of people in the province of Manitoba, and none probably proportionately no more so than to the constituency of Fin Fion where we have some 450 cottagers, Madam Deputy Speaker, in Fin Fion and area. This bill obviously impacts upon them.

Madam Deputy Speaker, the Minister of Natural Resources (Mr. Enns) has already been taken to task by a number of different groups in the province with respect to Bill 21. Unfortunately, I cannot be kind to the minister with respect to this bill, not the way it was developed, nor the contents of this particular bill.

Madam Deputy Speaker, the member for Portage (Mr. Connery) may have some constituents who are also going to be negatively affected by this bill. It will be interesting to see whether in fact the member for Portage stands up for his constituents on this important matter and asks for some justice from this government, some fairness, some openness, and perhaps more importantly, some consistency.

Madam Deputy Speaker, the minister has already been put on the defensive as a result of meetings he has had with cottage owners and Manitoba private property owners association members, et cetera.

I want to begin my remarks by quoting the minister himself. As a result of an interview the minister had after meeting with the private property owners association, the minister said tell me who, and I quote: Tell me who in Manitoba does not have to pay some education tax, he said. It does not matter if you are a bachelor, a widow or a childless couple,

we all pay education tax except for those people who have chosen parks as their permanent residences.

Madam Deputy Speaker, the interesting part of that is that no cottage owner, no private landholder whom I have spoken to has ever denied some responsibility for services either provided locally by a school division or by a municipality. There is a fundamental difference between paying for some service that you legitimately receive and having the government undertake a massive, what is in effect, tax grab.

In this same interview, the minister concedes that some \$200,000 will be brought into general revenue by the Province of Manitoba. The Minister of Natural Resources (Mr. Enns) has been around long enough to know that this issue has a long, long, long history. It does not only deal with people who make their permanent residences on what were originally recreation cottage lots in our parks. It deals with the whole range of people who are making their permanent residences on unoccupied Crown land, people who live on both surveyed and unsurveyed subdivisions on Crown land. It goes the gamut.

Madam Deputy Speaker, almost a decade ago now, the province put together a group of people headed by Mr. Bob Clarkson, with whom the minister is very familiar, to undertake a survey at the behest, I should say, of municipalities and cities and towns, including the town of The Pas and the city of Fin Fion, and said, will you examine this and make some recommendations about how we proceed to protect, in this case, the revenue of the municipalities.

In many municipalities, in many recreation areas adjacent to towns and cities, there is a draw, a demand for services on the part of those municipalities from residents, permanent residents in parks and on unoccupied Crown land. The people with whom I spoke and, I would assume, the people with whom the minister spoke had no objection to paying for those services, particularly, I might add, education, an education levy.

What is most discouraging about this bill is that, of course, the government and the minister see this as a revenue exercise. There is no condition, there is no mention of the need of municipalities and school divisions for additional revenue. I can assure you that when this issue was being discussed and when Mr. Clarkson made his report, it was understood by the groups involved that this

money, if and when they should start paying a payment in lieu of taxes, would go directly to their local communities or their local school divisions. That was the understanding.

Madam Deputy Speaker, the people to whom I have spoken are very concerned that this government appears ready to impose a fee of \$500. That was, I gather, the original plan put in place by the Department of Natural Resources. The minister may recall that he issued a press release back in February to the effect that the fee would be \$500.

More interesting is that more than two years before that, the government had made this decision. In 1989, this decision was confirmed by the government. Unfortunately, because of a pending election, of course, the government chose not to proceed with—[interjection] Well, Madam Deputy Speaker, the minister will acknowledge that they made it voluntary in effect. They made it voluntary by not giving themselves the teeth with respect to those who live specifically in parks.

The minister also knows that there was not equity between people who were living in adjacent areas to parks who were living on Crown land and the people who lived in parks. That is the other issue which people in my area at least, and I assume other areas, are raising with me. What is the difference? I have a person who is living across the road who is in—

An Honourable Member: The LGD of Consol.

Mr. Storie: Not the LGD of Consol—unorganized territory, Madam Deputy Speaker. So the minister has a lot of issues that are not being dealt with, and the minister mentions Northern Affairs. Yes, those who live in unorganized territories outside provincial park boundaries, whether it is a recreational park or a provincial park, fall under the jurisdiction of the Department of Northern Affairs. Maybe the minister can correct me right now, but I do not believe the Department of Northern Affairs is imposing this fee to date and perhaps the minister will answer the question of whether they have the power under their legislation to do that. I am not sure.

Madam Deputy Speaker, that is not the point. The point is that this is being done without any consultation certainly amongst the groups in Flin Flon, either of the cottage owners associations that I have spoken to have had any consultation, discussion, with representatives of the minister on this issue. I can only tell you that they are angry. They are angry. Their anger has only intensified

when they learned that the minister would not or has not to date seriously committed this government to returning those funds to the local communities from whence they came.

* (1500)

Now, if the minister is going to stand up when he closes debate and say, well yes, that was my intention all along, that may relieve part of the problem we see with this piece of legislation.

An Honourable Member: Well, you are making a pretty good speech.

Mr. Storie: Well, Madam Deputy Speaker, I appreciate the minister's interest in my remarks. I can only hope that as a result of those remarks we see some amendments to this legislation or we see some comments from the minister when he closes debate, that in fact we are going to see a change in the direction this legislation appears to be taking. [interjection]

Madam Deputy Speaker, no, I am not almost finished.

The legislation itself is a very brief piece of legislation, and I begin by suggesting to the minister that the issues that I am raising could be very easily included as amendments, certainly at committee stage, if the minister so chose. The minister in his comments, his opening remarks, indicated that this legislation was being introduced simply to enforce the regulations or the policy that the government had put in place. I know, and the minister knows, that in essence what was being done was a voluntary sort of honour system for those people who lived in parks to pay this particular fee, and the government intends to rectify that by passing legislation to make sure that it is now illegal, that the government has a way of enforcing its regulations.

We believe that the government certainly should have that power, but we want to make it clear that before it takes on that power that the people who are going to be affected by this understand the rules, that they understand what the government's intention is, they understand that these regulations and this act will fulfill those intentions, and that the benefit will flow to the communities that are adjacent to those particular communities.

Madam Deputy Speaker, the act is also disconcerting from another respect. In the final clause of this particular legislation the act makes it very clear that the minister has no responsibility for tying the fee, the levy that is going to be charged, to

services. Although I understand and appreciate that second reading is about the principle, I am going to read the particular section so that we can in fact know what we are discussing in terms of the principle.

Section 13(3) says: "A regulation made under this section (a) applies to both private land and land belonging to the Crown in right of Manitoba that is in the provincial park lands, except where the regulation states otherwise; and (b) may be made to apply to all provincial park lands or to specified provincial park lands or to a specified type of provincial park lands."

That particular clause, I think, highlights the unfairness with respect to people who live in adjacent, unoccupied northern territory that would be the responsibility of Northern Affairs. However, that was not the section that I was referring to in terms of costs. I now have the correct section. Section 13(1.1) says: "A regulation under Clause (1)(k) may prescribe a levy in such amount as the Lieutenant-Governor-in-Council considers necessary or advisable, and need not be related to the cost to the minister of providing services or defraying expenses."

Well, Madam Deputy Speaker, therein lies the problem. First of all, we have a piece of legislation that gives the Minister of Natural Resources (Mr. Enns) and, through him, the Cabinet the power to change a fee that has, informally at least, been negotiated with private landholders in parks and other cottage areas. People who are living in cottage areas and appreciate that privilege, and I think we respect it is a privilege, are now being told by the government that the fee that was discussed to be paid in lieu of taxes may now be changed at the whim of the Executive Council, that the Lieutenant-Governor-in-Council in his wisdom may decide only a month after the passage of this legislation that that fee is not adequate, that it may be \$1,000 tomorrow.

That causes some deep concern amongst some people in my constituency. They want, and I think with some justification, this number in the legislation. They want to know that this number is not going to be fiddled with so that the Minister of Natural Resources (Mr. Enns) next year can raise another \$200,000 simply by doubling the fee.

The second part of that problem is that the minister is not even attempting—in fact, he makes it clear by legislation that this will never be tied to any

direct service provided either by the government or by someone else.

Again, Madam Deputy Speaker, we have to take a historical perspective. When this issue was first being raised through municipalities, with cottaging association and individual private landholders, the issue always was presented to them as one of fairness. The minister, in his comments publicly, raised the issue of fairness. The minister in his public comments says, well, gosh, who does not pay education taxes? A very legitimate argument. If people are going to have permanent residences, then we have to find a way to make sure that their costs of shared services are recovered in some way.

But what is happening here is that the minister is failing to recognize who provides those services. He is saying, by legislation, I do not have to. By legislation, I do not have to recognize the costs that are being incurred by the municipalities for road maintenance for upkeep of facilities in the town, or in the city, or in the municipality, on behalf of these citizens. I do not have to recognize the costs that are incurred by school divisions transporting these students, offering educational services. I am going to make it clear that I am not obliged to tie this fee to anything that is being provided.

Well, there may be a fundamental problem with that. If the minister accepts the principle that these people should be treated no differently from other property holders who pay taxes, then the principle should also apply that these people have a right to know what those property taxes or payments in lieu of property taxes are going to apply to in terms of the services they are being provided.

So, Madam Deputy Speaker, this is a serious problem. I can tell the minister that the cottagers in my area and the cottagers in The Pas, and the cottagers in the Whiteshell, and every other area of the province, are wanting to know why this legislation is being left so wide open. Why is it not following more closely the principles that were discussed almost a decade ago? Why is it not following what they believed was an informal agreement about the nature of this fee, what services it was going to cover, and how it would be adjusted from time to time, should that be necessary?

The other aspect of this which needs to be addressed more fully is the question of how this fee is going to be changed. From my reading of the legislation, it is not clear what role property owners

might have by way of influencing the government, the minister, should there be a decision on the part of the minister to change this particular fee. I want to say that is perhaps, in some sense, the more fundamental question. It revolves around what many cottage owners are calling their democratic right, a right not to have taxation without local representation.

I would like to think that the Minister of Natural Resources (Mr. Enns) is as reasonable a minister as we are likely to get from this particular brand of government, but I am not convinced that the Minister of Natural Resources is going to necessarily listen to my pleadings with respect to fee increases. We are talking about \$500 already.

*(1510)

The minister has acknowledged that the \$500 fee is the target fee. That is what is going to be imposed on these people. For some of these people a \$500 fee already represents a hardship. Unlike other taxpayers who vote in city elections or LGD elections and have some direct representation over municipal authority to impose property taxes, they have no similar jurisdiction over the Minister of Natural Resources.

It may be different in some areas of the province. Maybe the member for Lakeside, the Minister of Natural Resources (Mr. Enns), can argue that in his constituency his constituents can come to him directly, and he has the authority as an elected person, as a member of the cabinet, to alter any fee that might be imposed.

Unfortunately, the Minister of Natural Resources is not going to be the minister forever and other members do not have access to the same levers of power. So, in the interests of being fair, in a future tense, to the Minister of Natural Resources, because we would want to be fair to him when he resumes his rightful place on the opposition side, we want to make sure that the people who live in our parks and live on Crown land under the auspices of the Department of Northern Affairs have some sort of process whereby any additional levy that might be imposed can be imposed as a result of consultation and some sort of thoughtful process.

I want to just add a little bit to the idea of a thoughtful process, because I think that is the key here. I do not think that the Minister of Natural Resources would have gotten the negative kind of reaction he did get from cottage owners associations, private property owners associations

had they sensed that there was going to be this mechanism for adjusting this \$500 fee. I think what they see happening is the minister taking advantage of a previous agreement by saying, well, we could get another \$200,000 for the Department of Natural Resources.

I think cottage owners are saying, well, that is fine for the Department of Natural Resources or for general revenue of the province of Manitoba, but clearly we are not getting any additional value from the Department of Natural Resources, and we are having our own municipalities and perhaps our own school divisions in some cases, undermined by this act, and that was never our original intention.

The minister has a clear choice. He can go back today to the groups that represent the majority of cottage owners in the province, and there are probably only a half a dozen who represent the majority of people, and he can sit down with them and he can say, here is the deal, here is what the money is going to be used for, we are going to follow the kind of informal agreement that will be used for local purposes, or he can say no. He can come clean and say, no, this is simply a way of our raising money. We are really not interested very much in what is happening in your local constituency or your local area with the local school division, but, Madam Deputy Speaker, I think that is the worst course of action for the minister. If the minister wants to create turmoil and hostility in lots of areas, I should say in his own members' constituencies, then he should proceed as he is proceeding, because in terms of legislation this is an innocent looking piece of legislation.

I have had more mail on this piece of legislation, from all areas of the province I should say, than any other piece of legislation this government's introduced in four years. So people are quite hostile, to say the least, about where this is taking them.

I would recommend if any members opposite have cottage owners in their area, particularly living in parks but not necessarily just those, they should be consulting with them. They should be asking them, what do you think of this? What is this \$500 fee going to mean to you? Do you agree with it? Do you think it is fair? Because I think you find the vast majority of people will say what my constituents said, well, we know that we should be paying our share. We have no problem with that, but first of all, this is sort of an open door for the minister to garner

revenue, (2) it is not going to where it should be going because they do not provide the services, and (3) how are we going to make sure that this does not become an annual event, the Minister of Natural Resources (Mr. Enns) announcing a new fee schedule for permanent residents in parks?

That could happen, and I think that would be, to say the least, to paraphrase the Minister of Natural Resources from time to time, very scary, Madam Deputy Speaker, because I do not think that there is a lot of faith out there amongst cottagers at this point that this Minister of Natural Resources really appreciates how repugnant this particular piece of legislation is to them, and how fearful they might be that the Minister of Natural Resources will not use all of his logic and reason and compassion and deal with this necessarily and do what is right. That is our genuine concern.

Madam Deputy Speaker, I only urge the minister to do two things from this point on. I urge the minister before he gets up to debate this on second reading, and I know a number of my colleagues have yet to comment on the bill, but I urge him to go back to the cottage owners associations, go back to individual private landholders and do a rethink on this legislation. Talk to the municipalities and school divisions, who are going to miss an opportunity to recoup some of the money that they put out for providing services to the people, about whether they need these.

I mean, we all know, Madam Deputy Speaker, that the government has cut back on municipalities. We had the offloading of 2,000 miles of road. We have had the offloading and the cutback in tax transfers to municipalities a little more than a year ago. The municipalities, just like the provincial government, are hurting. School divisions—the government just reorganized the financing of the educational financing program, and some 26 divisions were losers. So the schools and the municipalities want some of this money.

If the government in fact proceeds with this legislation, proceeds to collect these fees in lieu of taxes, I think it is only fair that he consult with the groups that provide the service in the main and provide those to him.

My second suggestion to the minister is that when the bill goes before committee, which I expect that it will do in two or three weeks, for public review, that the minister bring in some amendments, amendments which I think will help clarify the intent

of the legislation and which will satisfy some of the concerns that have been addressed by my colleague the member for Dauphin (Mr. Plohman), for example, and that will be raised by a number of other colleagues over the next couple of weeks

An Honourable Member: Consider it done.

Mr. Storie: The minister says from his seat, consider it done. I certainly will want to take the minister at his word, and I look forward to those amendments when we get to the committee stage. I can assure him I will be following with interest the minister's amendments and their intent.

Madam Deputy Speaker, I think those cover the main points that I had intended to raise. As I indicated earlier, I know a number of other people have comments they want to make on this legislation, but the bill remains standing in the member for Lakeside's (Mr. Enns) name, and I know that he will be adding his comments shortly.

* (1520)

I should also warn the minister that the member for the Interlake has had a number of meetings, both with Mr. Ryback, who chastised the minister publicly some time ago, but with other cottage owners, and I think will also be bringing a fairly stern message to the minister about how this piece of legislation is being viewed. I have to say it is being viewed with a great deal of suspicion, and at this point I would have to say, with some justification. The minister has promised amendments and perhaps he is promising to amend his ways as well, and that will perhaps improve the prospect for the passage of this legislation. I can only offer the minister the assurance that without change we will oppose this legislation. We will wait to see whether, in fact, the minister is as good as his word.

Madam Deputy Speaker, thank you.

Madam Deputy Speaker: As previously agreed, this bill remains standing in the name of the honourable member for Interlake (Mr. Cliff Evans).

Bill 14—The Highways and Transportation Department Amendment Act

Madam Deputy Speaker: To resume debate on second reading of Bill 14 (The Highways and Transportation Amendment Act; Loi modifiant la Loi sur le ministère de la Voirie et du Transport) on the proposed motion of the honourable Minister of Highways and Transportation (Mr. Driedger),

standing in the name of the honourable member for Thompson (Mr. Ashton).

Mr. Steve Ashton (Thompson): Madam Deputy Speaker, I look forward to being able to speak today to Bill 14 and appreciate the attention of the Minister of Highways and Transportation. I say that without any reflection on other ministers who might not always be in the House when debate takes place on their bills. I am not referring to any specific minister, that would be in contravention of our rules, but I do appreciate the fact that the Minister of Highways is in the House to hear debate on his bills. I know he makes an effort to do so, and I think that is important, because we have had that as a general practice in the House, and, in fact, I know that members have often commented when that has not occurred.

I think it is important because the purpose of debate on second reading as it is on this bill, Bill 14, is to address the principles of the bill. It gives a particular opportunity for those of us in opposition, who do not have direct access to the internal workings of this government—and, of course, we are not suggesting that we would want that, but we certainly do not have access in terms of the detailed development of the bill—and I find in this House second reading becomes one of the more important elements of debate. At this point in time we get a chance to address the principles of the bill, address the concerns we have about the principles.

In fact, that is what I will be doing today on Bill 14. I think it is probably the most important stage in discussion. Because in this particular bill—[interjection] Indeed, for the member for Portage (Mr. Connery), I can assure him I am going to get into the principles of the bill.

I would point out that it would be in contravention of the rules if I were to deal with the specific sections. I know he is aware of that, and I know the minister is aware of that, and I hope he is not trying to prod me to break the rules.

I know the member for Portage would never suggest that I do that. He is always concerned that I follow the rules. In fact, I appreciate his prodding and advice sometimes to make sure I do not go astray.

I say to the minister, I note that this is one of three bills that the minister has, two of which have been introduced, and one which is being introduced later. That is not unusual. The Department of Highways and Transportation often brings in significant changes in terms of acts, usually in terms of highway

traffic bills. There have been numerous amendments to that bill over the last 10 years. The minister, of course, has had some interesting perspectives having been on two sides of a number of issues that have arisen out of that.

This one deals with the department itself, the department amendment act.

Mr. Edward Connery (Portage la Prairie): He has been consistent.

Mr. Ashton: Well, the member for Portage says that the Highways minister has been consistent. I know that the member for Transcona (Mr. Reid) in his remarks pointed to a few areas where that may not have been the case, seatbelts being a particular example.

I will get to that later in the context of this particular bill, because the minister has, indeed on this bill, undergone a miraculous conversion. He is now sort of recognizing the reality of 1992, my note in this particular bill, and this would have been almost unthinkable a few years ago. The minister is moving to implement metric in this bill—metrification.

Does anyone remember the great debate of the 1970s, the Trudeau era? I know the minister does. I mean, there were days when Conservatives federally—that was when they were relatively popular federally and indeed provincially—would rail against this terrible plot of metrification, this terrible plot.

I think it was considered to be a communist plot to overtake the country, to overthrow the fundamental tenets of Canadian civilization, western civilization as we know it, indeed the imperial system. Indeed, subversion was the word.

There was nothing that the Conservatives would not stop at to raise metrification as an issue. I remember the debate we had in this Legislature, and I know the minister will remember this as well. I believe it was 1983 when we had a motion on metric, and indeed one never saw the Conservative benches so animated other than perhaps on the French language bill that came later in the session. I found some irony just following the debate of the Minister of Urban Affairs in terms of that. It certainly brought back some interesting comparisons between then and now.

It is the same on this particular matter. Metric, which indeed is—I mean this bill has several sections that bring in metric. Changing feet to metres, I cannot believe it. They are changing feet to metres.

This is the same Conservative party that in the 1970s and well into the 1980s opposed metric. Indeed, Madam Deputy Speaker, I find it ironic. It is the same minister.

I just drove much of the highways of Manitoba the last three days. I was in Thompson, I was in The Pas, Swan River, Dauphin, so I drove considerably on Highway 6 and Highway 10, and lo and behold, there are all these signs up. There are a few, not enough, which have the Department of Highways improvement projects with the minister's name. I think there was one. I guess I probably drove in the wrong direction. I should have headed to Highway 75 and points south. Everywhere I went there were all these signs for metric, 100 kilometres an hour, or so many kilometres to the next point.

The minister has a map out, a highways map, the one that has the disappearing ink for certain roads. Indeed, if one looks at it, what are the distances measured in?—in metric. In fact, it even says that the distances are kilometric. Unbelievable, unbelievable, and whose picture is on that particular map? Who has approved it? Indeed, the Minister of Highways and Transportation, who, I am sure a few years ago, and I hope he will correct me if I am wrong, was right in there with the rest of the Conservative benches, opposing metric.

Madam Deputy Speaker, the same Minister of Highways and Transportation is now, in 1992, now introducing a bill, as the minister—perhaps that has something to do with the conversion—which is now converting a number of distances from feet to metres. Three hundred feet, substituting 90 metres. Not exactly the difference. [interjection] Indeed, in his mind the minister says he is still imperial. I know the minister probably in his mind still opposes seat belts, but when it comes to seat belts and metric, lo and behold, the minister of the province is now enforcing the regulations, in fact, toughening them. If this had been brought in by a New Democratic minister a number of years ago, this would have been the biggest debate of the session, I would not doubt. This would have been it. There would have been—[interjection] The minister says, well, come on, I remember some of the debates that took place.

An Honourable Member: Bill 47 was . . .

Mr. Ashton: Bill 47? Well, there are various bills that have created animated debate, but it used to be metric that just seemed to hit a sore point with the Conservatives, because it was a nice, easy one to go after. It was that rotten Pierre Trudeau.

Remember that, how rotten Pierre Trudeau, they were concerned about—what were the Tory buzzwords?—they were against enforced bilingualism. Now the minister brings in a bill that brings in French language services in the City of Winnipeg, indeed. I have no problems with that, I remember those.

They were against Pierre Trudeau, who was favouring Quebec, do you remember that? That is all he cared about was Quebec. Now we have Brian Mulroney. Okay, some things never change, I guess. But now we deal with this bill with metric, and I wonder with the minister. He said in his mind he—[interjection] The minister made some comment about if the NDP had 60 seats in Quebec, and we shall see, we shall see. We have one seat in Quebec, but I do believe that in this case, I wonder what has really changed. How has the same minister—and I know the member for Transcona (Mr. Reid) referenced this, and I am addressing this matter and the context of this bill because the issue is interrelated, and I am wondering in this how the minister feels. I respect him as a man of even temper and even judgment in most cases. I really respect him for it.

An Honourable Member: I have my moments.

Mr. Ashton: He has his moments, as do we all, Madam Deputy Speaker, and on occasion we have been known to hurl a few heated comments across the way, but generally not. This is from an article that appeared just recently in a newspaper that will be of no surprise—it will certainly be something that members opposite will be aware of, the Scratching River Post, Morris, Manitoba.

Next to an advertisement from the Honourable Clayton Manness, MLA for Morris, hosting an evening with the Honourable Gary Filmon, the Premier of Manitoba, sponsored by the Morris P.C. association, there was an interesting little article, it talks about politicians ducking seat belt questions.

I just want to highlight just how far the minister has come on dealing with some of those matters of principle that he was opposing in the early 1980s. It said that the Health minister, in this case quotes as Don Orchard, and the Highways minister, Albert Driedger, appear to be avoiding commenting publicly on controversy surrounding mandatory seat belt legislation.

* (1530)

This follows release of two studies attacking mandatory seat belt legislation. Mr. Orchard—this is the Minister of Health here—has not returned repeated phone calls by Postreporter. Was not that interesting? This is the same minister who, only recently, was criticizing the member for Brandon East (Mr. Leonard Evans) for being in a bunker.

I think the minister is in his own bunker. Mr. Driedger's assistant, this is the Highways minister, returned a call last week, saying the Highways minister was very busy and likely would have nothing new to say on the subject.

Well, indeed, Madam Deputy Speaker, what a busy minister. He just cannot bring himself to contact the *Scratching River Post* and say what he feels about an issue he was quite vocal about a few years ago.

It went on to say that Mr. Orchard was the most vocal opponent of mandatory seat belt legislation during debates in 1983 prior to enactment of Manitoba's law in 1984 by the New Democratic Party government.

Mr. Driedger, the Highways minister, I am just quoting from the article—I realize I should refer to the minister as the Minister of Highways and Transportation—opposed the mandatory seat belt law citing constituents' concern.

According to Hansard, the official record of debates in the Legislature, he told the NDP in 1983, the seat belt law would come back to haunt them. Well, the seat belt law, metric, they are both coming back to haunt someone in this House, but it is not the New Democratic Party, it is the Minister of Highways and Transportation (Mr. Driedger), who then opposed it and in this case also the Minister of Health (Mr. Orchard), who now, obviously, as Minister of Health has to admit that we were right in 1983 and both of them opposed the bill.

For the Minister of Labour (Mr. Praznik) who was not here for those debates, he may wish to ask some of those who were there—[interjection] Well, indeed, but the minister may want to ask why only a handful of Conservatives, and I believe the Premier (Mr. Filmon) was one and the Health critic, Bud Sherman, was another. The minister can indicate if there were others. I remember those two—

An Honourable Member: I think maybe I was one. Was Charlie Brown another?

Mr. Ashton: Who supported the legislation.

An Honourable Member: I think so. I would have to check the record.

Mr. Ashton: Yes, but the minister opposed it.

An Honourable Member: No, I am not sure.

Mr. Ashton: 1983? Well, it says here, according to Hansard—

An Honourable Member: I spoke against it, but I do not know whether I voted against it.

Mr. Ashton: Ah, pardon me. The minister, and I want to be fair, he said he spoke against it, but he does not remember if he voted against it. My goodness, he was confused even then. He had a premonition, perhaps, that nine years later he would be the Minister of Highways, sitting in here having to justify why he has not gotten rid of the seat belt law.

Indeed, Madam Deputy Speaker—

An Honourable Member: Are you suggesting we should?

Mr. Ashton: I am not suggesting we should at all. The seat belt law works, and I think the fact there is very little continuing debate indicates the importance of what was done by the then New Democratic Party government. There was considerable controversy, more so over the motorcycle helmets at the time, and there always have been legitimate concerns expressed about how useful they are in terms of an accident situation.

But in terms of seat belts, Madam Deputy Speaker, there was very little doubt, and I am someone who has been through an accident where I can say beyond a shadow of doubt that the fact that I wore a seat belt, my wife was wearing a seat belt, my brother—all in the car at the same time—saved our lives. I have no doubt about it. I saw the car afterwards. It is important legislation.

Madam Deputy Speaker, nine years ago the constituents of the then opposition member, now Minister of Highways (Mr. Driedger), member for Emerson at the time, they said, according to the minister, not to proceed with it. So the minister decided in that particular case—[interjection] and he says he was not sure if he voted against it, but certainly to speak against seat belt legislation. It is interesting the change that has occurred here in 1992—the seat belt law would come back to haunt them.

An Honourable Member: Read the rest of it.

Mr. Ashton: Well, I will indeed read the rest of it because the article then goes on to say, the same Minister of Highways went on to say that just prior to the release of the study, which has criticized the law, which many people have pointed to being totally misleading and inaccurate, which claims seat belt use increased the risk of death or injury in a daytime multivehicle accident. Manitobans have become accustomed to wearing belts.

This is what the minister is saying now in 1992: There is a wealth of international research which proves seat belts save lives and reduce injuries.

Madam Deputy Speaker, there was a wealth of international research which proved that seat belts saved lives and reduced injuries in 1983, and the New Democratic Party at the time acted on those recommendations, and they were right. In the 1983-84 session when they passed legislation, they were right.

It is not a question of saying, I told you so, because as long as there are people out there this is more than an academic debate. It is more than just a chance to sit back and have some satisfaction, and I look to the member for Dauphin (Mr. Plohman) because I know he sat with me in this same House and heard members opposite who were dead set against those kinds of laws. I know the member for Dauphin was a Highways minister himself and saw the statistics first-hand. I ask rhetorically to the member for Dauphin if he ever had the same kind of attitude that the Minister of Highways (Mr. Driedger) did. Did he ever once question it when he saw the clear statistics showing that seat belts worked? That minister, the member for Dauphin, said the evidence is clear. This minister now is doing the same thing. How times change.

Indeed, as I said before, how times change in terms of metric—how times change. Canada moved into metric, and I will say there were problems with moving to metric when it did occur. Some people took advantage of the situation, the confusion. Some people raised prices on goods. They were not up-front with people. Indeed, Madam Deputy Speaker, there were problems in terms of it in that sense, and I remember a debate we had in this House on that specific issue.

But I ask you where we would be today in terms of attempting to broaden our trade if we had not moved then to the metric system, because virtually every country in the world has the metric system. Even in the United States they are moving more and

more in terms of international trade and in terms of competition with other countries which use the metric system to the metric standard. In fact they and Britain, which has probably dragged its feet on the metric question more than any country, are losing out as a result.

In fact, I know it is confusing to anyone who visits Britain. I was in Britain recently, and one has to be very careful when one is driving on the motorways there with the cars because they still have the miles in the large print and they have kilometres in small print. One might accidentally proceed at somewhat higher levels than the speed limit, and I know the minister would not want anybody to be doing that. It is confusing at times because sometimes when one is on a highway and people are whizzing past one at an excess of 100, it turns out it is in excess of 100 miles an hour, one has to be careful. [interjection]

Well, Madam Deputy Speaker, the minister is asking how fast or slow I drive. Indeed I travel extended distances and I have had very few speeding tickets to my name. I try and be as careful a driver as I can, and I am sure the minister would not be suggesting I do otherwise. I am sure the minister has never exceeded the speed limit in his life either.

* (1540)

An Honourable Member: How many merit points do you have?

Mr. Ashton: The minister asks me how many merits I have got. I suppose I could ask various people in this House how many they have, but that would be avoiding the issue. I am sure my merit situation is no better or worse.

An Honourable Member: You have avoided speaking about the bill.

Mr. Ashton: Well, to the minister, she should look at this bill because I am referring to metric. This bill brings in that dreaded metric system that the Conservatives said would be the end of civilization as we know it. It is right in there. It is right in there in section after section. [interjection] And look at it indeed, says the Minister of Natural Resources (Mr. Enns). It led to terrible things, it led to recession, it led to economic decline, it has led to social decline in the election of a Conservative government in Manitoba. Indeed, it has led to terrible things, Madam Deputy Speaker.

But in several sections, this Conservative government in 1992 is introducing metric, and I ask you, Madam Deputy Speaker, they better watch out, they better watch out. I wonder if the Reform Party has been looking at their agenda in this session, because what used to be the sort of right-wing rump of the Conservative Party now is increasingly becoming split off into the Reform Party.

I know, Madam Deputy Speaker, there are people in this House I suspect who may have some sympathies with the Reform Party. Some of them may even have a Reform Party membership. I wonder. Some of them may carry two party memberships going into the next election. Well, the Minister of Urban Affairs (Mr. Ernst) says no, but of course now he is Minister of Urban Affairs but with a little bit of rural background in there. He may also change his tune.

I know that in many areas of the province the Reform Party is active federally, and they are looking for the kind of agenda the Conservatives used to stand for. Do you remember the good old days, Madam Deputy Speaker, the Conservative Party that opposed metric, that opposed seat belts, that opposed French language services, et cetera? I wonder what they are looking at today, the Reform Party, when they see this Conservative Party in 1992 introducing the kind of things that the Conservatives themselves opposed and I know many Reformers oppose.

They are against all those things. I think many Reform Party supporters are against everything that has happened in the last 20-30 years. Indeed, there were Conservatives who were like that. But even the Conservatives, faced with the responsibilities of office in this province, even this group of Conservatives as reactionary as they have been in the last 10, 15, 20 years, even this group of Conservatives has now had to admit if not by their statements, by their actions, they were wrong on seat belts, on metric, on French-language services, any one of a series of issues, all of which have come up in this day in the Legislature.

I ask, is the Minister of Highways (Mr. Driedger) prepared to deal with, I am sure, many who will now flock to the Reform banner probably rallying around the cause of opposing seat belts? Indeed, those same people that the minister represented in 1983, how is he going to talk to them?

The member for Morris (Mr. Manness), this is from his own newspaper, the *Scratching River Post*:

Politicians ducking seat belt questions. I ask the minister representing that area, where does he stand today? Because I remember where he stood in 1982, '83, '84. Does he admit today that he was wrong or does he still oppose seat belts?

An Honourable Member: On the compulsory part.

Mr. Ashton: On the compulsory part, indeed, is he suggesting we have voluntary seat belt legislation? Because that is what he is saying.

An Honourable Member: I might.

Mr. Ashton: He says he might, Madam Deputy Speaker, and I will be interested to see this because I know the member for Lakeside, the Minister of Natural Resources (Mr. Enns), set a precedent again in another Legislature—which he has done in others—of speaking out his mind through his vote. He has done it at least once the last four years.

An Honourable Member: Who has?

Mr. Ashton: The member for Lakeside, the dean of the House, who just recently marked his 26th anniversary, and unfortunately some of us missed that point on the day, and I think it should have been marked. I certainly congratulate the member. He has made a career out of this. I respect him for this.

I still remember when he voted on second reading for the New Democratic Party government's legislation that would have brought under public control the gas company. Indeed, the same member for Lakeside, and I look to that, standing alone in that particular case as he did on Friday, standing alone, according to his own words. Some suspect he may have had some hidden support on that, but I digress.

An Honourable Member: Who? Frances Russell and who else?

Mr. Ashton: Many observers in the Legislature. But I look now to the Minister of Finance (Mr. Manness). Is he going to be the one who is going to do it now on seat belts?

An Honourable Member: What?

Mr. Ashton: Introduce a bill that is going to take out our seat belt laws, because he opposed it in 1982, '83, '84. He opposed it with every single rural member on his side. He opposed it with everyone except his leader and Bud Sherman, and I believe there may have been one other member and records can confirm that. But he opposed it then.

I find it ironic that today while they have undergone a conversion, they are now ducking the

question. I ask the member for Morris (Mr. Manness) when he is going to tell his constituents where he stands because the Minister of Health (Mr. Orchard) has refused to do so. The Minister of Health who likes to criticize others for being in bunkers was not available for comment from the *Scratching River Post* from Morris, Manitoba, could not even have the time of day to answer.

The Minister of Highways (Mr. Driedger) who I know is a busy man, but I must say—

An Honourable Member: Not that busy.

Mr. Ashton: Well, not that busy. I agree with the Minister of Urban Affairs (Mr. Ernst). Too busy to respond to the *Scratching River Post*. I suspect what it is, is the minister is concerned that his new position—and I believe the minister honestly believes what he says that he now believes in seat belt laws. I believe that. He is a man of integrity, he will state his position. I think that privately the minister might even admit that he perhaps had erred in that particular vote, maybe one vote he has regretted. No doubt. I hope though he will have the same outlook in dealing with his constituents in that area covered by the *Scratching River Post*, because his constituency is adjoining to that constituency. I hope he will follow through on that.

Indeed, Madam Deputy Speaker, I hope the minister will perhaps advise his constituents that while for many years he opposed metric, he has now recognized the reality of the 1990s and is moving ahead. I wanted just to finish with that point, in terms of metric, in terms of seat belts, in this very area that we are dealing, in terms of the Highways Department and highway traffic questions, by saying that this is always what we find in terms of the approach of the Conservative Party in this Legislature. They are always behind the times on issues such as this.

Hon. Jim Ernst (Minister of Urban Affairs): No, you are wrong.

Mr. Ashton: Well, the Minister of Urban Affairs says that we are wrong. I could go through the debates that have taken place in this House since I have been here. The debates that have taken place in perhaps the last 25 or 26 years, which I am sure the member for Lakeside (Mr. Enns) could look back on. Whether it was Autopac, whether it was Unicity, whether it was The Highway Traffic Act bringing in seat belts, whether it was metric, whether it was human rights legislation, whether it was pay equity,

many of the significant debates in this Chamber have centred around a Conservative Party, particularly when it is in opposition, attempting to block progress that is acceptable and supported by the vast majority of people.

I mean, look at what happened on seat belt legislation. The minister said then, when he was not a minister, would come back to haunt them—the NDP government. What happened in the 1986 election after seat belt legislation, after the whole French language debate, after metric, after all the kinds of things that the Conservatives opposed? The NDP government was re-elected in 1986. So they were wrong not only in terms of the principle, they were wrong in terms of the politics. They were re-elected despite all those dire warnings from the Conservative benches. They wonder why sometimes people view the Conservatives as being the dinosaurs of politics—

An Honourable Member: What?

Mr. Ashton: The dinosaurs of politics.

An Honourable Member: You are the ultraconservatives.

Mr. Ashton: Well, the minister talks about who are the ultraconservatives. He was the one who opposed mandatory seat belt legislation that existed at the time in eight provinces, was brought in Manitoba, was subsequently brought in Alberta. Legislation—

An Honourable Member: Just look at the article. Why do you not see what the supporting data says if you are going to dredge up the past?

Mr. Ashton: It is not a question of dredging up the past, Madam Deputy Speaker, to the Minister of Finance.

This article I am quoting from—perhaps the minister missed my opening comments on this—Monday, February 17, 1992, and I will quote the headline again: Politicians ducking seat belt questions.

In this case, two specific ministers were asked, and I say in this case that perhaps the right thing for the minister to do would have been to issue some sort of press release or MLA's report to his own constituency in Morris, Madam Deputy Speaker. Since the other two of his colleagues would not give full answers to the reporters from the *Scratching River Post*, will he now put his own position on the record? I ask that rhetorically. I realize I cannot ask

him to respond to that, other than by saying, he can respond and debate on this bill.

We will see where the Minister of Finance (Mr. Manness) stands in 1992. We will see who indeed was a dinosaur in 1983-84: the NDP, which brought in progressive legislation, or the Conservative Party, which by and large, there were few that voted otherwise I believe as much for tactical reasons as anything else, because there was very little debate that supported the bill from the members at the time.

I ask the minister if indeed he feels so strongly about seat belts, if he will not clarify his position now and indeed to the—

* (1550)

An Honourable Member: That was an omnibus bill.

Mr. Ashton: Well, the minister says it was an omnibus bill.

He voted against the bill. He did not abstain, he voted against the bill, and the minister was one of many who spoke against the bill. The Conservatives when backed into a corner on this or trying to distract me, Madam Deputy Speaker, from an issue that has nothing to do with Highways and Transportation, I am trying to stick this particular bill. The fact that the Conservative Party has proven just this last 10 years—I realize that is a long time in politics, but it is within the collective memory of many people in this House—they were wrong, they were wrong, they were wrong.

We are not saying this strictly to say I told you so; we are saying this so that members opposite, perhaps some of the newer members, can learn from the mistakes of the past and perhaps persuade some of their front bench colleagues who are perhaps mired in their own rhetoric of the past, because it is the Conservative front benchers who are having their own words come back to haunt them. It is indeed the Minister of Health (Mr. Orchard), the Minister of Highways (Mr. Driedger), the Minister of Finance (Manness), they are now having to justify, not just to MLAs but to people in their own constituencies why they said one thing and did one thing in 1983-84 and why they are doing a completely opposite thing in 1992.

I look to the backbenchers, because I know having been and served honourably in the back bench of a government, it is a unique position. You have the opportunity to look with a certain perspective, you are part of the government

process, but you are not part of the same sort of cabinet solidarity that drives much of what happens within government. Government backbenchers have a unique opportunity. I ask them perhaps to talk to some of their ministers who are having their own words come back to haunt them, I would say in this particular case to make sure that the reality of 1992 is driven home.

The fact is that we did bring in the right kind of legislation, and whether it is was metric or whether it was seat belts that in 1983-84 the government at the time was keeping in tune with a vision of future. It was looking ahead to future years, not back, not back to some mythical good old days that the Conservatives at the time were seeking, Madam Deputy Speaker. They indeed were the political dinosaurs of the time, perhaps even political ostriches, one might use probably a better analogy, by putting their head in the sand and refusing to accept reality. They were wrong politically and they were wrong on the issue.

That is indeed one of the major components of this bill. It continues to enact the principle of metric, the principle of metric. I know the Minister of Highways and Transportation (Mr. Driedger) knows that, and I know he knows it is the right thing to do. I know there may be some qualms in his own constituency, perhaps some of the Reform Party supporters if they find out that their own MLA is bringing in metric might have some second thoughts, although I doubt in the case of the minister. The minister is honourable enough, well respected in his constituency, I think that he will probably not be hurt by that sort of accusation.

I can say different things about other ministers who might be tarred with that, particularly the Minister of Health (Mr. Orchard) who has never been one for humility on any issue, who now, all of a sudden, cannot be found by the Scratching River Post reporter, cannot be found, does not return calls, Madam Deputy Speaker. I know the minister has other responsibilities, and I just want to assure him that this bill will be passing through the committee following my remarks. But I did not want to lose this opportunity to remind members of this Legislature the Minister of Health has not returned repeated phone calls by a Post reporter on the issue I referred to earlier. The Scratching River Post, February 17, 1992.

So indeed, Madam Deputy Speaker, the political—and I want to be careful of the words I use;

I do not mean in any way to use any term that is unparliamentary—but I think political cowardice in this case. That indeed is a parliamentary word, and I hate using that word, but I think the Minister of Health (Mr. Orchard) has been a political coward on this issue because he knows his words, in 1983-84, cannot be his words as Minister of Health in 1992 on these issues. He knows that he is going to have difficulty in his own area, in his own backyard, if he says the truth that these initiatives were correct ones.

Well, that is one aspect of this bill. Indeed, much of the second page of this bill deals with the question of further implementing metric in our Highways and Transportation Department Act. There is a second component to this, and I want to deal with this as well because I think legitimate concerns were raised earlier by the member for Transcona (Mr. Reid) about the fact that this bill increases substantially the level above which Order-in-Council approval is required in terms of disposition of property.

The member for Transcona did a lot of research on this, and I commend him on finding the kind of property that has been disposed of under the current system and the amount of dollars involved, the type of houses, vehicles, trailers, et cetera. Let us understand that this is a major increase. It increases from \$5,000 to \$25,000, a significant increase beyond which, in this particular case, the department itself and the minister himself will have pretty well unfettered discretion in terms of approval of bids that were placed on property and vehicles.

I think it is important to recognize some of the kinds of bids that we have seen put in place, Madam Deputy Speaker, because I think the member for Transcona was, as I said, very diligent in bringing forward to this House the type of property that was disposed of recently.

I want to say there were a number of houses, for example—a number of properties—a bid received for a 2,300 square foot home of \$16,700. That would now be included under the provisions of this bill, would not require going to Order-in-Council. A 2,300 square foot home, I would suggest a bargain by any stretch of the imagination.

There were a number of other things. A three-bedroom Diplomat mobile home disposed of for \$7,800. There was a single family dwelling in the city of Portage la Prairie—I am sure that the member for Portage la Prairie (Mr. Connery) would be interested to know that he could have picked up a

house in Portage la Prairie, 1,138 square foot. I wonder what real estate values are in Portage la Prairie currently? Would one expect to pay \$40,000, \$50,000, \$60,000, \$70,000, \$100,000? This particular dwelling—and I know the member for Portage will be disappointed—it went for \$25,200. I am sure he is wondering where he was when that sale went through—\$25,200. Is that the market value of a 1138 square foot dwelling in Portage la Prairie? It is listed as six rooms, single family dwelling in the city of Portage la Prairie. [interjection]

Indeed, Madam Deputy Speaker, I know the member raises a point about the condition of the home, but I still think that given the market in Portage, which is fairly healthy as the member indicated, I would say it was a bargain for the buyers. Let us put it that way, without getting into the question of how big a bargain it was—\$25,200. Indeed, the information is available on Order-in-Council, and I am sure the member for Transcona (Mr. Reid) has all the detailed documents on this and would be more than willing to provide that information to the member for Portage la Prairie (Mr. Connery). We would appreciate his knowledge of that community. I know that if that had taken place in the community of Thompson, for example, that would be way below market values, and I realize it is a different situation. It obviously depends on the value of the home.

These are not isolated examples. There are other examples of property disposition that are very similar to this, and the member for Transcona (Mr. Reid) went into this, just from recent examples of the kind of property disposition that has taken place. I am not questioning the motives of the department. I realize when you are disposing property via what essentially is a bid system, auctions or sealed bids or whatever, you do tend to run into that situation, and there will be cases where people buy something that has far less value than what they have bid. That will happen. [interjection] Indeed, Madam Deputy Speaker, if the member wishes to look in terms of the details of it and provide that information, I look forward to his comments. He is more than welcome to participate in the debate. Indeed, as I said, these are properties that will be a significant bargain. One could move the house and still do quite well, pay the lot fees, et cetera.

I question again to the minister, and I have read his comments very carefully, Madam Deputy Speaker. He says that the levels that are involved

are similar to levels that are involved in other property dispositions. But I ask the question whether, particularly in this case—where in some cases you are dealing with vehicles, in this case a trailer in addition to real property—we really want this government to be having the right, this minister, the department, to dispose of property unilaterally. Let us not forget that there have been questions about the integrity of the bidding process.

We have seen concerns over, for example, 280 Broadway involving other departments. There is currently a police investigation on involving contracts for improvement of that building. There is a lawsuit involving the previous low bidder that lost out. [Interjection] To the member for Portage (Mr. Connery) if one looks at the background of 280 Broadway I am sure he would be concerned.

Mr. Connery: What did the police investigation show? It showed there was no wrongdoing from a criminal point of view.

Mr. Ashton: The bottom line is, for the member for Portage, as I was saying the request is about the initial tendering process. He knows that to be the case. Indeed, a police investigation following, involving the same department, the same building, the same individual—[Interjection]

* (1600)

The member for Portage knows that there is a lawsuit underway. There were serious questions that led to analysis of the propriety of what had happened in terms of the contracts over the lawsuit from a low bidder, on the first time around, who lost out in the second go-around thanks to the government in this case changing the criteria, and lo and behold the political supporters of the government receiving that bid. I raise that because that is indicative of the kind of concerns we have on this particular bill, and despite that, I will indicate we are willing to pass it through to committee. We want to see it go to committee stage to discuss further the detailed question of what level the disposition should apply to. We certainly support the continued introduction of metric and the updating of our legislation, and, as I said, we are prepared to pass this bill through to committee and pursue this matter further with the Minister of Highways and Transportation (Mr. Driedger) at that point.

Madam Deputy Speaker: Is the House ready for the question? The question before the House is

second reading of Bill 21. Is it the pleasure of the House to adopt the motion? [Agreed]

Bill 15—The Highway Traffic Amendment Act

Madam Deputy Speaker: To resume debate on second reading of Bill 15 (The Highway Traffic Amendment Act; Loi modifiant le Code de la route), on the proposed motion of the honourable Minister of Highways and Transportation (Mr. Driedger), standing in the name of the honourable member for Thompson (Mr. Ashton).

An Honourable Member: Stand.

Madam Deputy Speaker: Stand? Is there leave to permit the bill to remain standing in the name of the honourable member for Thompson? [Agreed]

Bill 20—The Municipal Assessment Amendment Act

Madam Deputy Speaker: To resume debate on second reading of Bill 20 (The Municipal Assessment Amendment Act; Loi modifiant la Loi sur l'évaluation municipale), on the proposed motion of the honourable Minister of Rural Development (Mr. Derkach), standing in the name of the honourable member for Wolseley (Ms. Friesen). Is there leave to permit the bill to remain standing? [Agreed]

Mr. John Plohman (Dauphin): Madam Deputy Speaker, I wish to speak to Bill 20 at this time—a very important bill, however short, equally as important perhaps in many aspects as Bill 79 that came before this House some two years ago or more dealing with reassessment in the province of Manitoba. This now being an amendment to that act as a result of some developments since that particular point in time.

First of all, I would like to comment on some of the minister's comments in introducing this bill. Then we will, of course, indicate some of the major concerns that we have with the government's policy and direction on property assessment at this particular time, particularly as it applies to agriculture and farm land. I think that this is obviously germane to this particular bill, because one of the amendments deals with the removal of a portion, of a section dealing with farm land specifically, as it was moved by the then minister, member for Emerson (Mr. Penner), when he was

minister responsible for Rural Development in 1990, when the bill was passed.

I first found the comments by the minister in introducing this bill somewhat misleading insofar as the real reasons for introducing it. I think the Minister of Rural Development (Mr. Derkach) can understand, when he reads his remarks, why one might find that these were not the total reason, the whole story, for introducing this, because I notice in his comments that on about at least four or five occasions, on the first page of Hansard where he introduced the bill, he, the Minister of Rural Development currently, talked about how important it was for him to enable and allow the public to understand the assessment system, how complicated it was and how difficult and how he actually had to delay the assessment by a year to give people more chance to understand the system.

He said, on one occasion: It will allow those people who own those types of properties to actually understand the reassessment act much more clearly. Then he says, and I quote: to enhance the understanding among these ratepayers as to why their tax bills are changing. And then: and that was for a better understanding of the entire process of reassessment.

Then he references a misunderstanding among taxpayers in this province. Then he says, and I quote: so they would have time to get a firm understanding of each of these very important and very complex issues.

So it seemed, Madam Deputy Speaker, that the real reasons, if one were to take that at face value, for putting back by a year the reassessment is simply because the government is really trying its best, but I guess spinning its wheels and trying to explain how reassessment is impacting on people, and that somehow, by a process of osmosis or something else, they are suddenly going to have—the light is going to go on and they are all going to fully understand reassessment if they delay that reassessment by one more year.

That is—well, with all due respect to the minister—a bunch of malarkey, Madam Deputy Speaker, blarney, if the Minister of Agriculture (Mr. Findlay) likes that better, because in fact the process is becoming more complex and more difficult to understand with each passing year, as the government plays around with the portions and as the assessments become less relevant, because in fact they are based on '85 values and we are now

approaching eight years since that time. It is becoming less and less relevant. We are going back to where we were before reassessment, when we had 1975 reference year and so on.

Well, the government is just letting this slip back in time. It is becoming less relevant all the time. It is more difficult to understand as long as you keep pushing the reference year back for assessment purposes and changing the portion values for various categories. It is not easier to understand. Yes, they are jockeying around with it each year.

As a matter of fact, this year they succeeded in actually forcing the agriculture section, the farm, to pick up a greater portion of the total taxation because they dropped Residential 1 by about 1.5 percent, Residential 2 by over 5 percent. So, in fact, because of that massive drop on the residential section, the farmers were picking up a greater portion.

The minister may not understand it yet. He is still studying the volumes of Hansard from 1979. I caution him right now not to read any references from the former Minister of Rural Development at that time, the member for Emerson (Mr. Penner), when he was Minister of Rural Development, because in fact he did not understand it at that time either when he brought this bill in, and, by hook or by crook, with the help of a lot of experts and a lot of help from the opposition, he was able to get it through, but not, Madam Deputy Speaker, reflecting the major concerns that people were bringing, not a reflection of the major concerns.

He did not even have a definition for market value when he brought in that bill. He did not know what he was talking about. He called it value. Finally it was pointed out, you have to define market value, and he finally brought in—he had all the king's men and king's horses get together, and they came up with a definition that he could bring into the bill, but he wanted to leave it as open as possible so that he would not be pinned down on this bill later on. He wanted to leave it as flexible and muddied the waters as much as possible.

So I say that the former Minister of Rural Development is not necessarily the best reference person for this current Minister of Rural Development when he is reading over Hansard. He should stay away from those comments made by what was referenced as the Honourable Jack Penner, Minister of Rural Development, in Hansard.

Now, we do not normally reference person's names, but I am simply quoting from Hansard, Madam Deputy Speaker, and I am sure the Clerk will understand that is legitimate.

Madam Deputy Speaker, I want to also reference the fact that because of the shifts that have been taking place as a result of this government's policy—I might go back a bit first. The government said that they did not believe that farm land should be taxed for school purposes under the education support levy, so they removed it.

* (1610)

We had taken major steps to remove it in a system that we had in place prior to the 1988 election. The government made some changes to that system in '89 so that there would be some relief from provincial education taxes on farm land. Then they brought in the new act which actually eliminated, theoretically, the burden on farm land. However, what they did as a result of that bill is put property taxes on farm homes, which was something that was almost universally agreed upon by people making representations and certainly was not quarrelled with by the opposition at that particular time, because it did address an inequity where people who are earning a great deal of their income or the majority of their income, as many farmers now do because of the difficult times, off the farm, where they were paying taxes on their residences, and those who were not working out and earning more money from other sources did not have to pay taxes on their farm residence.

So it addressed that inequity. Everyone on the basis of owning a home was to pay some school taxes. They also expanded that to include all farm buildings. As a matter of fact, there were some farm organizations and others who at the time of the hearings in 1979 made strong representation that that is not the way to go, that if you are going to tax farmers you should tax production buildings, because that is where they derive revenue, but storage buildings was not a valid basis for taxing for gaining school revenue. So such things as machine shops, for example, a machine shed where you keep your equipment, that should not necessarily be taxed, but production buildings like a hog barn would, in fact, be taxed for an equality in terms of how farmers were addressed under the bill for tax purposes.

Well, the government chose to ignore that and put on property taxes on all farm buildings. So they

derived more income from farmers that way than they probably lost by removing some of it from farm land. So actually it was a little slight of hand there by the government to make it look like they were trying to ease the burden on farmers when they were simply shifting it amongst farmers and, in fact, in many cases, increasing the total burden on farmers at that particular time.

They even went further since that time, Madam Deputy Speaker, to increase taxes by a number of ways. One of them has been—and I am talking about for agriculture for farmers—they did it by removing one mill from residences this past year. The Minister of Finance (Mr. Manness) undoubtedly will be completely familiar with the impact of his decision to do that, to remove the one mill from residences, because that did shift a greater burden onto farmers in many cases.

Many of the municipalities have had to more than offset the loss of that revenue for the school divisions by making it up from all taxpayers in the area, including the buildings and the farm land and so on, Madam Deputy Speaker.

So, in fact, when you take it off of residences, you are only taking it off one portion of taxpayers. When the municipality adds it back later on, they have to find it from all taxpayers. So they need it to get the revenue for the school divisions, because they were getting less from this government.

So, naturally, they had to put that mill rate back on again, and in so doing they were transferring it to the agriculture, to farmers. In some cases, in the R.M. of Brokenhead, there is some 10 percent increase in agriculture farm land taxation for education purposes, ironically after this government says that they are against that.

An Honourable Member: That is special levy.

Mr. Plohman: Now, the minister just woke up, he says it is special levy. That is brilliant. That is exactly the case. The reason they had to increase the special levy on agriculture is because this government tried to gain political points by taking one mill off on residences, but that shifted it onto farmers.

Let them call it what it is, a shift onto agriculture. That is what happened. The Minister for Rural Development (Mr. Derkach) has presided over that. He did not even realize he was presiding over it until just now. He just woke up. He just said that is special levy.

Well, congratulations to the Minister of Rural Development (Mr. Derkach). He now understands that it has been transferred onto the special levy by this government. That is what we called the GFT, the Gary Filmon tax. That is the same idea again, with the shifting it onto the local municipalities, Madam Deputy Speaker.

In addition to that, they are bringing in Bill 20. When the minister was making his remarks, he was saying that some of the people were talking about the appeal process, and he wanted to assure members that Bill 20 does not propose to alter the circumstances under which farmers can appeal their assessments.

It does not change the appeal at all, but in fact it does make ironclad that there cannot be appeal by farmers based on external factors. The case that was before the courts, Lamont-Ohla Farms case, was one where the lawyer particularly argued, "in relation to the reference year" as the significant clause, and lost.

An Honourable Member: And lost.

Mr. Plozman: The minister says, and lost. His amendment was redundant, but why is he going forward with overkill here since it is not necessary? He says, they lost. Why is it necessary to bring in an amendment which confirms already what the court has decided?

It simply is a very bad political move on this government's part. They got suckered into bringing in an amendment that they need not have brought in to, in fact, ensure that farmers could not appeal for external reasons. I say that this government should take another look, particularly in light of a couple of factors.

* (1620)

One of them is that this year they are postponing reassessment for another year, and that is a significant reason in and of itself for the government to consider whether they should allow external forces, because farmers are having to continue under an unfair assessment burden for another year because of the government's refusal to put in place a reassessment in a timely way for 1993 as we had assumed at the time.

Now, the minister had made references to comments I made and amendments I moved in the Legislature in 1990 when Bill 79 was being brought in, and he said at that time: I had better watch what

I am saying, I was in favour of the appeal process they had in.

Yes, we moved the appeal amendment, as a matter of fact, in 1990 to ensure that residences could, in fact, appeal on the basis of changing external factors. For example, if a PCB storage site is established not far from your home, it impacts on the value of your home so you could appeal, and the government agreed with that at that time.

We said at that time that we did not want it being applied to large corporations. We did not mention farmers. The minister should go back in Hansard. He will find that farms and agriculture were not discussed in the context of that amendment.

Madam Deputy Speaker, we assumed that the government would keep its word, not like the Minister of Finance (Mr. Manness) where he has undercut his Minister of Agriculture (Mr. Findlay) with regard to GRIP coverage as he did today. We thought the government would keep their word that reassessment would take place in 1993. So now the government is showing it did not keep its word in that particular instance, and it is moving it back to 1994. We say now, the government should look at the issue of reassessment based on external factors under certain circumstances.

An Honourable Member: It is there.

Mr. Plozman: Oh, now the minister says it is there, and he has fallen into the trap of learning the wrong information from his former minister. He is falling back into that trap because the Minister of Rural Development at that time, the member for Emerson (Mr. Penner) did try to take on the learned lawyer, Michael Mercury, when he came to the committee. He said there are all kinds of appeals, and do you know what he did? The Minister of Rural Development at that time went through a litany of reasons why an individual could appeal.

He said there are all kinds of reasons, and he listed them off: destruction of, or damage to a property; altered or new improvements; a change in the physical characteristics; a change in the zoning. He went on and on, and I want the minister to listen to this, because after he finished, the learned lawyer said, may I speak to that? He said, with all due respect, those deal with physical changes. That is what the minister was referencing, and now this minister is falling into the same trap again. He is referencing appeals for physical changes. The minister has to understand the difference. We are

not talking about physical changes here. [interjection]

For the member for St. Norbert (Mr. Laurendeau), I hope he is starting clean here and he can maybe learn something on these issues, and he can realize where the right side should be on this issue, not listen to those people who have led him astray, the former minister and now this minister, because he is reading old Hansards from his colleague.

Now, I do not know whether this Minister of Finance (Mr. Manness) has something to add to the debate. I hope that he at some point will, and something constructive, because he knows very well that the appeal procedures in the act do not apply for anything for agricultural purposes, for anything more than physical changes. Now, the member for Lakeside, the Minister of Natural Resources (Mr. Enns), would, I am sure, appreciate that sometimes there are factors that impact on agricultural land that are external.

We are all facing that in agriculture now because of the low commodity prices. Perhaps The Farm Lands Ownership Act might have changed the value of farm land—an external factor. Perhaps rail line abandonment in an area might change the value of the farm land. Perhaps—[interjection] That is the point. The member for St. Norbert (Mr. Laurendeau) says: Does it affect them all equally?

When you are dealing with commodity prices, generally you are talking about affecting them all equally. But when you are dealing with rail line abandonment, it is particular area that is more significantly affected. When you are dealing with plant closures—and of course we all know about that. Under free trade, this government has precipitated many plant closures. Tupperware is one example in the area of Morden. Now, we can look at an agricultural based one: The Campbell Soup Co. Now, when that Campbell Soup Co. closed down, do you not think that impacted on the value of the farms supplying the commodities to that plant? Do you not think it impacted? Yes, I believe it would have.

You see, there is no procedure for appeal based on such external factors. The member for St. Norbert (Mr. Laurendeau) and the Minister of Natural Resources (Mr. Enns) should understand that when rail abandonment takes place, when plant closures take place, there may be unique circumstances external to the property that affect the property. Why would you not allow appeal for

those situations? Now, I would even go further. The Minister of Rural Development (Mr. Derkach) realized when he read Hansard that we have moved an amendment dealing with appeals and we excluded specifically corporations at that time, we said residences up to four dwellings, okay.

But one eventuality was not thought about at that time, and that was the—although we were concerned about the Free Trade Agreement—impact on plant closures in this province. Even those members across the way who all support free trade, will understand, even they will say that there will be dislocation, that there will be some shifting from some sectors to others. So we are saying, Madam Deputy Speaker, that perhaps in those instances where plant closures have resulted, such as the Campbell Soup Co., such as the Tupperware plant in Morden, that in fact those should no longer be assessed as if they were producing actively, as if they were manufacturing goods. They are no longer of that value at all, they are just simply an empty shell sitting there.

Under those circumstances of plant closure, maybe then there could be a redefining of the assessment, so that indeed it could make it possible to sell that facility, and perhaps it would be possible to start up production of some other type of product. But right now it is a complete hindrance to the sale of those facilities because the assessment is so overwhelming no one will even touch them to buy them because they know they cannot appeal it on the basis of external circumstances.

So, Madam Deputy Speaker, I say that we should consider the issue of plant closures, and the Minister of Finance (Mr. Manness) knows all about plant closures because he, more than any other individual in this House with the exception of the First Minister (Mr. Filmon), has been responsible, does he not feel good? He has been responsible for all of these plant closures in this province because of his policies and his government's policies and the Premier's policies and all those who follow behind saying, yes, yes, you are right.

Madam Deputy Speaker, I say that this Minister of Finance should feel terribly guilty about the plant closures and, in fact, should maybe consider under those circumstances that those particular situations might be appealable for assessment purposes so that they do not keep building even after their closed, building the taxes. I think that is something the minister might want to do.

An Honourable Member: That is a nice tone of voice, John.

Mr. Plohma: Now that I have got the Minister of Finance's attention, I will be able to tone down my voice a little bit. I realize when there is some heckling there that I have to silence them in due course. It has happened and now I am able to talk in more hushed tones. Of course it saves my voice for future times because I do find as I get older in this House, after some 10 years, approaching 11, that my voice is not as strong as it used to be, and I have to exercise it every once in a while.

I know we all are guilty of not exercising enough. Many of us would say, speak for yourself, but I look across and I do realize, without mentioning names, that there are some across the way who have not exercised enough and therefore they get a little bit out of shape, whether it be for running or playing other sports. We find that the same is true in speaking. If you do not exercise those vocal chords from time to time emphatically, you will lose the effectiveness of them. I find that that works well.

Hon. Harry Enns (Minister of Natural Resources): You need to exercise your mind enough.

Mr. Plohma: Now, the Minister of Natural Resources (Mr. Enns) has an excellent point that you must connect mind with speech and that is the interesting thing about speaking in this Legislature because, in fact, when you do have to speak without following a script you, in fact, have to think on your feet and it is very, very positive and that is exactly what is happening.

Now you will notice, Madam Deputy Speaker, that when we get an unruly bunch on the other side not paying attention we have to move up a couple of octaves to bring that noise down, that background noise.

Now I want to get back to the bill because I have demonstrated in some of my comments here today that, in fact, the government has done the opposite that it said it was going to do with regard to transferring taxes on to farmers. It has actually hurt farmers more. I have listed four ways that it has done that: One is the removal of the education support levy by 1 mill from residences. That has shifted onto farm land.

The Minister of Natural Resources will recognize that and should probably be alarmed at that. He, perhaps, did not raise that with his colleague

previous to this situation. As well, Madam Deputy Speaker, I said that the change in the portioning meant more had to be borne by farmers because the residential one and two was reduced. There is another way that they shifted it onto farmers.

They did it through Bill 20, by making it more difficult to appeal for external—in other words closed the door to appeal for external factors impacting on the value of land. They closed the door by removing the phrase "in relation to the reference year." In addition to that they have postponed reassessment by one year, that is, building in the inequities and unfairness in the system for another year, a four-pronged attack by this government, led by the Minister of Finance (Mr. Manness) and the Premier (Mr. Filmon), on agriculture.

A four-pronged attack to make farmers pay more to claw back those GRIP benefits that they say they are opening up to the farmers of Manitoba. They talk about the budget that has skyrocketed in Agriculture; they have found a way to secretly claw back those benefits by shifting the burden onto farmers who farm land. They, in fact, did that. They did that, Madam Deputy Speaker, this last couple of years. So there is a major shift in policy from what they say publicly about not really believing philosophically in education taxes being placed on farm land. That is just not proper, yet they are getting more and more from farmers by way of other means.

* (1630)

I think, Madam Deputy Speaker, that we have to call a spade a spade when we are dealing with these issues. We have to reveal these kinds of things for what they really are. Now, this bill in fact is quite onerous because it means that inequities built into the system are going to last another year. You know, it is ironic that the minister, the former minister, the member for Emerson (Mr. Penner), would stand up in this House and say, well, the former government was timid about bringing in reassessment or assessment reform. Then he talks about bringing in the computer system, the automated system. It was the reassessment that was done over those years, the groundwork that was done, the additional staff hired, and the computerization dollars put into that that enabled this government to move within two years—

Hon. Clayton Manness (Minister of Finance): You just started the computerization—

Mr. Plohman: The Minister of Finance is being ridiculous saying we just started. We were moving on this for a number of years. You just picked that out of the air. He does not know what he is talking about. Get a report from your staff. Ask for a report from Municipal Affairs, from Rural Development, and find out whether we just started. We spent hundreds of thousands of dollars on this system, millions on this system. We spent millions on this system prior to 1988, Madam Deputy Speaker, to get it ready. I wish the Minister of Finance would be a little quieter so I would not have to raise my voice again.

Madam Deputy Speaker, we had prepared this system for reassessment, and it took a number of years to, in fact, do that. You cannot just walk in and change the whole system without having the data. We needed the data; we needed the reassessment; we needed the automated system. Now that we have the automated system, what is stopping this government from moving ahead with the reassessment for 1993 as was planned? What is the problem? We have an automated system, we have the additional staff in place, they knew this was coming, and we get the silly excuses from the Minister of Rural Development (Mr. Derkach), saying, you know what?—by postponing this, the people are going to get to understand it more.

I referenced this when I started—four times on the first page of Hansard—when we spoke, he was expressing concern that the people do not understand this Estimate process. So, somehow, by a process of osmosis over next year, they are going to gain this understanding. Who is teaching? Who is providing the information? Who is explaining to all these people that they are suddenly going to understand? I said earlier that they are getting more confused because we are moving further and further away from the date set for the actual value, 1985. We are moving away from there. There is less understanding. They are jockeying around with these portions, and people have less understanding because the value means nothing now. It is the portioning that means everything, you see.

Well, the Minister of Finance (Mr. Manness) knows the system well. He knows he can play around with the system by increasing one and dropping the other. He can get any result he wants. You know why he can get that, Madam Deputy Speaker? Because we prepared the automated

system so he could get the data almost at a day's notice. We have put that automated system in place. That is why this minister can get that data so quickly. Yes, we know that, and we wanted that data, too, because you do not want to make foolhardy decisions with regard to assessment. You want to be able to read the causes and effects. You wanted to understand when you made a decision what the effect of it would be, and that is why we ensured that system was in place.

I want to say that the minister's explanation of the reason for delaying reassessment is totally ridiculous. Let him not try and foist that upon the opposition here and the people of Manitoba and the written comments in Hansard, something as ridiculous as saying that this is going to allow the people of Manitoba to understand reassessment and assessment if in fact he delays it a year. I hope that the other members of caucus, Madam Deputy Speaker, without mentioning any members in particular, have asked these questions and have said to the Minister of Rural Development (Mr. Derkach), how can you say that this is going to help people understand the system? What ridiculousness. So the government is simply doing this, first of all, because of mismanagement, poor management. They cannot get their act together even though we gave them the automated system and the extra trained reassessors that could do the job. They cannot get it done in time, so they are going to delay it.

The other thing that they are doing is getting additional money off the farm category because they want to claw back those GRIP benefits that are going out to the farmers in the province of Manitoba. I imagine that is somewhat of an appeasement to the urban members in the caucus and cabinet, that they have to somehow show that it is really not a net draw from the Treasury. There are these exorbitant premiums that farmers have to pay, and in addition to that there is additional farm revenue and property taxation. That is helping. So overall it is not a net \$40 million or \$50 million from that program.

Madam Deputy Speaker, I say that the Minister for Rural Development (Mr. Derkach) should fully understand that there are circumstances that have changed in the last two years since the act was brought in by the former minister, that he is changing one of those circumstances immediately when he delays reassessment for a year. That is enough of

a reason to open up the appeal process, at least to consider it, opening it up a bit.

The member for St. James (Mr. Edwards) remembers the debate on these issues and Bill 79, I think, quite clearly. At that time there was a limitation put on the allowable appeal procedures for criteria for external factors affecting appeal. It was applied only to residences, and I believe the Liberals probably supported that at that time as well. But, as I said, there are other factors affecting—plant closures being one as a result of free trade that should impact on the ability of an owner to gain some recourse from the heavy assessment taxation burden they might be facing.

As well, for farmers, we did not deal with the issue of agricultural land at that time as far as external factors, and by taking out the reference in the section to the reference here, Madam Deputy Speaker, the government is ensuring that there never will be a successful appeal, for whatever reason, for a dramatic drop in farm land prices and resulting in a huge, unfair tax burden.

I say, Madam Deputy Speaker, that in the case of Lamont-Ohla Farms, where they, in fact, purchased a piece of land from, I think it was Famous Players Theatres, where they had purchased this land outside of the city in the anticipation that the city was growing and land values would increase and they could put a drive-in there. They ended up paying a much lower price now, but the assessment was still at \$390,000. The Court of Revision found it onerous and cut it back to \$170,000, but, in fact, it should not have been higher than \$90,000.

So they wanted to appeal it on the basis that, because of these factors external to the physical land itself and any changes that might have been made physically on the property, maybe this was a little unfair, and they should be able to appeal. They bought this land not knowing it had been assessed at \$390,000, and that it did not reflect the market value at all today. They paid away less and had to pay tax based on \$390,000. So the whole issue is one of fairness in that respect.

I say that in those kinds of circumstances, where plant closures result, where there are significant changes, where rail line abandonment takes place—and we are facing that all the time particularly under this government's policies, whether the members want to agree or not, they are supporting the federal transportation hearings and so on that are going to result in the change perhaps in the

method of payment resulting in dramatic increase in the number of abandoned lines in this province. That changes the value of land, and farmers should be able to appeal on that basis. So we challenge this government, this Minister of Rural Development (Mr. Derkach) to, in fact, consider opening up and easing the situation for farmers by expanding the appeal procedures.

The Minister of Rural Development should recognize that there are appeal procedures in place for physical changes only in the current act. The former minister did not know that, and the Minister of Rural Development just reads the things under Conservative members because he thought he was going to learn something. Now, I want to tell the minister he should not follow that ill advice from his former minister. He should look at what is being said today, enlightening things that were brought forward by the opposition in the debate. He should recognize, Madam Deputy Speaker, that there are certain instances where his government policies have actually contributed to a change in value of farm land and there should be appeals allowed. The minister should look at that situation.

* (1640)

He could earn himself perhaps credibility from members of this side of the House and gain some back from his constituents too as a matter of fact. He certainly would like to do that and he might be able to do that by looking at some of the suggestions we are making on this particular bill. We will ask him to look at that issue. We will ask him to look at the issue of plant closures, how it impacts on defunct properties of operations that were formerly manufacturing, perhaps thriving, in this province. As a result of free trade and the recession and the downturn of the economy, much of it contributed to by this minister and his colleagues, we have seen a lot of jobs lost, plant closures that affect the ability to pay the high property taxes. The minister should look at those issues when he brings forward the bill when it does go to committee.

At this time we are going to see if there is any response from the minister's colleagues on the issues we have raised today. If they can address some of these issues, perhaps it will facilitate moving to the committee more quickly; otherwise, I am sure some of my colleagues may want to add to this portion of the debate and some of the factors that we are discussing today. Then we will look at

whether the minister is prepared to bring forward amendments at the time we do go to committee.

So I want to just chastise the minister for perhaps introducing this bill in a rather frivolous way without getting to the real issues that he was dealing with here and making the contention over and over again that it was just for the convenience of taxpayers so they could understand assessment when in fact it has little to do with understanding assessment. It muddies the waters even further. It makes it even more difficult for people to understand how the government is getting dollars from them insofar as taxation is concerned.

Thank you, Madam Deputy Speaker.

Madam Deputy Speaker: As previously agreed, this bill will remain standing in the name of the honourable member for Wolseley (Ms. Friesen).

Bill 14—The Highways and Transportation Department Amendment Act

Madam Deputy Speaker: Order, please. At the conclusion of the debate on Bill 14, when putting the question on the motion for second reading of that bill, I inadvertently referred to Bill 21, which the House had previously agreed to leave standing in the name of the honourable member for Interlake (Mr. Cliff Evans). To clarify the record, I will now put the question for second reading of Bill 14.

Is the House ready for the question? The question before the House is second reading of Bill 14 (The Highways and Transportation Department Amendment Act; Loi modifiant la Loi sur le ministère de la Voirie et du Transport. Is it the pleasure of the House to adopt the motion? [Agreed]

Bill 64—The Child and Family Services Amendment Act

Madam Deputy Speaker: To resume debate on second reading of Bill 64 (The Child and Family Services Amendment Act; Loi modifiant la Loi sur les services à l'enfant et à la famille), on the proposed motion of the honourable Minister of Family Services (Mr. Gilleshammer), standing in the name of the honourable member for Osborne (Mr. Alcock).

Is there leave to permit the bill to remain standing? [Agreed]

Mr. Paul Edwards (St. James): Madam Deputy Speaker, it is with regret that I must say that I stand

today in opposition to Bill 64, and I say regret because our critic, the member for Osborne (Mr. Alcock), our former critic, the former member for Ellice, our Leader (Mrs. Carstairs) and many others have repeatedly, for many years, advocated strongly for the establishment of the Child Advocate that this minister has responded to in this bill.

As is so often the case, this government recognizes a good idea and then just does not go the full distance. It is unfortunate that, having recognized the importance of the role of an advocate for children in the child welfare system, the minister has not seen fit to ensure that and guarantee that, but rather has done what can only be called half a job.

Madam Deputy Speaker, with those opening comments, I want to get into what the minister proposes and the reasons therefor, and the reasons for our opposition to them, in some greater detail, but I suggest to the minister that there is still time to reconsider, to rethink, what is essentially a good idea and what he has recognized as a good idea, and to do the job right.

(Mr. Speaker in the Chair)

It is puzzling to me how the minister has come to the conclusion that a Child Advocate, and I stress the word "advocate," is a good idea, how he has come to that, and yet puts forward to the House this bill. He gets over the philosophical debate, he gets over the debate in principle as to whether or not we should have it and whether or not children need an advocate, but then he does not provide them with one, in a real sense, in a sense that is going to do the job over the long haul, that everybody agrees was the initial reason, the initial principle, behind moving in this direction at all.

So it is a concern to me as to how the minister could have gone part way, gotten over the philosophical decision, made that decision in favour of a Child Advocate, and then not followed through.

This party, as I have indicated earlier, fully supports the concept of child advocacy. This caucus has long defended the rights of children in that respect. On numerous occasions, members of this caucus have stood in the House to defend those rights. I know that the minister is aware of that. The convention, called the Convention on the Rights of the Child, originated from the United Nations in recognition exactly of the need to advance the interests of children.

There is no question, and I do not think it needs lengthy repetition, that too often the welfare of children is secondary to the interests of adults who control and direct their destiny in the system. The minister is aware of that. It is not necessarily in the best interests of the child that is the primary consideration in making those decisions which affect children's lives.

The minister knows that, and I know that the minister's intentions in this respect are clear, and certainly the philosophy of his department is clear, that children come first. We know the tenets upon which our child welfare system is based and I think in many respects we agree. The question is how do we get there and how do we do that and how do we best advance the interests of children in our system.

How do we ensure that the child is heard? That is a difficult task for all kinds of reasons. Children, by their nature, in terms of maturity, do they really know what they want? Do they know what is in their best interests? Of course, in the legal system we have that debate all the time. We have legislation before the House now which deals with, when do we listen to children, when do we allow lawyers to listen to children and represent their interests in the court system? That is a difficult decision, but increasingly over time we have come to be aware that children deserve to have a voice. They deserve to have someone in a position of authority, a position to advance their views; they deserve to have someone on their side. That does not mean that they are ultimately going to win the day. What that means is that their voice can be heard and can come through.

As one who has actively represented, in a legal context, children, through being appointed by a court to act in the interests of children, I have been through that experience, and it is a very challenging one to sit down with children who do not necessarily completely understand what is happening and both advise and take instruction from them.

It is a difficult task, but I can tell you, Mr. Speaker, my overwhelming impression having done it is that whether or not what they ultimately advise is exactly what has taken forward they deserved in the cases I was involved in, and it was a good thing for the process that they had a voice and that someone was in the fray, as it were, was in the debate as to what happened to their lives on their side.

* (1650)

It is not just important in terms of the substance that comes forward, but in my experience it has

been important in terms of empowerment, in terms of letting children know that someone is listening to their side and is not there on behalf of the system or their parents or the judge, but is there for them and the only interest of that person is to hear them and work out with them what they want and then put that forth. If it is ultimately accepted, great. If it is not, it may be modified, but as much as the result, there is a very important role to be played in empowerment of children and letting them know that they will be heard. It is a great thing in terms of their feeling of being a part of the system and a part of society and not just dealt with by it and, in many cases, feeling abused by it.

So I think it is important that we recognize the key tenet of this proposal which is advocacy, which is taking the role, being on the side of the child. Again, I distinguish that from necessarily accepting everything that a child may say or may ask to be done. That is not the role of the advocate. The role of the advocate is more than that in the case of children. The role of the advocate is to listen but also to advise and to educate and ultimately to empower.

Mr. Speaker, this minister is aware, as we all are, of the problems and the situations where children have in fact been abused, not just by individuals, but by the system. There are many cases. I do not know that we will ever design a system that completely eliminates that, but it is our obligation and I think this bill is a response to that. It is our obligation to ensure that it is minimized, to ensure that we give children our best attention and that we do not become hardened, jaundiced in the system and just treat them as numbers and as social problems.

Mr. Speaker, it is important I think, and again I know the minister would share these comments, that children who happen to come under the care of government agencies are a resource. They are not a problem to be dealt with to be seen as, oh, we cannot spend this much money on these kids or they are a drain on our social system. That is the negative view of social welfare in respect of children. The positive view is that these children are a resource who for one reason or another have come under the custody, care and control of the state or an arm of the state, and it is a resource. That resource, just like anything else, can be squandered, can be wasted, and that has happened all too often in our system.

I think rather than seeing the setting up of an advocate, and we, of course, suggest in the same form, role as an ombudsman, to play that type of role. Rather than setting it up like that, the minister, I think, has made a philosophical error in seeing this as akin to some other agencies of government which do not play that advocacy role, but play the role of information gathering, play a quasi-judicial role in the case of the medical examiner.

There are other examples that the minister cited in his speech, all of them fit into that category, Mr. Speaker, of information gathering and quasi-judicial roles. In those cases, it is appropriate that those agencies report to the minister, but not where the role is one of advocacy, not where the role is one of watchdog, and not representing the interests of government in getting a decision or getting to a decision, that is not the role of the Child Advocate.

The role of the Child Advocate is to take an adversarial position in many cases. It is expected that there will be that role to play. To have that person report to the minister, that agency, as opposed to the Legislature, the body politic, is a philosophical error. That is the point that has to be made, Mr. Speaker.

We congratulate the minister for getting to the point where he sees the need for a Child Advocate. That is a good thing and a positive thing. What is unfortunate, and what I think there is still time to deal with, is the fact that the Child Advocate needs that independence which can let the Child Advocate office function the way it is supposed to function.

Mr. Speaker, I do not intend to speak at great length on this, but that is the real point that I want the minister to come to grips with. Of course, he will know from the various reports, and the other work that has been done in this area, that in fact, that is very clearly the best way to proceed, and that is the clearest signal to the community and the children who are presently under care who are fearing or uneducated, nervous about the system which they have come into contact with. That is the best way to empower them, to give them a sense of belonging and a sense of ownership of their own destiny, is to give them that type of assurance that they have someone on their side.

Mr. Speaker, I also wanted to refer to some of the other specifics of this bill. In particular, I draw to the minister's attention quotes. I do not intend to go through them in great detail, but the Aboriginal

Justice report, the comments of the Suche report and the Kimelman Report on these issues.

All of those reports, I believe, on my reading of them, support the view taken by this caucus that the office of the Child Advocate must report directly to the Legislature not the minister, and that there must be a clear definition of the advocate's role and assurances that the office is going to have enough powers to do exactly what we want it to do. Currently, of course, there are no disciplinary agencies that deal with complaints of the type and the substance that we want this agency to deal with.

The minister has correctly seen that void. It is time now to ensure that we fill it in a way that competently deals with the problem we, and I say "we," the minister and we on this side of the House, have recognized.

I want to deal specifically with the Aboriginal Justice report briefly because it is a report that I have some familiarity with as the Justice critic. It is a report which has, unfortunately, been shelved, in so many respects, by this government. The Minister of Justice's (Mr. McCrae) response has been extremely disappointing to me and, I think, the community.

I do see that the Minister of Family Services (Mr. Gilleshammer), in his comments, has referenced it, has read these portions of it and wants to respond in a positive way. For that, I congratulate him, for seeing that the office of a Child Advocate or child protector is necessary.

Clearly, he has recognized what was recommended, and I am reading from the report at page 527, that: "The provincial government establish the Office of Child Protector, responsible to the Legislature, as recommended in the Kimelman report. This office's responsibilities would be, amongst other things: To ensure that children involved with the child welfare system have their interests and rights protected, to receive and investigate complaints about the manner of treatment of children by child welfare agencies."

Now, Mr. Speaker, I, as well—and the minister is aware of this—have had some involvement not just acting for children but in acting for agencies involved in the child welfare system. I must say, and I know the minister is aware, that by and large in my experience, the vast majority of people who work in the system have an extreme amount of good will for their work. They truly do want to do what is best for children and to protect the rights of children.

But, as with anything else, systems get set up, agencies get going, and volumes increase, budget constraints come into play, and the fact is that children get processed. Oftentimes, they are lost in the system. The system is unresponsive, in many cases unreceptive, to their complaints.

So, Mr. Speaker, the fact is that we need the role of a Child Advocate. It is, unfortunately, going to be an adversarial one. On many occasions, it is envisioned as that. We should not run away or turn a blind eye to the need for that adversarial role on behalf of children.

Those are my comments at this time, Mr. Speaker. Thank you.

Point of Order

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I wonder if there is a will to waive private members' hour so that we can continue this stimulating debate?

Mr. Speaker: Is there a will to waive private members' hour?

Some Honourable Members: No.

Mr. Speaker: No? Okay. Has the honourable member for St. James (Mr. Edwards) concluded his remarks on Bill 64?

* (1700)

An Honourable Member: Yes.

Mr. Speaker: The hour being 5 p.m., this matter will remain open. It has already been agreed, this matter will remain standing in the name of the honourable member for Osborne (Mr. Alcock).

The hour being 5 p.m., it is time for private members' hour.

PRIVATE MEMBERS' BUSINESS

ADDRESS FOR PAPERS REFERRED FOR DEBATE

Mr. Speaker: On the motion of the honourable member for St. Johns (Ms. Wasylycia-Leis)

THAT an Address for Papers do issue praying for:

The text of the formal opinion requested from the Department of Justice by Health Department officials on whether there is anything that would interfere with enforcement of the Public Health Amendment Act, Statutes of Manitoba Chapter 62, formerly Bill 91, also known as the antisniffing

legislation, standing in the name of the honourable Minister of Labour (Mr. Praznik).

Some Honourable Members: Stand.

Mr. Speaker: Stand. Is there leave that this matter remain standing? [Agreed]

Mr. Daryl Reid (Transcona): I am pleased to rise today to add my comments on this very important matter to us. I speak particularly about the antisniff legislation that this bill, this piece of legislation that was introduced in 1989, Mr. Speaker, was supposed to deal with. It is my understanding at that time since I was not a member of the Legislature that that was an all-party agreement when that legislation went through the Manitoba Legislature.

We had an all-party understanding that it would be good for the community at large, and it would deal with and address the very serious concerns in our communities throughout our province for those who find themselves in the unfortunate position of being involved with products that create intoxication other than alcohol products.

We know there are many substances that are intoxicating and, of course, it comes in many forms outside of alcohol. We talk about, in this particular case, Mr. Speaker, products that produce intoxication other than alcohol. One of the common products that has been displayed prominently in this Legislature on past events was Lysol and the product that is commonly used because it is my understanding that Lysol is considered the best bang for the buck that an individual who wants to become intoxicated can use. That is my understanding, because alcohol content of Lysol is some 67 percent. [interjection]

Yes. There is a fair amount of research on this, Mr. Speaker, and I suppose that the minister across the way would be interested in this particular study. I hope he has availed himself of the opportunity to take a look at this study and read up on it, because it is an important matter to us in our communities around the province. This particular study is titled Lysol Abuse, Edmonton's Inner City. I note that we have not had—or at least I am not aware of any study that we have undertaken in our province to deal with sniff in our province.

We know there is a problem out there, and we can take some information and some support that Edmonton has undertaken such a study. This was a study that was prepared for the Alberta Alcohol and Drug Abuse Commission on behalf of the

concerned inner city agencies. It was undertaken and completed in January of 1990. So I hope the Minister of Family Services (Mr. Gilleshammer) will have, if not himself, at least someone in his department review such information. There is a lot of useful information that can be gleaned from this particular document.

The government itself has undertaken what has been termed to be a War on Drugs. Now these studies have been going on for some time, but I do not believe that we have seen any results of this. It is my understanding that the member for Fort Garry (Mrs. Vodrey) was the chairperson of that particular study of this War on Drugs. Yet, it is our understanding as well that this particular document is gone for printing, but where is it?

Why is the Minister of Health (Mr. Orchard) sitting on this? Why has he not taken some action? Is there something in there that he found that might be embarrassing to his government or will not support the physician on the War on Drugs. Why has he not come forward with this particular document that will lend support to the War on Drugs to assist the agencies in our province and the police forces of our province to deal with this very important problem?

I think it is time that the minister came forward with this report so all members of the Legislature and all members of the public at large can see what the concerns are. If the member opposite knows of this, maybe he can take the message back to his Minister of Health (Mr. Orchard), make him aware that the public is interested in this report and that he should be coming forward with it.

This antisniff legislation, Mr. Speaker, has had a long history to it. In my opening comments I made reference to the fact that it was first introduced in 1989 into this Legislature and of course on its stages through this Legislature had, I believe, all-party support. But it is interesting to look at the chronology of this Bill 91, as it was introduced as.

In 1989, of course, in December of that year, it was reintroduced for first reading. Then throughout 1990, in February, it was brought back for second reading. Then on February 6 it was again debated, and on and on and on, Mr. Speaker. It received its third and final reading on March 15 of 1990. That makes it some two years since this particular piece of legislation has found its way through the Manitoba Legislature and has been waiting to be implemented in our communities.

Now I do not know why the Minister of Health (Mr. Orchard) would sit on a particular piece of legislation unless it is strictly for political purposes, not taking into consideration the impact that it is having upon our communities in the province. That is unfortunate, if the minister is playing politics with the health of the residents—of the citizens of Manitoba.

I look back, Mr. Speaker, because my colleague the member for St. Johns (Ms. Wasylcia-Lels) has raised this issue in the Legislature, as has the Liberal Party raised this issue on several occasions, asking why this antisniff has not received the necessary Royal Assent and been put into force. It is my understanding that Bill 91's intent was to amend The Public Health Act to cover such products as glues and lighter fluids, cleaning solvents, certain gasoline products and nail polish remover. It is also my understanding that the legislation has broad, community-based support and has been strongly endorsed by the City of Winnipeg Police Department, and I am sure that there are other police forces in the province of Manitoba that would give their support to this legislation as well.

My colleague, as I was indicating, Mr. Speaker, has time and again requested information on this legislation—why the minister refuses to bring forward this so that we can deal with this very serious concern.

I note in some of the Hansard, particularly on July 23, 1991, when the question was again put to the Minister of Health by the member for St. Johns and the minister refuses to share, and I quote from Hansard, when the advice is received—because the member for St. Johns was asking for legal advice that the Minister of Health might have. The Minister of Health said: ". . . when the advice is received by myself, I will share that advice with my honourable friend."

Well, Mr. Speaker, as we saw today, during the concerns that we were addressing in the Legislature here, where the Minister of Agriculture (Mr. Findlay) gave his word and then revoked his word on an issue that was very, very important to the farm producers of our province, we see the same situation, the same pattern developing. The Minister of Health has done it. The Minister of Agriculture is doing it. They give their word, Mr. Speaker, and then they do not live up to their word. They do not keep their word.

That is why the member for St. Johns has asked for an Address for Papers, to find out what the legal

opinion is that prevents the Minister of Health from implementing this legislation by bringing it forward. The minister, of course, steadfastly refuses to provide that information, and that is why we find ourselves addressing this concern here again today, as we have on many occasions, since the minister's refusal to come forward with the legal opinion.

The member for St. James (Mr. Edwards) in the past has spoken to this issue as well, and has raised it in the Manitoba Legislature. He talked about the long-term treatment. We have hospital beds—and I know the member for St. Johns (Ms. Wasylycia-Leis) has talked about this on many occasions as well, talked about having long-term programs to provide treatment for addicts in our province. Yet, we sit back and we do not look at the short-term preventative measure programs that we can put in place that this antisniff legislation would provide for.

* (1710)

While the government is willing to commit some dollars to long-term care, they are not willing to take the preventative, community-based measures to prevent those individuals that are intent on sniffing from having access to sniff, Mr. Speaker.

That is unfortunate that they have this shortsighted view of what is best for us in this province. Had they had a long-term view and been concerned for the residents of our province that are using sniff, Mr. Speaker, they would have put in place this antisniff legislation, because it is a preventative program.

In 1991, February, the Minister of Health (Mr. Orchard) said that it required further study of the legislation because it was flawed. Yet there was no indication that it was flawed, Mr. Speaker, when he gave his support and the support of his government at that time for this legislation. The minister says that it is flawed and yet he refuses to come forward with legal opinion to indicate where it is flawed, so that we might have the opportunity of amending the legislation to make it applicable and to make it within the realities of law within our province.

He refuses to table that legal opinion. That is unfortunate for a minister of our province, Mr. Speaker, that he is refusing to undertake something that is vital to our residents, our citizens of this province.

I am, I suppose, somewhat fortunate, even though a lot of the sniff that takes place in our communities does not appear to be, although I am sure it is there, as rampant in my own community. I hope that that will not change in the future, but I believe that we have to go forward with this legislation now to deal with the situations as they occur in other constituencies, in other communities through our province.

I had a personal experience, Mr. Speaker, on this, what I believe to be, sniff. Some number of weeks back, I was confronted by an individual in the parking lot of the Manitoba Legislature, and with my previous employer I had been trained to detect those who may have been under the influence of certain substances, including sniff, alcohol or drugs. It was a preliminary training, but there were certain signs that one can detect and, of course, that, as my former job required me to do, I was to bring forward that information to company officials at the time.

On this incident that I was involved with, Mr. Speaker, on the grounds of the Legislature some weeks back, the individual that did confront me had no signs of alcohol abuse. Yet the individual had slurred speech, was unsteady on his feet, and had a very glassy-eyed look to the individual. That, to me, indicates from the preliminary training that I have had that the individual was involved with some form of sniff or substance abuse.

Yet I find myself concerned for the plight of this individual, because the individual obviously has fallen on hard times, and this individual did not have the opportunity to have the things in life that a lot of us take for granted. I feel, Mr. Speaker, that had this been the case, had this individual those opportunities, his life might have turned out different. I think that, if we had this antisniff legislation in place that would allow the police forces and the agencies of our province the opportunity to control products that are being abused, this individual may not have found himself in that position.

So it is unfortunate circumstances of life and products that may be too readily available for abuse in our communities that are the problem. That is why I call upon the government, the Minister of Health (Mr. Orchard) and the Premier (Mr. Filmon), to bring forward and put into place this antisniff legislation. If there is reason for concern by way of needing amendments, then I call upon the government to bring forward the legal opinion so that we might amend the legislation if it is flawed, and we

do not know that because the government refuses to come forward, that they give us that legal opinion so that we might amend that legislation to do what is right for those less fortunate people in our society.

With that, Mr. Speaker, I would like to conclude my remarks, and I hope the government will listen to the advice that many of us in this Chamber have brought forward on this issue.

Mr. Speaker: As previously agreed, this matter will remain standing in the name of the honourable Minister of Labour (Mr. Praznik).

PROPOSED RESOLUTIONS

Res. 17—Permanent Voters' List

Mrs. Sharon Carstairs (Leader of the Second Opposition): I move, seconded by the honourable member for Osborne (Mr. Alcock), that

WHEREAS the Manitoba government is in serious financial trouble; and

WHEREAS it is imperative that initiatives that may reduce government costs be evaluated; and

WHEREAS due to the current electoral system, enumerations were undertaken in 1986, 1988 and 1990; and

WHEREAS the total cost of enumerators' fees and printing the voters' list for the three years was \$1,916,559.16; and

WHEREAS other jurisdictions, such as British Columbia, have implemented systems to maintain the currency of their voters' lists; and

WHEREAS databases exist in the province which would assist in data compilation,

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the government to investigate the possibility of establishing a voters' list database to be kept current on an ongoing basis to reduce the expenses related to formulation of these lists.

Motion presented.

Mrs. Carstairs: Mr. Speaker, I am delighted to rise today to speak on the resolution which urges this government to look very seriously at the purpose of a permanent voters' list.

If we look at the province of Manitoba, which according to the census yesterday has 1,091,000 people in it, we know that they are enumerated on a number of different occasions. They are enumerated for federal elections, and all of us in this Chamber, I think even on the government side,

would like to see that enumeration take place as soon as possible. Secondly, they are enumerated on a provincial basis. Then they are enumerated on a municipal basis, particularly in the city of Winnipeg.

Every time we go through that process, we spend a great deal of time and money. It does a number of things. First of all, it makes the election period of time much longer than I think many of us would like to see it. You can have a general election in the United Kingdom in a much shorter period of time than we can have a national election here in Canada.

We have a situation in this province where we have a 49-day election writ for the most part, a 35-day election writ in the case of a by-election. The voters, quite frankly, are often fatigued with electioneering by the time we get around to it, but the reason why we have to have those extensive periods of time is because we have to enumerate for each and every citizen who is eligible to vote in that period of time.

* (1720)

In addition, we know that there have been incredible failures in the enumeration process. It does not matter whether it is in a provincial election or a federal election; great quantities of people never do get enumerated. You will get those complaints over and over and over again, that this apartment block was left out, this street was missed, or that side of the street was missed. The opportunity in the province is not so bad because if you produce ID, then you are given the opportunity to vote. In the federal election, those kinds of options are not as readily available.

Yet, Mr. Speaker, we do have a database in the province of Manitoba which lists almost every single Manitoban, and that is our health care numbers. Not only that, but that is a database in which people very quickly make changes of address, too, because in the course of a year almost every citizen goes to see a doctor once, sometimes more frequently. They are admitted to hospital or to a walk-in clinic, and when they do that they have to produce their health care number.

Shortly after the production of that number is provided, they are then asked: Is this still your current address? If it is not the current address, the medical practitioner's office will inform the individual that they must have that corrected, and in addition, they frequently inform the Manitoba Health Services

Commission that a change of address has taken place.

In addition, you are not eligible for a health care number in the province of Manitoba until you have established a certain residency. That residency is almost identical to the residency which we provide for the ability to vote. In addition, when you turn 18, you get a Manitoba medical health insurance card in your own name, which again makes for a database which very closely mirrors a database that we would require for the establishment of a permanent voters' list.

The one thing that we do not ask for, in terms of a Manitoba Health Services insurance card, is citizenship. That is a question, however, that I think has not been well served even by the enumeration process. We know of many who have been enumerated who were not Canadian citizens simply because the question had not been asked or the individual did not understand the question. It would not be all that difficult to add that question to a registration form for the Manitoba Health Services, making sure that that would not, in any way, affect their health service coverage but would impact upon their ability to vote because they would not then transfer that information into the enumeration. So there is a clear database available that could be readily made accessible for this purpose, and it would provide us with the list.

Now, what could be done with that list? Well, I can see a number of purposes. I can even see some income generation coming from these lists. For example, at the present time, political parties, through their candidates, are entitled to voters' lists during an election campaign, but they are not entitled to those voters' lists between campaigns. Well, perhaps we could sell it to them in a given year. If any political party wished to purchase it, a fee could be established and that fee could be given in a nonelection period of time. That fee could be a generator to offset some of the costs of maintaining the voters' lists.

Lists could be sold to the federal government that has not had the foresight to put forward such a permanent voters' list. The list could even be sold to a municipality, including the City of Winnipeg, so they could avoid the purpose of having to redo their enumeration list.

One of the difficulties in the present enumeration is finding enumerators. At one point, when there were a great number of women who worked inside

the home but not outside of the home, then it was relatively easy to find enumerators to take on this part-time function. It has become more and more difficult to find enumerators who are prepared to go out on the streets when an election is called and to formulate this list. This would avoid that particular difficulty that we are presently encountering.

We would have, I think, a system which, while not foolproof, because no system is foolproof, would also lead, I think, to the clearly defined database of a potential voter. The addresses would be as up-to-date as it is possible to make those lists up-to-date, and we would also have to maintain our present ability to swear in at a voting station, if for some reason your name was on the wrong list or you moved in between the time the last list was updated and the present time. Those things would obviously have to remain in place.

What we have to do here is determine what the costs would be. That is why we have simply asked the government not to put it in place but to evaluate whether this is a reasonable process where we could save money, where we could make the process more efficient, where we could in fact lead to the possibility of shorter election writs. That is what we really want the government to do, investigate, to evaluate whether this is indeed on the leaning edge.

We know we have the technology; 30, 40 years ago we did not have a technology which would make this kind of thing possible. We do have that technology today, and because we have the technology I think that we must at least look at the technology to see if it would serve this purpose well. If it serves the purpose well, and it is a cost-saving measure for government, it provides for efficiency, it even is a money-saving thing for a government to do, then by all means let us move towards it in the province of Manitoba.

I look forward to getting support for this from the government and from the other opposition party, because I think such an evaluation brought back to this House then for clear view by members as to how it would function, how it would work, is the way in which to proceed.

Thank you, Mr. Speaker.

Mr. Doug Martindale (Burrows): It is a pleasure to take part in this debate because it is an interesting idea and as the Leader of the Liberal Party pointed out, it is being used in one other province in Canada. I think all of us as MLAs in this House are very

interested in anything that has to do with voting procedures and, in particular, anything that has to do with improving voting procedures.

I think all of us are better off if more people are enabled to exercise their democratic right to vote.

The previous speaker pointed out that there is a great expense involved in enumerating voters, and so we would support anything that reduces the cost to the provincial government of enumeration, which I think we can correctly assume that a permanent voters' list would do. Because one would also assume that you would only need to update the information, you would not need to redo it every year. You would just make additions and subtractions to an existing database of voters' names and addresses.

The previous speaker also pointed out that one of the reasons we have such long election campaigns is in order to allow the enumeration process to take place. I would also have to concur that part of the reason that voters are so cynical about the democratic process in Manitoba and in Canada and elsewhere is because they get overloaded with information during election campaigns. It contributes to their cynicism about politicians as well as the political process partly because campaigns are so long and people are inundated with information by the media night after night after night, or day after day after day in the case of the print media and every evening in the electronic media.

We know that there are significant differences between federal legislation and provincial legislation. For example, at the federal level now, voters cannot be sworn in on election day, I believe. However, at the provincial election, they can be. In fact, I would like to tell, very briefly, a story about my experience with this. In the 1988 provincial election in Burrows, my predecessor, the previous member for Burrows, Mr. Bill Chornopyski, took numerous voters to the polling places and had them sworn in on election day, which was a good thing for him to be doing. In fact, since he only won by 109 votes, I think probably he swore in at least 109 people on election day, which no doubt contributed to his victory.

It is always a good thing to swear in somebody or to help somebody get sworn in on election day. It can always contribute to an election victory in a close election race. So I commend my predecessor from Burrows, Mr. Chornopyski for that behaviour which I observed him doing on election day.

I think there are a number of pros and cons to having a permanent voters' list. As I pointed out and the previous speaker pointed out, it could lead to reduced costs of enumeration. Another advantage would be that hopefully it would eliminate the problem of numerous people not voting. I recall that in the 1988 federal election there were numerous examples of people who were not enumerated, especially in the inner city in Winnipeg North Centre constituency.

* (1730)

In fact, I think there were allegations about enumerators missing whole apartment blocks. I do not know why that came about. It could be that enumerators were unwilling or unable to go into certain apartment blocks in certain neighbourhoods. I do not know what the reason was. It is very regrettable when anyone is not enumerated, and therefore not allowed to vote. This is even more disappointing when large numbers of people are not enumerated and are not able to vote.

I think another advantage is that homeless people could be enabled to vote, if there was a permanent voters' list. Some people might, if the legislation allowed it, want to declare that Main Street Project, for example, was their permanent address. If people are homeless but using the services of Main Street Project as a temporary shelter, then I think it would be a good idea if the legislation would allow people to designate a certain address of a social agency so that they could vote.

Voting is not just a privilege, it is also a right. We should help and assist people to exercise their democratic rights, in this case a very important one, and that is the right to vote. After all, even homeless people benefit from government services. They should be allowed to determine what political party is going to be in office, because a great many pieces of legislation affect homeless people, and so we should be concerned about their rights as well.

There are disadvantages to a permanent voters' list, depending on what the legislation says. We on this side do not want a permanent voters' list or any kind of system which is like the American system of voter registration, wherein, if you are not registered, you are not allowed to vote.

We think that has negative consequences. We know that there are very low voter turnouts in the United States. I believe in the last presidential election year the voter turnout was something like 51 percent, which is much, much lower than in

Canada, and much, much lower than in Manitoba. We would not like to see any kind of system which discourages people from voting.

I think one of the highest voter turnouts provincially in Canada is in Saskatchewan, where I believe something like 88 percent of voters turned out to vote on election day in the last provincial election. Of course, you always get more people coming out to vote when there is a change in government and people want to throw out the incumbents.

I was in Saskatchewan on election day helping poll the vote, and I did not have very much to do. I was in Indian Head, Saskatchewan, Indian Head-Wolesey constituency.

An Honourable Member: Did you win?

Mr. Martindale: Yes, we won. In fact, the local people could not remember the last time that constituency voted NDP and had an NDP MLA, but they came out in droves. There was very little to do in terms of polling the outside vote.

I was very anxious. I was sitting around the campaign headquarters, saying: Let us get out and knock on doors. They said: Relax, Doug. Everything is under control. By 5:30, almost everyone had voted. We had to knock on about five doors, and there were only about three people who did not come to vote, and all of them had good reasons for not voting.

So it is kind of fun to work in an election like that. Regrettably, it is very different in a constituency like Burrows where low-income people do not feel empowered. They do not feel that anything they do is going to substantially make a difference, so we have a very low voter turnout, I believe something like 68 percent, which would be quite a bit lower than the provincial average. That is regrettable, because poor people are greatly affected by laws of the provincial Legislature and policies of the provincial government, regardless of who is in office.

I wish that there was some way to help people to feel that it was in their best interest to vote and that their voting did make a difference. If a permanent voters' list helped that process, then that is one more reason to support this resolution of the Leader of the Liberal Party (Mrs. Carstairs). In fact, the idea of making a list available to political parties is something that I could also endorse personally, because right now we go to great expense to update

our database because the voters' list gets out of date.

When you do mailings and things come back, then you have to have somebody being paid to sit at the computer and update the list. We all know that that staff time is being paid for out of our constituency allowance, and if there were some other way that we could do that, then that would be worthwhile pursuing. A permanent voters' list would certainly save on our staff time in updating our mailing lists which are basically based on the voters' list in the last provincial election. [interjection]

In response to the member for St. Norbert (Mr. Laurendeau), I am quite sure that I am not doing anything different than any other MLA in this House. I am quite sure that everyone here is quite computer literate and is using the same techniques, regardless of which party they are in. Well, some people choose to spend their money on mailings, and some people choose to spend it on donations to organizations. Some of us spend it on salaries to help constituents with their problems, and other people do not even have constituency offices.

It will be very interesting, Mr. Speaker, when there are compulsory rules on declaration of expenses and people have to declare their capital expenses, have to declare their salary, have to declare other categories—it will be very interesting to compare members and declare parties and see who is spending their money where and what their priorities are. I look forward to reading that information some day.

I would like to give the unqualified support of our caucus to this resolution. However, we have not had a chance to caucus it. We have not had a full discussion on whether or not we support it in an unqualified way. So, in conclusion, I would just say that I would give it a qualified endorsement. It is a good idea. It should be pursued. It is really only asking the government for information. We certainly support a request for information so that further study can be done on this.

Thank you, Mr. Speaker.

Mr. Marcel Laurendeau (St. Norbert): Mr. Speaker, it gives me pleasure to rise today to speak to Resolution 17, the Permanent Voters' List. I must say, though, that I do miss the first member who brought it forward, the member for Crescentwood. I believe that he put a lot of thought into this when he was bringing it forward at the time. We miss his—[interjection] No, I believe it was in the name of

the member for Crescentwood prior to—If I am incorrect—I thought it was one of his just by the appearance of it—then the member for River Heights (Mrs. Carstairs) has done a great job as far as doing her information on this.

Mr. Speaker, I am glad that the members of the Liberal caucus have finally realized that the Manitoba government is in financial trouble. I only hope they realize that that financial trouble was brought upon us by the NDP in the past in the way they spent their money and their allocations in this government.

I do have to agree with the Leader of the Liberal Party that it is about time that governments start working together, not only municipally, but throughout—federal and the territories, to try and make a voters' list that is accumulative of everyone within one database.

I think that database would be best served out of the provincial governments, and there are reasons for that. I think the honourable member has brought a couple of those forward, and the medical files are within the provincial responsibility, and that is one of the best databases available to us.

* (1740)

I do not believe the federal government would have a fast enough updating system to bring forward what we need in this database. So the best location would be to bring it forward within the provincial government, Mr. Speaker.

There are a lot of different alternatives that can be looked at when bringing forward this database. The registrations should be the responsibility of the state, in some fashion, to ensure that the voters have the opportunity to register all the way until election day. I do not think there should be a date where they are actually cut off.

We have to have the full, open access to election day. I think that is what the democratic process has given us. I think we have to start opening it up more to the public so that they have the options of coming forward, but we do have to have a security blanket to see that there is a protection on that day.

The only protection that would be available to us is this database. To secure that the database is properly done throughout, not only the province, but municipal governments, we have the DMV, and we have the medical areas that we can touch on to do it.

You know, one of the concerns that some voters have brought to my attention that I have been discussing is their rights with their names being out in public. I have let them know that the voters' lists have always been public anyway, in that fashion. I believe that they should have the option of being able to be allowed to remove their names from that voters' list if they wanted during that period of time.

I do not believe we as a province should have the right to enforce them to have their names on that list. I believe that is the individual's right, to have his name on the list seeing as that is a file that we are maintaining on him. I do not believe that we are in the place here to start putting in databases and legislating that people have to be on a list. That should be up to the individual and I think that is an individual right. Now, we could have some more debate on that, but that is something that has to be researched into the future, Mr. Speaker.

The voters' lists are being used in a number of areas already and have proven very cost effective. Countries such as Australia have been using it, the U.K. has been using it. In Australia—I have not got the figures right here—but I believe it was a \$1.26 per voter versus Canadian, on the federal level, was \$1.58 per voter versus our enumeration process versus their database process.

So right there was the cost-effective method that was being brought forward. So I believe that is one of the reasons that we should be looking at moving into that direction.

We are moving into the computer technical area. I mean, we are starting to carry computers in our pockets. If you check with the honourable member for Osborne (Mr. Alcock), he has always got his computer available. He has always got that database with him.

It is important that these databases start being updated. Not all members, like the honourable member for Osborne (Mr. Alcock), enter every one of their constituents into their database every time they talk to him. But this member is able to enter every speech that he has had with every constituent into his little database, and he can go home and enter it into his database.

He is able to keep a very good voters' list, probably better than any government could ever keep.

An Honourable Member: Now that he is married he will not have time for all that.

Mr. Laurendeau: Yes, he probably will not have as much time now, though, to keep that list up to date. I think he is going to have other things occupying his time. But we will leave that for another debate, Mr. Speaker.

An Honourable Member: The days are shorter...

Mr. Laurendeau: The days are getting shorter, Mr. Speaker.

The selling of the lists, I believe, is a very important cost of the maintenance of that list, the municipal governments, the school boards, the federal government, and also they could be used for referendums and any other type of area where we have to get out to the people—and it is a lot of cases where we have to get out to the people.

The provincial government, in some cases, has to get out to the people with certain issues, and that list should be available for them to get out. Governments should be available to get to the people. In some cases they need an avenue, and that would be an avenue for governments to see and get responses from people in different mechanisms, Mr. Speaker.

I do not know if I agree with selling the list to political parties in between. I think I would have to think about that one, but that is all in the process on how the debate would carry forward when the legislation was coming forward, if we could get it that far. I think that might be intruding just a little too much.

I think it would increase our mailing ability to a point where we would be spending as much as the NDP, and I would never want that to happen. I mean, they are already overspending and that is why I am surprised they even qualified that they might support this.

Right in the opening statement it said that we are in financial difficulty, and I am sure they realize where the financial difficulties came from. I mean, everybody realizes what that was, Mr. Speaker.

Mr. Speaker, do I have—only two minutes left? My little light is—seven and a half, thank you.

One of the areas I would like to touch on is, with the database being brought forward, the enumeration process would not be necessary, which would shorten the length of elections, which would be very cost-effective and maybe not drag on to that extreme length. I do not think we have to have election campaigns running 50 and 60 days. I think to shorten it down to 32 days would be a much

more effective system. That is one of the benefits that will be brought forward with the permanent list, Mr. Speaker.

The costs of setting up and maintaining these lists, I believe, could be borne by all levels of government, as we have explained. Also, a good portion could be brought in by selling the list to the database, basically the centre for other types of studies that can be done when you have that many people in one database. We could become not only a research facility for data, but there are other spin-off benefits from having it.

* (1750)

Mr. Speaker, there are also concerns of copies of the permanent list being obtained outside of an election and used for other means than election activities. The current lists are not available outside of the election and the permanent list should follow those same rules, as I had said before.

Mr. Speaker, I move, seconded by the honourable member for Rossmere (Mr. Neufeld)

THAT Resolution 17 be amended by deleting all the words from and including "THEREFORE BE IT RESOLVED" and replacing it with the following:

WHEREAS a permanent voters' list could have the benefit of a shortened election campaign and provide for easier verification of nomination papers of a candidate; and

WHEREAS a permanent voters' list has the possibility of being a more efficient and cost effective system of compiling voters' lists; and

WHEREAS a portion of the costs for setting up and maintaining the list could be recouped by the selling of the list to federal and municipal governments.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the government to investigate the possibility of establishing a permanent voters' list that will be kept current on an ongoing basis through use at all three levels of government; and

BE IT FURTHER RESOLVED that the adoption of such a list be based on the principle of the list being more cost effective and efficient than the current system of enumeration.

Motion presented.

Mrs. Carstairs: Mr. Speaker, on behalf of my party, I would like to say that we will accept this as a friendly amendment. We believe that it certainly

does not violate the spirit of the original resolution in any way, shape or form.

An Honourable Member: Question, question.

Mr. Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment of the honourable member for St. Norbert (Mr. Laurendeau),

THAT Resolution 17 be amended by deleting all the words from and including "THEREFORE BE IT RESOLVED" and replacing it with the following:

WHEREAS a permanent voters' list could have the benefit of a shortened election campaign and provide for easier verification of nomination papers of a candidate; and

WHEREAS a permanent voters' list has the possibility of being a more efficient and cost effective system of compiling voters' lists; and

WHEREAS a portion of the costs for setting up and maintaining the list could be recouped by the selling of the list to federal and municipal governments.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the

government to investigate the possibility of establishing a permanent voters' list that will be kept current on an ongoing basis through use at all three levels of government; and

BE IT FURTHER RESOLVED that the adoption of such a list be based on the principle of the list being more cost effective and efficient than the current system of enumeration.

Is it the pleasure of the House to adopt the motion? [Agreed]

The question before the House is Resolution 17 as amended. Is it the pleasure of the House to adopt the motion? [Agreed]

An Honourable Member: Six o'clock.

Mr. Speaker: Six o'clock?

An Honourable Member: Next resolution.

Mr. Speaker: Next resolution? Next resolution?

Some Honourable Members: Six o'clock.

Mr. Speaker: Is it the will of the House to call it six o'clock? Six o'clock, agreed.

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

Legislative Assembly of Manitoba

Wednesday, April 29, 1992

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