



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

**DEBATES
and
PROCEEDINGS
(HANSARD)**

42 Elizabeth II

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Speaker*



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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 |
| CHOMIAK, Dave | Kildonan | NDP |
| 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 |
| GRAY, Avis | Crescentwood | Liberal |
| HELWER, Edward R. | Gimli | PC |
| HICKES, George | Point Douglas | NDP |
| LAMOUREUX, Kevin | Inkster | Liberal |
| LATHLIN, Oscar | The Pas | NDP |
| LAURENDEAU, Marcel | St. Norbert | PC |
| MALLOWAY, Jim | Elmwood | NDP |
| MANNESSE, 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 |
| ORCHARD, Donald, Hon. | Pembina | PC |
| PALLISTER, Brian | Portage la Prairie | PC |
| PENNER, Jack | Emerson | PC |
| PLOHMAN, John | Dauphin | NDP |
| PRAZNIK, Darren, Hon. | Lac du Bonnet | PC |
| REID, Daryl | Transcona | NDP |
| REIMER, Jack | Niakwa | PC |
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| ROCAN, Denis, Hon. | Gladstone | PC |
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| 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 |
| <i>Vacant</i> | Rossmere | |
| <i>Vacant</i> | Rupertsland | |
| <i>Vacant</i> | The Maples | |

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, July 19, 1993

The House met at 8 p.m.

ORDERS OF THE DAY

(continued)

Committee Changes

Mr. Edward Helwer (Gimli): Mr. Speaker, I move, seconded by the member for St. Vital (Mrs. Render), that the composition of the Standing Committee on Law Amendments be amended as follows: the member for Springfield (Mr. Findlay) for the member for Seine River (Mrs. Dacquay); the member for Portage la Prairie (Mr. Pallister) for the member for Assiniboia (Mrs. McIntosh).

* * *

Hon. Clayton Manness (Government House Leader): Mr. Speaker, would you call the bills in this order, please: 26, 45, 54 and 51, followed by 42.

DEBATE ON SECOND READINGS

Bill 26—The Expropriation Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Justice (Mr. McCrae), Bill 26, The Expropriation Amendment Act; Loi modifiant la Loi sur l'expropriation, standing in the name of the honourable member for Burrows, who has 30 minutes remaining.

Mr. Doug Martindale (Burrows): Mr. Speaker, the last time I spoke on this bill I was talking about fairness, and the fact that we object to this bill because we believe there is a major change in the area of fairness. It is a very important bill because it has to do with expropriation, which is a very powerful right or prerogative that most states have for themselves, normally only used under exceptional circumstances or when the state believes that what they are doing is in the best interests of the whole society.

We believe that the change that is being made does not protect the rights of individuals sufficiently and, therefore, it is a negative change.

This bill, although presented by the Department of Justice, will be administered by the Department

of Government Services. Currently, compensation for land expropriation is determined by the Land Value Appraisal Commission. The expropriating authority is bound by LVAC ruling, although owners may have compensation determined by the Court of Queen's Bench.

When the Attorney General (Mr. McCrae), I guess it was, spoke, he gave the government's reasons for making these changes, one of which the government claims is the perceived duplication of function of the Land Value Appraisal Commission and the Court of Queen's Bench and also in order to reduce the length of time to resolve claims and reduced accrual of interest on compensation awards.

We hope that the Minister of Government Services (Mr. Ducharme) enjoys being responsible for this piece of legislation. I wonder if the minister appoints the people on the appraisal commission. Are those government appointments to the appraisal commission? [interjection] Well, then the minister has a new responsibility.

An Honourable Member: No, we appoint them now.

Mr. Martindale: No? Well, the government appoints them now but I am sure that they will be consulting the Minister of Government Services for his suggestions as to who to appoint.

An Honourable Member: No. We do now. Government Services appoints them now.

Mr. Martindale: Oh, Government Services appoints them now. Oh, pardon me.

The change that we have objected to is that recourse to the Court of Queen's Bench would be allowed only after going to the Land Value Appraisal Commission.

The other major change to the legislation is in the interest paid on the compensation awards. Now the rates of interest will be based on the rates set under The Court of Queen's Bench Act, or prejudgment interest, namely, semiannually instead of annually.

So, in conclusion, because this legislation removes—

So, in conclusion, because this legislation removes—

An Honourable Member: You have not studied it.

Mr. Martindale: Oh, I think this is a pretty short bill. I must have read it in its entirety. No, I doubt if I did, because it is not necessary. Second reading is in principle, and so you do not need to read clause by clause, because clause by clause is third reading, right? So you just need a little advice before you speak so you know what you are talking about.

An Honourable Member: Just think of north of Portage

Mr. Martindale: Well, north of Portage is a good example, one that I did not use last Friday. Last Friday, I talked about two other examples. Now, what were they? The Red River diversion and the north Logan expropriation, but north Portage is another example. I remember there were a number of court cases that resulted from that because people thought that they were not adequately compensated.

In fact, The Forks was another one. At the time, I happened to be on the Manitoba Municipal Board when the property was being expropriated. I remember, somebody came to the Municipal Board, appealing the decision around the expropriation, and I believe it ended up in the courts.

It was very interesting listening to the arguments by the property owner, represented by their lawyer, as to whether it was fair or not. I do not remember how we ruled. We must have ruled against them, because they went to court.

An Honourable Member: What was the incentive of the lawyers to get the job done?

Mr. Martindale: Well, the lawyers always want to get paid. That is their incentive.

(Mrs. Louise Dacquay, Deputy Speaker, in the Chair)

As I recall it, there was only one holdout, and they had a very small piece of property, a minuscule piece of property compared to the amount of land that was being expropriated in The Forks. It did look at the time like they were maybe trying to be the last holdout hoping that they might get greater compensation, but I do not think that has a great deal of bearing on why the government proceeded with this bill.

Well, I would like to ask the minister why, but I think I will have to wait until he speaks on the bill or until committee. [interjection] Well, I know the government is only going to put up one speaker here, and if they want to they can put up more speakers, but we still believe that individuals have rights and that the government should not take them away, because in expropriation the government has a very powerful tool.

An Honourable Member: Do you understand what you are doing?

Mr. Martindale: I do understand that there is a change in this bill.

An Honourable Member: By law they can appeal.

Mr. Martindale: Well, they cannot appeal—

An Honourable Member: Not the amount.

Mr. Martindale: Not the amount. Why do people appeal? I mean, people appeal because they disagree with the amount.

I am sure that our critic can explain this in terms that are much more articulate than I can, but I have watched previous examples, and I have listed some of those previous examples in debate, and it is always the amount of money that people contest. That is the reason that people go to court. [interjection] Well, of course, government does not want to do this, because it is government money that is being paid out in expropriation, so I understand that the government has a self-interest not to allow people to appeal the amount, because if they are successful on appeal, then the government is going to have to pay out more money. Do people win most of the time on appeal? I do not think that is the most important issue.

The most important issue is the rights and whether or not people have the right to appeal. So, because this legislation removes the right of a landowner to appeal the amount of compensation through the courts, we will not be supporting this legislation. There are many, many government commissions and boards that the government appoints their supporters to. All parties do that when they are in government. In this case it is quite significant that it is Order-in-Council appointments, because now instead of the courts deciding the amount of compensation, it is this commission that is deciding the amount of compensation.

I think we can suggest that it is even more important than usual, it is more significant than usual after this bill is passed, because surely it will pass—the government has a majority—it is even more important than usual who the government or this minister names, suggests to his government will be on the commission. They are going to have a lot more power than they did in the past, this commission of politically appointed individuals will decide on the amount of compensation.

Madam Deputy Speaker, with those few remarks, I will conclude. Thank you.

Ms. Becky Barrett (Wellington): Madam Deputy Speaker, as Justice critic I am going to put our caucus's final words on second reading on Bill 26 on record.

Madam Deputy Speaker, as the member for Burrows (Mr. Martindale) has stated, we are going to oppose this bill in second reading. We will oppose it in committee, and we will oppose it in third reading.

* (2010)

The minister, when he brought this piece of legislation forward, said that there were two basic changes that were going to be looked at in this piece of legislation. The first change was the fact that there currently is duplication in the adjudication process for determining compensation payable on expropriation. The second general principle of this amendment is to reduce the length of time to resolve claims and the corresponding accrual of interest on compensation awards.

I would like to open my remarks by talking about the second of those principles first, which is the reduction of the length of time to resolve claims and the accrual of interest on compensation awards.

My understanding, Madam Deputy Speaker, and again our lack of opposition to this second principle is based on what we have received from the minister. By changing the time period of determination of accrual of interest it means that there will most likely be a reduction in the interest payable, and it will be more flexible and more reflective of the accuracy, the current financial considerations. We have spoken in other pieces of legislation saying this is a legitimate thing to have happen.

My understanding is that it will be every six months instead of once a year, that kind of thing, or I may be mixing this bill up with another one, but

whatever. The principle is that it is more reflective of current realities and we are not in opposition to that, Madam Deputy Speaker.

However, in the first principle of the bill which is the "duplication" principle, is where we bring forward our unalterable opposition.

This government, Madam Deputy Speaker, has a marvelous propensity for changing the definitions of words. I need only to remind members of the word and the definition that we have all grown up with of the word "contribution" and what the Minister of Health (Mr. Orchard) has done to the definition of the word contribution. It no longer, at least not in the lexicon of the Minister of Health, means something that is voluntarily given. No. First with the Northern Transportation Program there was going to be a contribution of \$50 each time a northerner had to come out to access medical services outside of his or her local region. There are many examples, but the latest one is the contribution that people who have medical situations requiring things like ostomy supplies, crutches, walkers, things like that, they are also going to be asked to contribute 50 percent of those costs. This again is an example, Madam Deputy Speaker, of this wonderful talent this government has in reworking and redefining certain words.

In the context of Bill 26 this is very clear as well. The Minister of Justice (Mr. McCrae) talks about the duplication in the current adjudication process for determining compensation payable on expropriation. The current situation, Madam Deputy Speaker, is that an owner of property has his or her property expropriated by the state and an amount of money that the owner is given in return for having his or her property expropriated is determined firstly by the Land Value Appraisal Commission. I will get into the Land Value Appraisal Commission shortly.

Currently if the owner objects to the amount of money being offered for the expropriation, the landowner has the right to appeal the Land Value Appraisal Commission amounts directly to the Court of Queen's Bench, and this is because the concept of expropriation is such an enormous one. The power that expropriation gives to the state is one of the most powerful tools that the state has. The person who owns the land has no recourse to the fact that the state is going to take his or her land. The only recourse the landowner has is in the amount of the money paid to him or her in

recompense for losing the land, which may or may not have been in the landowner's possession or family for generations, decades, generations, whoever knows.

So while we agree in principle with the concept of expropriation, because it allows the state to take over land for the good of the entire citizenry, one would hope, we also have always said that you must balance that power with the responsibility and the rights of the landowner. The landowner has no rights as to whether his or her land will be expropriated, but up until Bill 26 the landowner has had the right to appeal directly to the Court of Queen's Bench as to the amount that the Land Value Appraisal Commission is giving the landowner for the value that they are placing on that land that they are expropriating.

Now, this is the process, Madam Deputy Speaker, that the government is saying is a duplication. They are saying this is a duplication because the landowner has the right to go to court, but that only the landowner has the right to go to court. The expropriating authority, i.e., the state, does not have the right under the current legislation to appeal the ruling of the Land Value Appraisal Commission. That is, again, a balance of power to ensure that the state, with its overweening power in the expropriation aspect, does not also have the ability to railroad through an appeal on the amount of money. So currently there is a rough justice here in expropriations. Now, there are some situations where it takes a great deal of time and energy to get a final determination, but there is an avenue there that is available almost immediately to a landowner if he or she is unhappy with the amount that has been assessed by the Land Value Appraisal Commission.

The government states that this process that is currently underway is a duplication because they state that allowing the expropriated owners to have their case adjudicated in two forums, two fora, one being the Land Value Appraisal Commission and the second being the Court of Queen's Bench, results in a duplication of legal appraisal and consulting fees. [interjection] Well, yes, it may very well result in a duplication, but that is the way the process works in every appeal process. There is, by definition, a duplication of some of these services.

My reading of this legislation and the second reason why the government has stated there is a

duplication of process is the real reason the government is bringing this piece of legislation in and that is the resulting delay in settlement by having to go in some cases through the Land Value Appraisal Commission and then to the Court of Queen's Bench increases the amount of compensation being paid by the expropriation authority.

We discussed this afternoon in the context of Bill 41 and we have discussed in other pieces of legislation, several of which have been brought forward by the Minister of Justice (Mr. McCrae), the fact that this government is making reactionary regressive changes to legislation that impact on people unfairly because they want to get more money or they want to spend less money. That gets right back again to the problem that we have faced in the past, which is the underlying problem of this government, they have no plan.

They have no economic plan. They have no revenue generating plan. They have no job creation strategy. They do not have any kind of plan. Their only actions, and I do not even think you can call it an overall plan, that the government undertakes, whether it is in health care, social services, education, justice or even something as seemingly simple as expropriation, their only actions are to cut services, to cut the rights of individuals, to cut the rights of groups, to narrow the focus of legislation, narrowing always the rights and options for individuals and groups of people.

We have spoken in this House for three years that I know of, and two years before my election, since this government was elected in April of 1988, about this government's inability to think strategically, their inability to come up with a coherent plan.

Mr. John Plohman (Dauphin): Their insensitivity.

* (2020)

Ms. Barrett: Their insensitivity, as the member for Dauphin states so accurately, to the needs of the majority of the people of the province of Manitoba and as well they are putting the aura, if you will, around these draconian regressive pieces of legislation of being more flexible, of being more efficient, of being more effective, of being fiscally responsible.

Well, Madam Deputy Speaker, in Bill 26, like in virtually every other piece of legislation this government has brought down in its shameful

five-year history, the effect of their legislation is not to be fair, it is not to be flexible, it is not to ask every Manitoban to share the pain as the Minister of Finance (Mr. Manness) stated in his budget address. It is instead to put the onus on those who are least able to fight back.

Now, one might say, well excuse me, any landowner who has land to be expropriated usually has financial resources at his or her beck and call, if no other resources than the amount of money that the Land Value Appraisal Commission is prepared to deliver to them as a result of the expropriation.

Well, Madam Deputy Speaker, it may be the case that in the majority of situations the landowner does have resources, so they are not in exactly the same financial situation under Bill 26 as, for example, students on social allowance who have been cut off from their program entirely, or the home care people who do not have a clue what is going to happen to them tomorrow or the next day or the next month, or the foster families and children who are increasingly under pressure because of this government's cutbacks, or the school teachers who do not know what is going to happen in their school division, the school trustees, or the women and children who are faced with enormous delays in the maintenance enforcement program in the Department of Justice because they do not have the adequate resources.

Madam Deputy Speaker, while these people that I just mentioned, these groups of people may have less financial resources than the landowners who are being expropriated under Bill 26, they really are, in principle, in the same category because they are powerless. They have much less power, much less rights under Bill 26 than they did have prior to the introduction of Bill 26. They are no longer able to go directly to the Court of Queen's Bench to appeal. Their first recourse for appeal and their only broadly based recourse for appeal and, according to the Minister of Government Services (Mr. Ducharme), their only avenue of appeal to the amount of money that has been given to them for expropriation is to the same group of people who determined the amount they were to be given in the first place.

Now, I may not have the greatest number of years in this Legislature, and I may not know as much as other members about parliamentary process or natural justice, Madam Deputy Speaker, but I do know that, by definition, an appeal should

not go to the same group of people who delivered the determination that one is appealing. By definition that does not make any sense, so this goes against natural justice, it goes against fairness, it goes against equity, it goes against all of the principles that we talk about in this Legislature.

It again talks about duplication. It is not duplication at all. It is a regressive piece of legislation that takes away the rights of individuals that they have had for decades in this province.

I would like to speak very briefly, Madam Deputy Speaker, about the Land Value Appraisal Commission, which is the group which now has a lot more authority than it did before Bill 26. The Land Value Appraisal Commission is made up of six members appointed by the Lieutenant-Governor-in-Council, whose terms are either for one year or at pleasure, and I am not quite sure which it is.

At any rate, every single member of the Land Value Appraisal Commission is a government appointee, has been a government appointee, has been a government-appointed body for years.

I would like to make a slight detour and explain yet again to the government, in particular to the Minister of Government Services (Mr. Ducharme), that we are not on this side of the House stating that we think that there should not be government-appointed boards and commissions, nor are we casting any aspersions on the current personnel of the Land Value Appraisal Commission. Not for one moment am I doing that, and I hope the Minister of Government Services listens to that because it is very important. The point I am making is not that. I do not want the minister to allow it to degenerate into a discussion about the current people on the Land Value Appraisal Commission.

The Land Value Appraisal Commission actually is being given a very difficult job to do in Bill 26, something that no appointed board should have to do, and that is to not only rule on original expropriation amounts but also then to act as the first appeal process to those amounts. That is very unfair, not only to the people who are being expropriated, but also to the members of the Land Value Appraisal Commission.

The Land Value Appraisal Commission should have the responsibility that it currently has, which is to make the original first determination as to the amount of money to be given to a landowner in

expropriation, a responsibility that they have undertaken and have done with dispatch and fairness throughout their history.

Madam Deputy Speaker, when you give them the authority and the responsibility not only to determine the original amount, but also to rule on the fairness of that amount as the first level of appeal, you are again, as I have stated, going against natural justice. You are making a mockery of the concept of appeal. You are putting a dreadful onus on the Land Value Appraisal Commission members, one that I do not believe they should have to deal with.

As I have stated, the concept of expropriation and the power of expropriation is one of the strongest powers that any state has to deal with its citizens. It is an amazing power that we, as a society, have given to the state in this regard, for them to be able to take, without any reason whatsoever, our land, the land that we own as individuals and as citizens. For whatever reason, they can expropriate.

Now, ultimately, they are responsible politically to the electorate, so there is a check and balance on the degree to which they expropriate. I would also say that I think, in most instances, governments are very good in exercising this power. They do not usually expropriate without good reason, because the governments know what a huge power this is.

But this government seems to have forgotten that for every power that a government has, there has to be a countervailing right of the citizenry. You have to have the checks and balances or this system gets out of balance, and you have a really unfair inequitable situation occurring.

What Bill 26 will do, should it pass in its current form, is to disturb that balance, to take away a basic right of individuals to appeal the decision of a very powerful arm of the state. We feel that this is such a basic right that we need to speak out very, very clearly and strongly against this legislation.

Madam Deputy Speaker, I will conclude my remarks by summarizing again. On the second principle of reducing the length of time to resolve claims and the accrual of interest on compensation awards, that flexibility, we are not in opposition to that principle. But we could not be more in opposition to the first and major principle of Bill 26, which is eliminating one of the rights of individuals and giving far too much power to an already

powerful portion of government in dealing with the expropriation of land held by individuals in Manitoba.

So, Madam Deputy Speaker, as I stated earlier, I will be the final speaker on this piece of legislation. [interjection] Oh, I am sorry, I will not be the final speaker on this piece of legislation. One of my caucus colleagues wishes to put a few remarks on the record, and then we will be interested to go to committee. We, under no circumstances, will support this bill.

* (2030)

Mr. Plohman: Madam Deputy Speaker, Bill 26, dealing with expropriation, is a bill that I am rather surprised this government has brought forward. Having been involved with expropriation as Minister of Government Services in the past, I know that colleagues of this government, when in opposition, had expressed concerns about some of the changes that were made in the process when we were in government which were far less onerous than this particular change that is being made by this government at this time.

At that particular time, we had made some changes for, particularly, multiple expropriation proceedings when there were multiple property owners affected, because in some instances people who continue to negotiate were able to hold out for higher prices, particularly when land values were increasing dramatically. So the person that settled early got less than the person who held out and negotiated, and then expropriation was necessary after many months and perhaps many years of expropriation.

The present minister has to know that before the changes were made, and this was at the time of the North Portage Development, expropriation was taking place which often resulted in inequitable settlements from landowner to landowner. You would get some who had settled quickly and actually paid a penalty because of it, because they got less than those who held out for a number of years and went through, finally, the expropriation procedure. So we changed that procedure at that time to initiate the expropriation procedures immediately and then negotiate. This had the effect of freezing the prices at the date of expropriation, in other words, at the time that expropriation commenced. What that did was to

ensure that there was uniformity for all property owners being expropriated.

At that time, the member for Virden, who was a former Speaker of this House, who at that time was in opposition, had raised a number of questions with me in committee about the procedures and said that he felt that this was not necessarily a fair procedure. I had at that time, Madam Deputy Speaker, defended that procedure because I said it was fair and that it established the value for all landowners in an equitable way.

I find it rather surprising then that the government is bringing in an act that makes it more difficult for people to get a fair hearing under expropriation than was in place before, because they were really chastising the government at that time for not being fair in expropriation. Expropriation is always deemed to be unpleasant because it imposes the state's power on an individual, and it is usually done or should always be done in the name of the public good. That is the reason why governments expropriate, allegedly to do something that is in the public good at the expense of an individual, if that is necessary, and there is a fair system put in place that an individual will be fairly compensated when expropriated by these awesome powers of the state.

The bill that is before us now, Bill 26, will reduce the ability of individuals to get a fair hearing and to receive fair compensation. I find it—again, I have to say, Madam Deputy Speaker—rather unbecoming of this government, that they would move to limit the fairness of a process that has been in place and has worked well. When we looked at the awards that have been taking place in this province as a result of the appeal process, one has to support what I am saying. That is, that they tend to support the individuals' claim that they did not receive fair value for their property. They usually get more when they appeal.

That would seem to me to indicate that the Land Value Appraisal Commission tends to err on the side of government. It tends to put forward rather conservative settlements rather than necessarily fair settlements. I think it is important that, as my colleague, the former speaker, the member for Wellington (Ms. Barrett) said in talking about some rough justice, some balance, to the process where an individual is expropriated by the powers of the state, that at least they could receive fair value. It is important that justice is seen to be done and that

there is a second system for determining value. The government here at the present time is stepping all over the toes of those who are being expropriated.

I regret that they are doing this. I think to save a few thousand dollars, they are prepared to sacrifice the rights of the individuals further. In a democratic society, we have to protect those rights. We understand the need for expropriation. We understand the need for expropriation— [interjection] Well, there is the irony of it, Madam Deputy Speaker. The member is talking about property rights. The Conservatives advocated property rights in the Constitution, yet they can come right in here and step all over individuals' rights with regard to expropriation. They will not even give them a fair appeal when they know very well that the appeal process is the only fair element of expropriation. Otherwise, it is the massive powers of the state against the individual, who has no power under these circumstances.

So I am rather disappointed, to say the least, that this government has chosen to make this kind of a change to expropriation. I do not think it was necessary. It seems to be typical of this government's lack of sensitivity to individuals in this province and arrogance towards the public in general, the ability to do within their power what they think they should do regardless of how it impacts on people. That is what we are seeing more and more, Madam Deputy Speaker. This bill typifies that, and I felt compelled to put those comments on the record in this debate because it is worth noting that this probably demonstrates this government's lack of sensitivity towards individuals better than any other piece of legislation in this House. Thank you.

Mr. Gary Doer (Leader of the Opposition): I also want to say a few words on Bill 26.

Madam Deputy Speaker, the government is actually pulling a very fast one over on the public in this bill. I am quite surprised that the government was able to pass this in their own caucus. Maybe there was not any discussion. I know you have this super-duper committee that you have in your caucus. I do not know who is on it, but I have always believed that there is a balance between the collective right of the public, through the government, for expropriations for the greater good of the province and the individual rights of property owners to get fair compensation for expropriations

that are taking place in a unilateral way by the government.

I have always believed that in the great examples of public works in this province there has been a balance between the public good and the private interest. You look at Duff's Ditch, always referred to by the Member for Lakeside (Mr. Enns). There were a tremendous amount of expropriations that took place in Duff's Ditch, the great floodway that we have now in our province, but the individual compensation established for any individual citizen who had their land or property taken away from them was established by a body, but was appealable both in fact and in form to the courts.

Madam Deputy Speaker, there have been all kinds—

* (2040)

An Honourable Member: You are going to tell us about Hecla Island now, are you not?

Mr. Doer: Hecla Island was an example of poor public works in terms of the people on that island. I say this quite frankly, some fishermen on that island and some other Icelandic settlers on that island were not properly treated.

Every day the Telephone System and the Hydro system of this province takes away private land of individuals. Every day, the Highways department takes away private land of individuals. Often those individual reside in rural Manitoba.

After the government has expropriated land for the greater public good, there is a body that establishes a price, but the citizen has the right, and I am surprised that members opposite, a former head of the Keystone Agricultural Producers is so willingly going along with this legislation, because after the big government has come in and established the unilateral decision to take away somebody's property—a very important decision—through their Crown corporations, through their Crown agencies, I believe that an individual citizen should therefore have an independent process right through to the courts to decide the value of that land that is being expropriated.

I was involved in the negotiations to take over—[interjection] I will get to that. The member for Pembina (Mr. Orchard), because this member is going in the opposite direction with this bill, if you approve property rights in the Constitution, you have done a 180 turn in this bill, because you have

turned back property rights in this province with Bill 26 before us in this province.

Madam Deputy Speaker, I was involved in the expropriation of land at The Forks. There was only one property owner that was opposed to the plan to return 50 acres of land to public ownership, to a public corporation. There was only one property owner in that site that opposed it, and government, yes, had to proceed with the greater good of having that land returned to public ownership to expropriate one person's land. He was very concerned about it and very upset about it, but at least we knew that one individual who had the federal government, the municipal government and the provincial government agreeing in the takeover of the 50 acres of land for public ownership, at least that individual landowner knew that he had the right, or she had the right in their family to have that issue determined by the courts in terms of the value of that land.

Now, look at the situation in this bill. The government appoints the members of the appraisal committee. The government, through Order-in-Council, approves the appointees to this body. It is not a politically independent body; it is a cabinet-appointed body. Yes, today there may be good people on it, tomorrow there may be bad people on it, the next day there may be mediocre people on it. The bottom line is these people are appointed or dis-appointed by the cabinet of the day and hold office by the will and pleasure of the Executive Council of government.

Now, this Conservative government that says or alleges that they were in favour of entrenching further property rights in the Constitution to make even the mere act of appropriation more difficult and make the act of appropriation subject to the Charter of Rights where it was proposed to be placed, this government has gone the opposite direction. They do not even want to have people's land appropriated with the right to go to court for the actual value of the land to be appealed. Only an error in law can go to the courts now, Madam Deputy Speaker.

So I do not know who was watching on behalf of the individual landowners in the caucus of the Conservative Party, but I think Bill 26 breaks the balance that is here in Manitoba, the balance of the public good with the right to expropriate, and the private interest with the right to go to court to get the final valuation of their land. Why has this

government, why would this government reduce the balance for the individual in terms of the individual property owner? I thought this was a so-called Conservative government that had some belief in the right of private ownership. Why is the government rolling back this right? Why are they taking it away particularly for rural Manitobans, who are subject—[interjection]

Well, the Minister of Rural Development (Mr. Derkach) probably did not read the bill either before it went through his caucus. The members for rural Manitoba will know that expropriation actions dealing with highways, telephones and Hydro developments and many other Crown corporations actually affect more farmland than they do probably private ownership in the city of Winnipeg. I think a farmer or an individual citizen in Winnipeg, whether it is that one person in The Forks or whether it is somebody else, should have the right, if the government-appointed committee gives them an undervalued price for their individual land that is taken away from them by the government through hopefully good acts of public interest, to have the value of their land appealed to courts.

I suggest, Madam Deputy Speaker, that perhaps the government was worried about a few potential expropriations or potential future expropriations down the road and somehow the Treasury Board or the financial interests of the government got in the way of a balanced bill on expropriations. But I think that the Conservatives have gone in the opposite direction on property rights, and I mentioned to the member for Lakeside (Mr. Enns) today, clearly this would have been a very unfair bill for individual property owners when the floodway was being built. This would be a very unfair bill with The Forks being taken over by the public interest, because I believe that those individual property owners who have their land expropriated should have the right of having that value appealed to the courts.

A government-appointed body—you know, governments come and go. Tomorrow it could be another government in office appointing a six-member land appraisal committee. They may be very, very inadequate in terms of their compensation for the land that is being expropriated. When you take away somebody's individual land or property, that is a very major decision, and it has got to be balanced off with the right to go to court on the value of that land.

I am absolutely shocked that the Conservatives opposite would tip the balance in such a way to give the state the right to take away your land. You give the state the right to set the value of that land through the cabinet-appointed bodies and to only allow the court to deal with matters of law, not in terms of matters of value.

Shame on you, members opposite. You did not do your homework. You did not look at the long-term principles of the rights of the public through expropriation and the rights of individuals through the way compensation is set. You have tipped the balance in a way that favours government in a way that is unfair to individuals. Always this Legislature should balance the rights of individuals with the rights of the public good. I think the Conservative Party has made a big error in the way it has handled this today in Bill 26, and I think this is a very unfair bill for anybody that is going to be subject to expropriation in the future.

I think you should really reconsider this before third reading. I think you are making a very big error and a great disservice to Manitobans who might be in the unfortunate situation of having their property or their family assets expropriated without the right of going to the court for their value to be determined, ultimately, through appeal. Thank you very much, and I will be voting against this bill.

* (2050)

Madam Deputy Speaker: Is the House ready for the question? The question before the House is second reading of Bill 26, The Expropriation Amendment Act (Loi modifiant la Loi sur l'expropriation). Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: No.

Madam Deputy Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Deputy Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Deputy Speaker: In my opinion, the Yeas have it.

Some Honourable Members: On division.

Madam Deputy Speaker: On division. Agreed and so ordered.

Bill 45—The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act

Madam Deputy Speaker: To resume debate on second reading of Bill 45 (The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act; *Loi modifiant la Loi sur les armoiries, les emblèmes et le tartan du Manitoba*), on the proposed motion of the honourable Minister of Culture, Heritage and Citizenship (Mrs. Mitchelson), standing in the name of the honourable member for Concordia (Mr. Doer).

Mr. Gary Doer (Leader of the Opposition): Madam Deputy Speaker, I am pleased to rise on this real creative part of the Conservative agenda, Bill 45, The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act. I hope the Premier (Mr. Filmon) has given his trained seals opposite the right to a free vote on this issue, because if any bill was before this House that should allow the Conservatives opposite to speak their mind and their conscience on a bill, I think it is Bill 45.

Now, it is nice to be able to sit in front of the Speaker's Chair when we speak on this bill, because we see before us the present symbol of Manitoba, the present coat of arms in this province. [interjection]

As the Minister of Rural Development (Mr. Derkach) says: Wait until we put the new one up. And he laughs when he says that. He laughs because he knows—

An Honourable Member: Deep down he is hurting.

Mr. Doer: Yes, deep down he is not only hurting, but should a new symbol that is being laughed at by the cabinet that brought it in be the new symbol that we pass in this Chamber? Should this be the symbol that we pass that brings levity to members opposite? Is this a symbol that will unite this province? Is this a symbol that will unite us together as 57 members of this Legislature, something we can be proud of, something we can leave this Chamber with enthusiasm and vigor for? I do not think so, Madam Deputy Speaker, and I was quite surprised to hear members opposite say that they would be supporting this bill.

First of all, let me deal with the one, sort of, spin the Conservatives are putting out in the hallway, because they have been asked, how much is this going to cost? I wonder if the minister of the

Treasury bench can tell us today how much it is going to cost the taxpayers of Manitoba to change from that symbol to the symbol we see out in the hallway. How much money is it going to cost the people of Manitoba where the Minister of Finance (Mr. Manness) and head of Treasury Board has said, every penny in this province must be pinched and repinched to ensure that the public of Manitoba is getting value for their money. All legislation should go to Treasury Board to determine the cost to the taxpayers.

Hon. Clayton Manness (Minister of Finance): It does.

Mr. Doer: The minister says, it does. Will the minister tell us how much this will cost us? [interjection] The minister says zero. How much did that symbol out in the hallway cost us? Did we get it donated? Was it free?

An Honourable Member: It could have been.

Mr. Doer: It could have been? Was free? I mean, we do not know the answers to these questions. Did this marble just appear? Did it just come from on high, I ask you? The Minister of Finance (Mr. Manness) says zero. How much did that cost out in the hallway? How much is it going to cost to change all the stationery? How much is it going to cost—oh, no, it will not cost anything. I know. Governments change symbols not to change the symbols on all the material they use. That is right.

Why are we changing it then if we are not going to use it? If we are going to use it it is going to cost us some money. Why do you not admit that? If you do not have the courage of your convictions in Bill 45 why do we not scrap the bill? If you do have the courage of your convictions why do you not tell us how much it is going to cost and tell the people of Manitoba how we can justify this expenditure at this time.

The second item—the first spin the Conservatives putting out, it is not going to cost us anything. It did not cost us anything to draw it. It did not cost us anything to design it. It did not cost us anything to put the marble symbol outside in the hallway. It is not going to cost us any money to change the stationery. It is not going to cost us any money for the ceremonies. It is not going to cost us any money for all the other things they are going to do. That is the first thing they have told us. I do not believe that, Madam Deputy Speaker, and I know members opposite really do not believe that.

Because if we are going to use it it is going to cost. If you are not going to use it why bring it in?

Point No. 2: The government is going around now saying they are just worried about a little bit of controversy on this bill. They are saying to people, oh, the Queen made us do it through the Governor-General who made the Lieutenant-Governor do it and then they passed it on to our cabinet. It came from the Queen to the Governor-General to the Lieutenant-Governor to the cabinet. [interjection] That is what they told you too, I bet. Did they tell you that, Jack?

Madam Deputy Speaker, we have it specifically in the Heraldic Quarterly, the augmented arms of Manitoba. We have it in a heraldic schedule here, the quarterly that comes out four times a year. I know it is read very carefully by members opposite.

It says clearly that this project, this present augmentation was requested on May 1, 1992, by the Honourable George Johnson, Lieutenant-Governor, on the advice of the Premier (Mr. Filmon). That is the member for Tuxedo and the Executive Council, that is members opposite, the member of Finance, the member of Government Services, the member of Labour, the Minister of Natural Resources (Mr. Enns), ministers all across there. They were the ones that requested this.

The Minister of Industry, Trade and Tourism (Mr. Stefanson)—I guess that is why we cannot get any jobs in this province. He was spending all his time debating our new symbol for Manitoba, so that they can request that the Lieutenant-Governor request to the Governor-General request to the Queen to give us this new symbol in Manitoba.

It says clearly here, to have the commemoration of the 125th anniversary of Confederation.

Madam Deputy Speaker, that is the order of this bill. So those are two arguments of the Conservative government opposite that this bill really developed somewhere else and we were told to do it. Clearly this was a cabinet priority. They have 55 potential bills before this session, this is Bill 45. This is one of the biggies that they sat around that cabinet table the last two years working on to develop the new symbol of Manitoba, to give us the new vision of the new Conservative Party, the new Jerusalem through the symbol that we have before us today.

We always wondered what you did in that cabinet room, because we know you are just

tearing apart the health care system; you are tearing apart the education system; you do not create any jobs. You have lost 10,000 jobs in the last four years since you have been in office. We have always wondered what you do around the cabinet room, and now we know. You sit around having 20 people design a symbol for Manitoba, and then you bring it before us as an act of priority in this session. Shame! Shame on you.

There are more pressing matters. We are in the middle of the biggest recession in the province since the 1930s. We have the highest unemployment rate month after month after month. We have a health care system begging for leadership. We have an education system that is falling apart, and what do the Conservatives of Manitoba bring us? This new symbol for Manitoba.

I ask you. Did they consult the people of Manitoba about this new symbol? Did they ever—[interjection] Well, I am glad the Minister of Finance (Mr. Manness) remembers it, because that was another time when that was the only piece of legislation before this Chamber.

An Honourable Member: That and The Vital Statistic.

Mr. Doer: That and The Vital Statistics Act, as the member for Wellington (Ms. Barrett) points out along with the member for Wolseley (Ms. Friesen).

That is right, it was another similar time. It must be déjà vu for the Minister responsible for the Treasury Board. Big priorities for the big Conservative government. The big blue machine rolls into town again with the new symbol of Manitoba.

Madam Deputy Speaker, there are times, and I want to remind the member for Pembina, the Minister of Health (Mr. Orchard), that he was part of the Executive Council, the cabinet that recommended this to the Governor-General. He was one of the ones, and I ask him, did he go back to his coffee shop, the Wagon Wheel, in the Pembina constituency and ask his constituents, which one do they prefer? Do they prefer the old symbol or do they prefer the new symbol? Do they like the old one or the new one?

An Honourable Member: The new one.

* (2100)

Mr. Doer: They like the new one, do they?

Well, I do not think he brings that into his coffee shop in Pembina. That speaks to one of the issues before us today. There have been occasions recently where the public have been involved in the changes of symbols to this province. There was the introduction of the Gray Owl to Manitoba as one of the birds of Manitoba or one of the symbols of our province. I believe that school children were involved in that debate, were they not? People across the province were involved in the contest; people were involved in the debate; people were involved in the decision. I actually wanted the loon, but I lost out.

Madam Deputy Speaker, the people were involved in the debate, and the people were the ones that decided ultimately what would be the symbol of Manitoba for this bird. This government sat around a private cabinet room for two years—that is almost like a Monty Python skit—sat around a cabinet table for two years designing a symbol for Manitoba and then sprung it upon the public with no public consultation whatsoever. I cannot understand the member for Lakeside (Mr. Enns) going along with this—[interjection]

That is right, it came from the member for Lakeside. This beaver is not dead, it is just holding a crocus with a crown on its head. This beaver is in great shape. You should really buy this new symbol. It is really not dead, it is really alive. Good grief!

Now the member for Flin Flon (Mr. Storie) has already described these symbols that are supposed to unite us in this province. Now I know there is heraldic value to some of the symbols that have been selected by the government, but the question is, are there public values to be attached to the symbols that the government has tried to pick? I know it is not that easy to do so, so I understand that former Premier Ed Schreyer, who was looking at bringing in his symbol of—

An Honourable Member: As we speak, it is being painted on your car.

Mr. Doer: I would not be surprised. I would not be surprised.

I understand former Premier Schreyer was looking at a polar bear and an elk to be on the symbol of Manitoba, surely more sensible than the configuration that we have today before us in this Chamber. Needless to say, he did not proceed

and that is why we have this emblem before us today.

Madam Deputy Speaker, the member for Flin Flon has quite eloquently pointed out the symbol and how it looks to him as an ordinary citizen of Manitoba—

An Honourable Member: Gary, make a stronger case for the free vote on this.

Mr. Doer: Okay.

The member for Flin Flon (Mr. Storie) has quite eloquently pointed out that beavers in his neck of the woods do not eat crocus. Now, I do not know what the Minister of Natural Resources (Mr. Enns) feels about this. Does he agree with that assessment?

An Honourable Member: My lips are sealed.

Mr. Doer: Your lips are sealed. Cabinet confidentiality will not let the Minister of Natural Resources speak on this.

The member for Flin Flon also points out that the beaver has a crown on its head. He has asked the question, when was the last time you saw a beaver with a crown on its head?

People will find it interesting to see a unicorn in a Manitoba symbol. I know there are heraldic reasons for that, but they will find it passing strange that a unicorn ever existed in this great province of ours.

There are some interesting other symbols on this as well, Madam Deputy Speaker. There are many, many other interesting symbols, but I would like to say that when I look at that symbol, it looks rather focused. It has a message to it. When I look at the new bill, perhaps we have put in too much in this new bill. It looks rather unfocused, a little confused perhaps, perhaps a lot like the government opposite, because it is they, in Executive Council, that recommended this to the Lieutenant-Governor and Governor-General of Canada.

Madam Deputy Speaker, I support the old symbol. I am opposed to the new symbol. I think the new symbol does not unify the people of this province. It is not a symbol that unifies the province of Manitoba, and please, if you are going to bring in any new coat of arms, this is the wrong time to do it, with the costs.

It speaks volumes to the priority of this government for all those unemployed and people that are being cut back day after day after day by

ministers opposite, that they would find this such a high priority to bring in that they would introduce it in this Chamber. Secondly, involve the public in the design, if you will, of a new symbol if you are going to have a new symbol, because symbols should unite us, the coat of arms should unite us, and I believe there is absolutely no evidence that this symbol unites us. There is absolutely no consensus that this new symbol should be introduced in this Chamber.

I am opposed to this new symbol, and I want to join the member for Flin Flon (Mr. Storie) in saying no to Bill 45. I hope that members opposite will do the same. Heraldic reasons for bringing in this bill are one thing, and the symbols in that heraldic recommendation may be great, but the wrong time and the wrong sets of symbols as far as I am concerned in this proposal from the government.

I would encourage members opposite to be free spirits on this issue. Let not history show you voting for this unfocused new symbol over and above the focused symbol we have before us in this Chamber.

Thank you very much, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question?

Ms. Jean Friesen (Wolseley): I rise with pleasure to speak on the augmented coat of arms act of Manitoba, although I certainly do not think I can match the spirited speech of my Leader on this.

The augmented coat of arms has perhaps been a long time coming to Manitoba, at least coming before the Legislature. There have been a number of occasions in the past, I believe, in 1906, and I believe in the 1960s when governments of Manitoba did attempt to create an augmented coat of arms.

But for a variety of reasons, there was no bill which came before the Legislature, and certainly no agreement on a coat of arms for this province. What this particular bill does is to take the old shield, the one that is above your Chair, the one with the buffalo standing on the rocks with the flag of St. George above it, and it adds to it horses and unicorns and beavers and crocuses and wheat and forest and waters, and it adds to it also a motto: glorious and free, in Latin, I assume to avoid the use of either English or French. This, the government argues, is the government's way of celebrating the 125th anniversary of Confederation.

In March of last year they did make representations to the Governor-General for an augmented coat of arms. One would have thought in May of last year, in 1992, that the government might have had other issues on its mind when speaking to the federal government. It might have had issues, for example, of the reduction of payments in social services to aboriginal people in this province. It might have had questions of training; it might have had questions of the Labour Force Development Agreement. It might have had questions of the withdrawal of the federal government from the purchases in community colleges, every one of which has had enormous impact on the long-term future of Manitoba.

But the way this government chose to celebrate the 125th anniversary of Confederation—something obviously worth celebrating and which I think every Manitoban would have supported them in, but they chose, however, to look for an augmented coat of arms, and they chose to do it in a very top-down fashion, to me a very typically Tory fashion with very little public consultation, public discussion, none of the usual competitions with school children or any kind of public displays of alternatives that might want to be considered.

* (2110)

There were other imaginative ways across Canada of celebrating the 125th anniversary of Confederation, and I suppose all of us harken back to the Centennial of Canada in 1967 when there was such a tremendous outpouring of popular enthusiasm and a large number of projects in every town, village and city across Canada of useful community halls, of curling rinks, of museums and galleries and things which have given lasting benefit to the people of those provinces and of those cities and towns. But this government chose, in the face of one of the deepest recessions that our generation has faced, to look for the celebration of Confederation not with something of lasting value in public terms, but with an augmented coat of arms which received very little, in fact none, no public discussion at all.

The federal government did offer a medal, and I know many members of this House were asked to choose five people from their constituency to receive that medal. I think that was an interesting way of approaching the 125th anniversary of Confederation. I know that I took a great deal of time and consultation with people in my

constituency to look for five people whom I thought would best represent some aspects of my constituency, and I would like particularly to mention a couple of them.

One of them is Kate Kerr [phonetic], who is a master swimmer, and one of the very dedicated teachers of swimming in Manitoba, and well known I think throughout the community. Another one was Mitch Podolak, somebody who made, I think, a difference to the cultural life of Manitoba and who I think will long be remembered for the Winnipeg Folk Festival, which recently celebrated its 20th anniversary.

But this government chose, without public consultation, without public input, to look for an augmented coat of arms as its only celebration of the 125th anniversary of Confederation. It presented it to us in the language of heraldry, with lions rampant. I have a description here of the Canadian coat of arms: "On a Wreath of the Colours Argent and Gules a Lion passant guardant Or imperially crowned proper and holding in the dexter Paw a Maple leaf Gules." Essentially not the language of everyday Manitobans and a very good indication of why this government should support the plain language bill that my colleague the member for St. Johns (Ms. Wasylycia-Leis) is bringing before the House at this very time.

If this is to have popular support, if it is to be representative of the aims and ambitions and sympathies and unity of Manitobans, then surely at least the government could have made the effort to translate its bill into plain English.

Now, of course, this bill comes from the context of heraldry, a European institution, which I think has some significance for the many Manitobans who are interested in genealogy and for those who are interested in medieval history or in the history of symbols and such aspects of Manitoba and Canada.

The original use of heraldry was, of course, visual identity, very much like the visual identity of a multinational corporation. We tend now to think of visual identity only in terms of advertising, but of course, originally, when it was used in heraldic terms its purpose was in fact for allegiance, and that is what is being asked of us here in this bill is allegiance to a very composite and graphically, I think, very dispirit kind of symbol.

We know that there are many kinds of heraldic devices in Canada. Many municipalities have heraldic devices and crests, schools, colleges, universities, all of them use crests and use them as a form of symbolism. Aboriginal people in their crest system, in their clan system, use the snake, the deer, the bear, the eagle, as symbols of their clans so that the representation of natural forces of animals and others certainly has a link to the aboriginal cultures of Manitoba.

An imaginative government, one that was in fact looking at the contemporary situation of Manitoba, might indeed have made the attempt both publicly and with the government of Canada to create some kind of fusion of those aboriginal and medieval European characteristics to create something which would be clearly and distinctive Manitoban. But they chose, of course, to deal only in the medieval, in the Gothic, in the European transplant to Canada. They expect of that to be a form of allegiance and a symbol of unity.

Heraldic devices were also used for families, and I think probably many people in our constituencies, people who are interested in family history, and through that have become interested in crests and family crests. Originally, of course, this was because many families, 15th Century London or even 17th Century Wales, did not commonly use surnames and so that they would use instead a heraldic device, a visual symbol, for essentially what were nonliterate cultures.

But there are symbols, I think, which do represent changing historical patterns. I think probably most people here remember the changes to the City of Winnipeg in the 1970s when Manitoba, under Saul Cherniack, the minister at the time, created one city out of many. At that time, to symbolize that transition, there was also a change in the crest, in the symbol, the heraldic device that represented the City of Winnipeg. It had been before—the buffalo, the steam engine and the sheaves. That had represented the City of Winnipeg, and underneath was the motto which at that time was commerce, prudence and industry, a very 19th Century, and indeed, a very conservative symbol and motto as well.

There was, I understand, at the time quite a campaign. They had that sense of new vision created by the new City of Winnipeg, a campaign to change that motto as well. What we got in 1973, in part with public consultation, the City of Winnipeg,

was a new symbol which included historic elements, the Fort Garry Gate. It included two fields, two heraldic fields, at the top of which were 13 gold stars to represent the 13 municipalities which were now coming within the City of Winnipeg. At the bottom, as most people know, I think, there is a crocus, which represents the prairie city, and a series of ribbons on the outside which are meant symbolically to tie together the new 13 municipalities.

What is most important, I think, is the change in the motto that was there in the new City of Winnipeg crest. They, too, chose a Latin motto, *unum cum virtute multorum*, one with the strength of many. It was meant to symbolize two things and was made very apparent, very clear to the people in Winnipeg at that time. It was meant to represent one city being created out of many, one with the strength of many. But it was also meant to represent the very nature of Winnipeg which is, then and now, still perhaps the most mixed, the most multicultural of all cities in Canada in the sense of so many different peoples from many different cultures, languages, races, nationalities, so that one with the strength of many also represented that change in the city of Winnipeg. In a sense, it represented the change from the late 19th Century of commerce, prudence and industry to that sense of one with the strength of many. It had popular support. It was a symbol of unity and it was a clear visual identity. The process, the product, the transition, I think, were right in that sense.

I was suggesting earlier that the heraldic origins of much of our language and literature about crests does come from the medieval period. One of the legends attached to it, of course, is that heraldic devices became much more significant after the invasion of the Duke of Normandy into England when King Harold of England was killed by an arrow. Because his face was exposed, they could recognize who he was, the leader of the defending forces, and his helmet covered only part of his face. He was shot between the eyes by a Norman bowman, and of course, the course of history, certainly of western Europe, was changed as a result of that Battle of Hastings.

It is also legendary that after that, the nature of European armour changed so that helmets, such as we see now in the new Manitoba coat of arms, also became part of the standard battle wear of

soldiers and their leaders throughout western Europe. When their heads were covered it was difficult to see who in fact was on which side, so the coat of arms then became painted upon their coat or upon their tabard.

There were other traditions also associated with the developments of coats of arms. Some of those which were used in the 11th and 12th Centuries in some of the wars in the Middle East also looked at designs which were drawn or painted, reputed to be painted in blood, upon the shields. The wood of the shield was supposed to represent the wood of the cross of Christ, and the coat of arms represented—in fact, the thongs that tied the shield together was supposed to represent the body of Christ.

* (2120)

So the symbolism that has been attached to coats of arms throughout history, indeed, has been quite significant, something which has both, I think, religious, magical, symbolic efforts that have meant to draw people together, to draw them into battle to let them know which side they are on and to, in fact, induce them to endure greater hardships and to follow the leadership of their own people.

In many ways, Madam Deputy Speaker, it is a system which has come to us through the courts of England. In 1484, for example, one of the earliest records we have is for the formation of a College of Arms under Richard III, and this was because really the competing noble interests in England at that time were using coats of arms in many false and bogus ways. So the College of Arms was founded in the 1480s to adjudicate between the various claims to the representation and to the use of symbols so that individual and clan and noble and particular houses could retain individual characteristics.

In Scotland, a separate College of Arms was founded, and indeed the Scots today still take this much more seriously, I would say, than the English do. The Lord Lion King of Arms registers new tartans just as he did the tartan of Manitoba in the 1950s. The heralds of the College of Arms in Scotland, the heralds in fact are known as the Herald Unicorn, the Herald of Kintyre [phonetic] and the Herald Garrick [phonetic]. These are the three heralds who adjudicate upon all of the coats of arms, the clans, the crests, the schools' crests even of Scotland and a much more formal

registration and indeed provisions for formal court appeals and almost with their own court system for the adjudication of different claims on particular designs.

In the case of the Manitoba crest which is before us, this has been, it is argued by the government, offered to us, or at least initiated by this government and has come from the Governor-General. The Governor-General, in this case, is granting his first augmented coat of arms to Manitoba.

Until 1988, coats of arms were always dealt with by the College of Heralds in London or in Scotland. What is happening here, in fact, is a process of independence. It is perhaps the process that began in 1931 with the Statute of Westminster and continued over the last 40 or 50 years with incremental additions to Canada's independence. In one sense, this is another step in that direction. I am sure that the monarchists amongst us will certainly see it in that way and will see it as an enhancement of the monarchy in Canada.

What this particular bill is offering to us is, in fact, a series of additions to the central crest that is so well recognized and of which many of us are extremely fond, that is the buffalo on rocks on a shield with the coat of arms or, at least, the flag of Saint George. We are being asked to add to this a crown, a beaver with a crocus, a unicorn, a white horse, each of them with colours of particular significance, some wheat, some trees, some water and a motto.

So I want to look at some of these elements, Madam Deputy Speaker, and to suggest some of the history of each of them. When we first got the crest of Manitoba in the early part of the 20th Century, there was great care taken in the depiction of the buffalo. The provincial secretary at the time was very concerned that the British would not know what a buffalo looked like, and if you look even at some of the paintings of eastern Canadians such as Paul Kane, you will find that they did not know much about what a buffalo looked like either.

Various drawings were sent over from here. Buffaloes came back looking much more like human faces and lions' bodies. The secretary would send them back again until eventually the buffalo, a satisfactory buffalo, was found and created in 1904 for the coat of arms of Manitoba. Since then, indeed it has become, I think, a very popular, a very distinctive symbol and one well

recognized across Canada, if not beyond our borders, as the emblem of this particular province.

The buffalo was something, of course, which had formed a part of Riel's flags. Riel had a number of flags. Several of them are reputed to have contained representations of the buffalo. It included also the cross of St. George. Although this may be interpreted, of course, as the domination of the English, certainly a historical fact in Manitoba, it can also be interpreted as a historical reference to the Hudson's Bay Company, because St. George's flag certainly included that. The Hudson's Bay Company, which had the monopoly trading rights to Manitoba and indeed all of the northwest from the Arctic Ocean to the Pacific coast for two centuries of Manitoba history, perhaps needs to be remembered and recognized in some way on our coat of arms.

The idea of augmenting this coat of arms was broached, first of all, in 1917, and the provincial librarian, Mr. Robertson, who suggested that we needed an augmented crest to add to the symbols that Manitoba could use. Mr. Robertson, at that time, suggested an augmentation which included a caribou on one side, which certainly would have made reference to the larger Manitoba community. Of course, at that point Manitoba was involved in a discussion for the expansion of its boundaries and was indeed doing a saw-off with the federal government over French language issues for an expansion of its boundaries. So it is perhaps not unusual that we would find the provincial government suggesting a caribou being part of our augmented arms.

On the other side, Mr. Robertson in 1917 suggested an elk, again something part of the natural history, something which would find suitable acceptance throughout Manitoba. The national flower of Manitoba, two prairie anemones, were to be crossed underneath, and he also proposed a motto, Faith in the Future, Fides in Futurus. But this one never went anywhere, it withered on the vine, according to the Secretary of State, and it was not until 1969 that another proposal came, this time under the auspices of the Honourable Edward Schreyer, the Premier of Manitoba at that time. This was really in preparation for Manitoba's centennial that the government of that day suggested another augmented version of our arms. It fell to Mr. John Bovey, the provincial archivist at

that time, to suggest some augmented arms for the province of Manitoba.

Mr. Bovey wrote to the Premier and he said: If submissions are to be made to the college of arms, may I suggest that one of the supporters be a polar bear or some other animal representative of the northern regions of Manitoba. The other supporter might represent the plains, perhaps an elk. I think it is the largest mammal indigenous to the more southerly half of the province, and it does have a long symbolic history. The Hudson's Bay Company charter of May 1670 does provide for annual royal tribute when the monarch is present in Rupert's Land of two elks and two black beavers. Also, Mr. Bovey added, symbolic animals seem to stand the test of time better than human figures.

Mr. Bovey is presently the archivist of British Columbia. It is a pity, perhaps, that his talents cannot be exercised upon the British Columbia coat of arms, but they unfortunately already have an augmented coat of arms, with a motto.

Mr. Bovey, I know, was a colleague of mine when I was a graduate student. I know that he has a particular interest in heraldry, and I am interested—we used to have a running joke about lions rampant and lions passant of which I cannot remember the origin now. Perhaps he can. I was interested to find this particular document and glad to be able to read it into the record, and I hope he will enjoy it as much I did.

However, unfortunately, Mr. Bovey's suggestions of an elk and a polar bear also came to no fruition, so we are left with the addition of the beaver, the crocus, the horse, the unicorn, the wood, the forest, the trees, the rivers, et cetera.

An Honourable Member: Okay, tell us what you do not like

* (2130)

Ms. Friesen: Well, the beaver at the top. There are some arguments in heraldry for the beaver. We should not just assume that the beaver is a Canadian symbol, although in the late 19th Century, it did become one of the symbols of Canada.

The Minister of Health (Mr. Orchard) might be interested in the beaver. Perhaps we only think of it, not in the context of the Minister of Health, but simply as an industrious rodent in its own right. It used to be, in European terms, that the beaver was considered the symbol of physicians and doctors.

There was an ancient medieval assumption that the glands of the beaver did secrete some magical healing powers. They were certainly valued for the treatment of convulsions. Of course, in medieval times, convulsions was assumed to be the work of the devil, one was possessed by the devil, and so the glands of the beaver could in fact heal this, and they were often used as a symbol, in heraldic terms, for physicians and doctors.

Now, the crocus has also re-emerged in this particular symbol, and the crocus has an interesting history in Manitoba. It has always been associated with the enthusiasms of the American consul here at the time of Confederation in 1870, Consul Taylor.

Now, Consul Taylor, later to become known as Saskatchewan Taylor was very enthusiastic about the prairie crocus. I believe that he was one of the ones who very early on, in the 19th Century, suggested that this become a symbol for Manitoba. Indeed, in the painting of him, which is at the City Hall in Winnipeg, it was introduced as one of the references to Mr. Taylor's enthusiasms. But I did not realize until I came to do some research for this paper that indeed Mr. Taylor's enthusiasm for the crocus was, in fact, unusual, because when they finally looked at his papers on his death, they found that there was a list of 500 Manitoba women.

An Honourable Member: What?

Ms. Friesen: Five hundred. Apparently, Mr. Taylor used to make an annual expedition to deliver a posy of prairie crocuses to each of these 500 women, and in the 1870s that must have taken him quite a long time. I gather many of them remembered this with pleasure, and their children spoke of it in later years, but 500 Manitoba women certainly boggles the mind.

The prairie crocus perhaps survived the attentions of Consul Taylor and came to the attention of the forerunner of the Naturalists Society, the Natural History Society. In 1906, they began a campaign to have a provincial flower. They were moved really by American practices of having a state flower, so the reference to American practices is very strong here.

The way in which they went about it was an interesting one. They, in fact, held a vote, and in the submission which they made to this House in 1907—indeed, it was the member for Brandon who brought in this particular petition. The petitioners said: Your petitioners believe that it would be

advantageous to the province of Manitoba to formally adopt some flower as the emblem of the province, and that the so doing would tend in some measure to make the name of our province still more generally known throughout the world.

Indeed, the Minister of Industry, Trade and Tourism (Mr. Stefanson) might be interested in this. It was intended as a tourist attraction, because what it was meant to do was to signal to people outside of Manitoba that our weather was not really as bad as they thought it was, that prairie crocuses came in April or May, and that really there was an end to the long northern winter. The naturalist society spoke of it in that way.

With this in mind they said, and realizing it would be prudent to ascertain, as far as possible, the views of the people—and I draw that to the attention of the government. In 1907, the naturalist society said: It would be prudent to ascertain, as far as possible, the views of the people of our province in regard to the flower which should be selected for a provincial emblem, and your petition listed June 1904 with the assistance of the press of the province cause a vote to be taken. The result of that vote is as follows: for the anemone, 674 votes; for the wild rose, 606 votes; for the prairie lily, 514 votes; for other flowers, 278 votes.

Now there was a government which did consult the people, or at least there was a Manitoba community which saw that the views of the people would be important if this symbol was to be unifying. It might be interesting for Alberta, the wild rose province, to know how very close they came to losing that particular symbol for their own province.

The horse and the unicorn present different problems. The white horse, of course, makes reference to an animal that was used by both aboriginal and non-native peoples in Manitoba. The horses used, of course, by the Metis were the successors to the ox-carts and also used in early transport in Winnipeg. The white horse, in particular, was the subject of some legends amongst aboriginal people, and the white horse statue close to St. Francois Xavier is one of the indications of that.

This particular white horse has a collar around him, and this is often used in heraldic terms to give greater identity and to give greater symbolism. This particular horse has, I believe, on the recommendation of the Museum of Man and

Nature, a collar of beads and a medicine wheel that is hanging from it.

On the other side, we have a unicorn, and there has been a great deal of discussion about this unicorn. There are people who claim, and I believe it was the Minister of Natural Resources (Mr. Enns)—I hope I am not misquoting him. He did suggest that it was native to the Interlake. Now, I must admit that I personally have never seen a unicorn, and I certainly have not seen a unicorn in the Interlake, but I would defer to the Minister of Natural Resources on this. I assume, indeed perhaps it is the bill too that he brought in this session included the possibilities of an inventory, which it did not, but if it did include the possibilities of an inventory of animals and of the natural resources of the province, we might be able to find out how many unicorns indeed are in the Interlake at this very time.

The unicorn, however, does have some history in Canada. It certainly appeared on early maps. It has a European history, and indeed if honourable members are interested in following the history of the unicorn in Canada, you will find that there is a learned article written on this in *Heraldry in Canada* in December 1992 by the Herald St. Laurent, Monsieur Vachon. The unicorn, of course, is referred to in the Talmud. It is also referred to in accounts by Arabian writers, and it was the one animal that was too large for Noah's Ark and had to be towed behind by its horn. It was too much for Noah's Ark, but it has appeared in the Arms of Manitoba.

It appears in the Arms of Manitoba because in heraldic terms it makes reference to both the French and the Scots. In that sense, it makes reference to the particular origins of the Metis of Manitoba who are derived from the French and the Scots and the English, of the settlers and of the original people of Manitoba.

So there is the reason for the unicorn from the context—

An Honourable Member: Tell us about the beaver holding the flower. Have you done that yet? I missed it? Do it again.

Ms. Friesen: Well, the member for St. Norbert (Mr. Laurendeau) wants me to return to the beaver and the industrial rodent, but I think perhaps I have said as much as I am going to do on that particular beaver, but he might refer to the Minister of Health

(Mr. Orchard) whose symbol it perhaps could become.

* (2140)

What I was discussing was the unicorn, the unicorn which makes reference to the Scots and French inheritance and which appears on maps in Canada in 1542 and again in 1664 and 1674.

There is some indication in the work of Monsieur Vachon that perhaps there was some confusion here in the minds of the mapmakers who wanted to assure people that they were making their way toward the Indies, not just to the North American continent. There was also a discussion in Monsieur Vachon's article that perhaps the explorers and the mapmakers of the 17th Century indeed were reflecting what aboriginal people had told them about their citings of particular animals.

There are, of course, so many indications of imaginary animals, imaginary islands, imaginary continents, imaginary riches depicted on the maps of the 16th and 17th centuries. Unicorns, I think, perhaps fall into that particular context. But I have not seen a 16th Century map of the Interlake yet, and it is perhaps the beliefs of the Minister of Natural Resources that would be able to be carried back a little further than the citings that he has had in 1993.

The collar on the unicorn also carries reference to the Metis and that is to the cartwheel of the Red River cart. Again, it is making a particular reference to the Metis, and if we put it beside the coats of arms, the augmented Coats of Arms of Alberta and of Saskatchewan, we will find that the unicorn there is replaced by the lion.

Both of them of course come from the augmented Arms of Canada, so both of them do refer to our place in the Canadian Confederation. But what the Herald of Arms was trying to do here was in fact to ensure that Manitoba was considered as a different province than Alberta and Saskatchewan which were of course carved out of the Northwest Territories and had a history as a territory rather than as a province.

In particular, I think we should pay particular attention to the motto, and the motto that has been offered to us here in Latin is "glorious and free." It is here that I have particular difficulty, and here where I think we need much greater discussion, and where I believe we should have had the broader discussion that people suggested or the

Naturalist Society followed in the early part of this century.

The motto "glorious and free" is taken from the national anthem. In that sense perhaps one could argue that there is a legitimacy to it, that it gives us a place in that Canadian anthem. It is also meant to represent the Metis, the Metis province, that which makes us different from Alberta and Saskatchewan.

The Metis refer to themselves as the free men, or, if I take the title of a book written by one of my constituents, Diane Payment: *The Free People, Otipemisiwak*. The Cree word for the Metis was in fact, men with no boss, people who are free, and they call themselves the free men. That was how they identified themselves as people who were free eventually of the Hudson Bay Company and the Northwest Company and people who put forward some very democratic ideals which, of course, resulted in the province rather than the territory of Manitoba.

So why not take that free men, take that theme of the 1870s and that Metis theme? Well, I would say there are good reasons perhaps for reconsidering that, because the Metis themselves, and I want to quote from Gabriel Dumont in 1903, the Metis themselves as they were forced to leave Manitoba said this, and this is Gabriel Dumont at Batoche. He said we left Manitoba because we were not free, and we came here—meaning to Batoche—to what was still a wild country in order to be free, and still they will not leave us alone.

So I think that sense of tragedy in the departure, the forced departure in many cases, of the Metis that they were no longer free men is something that we should consider. There should be consultation on a much broader basis across Manitoba with the Metis, with the aboriginal people whose medicine wheel is being used on the white horse as one of the supporters of this.

There may be some aboriginal people who believe that is not an appropriate use of the medicine wheel. I do not know, but I would like to hear from them. I would like to hear that discussion. It seems to me one of the things which is missing from this particular symbol, this particular conglomeration of symbols of Manitoba, which individually have perhaps a natural place in representation of Manitoba.

But what is missing is the very multicultural vitality of Manitoba today, and just as the City of Winnipeg recognized that change, and they went from "prudence and industry" to "one with the strength of many," so I think that the new symbol of Manitoba ought to contain some very clear visible recognition of that new reality, because Manitoba is still the most mixed, the most multicultural of all provinces.

It is in Manitoba where the greatest devotion is, I think, to multicultural policies, and I would suggest, Madam Deputy Speaker, not only that there be a free vote on this, but indeed that we have much greater consideration, that we slow down this process. Symbols are important. They must unite us.

I think if I were looking for something from the national anthem, if I were to take the same approach that the herald did in Ottawa, I would have taken "from far and wide," because I think that expresses much better the current reality of Manitoba—

Mr. Steve Ashton (Thompson): How about "the True North?"

Ms. Friesen: Or the True North, as the member for Thompson suggests. I think what we are seeing here in fact is that there is the option for much more debate and much careful consideration by Manitobans. This is a proposal from Ottawa. It has had the input of some Manitobans; that is true. But I think the broader discussion, such as we saw for the creation of the crocus as a symbol, is something which we need to do now and to represent that multicultural variety in a much clearer way than the grouping of crocuses at the base of the symbol which is supposed to represent the multicultural aspect of Manitoba.

I think we need something which is much clearer and to which we can have a sense of—

Some Honourable Members: Oh, oh.

Mr. Nell Gaudry (St. Boniface): I move, seconded by the member for River Heights (Mrs. Carstairs), that debate be adjourned.

Motion agreed to.

Bill 54—The Municipal Assessment Amendment Act (2)

Madam Deputy Speaker: To resume debate on second reading, Bill 54, on the proposed motion,

the honourable Minister of Rural Development (Mr. Derkach), the Municipal Assessment Amendment Act (2) (Loi no 2 modifiant la Loi sur l'évaluation municipale), standing in the name of the honourable member Swan River (Ms. Wowchuk).

Is there leave to permit the bill to remain standing?

An Honourable Member: No.

Madam Deputy Speaker: No? Leave has been denied?

An Honourable Member: Yes.

Madam Deputy Speaker: Agreed? [agreed]

Mr. Cliff Evans (Interlake): Madam Deputy Speaker, I just would like to make a few comments on Bill 54 and have any other members who may wish to do so make any comments and pass it on to committee.

Just a little breakdown of the bill and in meeting with the minister's staff and discussing the amendment with the Manitoba Association of Urban Municipalities and the UMM, they, Madam Deputy Speaker, could not see any problems with this amendment and in fact have encouraged the government to put this amendment in, more of housecleaning.

I do not, again, have any problems with it. In 1990, when The Municipal Assessment Act was first introduced—and I may say, Madam Deputy Speaker, with a lot of problems and a lot of promises that were broken by this government to bring in a reassessment every three years. Now in fact we have a situation that we are looking to 1994 before we get another reassessment as the government had promised that the reassessment would come every three years.

So this amendment has given opportunities for certain municipalities in a 1990 reassessment to allow municipalities to phase in the taxes and tax increases and, as we well know, that in many cases in 1990, the increases were absolutely outrageous in some situations due to the government's implementation of the reassessment at that time. It caused hardships for many people in rural Manitoba. This is one way that municipalities were allowed to provide some sort of relief on payment of these tax increases that we had imposed on us of such magnitude in 1990. I think we have to hold in true fact that we realize what happened in 1990 with the reassessment. We certainly hope that in

1994 the process becomes legislation to a point where we will be able to see reassessment every three years and not go by any broken promises that this government has given us before on the reassessment for municipalities and for towns and villages in our rural population.

* (2150)

I know that the City of Winnipeg has indicated their desire to use this authority, and we might feel and hopefully it will benefit the taxpayers and ratepayers in the province to be able to cope with any severe increases or decreases that we will see in 1994 assessment. I hope that there will be some presentation in committee to this amendment. As I have said earlier, there is support from the two municipal boards that we have and also from the City of Winnipeg to bring this through.

So, Madam Deputy Speaker, I know that municipalities have expressed interest in this and have desired it, but I just want to make a comment that let us hope that the provision is not going to be an ongoing thing with the reassessment in 1994 on how this government is going to implement 1994 assessment on the ratepayers in rural Manitoba and Winnipeg and all the urban centres. I look forward to it going to committee, and we will further discuss the bill, if necessary, in committee.

On that note, Madam Deputy Speaker, I just want to say that I am pleased to have spoken on Bill 54, and hopefully, further discussion will be in committee. Thank you.

Mr. Neil Gaudry (St. Boniface): Madam Deputy Speaker, I am pleased to rise on this bill, a very substantial bill. The only thing that is missing is the minister's picture on one of the pages.

We were in the minister's office with his staff, and he gave us a briefing on the bills that he had brought forward. [interjection] Yes, I have no complaints. Like I said, this bill is just housekeeping, like he indicated when he gave us the briefing. What it gives to the municipal council is the right to phase in the increases or decreases in property taxes.

Madam Deputy Speaker, like the minister has indicated in his opening remarks, it allows the municipality at their discretion to phase in the reassessment-related taxes to the local taxpayers which may otherwise be difficult to handle in one year or only on a few months notice. I think with the three-year phase-in that is going to be starting with

1994, it will please the municipalities. It is what MAUM has requested that happens when this legislation—and we will look forward that this bill go to committee immediately so that it pleases the municipalities. We look forward if there are to be any other comments in committee, but I will be the only one speaking on this bill. We look forward to having it in committee as soon as possible.

Thank you, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question? The question before the House is second reading of Bill 54, The Municipal Assessment Amendment Act (Loi no 2 modifiant la Loi sur l'évaluation municipale). Is it the pleasure of the House to adopt the motion? [agreed]

Bill 51—The Municipal Amendment Act (2)

Madam Deputy Speaker: To resume debate on second reading of Bill 51 (The Municipal Amendment Act (2); Loi no 2 modifiant la Loi sur les municipalités), on the proposed motion of the honourable Minister of Rural Development (Mr. Derkach), standing in the name of the honourable member for Thompson (Mr. Ashton). Is there leave to permit the bill to remain standing?

Some Honourable Members: No.

Madam Deputy Speaker: No?

Mr. Steve Ashton (Thompson): Madam Deputy Speaker, I adjourned that on behalf of our very capable critic. I know he has a speech on this, my friend and colleague the member for Interlake (Mr. Cliff Evans), who is going to express our views on this bill.

Mr. Cliff Evans (Interlake): I am pleased to rise on such short notice on Bill 51, The Municipal Amendment Act (2).

There are some changes in this act that we would like to comment and address. Of course, Madam Deputy Speaker, UMM and MAUM had quite a bit of input into Bill 51, and it was in conversation with their executive and in conversation with the executive from MAUM, it was decided and requested by them that this bill go through with not much opposition as—of course, UMM had a tremendous input into this bill. So did MAUM.

Madam Deputy Speaker, one aspect that this bill does allow municipalities to do, and I think it is something that municipalities have wanted for

many years and are finally getting the opportunity, and that is to invest into different treasury bills and mutual funds, which before they had not the opportunity. They requested this, and it is, I think, a positive part of the bill so that they could in fact use some monies that they had in their budgets and in their funds to be able to invest in certain investments, and so be it, investing to be able to provide themselves with some extra capital, to be able to provide them with some funds that they might need in the future and be able to use or not use as they saw fit.

I know that one other part of the bill that I did have some questions about, Madam Deputy Speaker, was even though the municipalities again, UMM and MAUM, requested this from the government, was that they be responsible for appointing their own auditors and negotiate their own fees and rates. That may be fine, and municipalities might want it. The responsibility is on them to do that, but we must look at another aspect of this, that if perhaps some remote areas that have, again, the opportunity to appoint their own auditors, as before, the auditors were appointed and the fee set by the minister and by the government in place.

There may be some municipalities and jurisdictions that may not be able to get a reasonable auditor by tendering out. There may be a problem with that in the fact that auditors may in fact say, well, it's a little too far, too remote. We are going to have to charge so much to do your audit. In fact, Madam Deputy Speaker, these communities or jurisdictions may be put in a problem state in that way than the government would in fact, if the municipality could not appoint their own auditor because the auditors are asking for an outrageous amount of money to be able to do their audits for them, then the government would in fact have to appoint the auditors themselves.

Now, the municipalities do have the option of not appointing their own or not requesting auditors to put tenders in—

Madam Deputy Speaker: Order, please.

House Business

Hon. Clayton Manness (Government House Leader): I apologize to the member. I wonder if I might just interrupt for a few seconds to make an announcement of House business. More importantly, I wonder whether or not we might waive the ten o'clock just for five or 10 minutes so that the member for St. Boniface (Mr. Gaudry) could just put a few remarks on the record. If this bill passes to committee, Madam Deputy Speaker, I then would call this committee tomorrow morning.

Madam Deputy Speaker: Is it the will of the House that the Speaker not see the clock at ten o'clock? Agreed?

An Honourable Member: No.

Madam Deputy Speaker: No?

Mr. Manness: On House business, Madam Deputy Speaker, just to clarify the committees for tomorrow, Bill 37 will be heard in the committee on Economic Development tomorrow night at seven o'clock. Bill 41 will be heard in the Public Utilities and Natural Resources committee also at seven o'clock tomorrow. Bill 24 will be heard tomorrow morning at nine o'clock in Law Amendments.

* * *

Madam Deputy Speaker: When this matter is again before the House, the honourable member for Interlake (Mr. Clif Evans) will have 34 minutes remaining.

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Madam Deputy Speaker: The hour being 10 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Tuesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, July 19, 1993

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