



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

**DEBATES
and
PROCEEDINGS
(HANSARD)**

41 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
CHEEMA, Gulzar	The Maples	Liberal
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
MANNES, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold	Rossmere	PC
ORCHARD, Donald, Hon.	Pembina	PC
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
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary, Hon.	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP
Vacant	Rupertsland	

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, March 2, 1993

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. Doug Martindale (Burrows): Mr. Speaker, I beg to present the petition of W. Harding, Nathan Horton, J. Sanderson and others, requesting the Minister of Family Services (Mr. Gilleshammer) to consider exempting the child tax benefit from provincial income support programs, particularly daycare subsidies.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I beg to present the petition of William R. Younger, T. Van Denakker, Shirley McLellan and others, requesting the government of Manitoba to pass the necessary legislation regulations which will restrict stubble burning in the province of Manitoba.

Mr. Steve Ashton (Thompson): Mr. Speaker, I beg to present the petition of Wilma Moar, Stacy Roteliuk, Cindy Lewis and others, requesting the Minister responsible for MPIC (Mr. Cummings) consider implementing no-fault auto insurance, capping commissions and bringing in other recommendations of the Kopstein report that the government has delayed acting on.

TABLING OF REPORTS

Hon. James Downey (Minister responsible for A.E. McKenzie Co. Ltd.): Mr. Speaker, I am pleased to table the A.E. McKenzie Co. Ltd. Annual Report for 1992.

Hon. Darren Praznik (Minister of Labour): Mr. Speaker, it is my pleasure to table today the 1990 and 1991 Annual Report of the Manitoba Labour Management Review Committee, as well as the 1991-92 Annual Report of the Manitoba Labour Board.

INTRODUCTION OF BILLS

Bill 14--The Personal Property Security and Consequential Amendments Act

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, I move for leave

to introduce Bill 14, The Personal Property Security and Consequential Amendments Act, for the first time.

Mr. Speaker: Does the honourable Minister of Justice have leave?

Some Honourable Members: No.

Mr. Speaker: No. Leave is denied.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, may I direct the attention of honourable members to the gallery, where we have with us this afternoon, from the Sandy Bay School, thirty Grade 9 students, and they are under the direction of Mr. John Paramor. This school is located in the constituency of the honourable Minister of Environment (Mr. Cummings).

Also this afternoon, we have, from the Laureate Academy, sixteen Grade 9 students under the direction of Mrs. Cindy Ediger. This school is located in the constituency of the honourable member for St. James (Mr. Edwards).

On behalf of all honourable members, I would like to welcome you here this afternoon.

* (1335)

ORAL QUESTION PERIOD

Untendered Contracts Government Position

Ms. Judy Wasylycia-Lels (Deputy Leader of the Opposition): Mr. Speaker, yesterday, members of the government told us that they are making tough choices in these tough economic times. Some of their tough choices have been to cut wages for civil servants, reduce education funding, centralize and reduce hospital services for our children and slash social assistance benefits for thousands of people in the city of Winnipeg.

Will the Premier today tell us what part untendered contracts and private consultants have to play in these tough choices, and will the Premier be reducing his government's reliance on private consultants?

Hon. Gary Filmon (Premier): Mr. Speaker, beginning with the preamble of the Deputy Leader of the Opposition, I might say that she might want to consult The Globe and Mail article today that talks about three New Democratic Premiers who, in office, do not have the luxury of being irresponsible and just demanding that governments spend more money and tax more away from its taxpayers but in fact talk about the tough choices they are having to make.

Of course, I know that the Deputy Leader of the Opposition knows that in Saskatchewan even last year, when we were giving increases to our schools and our hospitals, Saskatchewan was cutting back on their transfers to schools and hospitals and that they are intending perhaps to have to do even more, according to Premier Romanow this year, where in fact those provinces are talking about how bad it is for the economy to have deficits increase and how they must be committed to keeping the deficit down, Mr. Speaker. I know that she does not have to be responsible, and I know that is why her Leader was not included in that discussion because, of course, they were looking for people with a sense of responsibility to the taxpayer.

Having said that, Mr. Speaker, I would say that we as a government will seek all of the advice that we possibly can that will be relevant to us trying to solve the difficult problems that we are facing as a result of revenues that are not increasing as rapidly as we would like and a commitment that we would like to keep to the taxpayers of Manitoba to keep their taxes down.

As it was indicated in the front page of yesterday's paper, that means \$244 in the pockets in disposable income to every Manitoba taxpayer because we have done that job, because we have kept the taxes down because we are committed to protecting the taxpayer of Manitoba.

Ms. Wasylycia-Lels: Mr. Speaker, the Premier did not address the serious nature of our question pertaining to this government's reliance on private consultants in these tough economic times.

Health Care System Reform APM Consultants Contract

Ms. Judy Wasylycia-Lels (Deputy Leader of the Opposition): I would like to ask the Premier if he will tell the House and all the people of Manitoba why his government is entering into a contract with

Dr. Connie Curran and APM Consultants, an American consulting firm? Why is he entering into such a contract if, according to Dr. Curran's February 5 letter, it will cost Manitobans as much as \$6 million, based on her estimates, Mr. Speaker, of cuts from St. Boniface Hospital and Health Sciences Centre of \$45 million to \$65 million and based on her typical 10 percent return or cut?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, let me deal with some of the essential background to the discussions that my ministry is currently under with APM Consultants to see if we can conclude an agreement which I want to tell you, so that my honourable friend has no illusions as to the benefit to the health care delivery in Manitoba. This contract is very much endorsed by Health Sciences Centre and St. Boniface in an attempt for them to be able to manage their resources with one end goal as the result—better patient care, Sir.

Now, Mr. Speaker, last time my honourable friend was asked to comment, I believe my honourable friend was concerned about quality patient care. The last time I believe my honourable friend spoke on the issue, my honourable friend decried inappropriate use of resources in the health care system. The last time my honourable friend brought this issue up, she wanted to know how we were introduced to Dr. Connie Curran, and I informed her that nurses of Manitoba and across Canada invited her to Winnipeg in October of 1990 to be the keynote address of the Future of Nursing in Canada, Sir.

Ms. Wasylycia-Lels: Mr. Speaker, I am not surprised the Premier did not want to get up on this issue.

Mr. Speaker: Order, please.

Point of Order

Hon. Gary Filmon (Premier): Mr. Speaker, on a point of order, I assumed that the member for St. Johns was interested in getting as much factual information in response to the question and was not just playing political games here in the House.

Mr. Speaker: Order, please. The honourable First Minister does not have a point of order. It is clearly a dispute over the facts.

* * *

Ms. Wasylycia-Lels: Mr. Speaker, we addressed this question to the Premier because we want to know how this government can justify hiring an

American consultant that will cost taxpayers up to \$6 million.

Government Commitment

Ms. Judy Wasylycia-Lels (Deputy Leader of the Opposition): Let me ask then since it appears now that the Minister of Health is answering for the government on this issue, I want to ask this government since this correspondence of February 5 points to a number of system-wide demonstration projects by Dr. Connie Curran that were to be in place yesterday March 1: Will this government now admit that they have no plans and have had no plans in place for real comprehensive health care reform before now and that it is now enlisting a \$6-million consultant to make cuts in place of real reform?

* (1340)

Hon. Donald Orchard (Minister of Health): Mr. Speaker, my honourable friend has in fact answered the question by her reference to a February 5 commitment of deliverables in terms of the consultant's proposal that would be undertaken in Manitoba. The precise reason that those commitments are not there for February 5 is we have not, as I speak, engaged the consultant for the services as envisioned. That is very much under discussion, and I make no bones about it.

The experts to whom we pay very substantial amounts of money to administer our two teaching hospitals have investigated the expertise available in Canada and in North America to undertake a restructuring of the way they deliver health care within their institutions. Following that consultation, they came to the same conclusion that the nurses of Manitoba and Canada came to for the Conference on the Future of Nursing in the Canadian health care system that this government, myself, hosted in 1990. They have concluded, as the nurses did, in having Dr. Connie Curran as the keynote speaker on the role and future of nursing, that she represents and her associates represent the best expertise available.

Mr. Speaker, I am prepared to deal with my honourable friend's concerns as we move this contract hopefully to a conclusion which will benefit—

Mr. Speaker: Order, please.

Health Care System Reform APM Consultants Contract

Mr. Dave Chomiak (Kildonan): Mr. Speaker, my question is to the Minister of Finance as the president of the Treasury Board.

Can the Minister of Finance confirm the Treasury Board has approved the contract to Connie Curran and/or APM Associates that will take a percentage of 10 percent and/or \$4.5 million to \$6.5 million based on cost cuts to the Health Sciences Centre and St. Boniface Hospital of \$45 million to \$65 million?

Hon. Clayton Manness (Minister of Finance): No, Mr. Speaker, I cannot acknowledge that as fact.

Health Care System Reform APM Consultants Contract

Mr. Dave Chomiak (Kildonan): Mr. Speaker, my next supplementary question is to the Premier, since the Premier wants to speak from his seat on this.

Can the Premier advise this House if the bringing in of the consultant one year after the minister announced an action plan that was supposedly the greatest in Canada, according to the minister's own words, the greatest in the Dominion of Canada, can the Premier confirm that bringing in a consultant who will charge up to \$6 million to implement the plan one year after it is announced is an admission that the plan itself is in chaos?

Hon. Gary Filmon (Premier): Mr. Speaker, since the Chairman of the Treasury Board has said that the preamble to the question is not factual, then obviously it would be inappropriate to consider the question based on an unfactual—

Mr. Speaker: Order, please.

Point of Order

Mr. Chomiak: The minister said he would acknowledge or not acknowledge, Mr. Speaker.

Mr. Speaker: Order, please. The honourable member does not have a point of order. It is clearly a dispute over the facts.

Mr. Filmon: Given the lack of credibility of the member for Kildonan on this and most other issues, Mr. Speaker, it would be inappropriate for me to answer the question.

Health Care System Reform APM Consultants Contract

Mr. Dave Chomlak (Kildonan): Mr. Speaker, my final supplementary to the Premier on this presentation that went to Treasury Board by Connie Curran, can the Premier or the Minister of Finance (Mr. Manness) confirm that Ms. Curran or APM Associates will pocket 10 percent of every single dollar that she saves? In other words, if a nurse at \$30,000 is cut, she pockets \$3,000 or 10 percent of every bed cut and every nurse cut and every person cut in the health care system.

* (1345)

Hon. Donald Orchard (Minister of Health): Mr. Speaker, let me indicate to my honourable friend that when we conclude negotiations with APM Consultants and presuming that those negotiations are satisfactory to ourselves as the ministry and to the two hospitals which are involved in this, namely Health Sciences Centre and St. Boniface, it is only then that we will be seeking Treasury Board approval for a contract yet to be finalized.

Mr. Speaker, I will be more than pleased to discuss the details, including the cost of that contract, with my honourable friend, the New Democrats and the citizens of Manitoba when we conclude that contract and providing we find it to be a reasonable approach at reasonable cost with definite advantages and end goals to the betterment of health care in Manitoba, Sir.

Health Care System Reform Consultations

Mrs. Sharon Carstairs (Leader of the Second Opposition): Mr. Speaker, my question is to the Premier.

This morning, on radio, the Minister of Health (Mr. Orchard) said that the health reform plan was not his but was based on extensive consultation. That is the basis upon which health reform should indeed take place, extensive consultation.

The Liberal caucus has spent the last month meeting with health care professionals and consumers to dialogue with them about the reform package, of which we have been very supportive. Unfortunately, we keep getting a common complaint, and that complaint is that there is not the kind of disclosure or consultation. One phrase was used over and over again. They kept referring to it as a reform plan by overhead projections.

Mr. Speaker, this is very serious. Will the Premier tell this House when, as a government, they are going to go public and lay before the people of this province their step-by-step initiative on the health care reform?

Hon. Gary Filmon (Premier): Mr. Speaker, you see, the preamble to the question demonstrates how people can either deliberately or casually misconstrue something. The Leader of the Liberal Party has referred to the fact that on radio this morning he referred to the health reform plan. In fact, I listened to the entire interview, and it was to do with the mental health program. [interjection] Well, wait a second. Get your facts straight. They were talking about one element, and his consultations were to do with that element. He named specific people who were involved in the consultations, doctors' names, various people's names.

Mr. Speaker, when you try and take the discussion of one small element and you try and parlay it into an entire plan, you misconstrue and misrepresent what the whole issue is about. I will invite the Minister of Health (Mr. Orchard) to talk specifically about the question.

Mental Health Care System Reform Consultations

Mrs. Sharon Carstairs (Leader of the Second Opposition): If the Premier wants me to deal specifically with the mental health reform package, then I will prepare to do so. The mental health reform package was supposed to also be based, as was its overall component, the health reform package, on consultation, yet the mental health community is telling the minister not to put additional dollars into the Salvation Army program because they do not like the location, they do not feel safe about that location. They want safe houses, but they want them in what they decry to be safe locations.

If there is in fact this kind of consultation, why is the minister going against his own staff and the consumers of mental health services by making a decision they do not want?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, my honourable friend the Liberal Leader indicated that she heard me on the radio this morning speaking about the health reform process. That has been corrected. It was specifically around

mental health reform, a process, Sir, under which professionals in varying disciplines, plus consumers of mental health services and their families, administrators of programs across the length and breadth of Manitoba, for the first time, have had the input into how we shift our mental health services from institutional to community-based care, a project, an initiative, a policy that was recommended for 20 years to varying governments and Ministers of Health and unacted upon.

It has taken four years of consultation by psychiatrists, physicians, social workers, registered psychiatric nurses and other mental health care professionals, consumers, families and administrators to develop the plan to where we believe it has integrity and has support of advisory committees involving those individuals.

My honourable friend the Liberal Leader says this is health reform by overhead projection. Mr. Speaker, you know what my honourable friend is referring to. My honourable friend is referring to probably 150 meetings that senior management of the ministry of Health and I have used to explain the process of mental health reform throughout the length and breadth of Manitoba. It is those very overhead projections which are allowing the process of reform to be discussed openly throughout Manitoba, contrary to the mythology my honourable friend wants to perpetrate.

* (1350)

Mrs. Carstairs: Mr. Speaker, if we are going to reform the health care system, and reform it does indeed need, then we are going to have to have the co-operation of all of the players. Many of these players feel that they are being told what is going to happen; they are not being consulted with.

What is this minister going to do to solve the misconception, if that is what it is out there, that there is not genuine consulting taking place? He may believe that he is consulting. The reality is the people we talk to do not believe they are being consulted with. There is a conflict. How is he going to resolve that conflict?

Mr. Orchard: Mr. Speaker, we are going to resolve my honourable friend's problem by continuing with the same kind of process of information meetings, of presentations by senior management within the ministry of Health and myself and others to visit almost every corner of the province of Manitoba to meet with nursing staff, support staff, hospital

boards, doctors, patients, community groups, citizens at large and explain the process of health care reform. We will stay by that process even though my honourable friend seems to think it is inappropriate, if I judge by her question and the feedback she got from the people with whom she and her party consulted.

Mr. Speaker, let me tell my honourable friend, one of the difficulties there is in health care reform, when all you hear is leaders, of for instance the MNU, saying that there are only bed closures and layoffs at Health Sciences Centre and St. Boniface, without mentioning the new jobs, the employment of 60 beds commissioned at Concordia Hospital and new beds at municipals and Deer Lodge. Of course, you only hear one side of the reform equation, and it is only half the information necessary for the citizens of Manitoba to make informed decisions.

Multiple Personality Disorder Treatment Availability

Mr. Steve Ashton (Thompson): Mr. Speaker, I have a letter I would like to table from Theresa Unger, from Thompson, Manitoba, who wrote to the Minister of Health two weeks ago. I would just like to quote one section briefly: "I am writing this on the hopes maybe it will open your eyes to some of the little people. On TV I constantly hear you say you care for the people of Man., but as I try and seek help for my disorder, I constantly have the doors closed in my face."

Mr. Speaker, Theresa is a victim of child abuse. She was diagnosed with multiple personality disorder four years ago, and the last four years have been a nightmare for her. She has been referred to Selkirk, where there is no treatment program available. She has been told that the diagnosis that she has, the condition that she has, is not even recognized by many in the health system. Her doctor has attempted to have her referred to Alberta, where treatment is available, and it is also available in Ontario.

That has been rejected, and for the last eight weeks, she was in the hospital in Thompson, Mr. Speaker, [interjection] and I realize it is a lengthy preamble. I met with her for an hour and a half on Sunday, and I think it is important that members of the House understand the situation she is in. She sat in the hospital for eight weeks, and she is desperately looking for assistance for treatment.

I would like to ask the Minister of Health: What action will he take to ensure that treatment is available, not only for Theresa Unger, but for the many other Manitobans who suffer from multiple personality disorder, Mr. Speaker?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, in case my honourable friend does not have it, I wish to have him avail himself of a copy of a letter I sent to Dr. Chernick on behalf of this individual. I beg my honourable friend to read this, because I want to tell my honourable friend that there was a significant lack of good information around this patient's ability to access service.

Mr. Speaker, my honourable friend is under the impression that that service would be available only to this individual at the Selkirk Mental Health Centre. That is not correct, Sir. My honourable friend should know that there is an opportunity for this individual to receive consultation, support from professionals within the Manitoba health care system, and there are a number of very good professionals who are able to help this individual.

Now, Mr. Speaker, as Minister of Health, I cannot refer this patient to any physician. Physicians do that, and physicians have the ability to refer this patient to the appropriate medical consultation, if that were the appropriate route in the city of Winnipeg, and that, Sir, is what my letter explains to Dr. Chernick, because there was an impression inadvertently, and I do not know the genesis of it, that this individual could only be referred to Selkirk. That was not accurate, and my letter to Dr. Chernick, on behalf of this individual, clarifies that.

* (1355)

Mr. Ashton: Mr. Speaker, it is only since Theresa has gone public with these concerns that this information, this response, has come from the minister. I have also copies of correspondence that have been sent to the family physician rejecting some of the options they have presented to the department.

I have a further question, Mr. Speaker. Will the minister ensure that there are some real clear directions given on MPD at the community level, and will the minister also ensure that people who live in communities such as Thompson, if psychiatric care is not available, will be able, under medicare and under the Northern Patient Transportation Program, be able to access other services?

In this case, a psychologist has been identified in Winnipeg who is able to provide this kind of treatment to Theresa. Will the minister at least ensure that full payment is made of all the costs, so Theresa does not have to suffer anymore?

Mr. Orchard: Mr. Speaker, you know, I realize my honourable friend is wanting to try to make a political issue out of this individual's circumstances, and I regret that, because I want to share with my honourable friend the letter from Dr. Chernick.

It was dated January 30, 1993. We investigated the allegations in this letter which says: We have in the interim tried to get her to be seen by the various psychiatrists in Winnipeg, but unfortunately, the policy of Manitoba Health is such that she is zoned for Selkirk. Consequently, psychiatrists in Winnipeg will not see her. They said we must go through Selkirk. That is signed by Dr. Chernick.

That is wrong, Sir. That is why, in my reply which I give my honourable friend—and I believe it was dated February 26—I indicated that Dr. Chernick can refer this individual for the appropriate consultations, psychiatrist, medical doctor, otherwise, in the city of Winnipeg. I do not know where this impression by the good doctor in Thompson came from, but it is wrong. If it was compromising that individual's opportunity to receive care, I wanted to correct that and have done it within 28 days or 23 days of receiving the concern. I do not think my honourable friend can make the accusation that we did not expedite action on this, as he is trying to leave the public impression.

Mr. Ashton: Mr. Speaker, this is typical, the response from the minister. I quite frankly am fed up. I am here on the request of the individual. I met with her an hour and a half on Sunday, and I am sick and tired of the kind of arrogant responses we are getting from the minister.

I asked a very straightforward question, Mr. Speaker. If the minister does not understand one of the problems—and it comes even in letters from his own department, Dr. Cook, to the family physician, the problem is that one psychiatrist who has dealt with this condition no longer lives in Manitoba. There is a lack of treatment.

I ask, would he allow Theresa Unger to be able to come to Winnipeg and have treatment with a psychologist who has been identified by her physician as willing to deal with the problem, Mr. Speaker? Will he give her and the other people

suffering from MPD a chance and put together a program that can deal with their concerns?

Mr. Orchard: Mr. Speaker, that is exactly the answer I have been giving my honourable friend, but of course my honourable friend is not satisfied with that because he wants to make a political issue of it.

Mr. Speaker, I received a letter from Dr. Chernick on January 30. I replied by February 26. I want to inform all honourable friends that the great caring, concerned member for Thompson wrote to me on February 19, and my office received it some time when my reply was going back resolving the case.

Point of Order

Mr. Ashton: Mr. Speaker, on a point of order, the Premier (Mr. Filmon), from his seat, said that I had no integrity at all. If the Premier would care to meet directly with Theresa Unger, he would find that she asked that this matter be made public. I met with her an hour and a half on Sunday, and one of the reasons I did not write—

Mr. Speaker: Order, please. The Chair did not hear the comment. The honourable member does not have a point of order. We will get to the honourable member for Radisson now.

* (1400)

Assiniboine River Diversion Addendum

Ms. Marianne CerlIII (Radisson): Mr. Speaker, drinking water and protecting the quality of drinking water are health issues that are of concern to all Manitobans—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order, please. We have discussed this issue. The honourable member for Thompson has put his questions. I believe the honourable member for Thompson has got his answers. Now the honourable member for Radisson has the floor.

The honourable member for Radisson, kindly put your question now, please.

Ms. CerlIII: Mr. Speaker, I was talking about how drinking water and issues of protecting water quality are health concerns for all Manitobans. We have environmental assessment procedures in place to assess developments to ensure that public health is not going to be jeopardized by projects in Manitoba and that the environment is going to be protected

and consequently public health is going to be protected.

With that in mind, I would like to ask the Minister of Environment, regarding the Assiniboine River diversion, what the reasons are for this addendum to that water construction project. What are the reasons for this addendum? Why is this project being changed at this time in the middle of the assessment process?

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, I am not sure that as the ultimate licensee of any project, it is my job to respond on behalf of the proponents as to why they made the changes, but, frankly, when the member talks about the protection of drinking water and public health, it seems to me that as I recall, those amendments that were brought forward had to deal with treating water and making it potable before it was put into a pipeline. I am not sure where her question is leading.

Federal Environmental Review

Ms. Marianne CerlIII (Radisson): Mr. Speaker, given that we have seen how cleverly this government can manipulate environmental assessment procedures, after what they have done with the office building at Oak Hammock Marsh and given that this project—

Mr. Speaker: Question, please.

Ms. CerlIII: This project should have a federal—

Mr. Speaker: Order, please. Question, please.

Ms. CerlIII: My question for the Environment minister is: How can this project not have a federal review when it has at least three criteria which will trigger a federal review? We have had concerns raised by the—

Mr. Speaker: Order, please. The honourable member has put her question.

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, the Province of Manitoba is putting this project through a very careful process, and examination of the project will ultimately result in decisions to be made within our jurisdiction. Federal authorities will and are looking at that process, and it will be their decision whether or not they wish to intervene at that point.

Mr. Speaker, I want to assure the member and assure the public that the process we have embarked upon is full and complete and will deal

with all aspects of the project. One need not be concerned about the addendum, because it has in fact amounted to an extension of time for the proponents and the opponents to make their views known, and those will all appear in front of the commission.

Ms. Cerilli: Mr. Speaker, given that the mayor of Brandon has approached several cabinet ministers demanding public hearings on this issue, I would like to know what this government has responded to the mayor of Brandon. Will they assure us that this addendum is not just a ploy to avoid the federal environmental law that exists in Canada?

Mr. Cummlings: Mr. Speaker, I am flattered that the member opposite thinks that I have been clever. That is not usually the way in which she refers to me. I hope that is held by the rest of her caucus.

Mr. Speaker, very seriously, it is our intention to make this an in-depth and full assessment by the proper authorities going in front of the Clean Environment Commission.

In terms of response to the mayor of Brandon, I have only just seen his comments, but I would like to publicly assure him, the same as I am assuring the member opposite, that this will be a very open process, and all the issues will be aired in front of the commission.

Sunday Shopping Public Hearings—Rural Manitoba

Mr. Jerry Storie (Flin Flon): My question is to the Minister of Industry, Trade and Tourism.

When this government unilaterally introduced Sunday shopping, there were many on this side and many in rural Manitoba who indicated that there were going to be casualties.

Mr. Speaker, in the Brandon Sun this week, there is an article about an independent grocer who is closing his doors, and the jobs that were attached to it are going with it. I want to quote from the article. It says: Sunday shopping has claimed another victim. Murray Hurl, owner of Hurl's Food Mart, closed the doors of his Princess Avenue store last Friday and cites relaxed Sunday shopping legislation as the final nail in the coffin of his 15-year-old business.

Mr. Speaker: Question, please.

Mr. Storie: That is the root of the problem. Mr. Speaker, my question is to the Minister of Industry, Trade and Tourism.

This government promised to consult with rural Manitobans. Can he tell us now when the standing committee that is going to deal with Bill 4 will be called and whether that committee will be allowed to travel to rural Manitoba, where the implications of this bill are going to be felt most directly?

Hon. Eric Stefanson (Minister of Industry, Trade and Tourism): It is expected that the committee responsible will be called very shortly.

Mr. Storie: Mr. Speaker, the Legislature adjourned more than two months ago. During that time, there have been no hearings.

My question to the Minister of Rural Development (Mr. Derkach) or the Minister of Industry, Trade and Tourism is: Will there be hearings held across rural Manitoba, where jobs are going to be lost, where the economies are going to be devastated?

Mr. Stefanson: Not unlike all kinds of legislation that is dealt with by this House, the normal process will be followed in this case.

Mr. Storie: Any rural Manitoba northerner can read between the lines. They are abandoning the rural Manitoban.

Economic Impact Analysis

Mr. Jerry Storie (Flin Flon): My final question to the Minister of Industry, Trade and Tourism is: Has the department begun the economic analysis that it promised to undertake about the impact of this legislation, and who is doing that analysis?

Hon. Eric Stefanson (Minister of Industry, Trade and Tourism): The department is doing an ongoing analysis of various aspects of Sunday shopping in terms of the economic impact, in terms of consumer reaction and so on. That all will form part of the ultimate decision of whether or not this pilot project, running until April 4, 1993, is in fact extended or terminated.

Health Care Profession Labour Adjustment Strategy

Mr. Kevin Lamoureux (Inkster): I have a question for the Minister of Health.

We have great concerns about the manner in which this government has been treating health care professionals throughout the province of Manitoba.

Displaced workers cannot find new jobs; LPNs have been in limbo since this government started talking about health care reform. We cannot continue to train people for jobs that do not exist.

My question to the minister is: Has the minister developed a labour adjustment strategy that does more than match names to vacancies?

* (1410)

Hon. Donald Orchard (Minister of Health): The Labour Adjustment Committee—I will stand to be corrected, but I believe there is representation of 11 unions on the Labour Adjustment Committee involved in health care reform.

That Labour Adjustment Committee, Sir, I believe has been operational since approximately November of last year and has been assisting in the shifts of staff and professional expertise from, in this instance, the two teaching hospitals to employment opportunities which are the other side of the initiation of closing beds at St. Boniface and Health Sciences Centre by opening beds at Concordia, Deer Lodge and municipals.

Now, Mr. Speaker, that process is one in which, I think, we have received gratefully a substantial amount of support from the union membership. Indeed, I believe that we have a financial commitment from the federal government in terms of the ministry, I believe it is immigration and training, to assist in terms of some retraining costs and other costs of the operation of this labour adjustment committee.

Mr. Lamoureux: Mr. Speaker, the Minister of Health has a wonderful way of evading the answering of questions.

Mr. Speaker, what is this minister doing to have a labour adjustment strategy within the health care professionals? Start treating our health care providers as professionals—

Mr. Speaker: Order, please. The honourable member has put his question.

Mr. Orchard: Mr. Speaker, I regret that this may be yet another plank in my honourable friend's leadership campaign, where it is not appropriate for government to work with the unions to provide laid-off staff with employment opportunities when the system has them, because that is what I sort of thought the labour adjustment committee, and I think that is what the union membership sort of believed, was an end goal. My honourable friend

obviously finds that offensive. I think he is alone in that analysis that that is not a real and a necessary adjustment.

Mr. Speaker, let us talk about a number of other strategies which are also part of health care reform, and that is that I believe, if my honourable friend were to check, he would find that a number of our diploma nursing courses, for instance, have provided space for LPNs who wish to upgrade. That is yet another part of the strategy. I hope my honourable friend does not disagree with that.

Red River Community College Nurse's Aide Program

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, my question is for the Minister of Education.

Can the Minister of Education tell the House why additional nurse's aides are being trained at Red River Community College when hundreds of LPNs and R.N.s are unemployed? Why is the course being upgraded so qualifications of these nurse's aides are becoming closer and closer to what the LPNs are doing? Maybe if the Minister of Education—

Mr. Speaker: Order, please.

Hon. Donald Orchard (Minister of Health): Mr. Speaker, I know that my honourable friend is concerned about this issue, or else he would not be posing the question, but surely my honourable friend is not equating the skills training of nurse's aides with registered nurses and with LPNs because, Sir, there are differing skills training and service delivery opportunities of those three professional disciplines in health care.

There is no question that right now a number of facilities are hiring additional nurse's aides, and I think that additional training would be appropriate if there is a need in the workplace for those additional trained aide positions. Surely again, my honourable friend is not saying we should not undertake that training when the facilities are hiring aides.

Mr. Speaker: The time for Oral Questions has expired.

Nonpolitical Statements

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, might I have leave to make a nonpolitical statement?

Mr. Speaker: Does the honourable Minister of Justice have leave to make a nonpolitical statement? [agreed]

Mr. McCrae: I thank my honourable colleagues, Mr. Speaker, and take this opportunity to draw attention to an extremely important event taking place this week in the city of Brandon.

I refer, of course, to the Scott Tournament of Hearts, the premier event in Canadian women's curling competition.

Obviously, reference needs to be made to the Scott Paper Company, but also to those many organizers and countless volunteers who are working so hard to make this a tremendous success for all of the competitors who come to Brandon from right across Canada and to make this a tremendous success for all those right across Canada and elsewhere who are taking quite an interest in the Scott Tournament of Hearts in Brandon.

It is an interesting year at the Scott Tournament of Hearts because we have two Manitoba teams involved in the competition. The Team Canada team is the team skipped by Connie Laliberte from here in Winnipeg, and of course, the Manitoba team this year is skipped by Maureen Bonar.

We wish all the competitors well in this extremely class act that is being carried out in Brandon.

I might say that the Scott Tournament of Hearts is one of a number of important national and international competitions that have been and will be held in the city of Brandon. I believe the people of Brandon have a tradition of demonstrated ability to host and stage national and international class competitions and tournaments. Thank you, Mr. Speaker.

Mr. Speaker: Does the honourable member for Brandon East have leave to make a nonpolitical statement? [agreed]

Mr. Leonard Evans (Brandon East): I would like to join with my colleague the MLA for Brandon West, the Minister of Justice (Mr. McCrae) in congratulating everyone in Brandon involved in arranging and supporting the Scott Tournament of Hearts.

Curling is one of my favourite games. It is one of the best games in the world. I want to extend personal congratulations to the strong Westman team that we have: Maureen Bonar, Mrs. Fowler and daughter and Allison Bell, and say that I agree

100 percent with the minister that the community of Brandon has had a very successful track record in sponsoring major national and international events: World Youth Baseball, winter games and more to come.

I just want to say, Mr. Speaker, if I might, I am very proud of the fact that back in '69 and '70, I was part of the government that put the money in place to set it to establish the Keystone Centre.

I appreciate it has been expanded since, which is good, but I am glad that the people who were involved in establishing the Keystone Centre in the first place had the wisdom to provide a facility that has enabled this type of sporting event to take place.

Certainly all of us look forward to good things happening in the Keystone Centre in the future.

Again, my congratulations to everyone involved in this.

Mr. Speaker: Does the honourable member for St. James have leave to make a nonpolitical statement? [agreed]

Mr. Paul Edwards (St. James): Mr. Speaker, I want to join with my colleagues who are actually from Brandon. I, of course, am not, but I go there quite often, as the Minister of Justice (Mr. McCrae) knows.

An Honourable Member: To hang around the courthouse.

Mr. Edwards: I hang around the courthouse. That is right.

Now, Mr. Speaker, I want to simply join comments with my colleagues the members from Brandon East and Brandon West in congratulating Brandon on an outstanding job. There is no question from anyone who has participated in this tournament, who has watched it, that the city of Brandon has shown itself again to be capable of being an outstanding host for such a sporting event.

I had the opportunity back when they hosted the World Youth Baseball to also have some exposure to the skills of the people of Brandon and their hospitality in that sporting event. I think it bodes well for future events, not just for Brandon, but it helps the whole province of Manitoba. That community deserves our gratitude and our congratulations for an outstanding job.

I wish them well in their future endeavours to secure future events of this sort, because I am sure

that they will get them in the future, given their past record of achievement. Thank you, Mr. Speaker.

Committee Changes

Mr. George Hickes (Point Douglas): I move, seconded by the member for Swan River (Ms. Wowchuk), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Point Douglas (Mr. Hickes) for Flin Flon (Mr. Storie) for Tuesday, March 2, 1993, for 7:30 p.m. [agreed]

Mr. Edward Helwer (Gimli): Mr. Speaker, I move, seconded by the member for Sturgeon Creek (Mr. McAlpine), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: the member for Arthur-Virden (Mr. Downey) for the member for Rossmere (Mr. Neufeld), the member for St. Norbert (Mr. Laurendeau) for the member for Lakeside (Mr. Enns). [agreed]

ORDERS OF THE DAY

Hon. Clayton Manness (Government House Leader): Mr. Speaker, would you call Debate on Second Readings, the bills in this order Nos. 6, 2, 3, 5, 8, 10, 12 and 13.

* (1420)

DEBATE ON SECOND READINGS

Bill 6—The Real Property Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Justice (Mr. McCrae), Bill 6, The Real Property Amendment Act; Loi modifiant la Loi sur les biens réels, standing in the name of the honourable member for Point Douglas (Mr. Hickes).

An Honourable Member: Stand.

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

Ms. Becky Barrett (Wellington): Mr. Speaker, I am glad to stand up and put our party's position on Bill 6, second reading, on record, and I will be very brief so that we will be prepared to move this bill through to public hearings.

As the Minister of Justice (Mr. McCrae) in his presenting this bill for second reading spoke, it appears from the amendments that are being put forward to The Real Property Act that they are by and large housekeeping amendments, that they are amendments designed to bring the act in line with

current computerization that is being undertaken in the department and to clarify some other specific concerns that have been raised through the workings of this act.

There are, however, a couple of points. This is one of the reasons why we are prepared to send this to public hearings, is that there are, in particular, two areas of this bill that we want additional clarification on.

The first one of these is the question of having a creditor having to check more carefully before registering a judgment. This appears to be a fairly positive clarification. My understanding is that is so that people who actually own the land are not being asked to have debts that were assigned to someone who earlier owned it, the responsibility for that. I think that is important to be clarified. The role of the district registrar in this process, too, we will ask for further clarification.

The one that I also have some concerns about is the amendment that will eliminate the requiring of a notary witnessing a land title be a Canadian notary. I am unclear, as we discuss this particular element of this bill, what the reasoning behind this amendment is. So we will have some potential concerns on these two issues, but by and large feel that it is a necessary set of amendments with those two areas of concern that we have.

We are prepared, at this point, to allow this bill to go to public hearings. Thank you, Mr. Speaker.

Mr. Speaker: The honourable member for St. James, if you are standing to adjourn, leave has already been granted for the member for Point Douglas (Mr. Hickes) that this matter remain standing.

Mr. Paul Edwards (St. James): Thank you, Mr. Speaker.

Bill 2—The Endangered Species Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Natural Resources (Mr. Enns), Bill 2, The Endangered Species Amendment Act; Loi modifiant la Loi sur les espèces en voie de disparition, standing in the name of the honourable member for Interlake (Mr. Cliff Evans).

Mr. Cliff Evans (Interlake): Mr. Speaker, I would just like to make a few comments on the amendments proposed by our Natural Resources minister on The Endangered Species Act.

I can relate somewhat with the minister on the amendments to the act as far as his comments, in reference to say that he takes pride. It certainly places the province in the forefront for concern for endangered species.

I would also like to make some comments on the minister's statements as to saying that some of these amendments are minor. Understandably, the minister, in his wisdom, and his staff have decided to conform with the language that has been brought to the federal legislation in dealing with that and proposing amendments to the act to deal with it. I would say the minister and his staff have done what perhaps they should have done at the initial presentation of this act.

However, Mr. Speaker, having said that, and in light of the act being relatively new and with different concerns arising and whatnot with our endangered species and the act itself, I can well realize and appreciate that at times things have to be brought forth and changed.

* (1430)

Mr. Speaker, I would say some of the problems that we may have here are, again, when we are dealing with the Minister of Natural Resources (Mr. Enns) and really with any minister where we have the fact that a minister is given specific powers. I believe in my last comments to The Endangered Species Act, when it was presented in 1990, I had indicated that there was always concern with the minister's authority, I should say, to be able to have such power to make decisions, whether it be on endangered species or whether it be on any of the species, wildlife and floral, that we do have in this province.

Mr. Speaker, in going over the act and the changes, I see no problems in the word changes or that additional wordings are going to indicate any threat to our wildlife whatsoever, and I will coincide with the minister in saying again that the terms are better and more specific to the actual status and the status of habitat of what specific species are included.

The old act, as I had indicated, showed a sense of being too general and too open, and the ability to be able to deal with the act in certain ways did not seem to conform with what this minister and what direction this government wants to take as far as wildlife and as far as endangered species.

I want to make some short comments on the minister's reaction when he presented this bill in December of '92. I want to assure honourable members that I again have been advised by professional staff that on occasion, endangered species, and it has happened just in the last little while, were injured and indeed care was provided, but technically, that was contravening the act, because the act before, Mr. Speaker, prohibited the handling and care of such species that are on the endangered list.

The minister says, well, we want to assure the honourable members that this will not happen and that under certain conditions, the species will be handled or taken care of with all due respect and reason of life.

I would think that one of the changes that we are dealing with here—and change No. 2 as the minister has indicated, the redefined and added terms described in change one are substituted for existing mid-use terms whenever they occur in the existing act.

Mr. Speaker, this change could, in fact, become somewhat controversial because we never know. Changes in the act itself might just open up the door for abuse in certain circumstances when it deals with endangered species or when it deals with any wildlife or any flora endangered species that we, here in Manitoba, might incur.

So I would think that the minister, with the amendment and with his staff, would in fact monitor closely the changes that they have implemented in the amendments and make sure that there is no abuse when it comes to endangering or the handling or the killing or the entrapment or enhancement of the species that are being taken care of.

I do have a problem with that, and I always have felt and have spoken with the minister on some of his acts and amendments to the acts that he has put through, that if he feels he should have the power to be able to issue permits or the power to put forth some problem that we have with endangered species, that he is careful in who he issues these permits to, that he is careful and monitors how the people that he feels are responsible to take care of this are going to be monitored and made sure that they are doing what is necessary to assist and to make sure that we do not come across problems where people will abuse the system and take on and say, well, this certain species is threatened, this

certain species is hurt. We have to make sure that the minister and his staff are well aware of whether the species itself that they are dealing with at the time is handled with the utmost respect and care and not just taken upon and saying, well, here we have a certain endangered species that has a broken leg and we feel that we should just get rid of it.

(Mr. Marcel Laurendeau, Acting Speaker, in the Chair)

I would think that is not where the minister himself is really coming from with this amendment, but it does have the door open for such a circumstance to occur. We hope the chances of such an occurrence would be relatively small and not happening. I would think that in fact it could happen. The minister does have to make sure that staff and he, himself, are aware of the circumstances relating to the specific species that may come in question.

Mr. Acting Speaker, the ability in the act and the ability we have that the minister is offering for people to obtain a permit to kill a threatened or endangered species is a different aspect of what presently exists, because now in the act species must be only held alive. So the amendment to this act is going to give the ability for people to go to the minister again, and the minister within his wisdom and his power is going to be able to say, yes, we can give a permit for this and for that, we feel certainly that a species which is hurt should be killed.

I would think that the minister will, before he issues any permits, any permits whatsoever, be made well aware of what other situations he may take and options that he may take. I guess also we have that this is also opening the door a little more in this act to allow killing, as it states, for scientific purposes, for scientific research and for suffering animals.

Mr. Acting Speaker, again I would hope that this minister is careful as to who he listens to when it comes to which endangered species is suffering or for what scientific research that he would allow that this animal be killed. I would like to think that the minister is and has and especially with the advisory board that he has included within the act that he hears what the advisory board has to say, that the minister does not act on issuing any sort of permit or conditions to allow just ad hoc that because someone says, well, we need such and such a species for scientific research.

Well, I would hope that the minister does, as I have indicated earlier, monitor exactly who is making this request, why, and before he issues any permits to anybody that he is well aware and concerned with the fact of what species is indicated, why, the reasons for it and that the minister must in his own mind be well assured that issuing any permit to destroy any animal be absolutely and positively the only and the last option that he has.

Mr. Acting Speaker, I would also want the minister to sort of give a little better definition of scientific purposes so that we do not have any abuses. I do not see any real points in the act, in the amendment, that give us a definition of what this minister is going to allow when it comes to scientific purposes. They are not as clearly stated as I feel they should be. We may make an amendment. It has now become important to the minister to put this in, scientific purposes, no clear definition of scientific purposes. It has now become important because here we have and indicated and we have put into the amendment the fact that we—the minister, not we, but the minister—is going to allow permits for killing.

Also within this amendment, I feel that if the minister follows the act and if the minister responsible takes the proper responsibility, Mr. Acting Speaker, then the fact that the probable purpose that we hope the minister has with the amendment to this act is to have a more efficient issuing of permits to qualified and respected research people, competent people, within this province and through that with the minister's assent and with the minister's permission that these qualified people are presenting something to the minister that is going to allow mercy killing of endangered or threatened animals.

Hopefully with this amendment and part of the act this will be accomplished so that we do not have just any researcher who just feels that he wants to take on some species and do some research on a problem and the minister just issues a permit out to kill animals for experiments on a regular basis. Mr. Acting Speaker, he has to make sure that this is again his only option out.

I would suggest that to the minister, Mr. Acting Speaker. If he is in the power to issue permits, I would like to think and like to hope that the minister will in fact have in his annual report or on a semiannual or quarterly report a list of the people who he has issued permits to and the reasons for issuing the permits. We should be made well aware

by this minister. We want to know. If it is necessary, we want to know and it should be listed by the minister and it should be presented by the minister to the members of the House. So I would think that is one part of the act that nothing is said in it, but I feel that we should be aware of who this minister and for what reason this minister is issuing permits out, whether it be for mercy killings, for research, for whatever, that we should know where and who this minister is issuing permits to.

Well, Mr. Acting Speaker, I would just like to close in having to say that we do not see, I do not see—some of the other members may see and read within the lines a little more on these amendments, and I will give them the opportunity to speak on it—but I would just like to say to the minister that if in committee there are amendments and people who are going to come to committee to speak, if any, on these amendments, that the minister listen and the minister respect the views of the people besides his staff who are in the know and knowledgeable of endangered species and to be very careful that he does not make the same mistakes that he made with some of the other bills that he presented to us last year in the House. Thank you very much.

* (1440)

Mr. Paul Edwards (St. James): Mr. Acting Speaker, I would like to speak on this bill, Bill 2, before the House. I have listened closely to my friend's comments, and I have reviewed the comments by the minister. I have some concerns about this bill, and I do not intend to speak for any great length of time, but I do want the minister to address the concerns that I intend to raise. They are not many, but I would like to have some further discussion on some issues at the committee.

Mr. Acting Speaker, specifically I would like to know why the minister needs to extend his power in Section 11 to issue permits to kill, take, collect or capture animals which would otherwise fall within the restrictions under this act. The current wording, of course, is that he can issue permits to collect and hold alive. The revised definition is substantially broader and some concerns are raised by that increase of power.

Perhaps, the whole matter is exacerbated because it happens to be this particular minister who we know from experience has a long track record of maximizing the discretionary opportunity that an act affords him. Whether we take issue with that or not,

we certainly know this minister would not put a bill before the House increasing his discretionary authority if he did not have a purpose in mind. I believe that he is one who would not waste time with a bill unless he needed it for something, and I would like to know what he needs it for. He is not someone to build in discretionary power that he does not intend to use, Mr. Acting Speaker, and I would just like to know why he wants it.

There are some real concerns about endangered species in Manitoba, beluga whales, for instance, up on the Churchill basin in Hudson Bay. You will know, as all Manitobans will, of the controversy in this province over the oftentimes tragic consequences which flow from our agreeing to essentially export certain species to American zoos or to other places.

An Honourable Member: Speak to the people of Churchill.

Mr. Edwards: Mr. Acting Speaker, the member says, speak to the people of Churchill. I have spoken to the people of Churchill. What I have heard from the people of Churchill directly from their mouths is that they want the opportunity, at least the ones I spoke to, to continue that trade if you will, but they are the first to acknowledge, and they live closer to the elements, closer to the land, closer to the species than most of us do, in particular those who live in the city—they realize that there have to be guarantees in place to deal with these animals humanely and to respect as much as possible even members of the animal kingdom's right to be treated with respect and with care. We have, as I have said, had tragic consequences with some of these animals in the past.

I am very suspicious of this minister's desire for increased discretionary power, and I think rightly so. Now if he comes forward with some explanations, perhaps it will satisfy me. I do not know. The point is, none of us know why he needs this increased power, and I would like to know, I want to understand from him what is the pressing need that he is seeking to address in expanding this power.

I must say, Mr. Acting Speaker, the other thing about this bill is, it adds the inclusion of the word "extirpated" as a class of species, which means a species, I am led to believe, formerly indigenous to Manitoba which no longer exists in the wild in Manitoba. To the extent that it is adding that additional category under this act I have no problem.

We are increasing the number or the type of species that would fall under the protection of this legislation, but I would ask the minister to address the question of the expansion of his discretionary power in Section 11 of this act.

We went through a year ago over the Oak Hammock Marsh bill, so named by this minister, the revisions to the bill that would have restricted this minister from doing the things he wanted to do on protected lands in this province. Whether the project is good or not for this province, we said at the time, and I still say, you do not revise acts, you do not revise bills, in this case The Wildlife Act, you do not revise them in order to deal with one specific project. If it was the Oak Hammock Marsh bill, then this minister should have had the fortitude and the honesty at that time to put in a section about that project and deal with it and stand by that project. Instead we got an amendment to an act which had to live until another Legislature changes it, and that is dangerous.

Mr. Acting Speaker, I simply want this minister to come forward in this act and tell us what he wants to do, and we will deal with it on that basis. The increasing of executive discretion-making ability under legislation is not a progressive way to go about building acts. They are supposed to protect people from executive authority. They are supposed to give people some assurance of what is going to happen.

Permits, in this case, Mr. Acting Speaker, being issued by the minister are an exception to the rule that is set out under this act. They are to be dealt with as exceptions. Why are we expanding that power? To build in exceptions to legislation. If the principle is there, if it stands, then this minister should be able to define the circumstances in which he wants those exceptions. That is the challenge that we place to him, and that is what we look forward to hearing from him at committee.

As a result, Mr. Acting Speaker, I am not going to say, until I have had the benefit of the minister's comments to this question, whether or not this party will in the end support or oppose this legislation. I want the minister's responses to this, and I look forward to them at the committee stage. Thank you.

Mr. Jerry Storle (Flin Flon): Mr. Acting Speaker, I move, seconded by the member for Point Douglas (Mr. Hickes), that debate be adjourned.

Motion agreed to.

Bill 3—The Oil and Gas and Consequential Amendments Act

The Acting Speaker (Mr. Laurendeau): On the proposed motion of the honourable Minister of Northern Affairs (Mr. Downey), Bill 3, The Oil and Gas and Consequential Amendments Act; Loi concernant le pétrole et le gaz naturel et apportant des modifications corrélatives à d'autres lois, standing in the name of the honourable member for Point Douglas (Mr. Hickes). Stand?

An Honourable Member: Stand.

The Acting Speaker (Mr. Laurendeau): Agreed.

Mr. Jerry Storle (Flin Flon): Mr. Acting Speaker, the legislation that we are considering here is obviously a substantial piece of legislation. I wanted to begin by acknowledging the work of many people who have been involved in the production of this new piece of legislation, which is the consolidation of a number of sometimes antiquated pieces of legislation dealing with oil and gas royalties, oil and gas reserves and the management of oil and gas properties in the province of Manitoba.

* (1450)

Mr. Acting Speaker, we are relatively lucky, I guess, amongst provinces to have significant reserves of oil and gas in the province. I do not think it would be fair to say that oil and gas is a significant portion of our overall gross domestic product, but clearly the value of oil and gas in the province of Manitoba provides significant revenue to the province of Manitoba and significant employment, particularly in the southwestern corner of the province of Manitoba.

Mr. Acting Speaker, my familiarity with oil and gas issues is fairly limited, although I do recall back in the 1950s when I first moved with my family to the farm out in Baldur, Manitoba, that at that time there was a bit of a kind of an oil boom. In fact, even in Baldur companies like Shell were buying up the mineral rights from farmers, and I recall my father signing an agreement. If I remember correctly, I think the oil and gas rights were leased for something like \$180 a half section. So that is my first recollection, first knowledge of the fact that people in southwestern Manitoba were in fact sitting on some extremely valuable minerals. Although I did not probably recognize the value of \$180 at the time, it sounded like a lot of money.

This particular piece of legislation, as I mentioned, is designed to consolidate and to update pieces of legislation that have preceded it. I wanted to spend some time talking particularly about a couple of aspects of this bill that I think are important and maybe asking some questions of the minister responsible in terms of parts of this that perhaps could have been consolidated in a different way. I will confess to not having read every clause of this piece of legislation, because I do not consider myself an expert on this subject nor is it my critic responsibility area for the time being.

I did want to raise some issues, and I guess the first one I wanted to talk about was the issue of The Surface Rights Act. It is not clear whether some of that act has been usurped by amendments in this act and perhaps the minister can indicate by nodding whether that is going to remain a separate act. So that was one of the questions. It was not clear although it deals with wells and licensing and re-entry to property and lots of things. [interjection] The minister has indicated now that there is a separate act and there will be amendments, I suppose, consequential amendments as a result of this act because it is quite clear that in some areas the jurisdiction overlaps, and there are references to those issues in this act as well.

Mr. Acting Speaker, the bottom line I guess is that this act is necessary. There is no doubt that the industry is requesting this act. They wanted some updating and they wanted some clarity in a couple of areas.

One of the areas that I wanted to talk about was in the area of conservation. Mr. Acting Speaker, the fact of the matter is that the legislation establishes a conservation—I believe it is called an oil and gas conservation board. When I went over the purpose of this board and the powers of the board and what the board was intended to do, the first thing I was struck with was the fact that the government indicates it intends to appoint only three members or can appoint as few as three members. I think that is right. I think it was three members. It says that two of those members should be experts in the field. Obviously, until you see who actually is appointed, I think that there is a danger in those numbers. I just wanted to lay that out to begin with. I think first it is clear that if you have two industry experts, it is certainly conceivable that they have or they will have had or they may have in the future ties to the industry.

Mr. Acting Speaker, certainly in my opinion, and in my experience, the issue of conservation particularly when it comes with respect to oil and gas, but certainly it is true with other primary resources as well, the industry has never allowed itself to focus very extensively on conservation. Industry is more interested as probably it should be in development. Industry is interested in finding new oil and gas reserves and depleting those reserves as quickly and as expeditiously as is practical. That is the concern that I have and I would argue that this board should be, I think, established a little bit differently.

I think the current—[interjection] I recognize that the current minimum number is also five, so we are now shrinking the minimum number and we are putting potentially the power on the board in the hands of industry experts. [interjection] Well, Mr. Acting Speaker, it says experts. It does not say specifically civil servants. The minister is saying that has been tradition and certainly previously it has been, but like I said, the board has significant power and when you are dealing with an issue like conservation I think you want to maintain the appearance at least of neutrality when it comes to dealing with issues like oil and gas conservation.

The board itself obviously has limited power other than their power to report to the minister and I guess in effect make recommendations, although I gather the board has some direct decision making powers over the rule that the director plays in decisions that directors make. I think that was the term that they used. Mr. Acting Speaker, that is one concern that we have about this legislation. [interjection] I have forgotten why the member for Lakeside (Mr. Enns) is mad at me. If it will help, I will certainly speak quieter.

* (1500)

Mr. Acting Speaker, the other issue that I wanted to deal with, I think, has as much to do with the government's current revenue dilemma than it has to do with this particular bill but I think the principle is the same and it has to do with conservation. The government announced some time ago, on January 26 to be precise, that it would be providing some additional royalty incentives to the industry with respect to horizontal drilling. I looked at this and I said, what is the rationale for this particular incentive at this time. I know the minister responsible for Energy and Mines is from the southwestern part of the province and represents maybe the oil capital of

Manitoba, Virden and Waskada areas and Pierson, but the question that I raise is the practical value to the province of Manitoba at this time of that particular initiative. I recognize that the industry is suffering. Certainly, I would not fault the government for wanting to find ways to stimulate new drilling activity.

Mr. Acting Speaker, what the government has done, in my opinion, by making this particular regulatory change dealing with incentives is basically encouraged the exploitation of known reserves at this particular time. So we have the case where the industry has already expended the money, the development costs of course being the largest part of the cost. The employment that is created around the industry generally comes through the exploration activity and the development of the production facilities.

So we have already benefited from that and, as has the company, benefited from the royalty tax holiday that was in place for new wells. Now what we are doing is we are saying, let the oil companies that have already spent those resources now deplete the resource in a more, I guess, hurried pace. We are simply saying that the exploitation of the resource now should continue more quickly. I am not sure that is necessarily a good thing for the province of Manitoba.

The oil reserves in the province of Manitoba are not going away. If the companies continue to pump oil out of the ground, even if it is at a slower rate, we are going to collect those revenues over a longer period of time. So what is the incentive? Why would the government now say well, yes, you have the reserve and now we are going to give you additional incentives to deplete the reserves more quickly?

Mr. Acting Speaker, I would have thought that the more appropriate direction would have been to say, let us find a way to encourage more exploration, let us find a way to find—[interjection] Well, then this was completely redundant and unnecessary. [interjection]

The Minister of Energy and Mines (Mr. Downey) wants to say we have found a way to create more exploration. Well, I am not sure that the statistics show that in fact is happening. The price, the value of oil leases is far below what it was only a few years ago, and the minister knows that. So I would have said that we would have found something more

constructive—[interjection] Well, that is certainly what we need.

Mr. Acting Speaker, the minister inadvertently again has hit upon the answer. What the minister is doing is giving away revenue that belongs to the people of Manitoba and the province of Manitoba on oil reserves that are known, basically saying, here is a tax holiday, yes, you have already expended your money and you have had your exploration allowances and recovered them through the profits you have taken already on the oil reserves you have extracted, but here go ahead and deplete the resources in the next couple of years and we will give you a tax holiday to do it. I think that is a misuse of Manitoba's natural resources and a misuse and a giveaway of potential revenue to the province of Manitoba.

Mr. Acting Speaker, the bottom line I think is that particular initiative was a mistake. As I said, I would have liked to have thought the government could have found a more creative way to actually increase exploration at this time through some mechanism, because we would have liked to have thought that the oil and gas industry would have been a bigger player in our economy.

I also wanted to review for the minister sort of some of the history of oil and gas over the last decade. This minister, the minister responsible for the Conawapa boondoggle, as it is called, the minister who gave the Ontario government the tough choice, either pay us \$300 million to delay it or give us \$85 million to cancel it—the Ontario government gave him the appropriate answer. This minister also in 1988 sold an oil and gas company that had \$14 million worth of known oil reserves for \$3 million. Those are the facts.

Mr. Acting Speaker, not only did he do that, but at the time this minister made that decision to privatize the Manitoba Oil and Gas Corporation he cost the taxpayers approximately \$11 million in value and he promised at that time that this would be the end to the government interference in the oil industry and that better things were on the horizon.

Well, Mr. Acting Speaker, I can tell you, as he the minister himself well knows, that the value of exploration in the province of Manitoba has dropped. The value of oil revenues in the province of Manitoba has dropped. The value of oil leases in Manitoba has dropped. If that is a record to be proud of, if that is something to say, well, look what

we succeeded in doing, then I guess the minister can take credit for doing it.

Hon. Albert Driedger (Minister of Highways and Transportation): What is the legacy that you left?

Mr. Storle: The legacy the member refers to, of course, was an oil company that had \$14 million of known oil reserves. That is the legacy.

Mr. Driedger: You killed the mining industry.

Mr. Storle: Mr. Acting Speaker, the Minister of Highways and Transportation (Mr. Driedger) wants to drag me into another debate that he cannot win. The fact is that this government is telling the mining industry in Manitoba that somehow the tax regime of the former government was so onerous that it was detracting from exploration activity.

You know what the irony and the idiocy of that argument is? This government in 1988 had a chance to change the tax regime—1988. What did they do? Did they reduce the tax royalties for mining companies? No. The Minister of Energy and Mines put a surtax on mining companies of an additional 1.5 percent. It was suppose to be a temporary surtax, but that surtax is still in place. The tax regime effective under this government is 21.5 percent rather than 20 percent under the previous government.

Mr. Acting Speaker, the record speaks fairly clearly for itself. When this government was in office, between 1981 and 1988 there were five new mines opened in the province of Manitoba. When this minister took over, when this government took over the responsibility for the mining industry, we have seen three mining communities close and five or six mines close, including the most recent in Snow Lake.

There were five mines opened during the tenure of the previous government, and I asked the minister responsible for Energy and Mines today how many mines have opened since this government took office. Can the minister say zero? That is how many mines have opened. How many communities have closed? How many jobs have been lost in the mining industry? As we speak, the communities of Snow Lake and Flin Flon, the operations of HBM&S are about to reduce their work force by some 490 people.

Mr. Acting Speaker, since this government took office, almost 1,000 miners have lost their jobs, so the Minister of Highways and Transportation (Mr. Driedger) and the Minister of Energy and Mines (Mr.

Downey) do not want to discuss at all in public this government's record when it comes to mining in the province of Manitoba.

Back to the oil and gas issue and these amendments. I think probably the minister does not want to talk too much about oil and gas, because their record is not much better. I will, however, acknowledge that this legislation was needed. As I say, there is a consolidation of pieces in here. There are some additional supports for particularly the environment.

I wanted to reference the abandonment provisions in the act and the abandonment fund, which I think are important additions, as well as the rehabilitation requirements. I think, although they were mentioned and were mentioned partly in The Environment Act as well, the fact is that the new rules are going to clarify the procedure for abandonment, the procedure for rehabilitation. I think that is good.

Mr. Acting Speaker, the bottom line, I think, is going to be how the industry and the communities that have to deal with this act more directly are going to respond.

* (1510)

Obviously, while I do not pretend to understand everything in this act, I do expect that the industry will be making its presentation on the act, that we will have an opportunity to hear some of the oil companies operating in Manitoba, whether it is Tundra or any of the others, and we will be listening with interest to their view. I expect that some of the representatives of the Manitoba municipalities are going to be talking about it, as are some of the leaseholders who have obviously a stake in the provisions under this act.

So, Mr. Acting Speaker, those are my comments. The government will be introducing some amendments as we go through the process. I am sure that they have already. I certainly hope they have already consulted fairly broadly with respect to this legislation and that certainly if there are issues that are raised with this caucus beyond the issues that we have raised already and that my colleagues will raise as we discuss this further, we will want to expedite getting to committee and listening to what people have to say.

With those comments, I am passing the torch to perhaps other members in the Chamber.

Mr. George Hickes (Point Douglas): Mr. Acting Speaker, I am pleased to rise today to speak on this bill because there has been a lot of work done in this area which had been left undone for about 40 years.

One of the things that I am very pleased about when I was reading through the bill was the amalgamation of five different acts which have been lying around for years and years. Those separate statutes are The Mines Act, The Pipe Line Act, The Gas Storage and Allocation Act and The Securities Act, and that has been long overdue, that the government looked at it and amalgamated them all into one workable act. The same thing happened with The Mines Act when it was changed and amalgamated.

I also had a few concerns reading through the act. One of the areas that I was very concerned about is the whole rehabilitation program for oil wells and exploration work. The reason I was worried about that is, for one thing, the abandonment reserve fund that is going to be put into place is very positive, but right now we do not know how much money that will generate and also with the amount of money—because I was reading an article that came from the Winnipeg Free Press on January 2, 1993. In that article Omega Hydrocarbons president Dennis Hall was stating that there will be 50 more wells scheduled for abandonment next year because they are not economical to operate anymore.

If there are 50 wells that are going to be abandoned, where is the money going to come from to rehabilitate those areas to their original state? I have heard from the government over and over that we do not have the resources for additional funds to put into various programs and human resource areas. That concerned me. When I read through the act I was very encouraged because there was going to be a reserve fund to rehabilitate, but then when I read that article it triggered a little warning, and I thought, well, what is going to happen here.

Hon. Harry Enns (Minister of Natural Resources): I kind of reacted the same way.

Mr. Hickes: The Minister of Natural Resources agrees with me, and I hope that the government finds some money, some ways to look at restoring those wells once they are abandoned.

The other area that raises some concern, when we talk about sustainable development, we talk about safety to the environment. I do not know if

some of the members remember, but quite a few years ago—well, not that long ago, it would be within the last 20 years—there was a lot of drilling going on off the shore of Churchill in the Hudson Bay. There was a lot of activity happening at that time where they were taking individuals out to a ship—they had a rig out there—and they were bringing them out there and they were drilling at the bottom of the bay, and if something had ever happened there, what would have happened to our Arctic char, our beluga whales and the polar bears?

They were also at that time doing some studies to see what the impact would be. They had some polar bears that they had put in cages, and they were going through the process of what effect it would have if they found oil and if there was an oil spill.

I had gone into the old laundry plant at that time where they kept the bears, and I was astonished to see that they were feeding them oil mixed with their meat and also putting oil on the bears' fur to get the results of what would happen to animals if there was an oil spill. As we know, of course, the bears started losing weight and started to lose fur.

So that just goes to show that if there is an accident that our environment would be greatly damaged, because the environment we have in the Hudson Bay right now, the salt water is very clear and we have an abundance of whales, we have an abundance of polar bears, but the Arctic char, I do not know what happened there. When I was younger we used to do a lot of fishing for char in the Bay but now there are not too many to be had.

(Mr. Ben Sveinson, Acting Speaker, in the Chair)

The other thing that concerns me is what pertains to part of the act where it says, according to the section: impediments to the development of oil and gas resources be prevented or minimized. What does the word impede mean versus the economic benefits? If it means putting environmental measures or environmental standards or equipment to meet those standards in place that cost X number of dollars versus X number of profit it will generate, what offsets what? If that could be explained further, I think that would clear it up for a lot of people who are concerned about this new bill.

Under the bill the other thing is it says, the only reference to The Environment Act is: the operators of battery or gas plants make every reasonable effort to operate with the least possible discharge of

pollutants. What is the least possible discharge? What is the measurement? Is it 75 per cent? Is it 50 per cent? Is it 25 per cent? Is it 5 per cent? As little as possible, right.

If you look at some of the factories that are going on in Mexico, under their system they have today, without putting additional dollars into it, that is the least amount of pollutants that they are putting into our air. So what does least amount mean? Maybe there is logic to it. I do not know. If there are strong measures to protect that—because like I said earlier when I started off, so far as I am concerned, this bill has a lot of good ideas in it and it has been thought out, but there are just some areas that without further explanation I do not understand.

The other area that I was looking into was the development of the board. Right now they are limited to five members, and the new proposed one must have at least three members but no maximum number. So how many members on that board will we have? Will it be three or will it be 30? There is no set number there. It says at least three members. If it stays at three or five I do not have any problem with that, but if it is a board that could be created I guess to go along with the patronage, then I do have a difficulty with that.

* (1520)

One of the changes to the board that has been proposed here which I find very, very encouraging is in the previous act the board members did not have to have any qualifications to be appointed. So when you talk about expertise required to manage your oil and gas resources I am very pleased to see at least two members must have specific knowledge in the oil and gas areas. That way we should have access to expertise, access to people with knowledge in that given area, and that way it gives you at least accountability to that board.

The other thing is that only one member may be a government employee. Some people might criticize that, but I do not see a problem with that. If it is a government employee that answers directly to the government a lot of that information that is discussed in the boards could be passed onto the minister for—well, I guess, to make sure that the minister is up on what is happening in the oil and gas industry.

The other area pertaining to the board, that I guess if they handled it well, should not create any problems. Like I mentioned before, when I was

speaking on the bill dealing with natural resources pertaining to power of this, of the thing, it might not be this minister, it might not be the next minister, but what could happen in the future if we have a minister that would dictate and have their own agenda that is not in accordance to people's wishes—[interjection] Well, no, because it says right in there that the minister is having more power under these changes than the board. The board is more of an advisory role to the minister.

(Mr. Marcel Laurendeau, Acting Speaker, in the Chair)

An Honourable Member: The minister has been elected by the people.

Mr. Hickes: The minister is elected by the people, but the board is appointed. That should be an extension to the minister, because they are the ones with the expertise. So if there is a spill or a disaster, the board has the expertise in order to say, well, let us get at it right away or if—[interjection] Well, that is fine and dandy, but I said it could be a problem. I am not saying it will be a problem, but it could be a problem. Maybe not now but 20, 30 years, who knows? That is the only question that I have. While I look across here, my mind is at rest with various ministers, I will assure you that, but I cannot predict the future.

So with those comments I just wanted to raise the few concerns I had. The other thing is that I would like to say again that I think it is an excellent move as long as it is handled properly. The other thing that I would caution is to be sure that our environment is looked after and protected. Like I mentioned to you about the possibilities of the drilling that was happening in Churchill and Hudson Bay, where if there was an oil spill there, the people—we take a lot of our recreation, a lot of our food and stuff is taken from the Hudson Bay, like the beluga whales, we eat the meat there, like we eat the muktuk, the Arctic char, polar bears you cannot anymore. When I was a kid we used to eat them, but now you cannot because they are protected.

So if the government ensures, does their best—they cannot always be 100 per cent perfect—but does their best to make sure that the environment is looked after and the rehabilitation is put in place, I support what is happening here. I look forward to the changes. Thank you, Mr. Acting Speaker.

Mr. Paul Edwards (St. James): I believe I have the leave of other members of the House to revert to Bill 6 just to make some brief comments and leave it standing in the member for Point Douglas—

The Acting Speaker (Mr. Laurendeau): Order, please. At this time we are still dealing with Bill 3. So if the honourable member—

An Honourable Member: If he wants to adjourn, he may.

The Acting Speaker (Mr. Laurendeau): OK.

Mr. Jim Maloway (Elmwood): I move, seconded by the member for Wolseley (Ms. Friesen), that debate be adjourned.

Motion agreed to.

House Business

Mr. Storle: Just on House business, Mr. Acting Speaker. I believe the member for St. James (Mr. Edwards) would like leave to speak for a few minutes on Bill 6. I realize that matter has previously been dealt with, but with leave we certainly on this side are prepared to grant leave for him to do that.

Bill 6—The Real Property Amendment Act

The Acting Speaker (Mr. Laurendeau): Is there leave for the House to allow the honourable member for St. James (Mr. Edwards) to speak to Bill 6, which is standing at this time in the name of the honourable member for Point Douglas (Mr. Hickes)? Agreed. Leave.

Mr. George Hickes (Point Douglas): At this time—
(Mr. Speaker in the Chair)

Mr. Speaker: Order, please. Prior to recognizing the honourable member for Point Douglas, we have already dealt with Bill 6, which was first called under Orders of the Day, at which time leave was granted to the honourable member for Point Douglas to have this matter standing in his name. I believe at this time, the honourable member for Point Douglas would like to stand up and make a few remarks.

Mr. Hickes: Mr. Speaker, at this time we are ready to pass the bill into committee, The Real Property Amendment Act.

Mr. Speaker: Done? OK. Now that bill is open.

Mr. Paul Edwards (St. James): Mr. Speaker, we too are prepared to have this bill moved to committee. I do want to put a few comments on the

record at this time with respect to The Real Property Amendment Act.

As members will remember who came to this House or were in this House in 1988, there was some significant discussion around the land titles system in this province with the new government coming into place mostly because the real property system in this province was an unmitigated disaster under the New Democratic administration. No one who had the misfortune to have to deal with the Land Titles Office in the years immediately preceding 1988 would dispute that.

The consumers of this province, the people who were involved in land transactions were waiting three, four, five weeks and more to have their titles issued out of our land titles registry system, and that caused all kinds of difficulties in terms of bridge financing. Administration of justice was increasingly getting a bad name under the New Democratic administration. It simply was not a priority for them.

Now, aside from that, that the system was a total disaster, they brought in a land transfer tax. They forced consumers to pay significantly more for worse service; that was the legacy of the NDP with respect to Land Titles, and quite rightly, not just people who had to deal with the Land Titles, mostly lawyers, but their clients, average Manitobans, who were just trying to sell and buy a house, were complaining vociferously and rightly so. They were paying hundreds, sometimes thousands of dollars in fees and taxes and on top of that were having to pay huge costs, huge costs to most Manitobans, in bridge financing their mortgages, because they had sold their house they were most often buying another house at the same time and they had this four-, five-, six-week lag period when they could not get title issued and therefore mortgage funds could not flow. That is the simplistic view of it but that is, in reality, what was happening. It was a bad system.

* (1530)

I spoke at length in the House at that time with the Minister of Justice (Mr. McCrae) and to be fair, Mr. Speaker, the system has improved. We have moved to computers. Those were things that I had the pleasure of recommending back in June of 1988 when this first came up, the new session had started. It was my suggestion that we move to computers. The government has done that, has

moved to a more streamlined process in keeping with the rest of the country, I might add. It was high time that we used modern technology to give the efficiencies to the system. The Minister of Justice in my view made some errors, the system could be better, but the point is when he came into power it could hardly be worse and anything would have been improvement, and it has improved.

In addition to that, of course, the number of transactions dropped dramatically in ensuing years, mostly because the housing market declined. I understand it is on a comeback and I am very pleased about that. It is always a sign of economic improvement when people start moving and switching houses because they are generally improving, they are generally moving up. It is getting more people, first home buyers, into the market and that has an impact on new homes which are purchased, and construction, et cetera, et cetera.

Mr. Speaker, there has been great decline under this administration in terms of new home construction, in terms of transaction at the Land Titles Office. As a result the land transfer tax has not brought in the revenue that they were seeking and hoping for, but I do acknowledge that the system has improved with new technology being utilized. Alex Morton, a former associate of mine at the firm that I practise at, has been the Registrar General for the province and she has done an excellent job in attempting to reform the system.

We have in this bill some amendments which, as the minister says, simply are intended to confirm existing Land Titles practice. The first major one of those is that the date the document is presented for registration and given a serial number is the effective date, and that is going to be stated more clearly in law. Mr. Speaker, that, I am led to believe—and I do not practise directly in this area—is the practice and the reality anyway. If we are clarifying that in the law, then that is a positive move.

I will look at committee, I will put on record for the minister for his evidence at that time that he has the approval of the appropriate groups. For instance, I assume these have come forward at the behest of Ms. Morton, the Registrar General. I assume that we have the approbation of the Bar Association, others who are interested in this field have been consulted. Usually they have.

I might add that in cases where these types of bills have come forward, we have got some comment from those groups, and generally the minister has respected their wishes and looked for their approval of amendments. I do not see that in his comments on the bill, but I will look for that at the committee.

Mr. Speaker, the second change, major change, is to increase the accountability of judgment creditors who register a claim against a piece of property, and they are now being asked to verify that the debtor is in fact that landowner that they are putting the claim on, because when you register a claim against land it can seriously affect that landowner's right to deal with the land. They cannot sell it anymore without getting that claim off, so you have to make sure that the person who owes you the money is the owner. If it is the former owner it is no good. You are causing damage to somebody who does not owe you anything. So we are placing a burden on a creditor to check, to make sure and to essentially be prepared to pay any damages that flow from wrongfully putting it on the title. That is legitimate. Again that is the practice. We are clarifying that; we are making it clear. I certainly support clarifying that in the law. If it streamlines the system, makes it clear for the consumers, people who are buying and selling land in this province, then that is good.

Mr. Speaker, I trust that the minister's intention here is not to allow judgment debtors to escape from their debts but simply place a greater burden on the creditors when they are registering something against a piece of land, because this is a unique transaction.

The whole British system of land transaction which we function under is completely unique. It is not like buying a car, it is not like buying a piece of furniture, it is not like buying anything else. Land is given special significance and it has historically been given. That is why we have this Land Titles Office. Why? Because land is treated as a unique asset. No piece of land is duplicated. It is unlike anything else. It is totally unique on the face of the earth, a piece of land, and so we have always dealt with it as a special asset, real property.

That has meant, unfortunately for many, many would say, that when people go to buy land and sell land they have hired lawyers. Why? Because they want to make sure that what they think they are getting they are actually getting, that the surveys are checked, that the land titles are checked, that it does

not have any liens against it, that it does not have any claims against it, that the survey says the neighbour's garage is not built onto your property. It is special in that sense.

The other reason it is special is that for most people in Manitoba, the land they own is the biggest asset they have, oftentimes the only asset they have. People have put money into property by and large in this province and not put the same amount of equity that they have into any other asset. So they rely on the value of that property for their retirement, for their estate, for their self-worth in terms of net financial worth.

So, Mr. Speaker, it is a unique asset. As a result we have unique rules. As a result, for better or worse, lawyers get involved, and when things go wrong lawyers have trust funds and insurance proceeds which are paid and people have that assurance. That is why they pay for the experts to give them those assurances.

I look forward to some further specific debate with the minister, and I do look forward to some evidence from him that we have consulted with the appropriate subsection of the Bar Association, that we have Ms. Morton's approval on this.

Mr. Speaker, I want to close by simply asking the minister to bring that material to the committee, and I am sure that this bill will gain the approval of our party if in fact we have those assurances at that time.

Mr. Speaker: Is the House ready for the question? The question before the House is second reading of Bill 6, The Real Property Amendment Act; Loi modifiant la Loi sur les biens réels. Is it the pleasure of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

Bill 5—The Northern Affairs Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Northern and Native Affairs (Mr. Downey), Bill 5, The Northern Affairs Amendment Act; Loi modifiant la Loi sur les affaires du Nord, standing in the name of the honourable member for Interlake (Mr. Cliff Evans). Stand? Is there leave that this matter remain standing? [agreed]

Mr. Jerry Storle (Flin Flon): Mr. Speaker, I want to thank the House for leaving this standing in my colleague's name.

Mr. Speaker, this particular piece of legislation is very short and to the point, and I want to take a few minutes because we are going to be talking about the principle of the bill. I want to expand the debate a little bit to talk about a number of other issues that relate to this particular piece of legislation.

The Minister of Northern Affairs (Mr. Downey) I think is painfully aware of many of the problems that confront rural municipalities, Northern Affairs communities, when it comes to planning, and the amendments here which I think are meant in part at least to expedite planning, organization for Northern Affairs communities are important.

* (1540)

I want to start, Mr. Speaker, by talking for a minute about some of the Northern Affairs communities in the Flin Flon constituency. The last four years and a bit have not been particularly kind to Northern Affairs communities. We all are for better planning. Unfortunately, this small, rather straightforward amendment is not what we should be dealing with this session. What we should be dealing with when it comes to Northern Affairs communities is a much more comprehensive piece of legislation, a piece of legislation that deals with the range of planning problems that face Northern Affairs communities, and I know whereof I speak.

In 1983, 1984 when I first became Minister of Northern Affairs I met with a delegation from the Northern Association of Community Councils and they raised the issue of land planning in particular. And they said, you know we find it a little frustrating to look around our communities and realize that beyond the immediate community boundaries and even within the community boundaries when it comes to subdivisions, the release of subdivision lots, et cetera, we have virtually no power.

An Honourable Member: . . . change it?

Mr. Storle: Mr. Speaker, we did make some changes. There were a whole range of other problems that came to the Department of Northern Affairs and Northern Affairs communities from other departments, including the Minister of Highways and Transportation's department. He has been there now for five years, and I will ask him whether he has changed any of the rights and obligations of community councils with respect to highways, right

of ways, road planning, access roads, and the answer is no. [interjection] Well, the Minister of Highways (Mr. Driedger) may want to fudge a bit and say, some, yes; but the fact of the matter is for communities like Sherridon, communities like Wabowden, communities like Brochet or South Indian Lake, those communities sometimes feel powerless. Those communities, to simply get an access road into a new garbage dump, have to go through literally months of planning. Not only do they have to go through months of planning through the Department of Highways, the Department of Natural Resources, but they also, as a matter of government policy, have to circulate any land-use issue amongst government departments.

Mr. Speaker, when I first looked at this almost a decade ago, it took 37 separate signatures to release a piece of land, of Crown land in northern Manitoba, 37 separate signatures. [interjection] Well, we did change; the Minister of Highways and Transportation is quite right. We had that down so we thought that we would only need probably 13 or 14, including Crown corporations, including Manitoba Telephone System and Manitoba Hydro, because they, of course, control a lot of the area of northern Manitoba as part of their water power reserve.

Mr. Speaker, this amendment, which deals with the minister relating to the taking over some responsibility, I guess, for giving him the power to act for the PUB, is only such a small part of the problem that I would encourage the minister actually to withdraw this legislation. I am not saying that the small piece that the minister is dealing with may not be appropriate. That may be useful. That may expedite some of the work of the community councils. What I am saying—[interjection]

Well, Mr. Speaker, the fact of the matter is that, if the Minister of Northern Affairs (Mr. Downey), I guess, had been working consistently with Northern Affairs communities over the last five years, rather than, you know, backslapping at NACC conventions, some of these problems would have been on his plate. [interjection] The Minister of Highways and Transportation (Mr. Driedger) is laughing because he knows the Minister of Energy and Mines (Mr. Downey). He knows him very well, as do I. So the Minister of Northern Affairs is the only person I know who can get sore hands in a room of six people. That is because he shakes everybody's hand a dozen times.

Mr. Speaker, the bottom line however is, and it is unfortunate, that every time they want to release a single piece of land in their community to develop a new residence to allow someone to build, to purchase property, to build a community building, whether it is a fire hall or a community hall, these communities are required to go through a completely exhausting process, a time-consuming process that delays everything in the community.

Mr. Speaker, I am sure that there are things coming through the Minister of Natural Resources' (Mr. Enns) office fast and furious. The unfortunate part is that that is only one piece in a long chain of getting the required signatures. I am not trying to suggest here that these things are not required.

I am not trying to suggest that the province should release unoccupied Crown land without some sort of a process to make sure that it is not encumbered in some way by a mineral lease or timber rights or a Highways right-of-way or a Telephone right-of-way or a Hydro water power reserve area or a trapline zone or whatever. There should be in the department an ombudsman, an expediter, someone who would on behalf of the community take the piece of land in question, take the property, take the subdivision or whatever and move it through this process on behalf of the community, because I can tell you the frustration that communities like, I guess Sherridon is probably as good an example as any, have when they go through this process.

Mr. Speaker, I do not know how many people realize that the community councils, the mayors and councils of our small communities operate on a volunteer basis. They are elected; they are unpaid elected officials. They receive honorariums that amount to a some stunning \$80 per month.

An Honourable Member: We increased them when we came in. You had frozen them for how many years.

Mr. Storle: Well, if the member wants to take credit for increasing it to \$80, I guess he may. My point is not that the honorariums—they are indifferent. The point is that the council and the mayor have the frustration of dealing with the bureaucracy. What I am saying is that somehow we should not expect the mayor and council, who are volunteering their time in essence to serve their community, should have this kind of frustration and headache. It is difficult—[interjection] Pardon me? [interjection] Mr. Speaker, I hope the Minister of Northern Affairs (Mr.

Downey) is not suggesting that community council representatives and mayors are in any way remunerated for the amount of time they spend on behalf of their community. An honourarium is a small show of respect only for their contribution. That is what it is.

Well, the minister wants to lay it out. I am having a little difficulty with the minister's comments from his seat, because it leads me to believe that he really does not appreciate the time and effort the community councillors and mayors in our communities put on behalf of their people.

Point of Order

Hon. James Downey (Minister of Northern Affairs): I would not want to leave that innuendo on the record, that I in any way do not appreciate the hard work and effort of every mayor and council in northern Manitoba that put their time and effort forward on behalf of their communities. It is misleading, it is inappropriate and improper, and it is not the case.

Mr. Speaker: Order, please. The honourable minister does not have a point of order. It is clearly a dispute over the facts.

* * *

Mr. Storle: The minister seems a little sensitive on this, and perhaps if he would be a little more thoughtful in his comments from his seat, it was clearly implied that somehow \$80 was sufficient payment for a month for all of the work and effort these people expend. I am saying, it is a token. It was a token when we were government. It is a token since this government in recognition of their work.

What I am saying is that the problem the minister is attempting to address in this small piece of legislation represents such a small fraction of the real problem that the government should do the right thing. The minister should go back to the drawing board, work with his fellow colleagues on Treasury Board, the Minister of Natural Resources (Mr. Enns), the Minister of Highways (Mr. Driedger), the Minister responsible for Hydro (Mr. Downey), the Minister responsible for Telephones (Mr. Findlay), the Minister of Northern Affairs (Mr. Downey) himself, Minister of Rural Development (Mr. Derkach), and find a way to ensure that someone in the bureaucracy is responsible for taking a piece of land through the planning stages, through the

process of approval, departmental approval, Crown corporation approval, on behalf of the community.

* (1550)

Mr. Speaker, I know and the minister knows that these communities, the mayors and councillors in particular, to whom the burden usually falls, simply do not have time to follow this through and expedite the process. So a simple request for a piece of property on which to build a community hall or to build an access road can be mired down in two years worth of bureaucratic red tape if you will. That is all I am saying. So I would have hoped that the minister would have taken the time to try and resolve some of the larger problems that face these communities because they are important.

Mr. Speaker, of course, the regulatory problems that face these small communities are only part of the problem. They are also faced, unfortunately, with a government that has abandoned them in a number of other ways. In 1987-1988, the Province of Manitoba spent approximately \$20 million on training in northern Manitoba. Many, many people in communities like Sherridon and Wabowden and Pikwitonei and South Indian Lake and Brochet and Granville Lake had access to training programs that allowed them an opportunity for advancement, allowed them an opportunity to develop skills that they needed for their community's sake, but also for their own sake as individuals.

Mr. Speaker, likewise in the 1980s, the government of Manitoba had a Northern Community Assets program which allowed the communities on a cost-shared basis, and bands included, to access support dollars from the Northern Community Assets program to build community assets, to build the infrastructure of their communities. I look at communities like Sherridon where they built a fire hall and a community hall, a new administration building; the communities in Brochet that built additional facilities for their community, including renovations to their community hall. All of those projects added to the quality of life in those communities.

Mr. Speaker, what we are facing in northern Manitoba is despair. The level of unemployment has never been higher. The level of access to community services, the level of access to educational opportunities, particularly post-secondary, has never been lower. We are seeing a lot of despair, and the consequences of that despair,

in our small communities. So, while we stand and debate a relatively minor amendment to The Northern Affairs Act, there are real problems within our Northern Affairs communities. There are people there who wish to be a part of a solution who are being ignored. I think that is indeed unfortunate.

That is the real challenge for the Minister of Northern Affairs (Mr. Downey) and a real challenge for the government because these people, like children in poverty, are a long way away from the services, are in most need and I think have to look to government to provide some leadership. I do not think anyone, no leader in northern Manitoba is convinced that that leadership has been forthcoming from this government or this minister.

Mr. Speaker, I suggest that the minister take this back to the drawing board. I suggest the minister attempt to deal in this legislation with the range of problems that those small municipalities face when it comes to planning and attempt to present us with legislation that expedites the process in its entirety or in the main, rather than dealing with one small aspect of it.

Those are my comments. Thank you.

Mr. George Hickes (Point Douglas): Just looking at Bill 5 and some of the comments from the Minister of Northern Affairs (Mr. Downey), it sort of brings me back to when I was in the training area where we used to do a lot of training in the communities. Before we had any projects approved in any communities, we always made the effort and made sure that we met with the mayors and councils of those communities.

An Honourable Member: Did you shake hands, George?

Mr. Hickes: I do not understand that question. I do not understand that—did you shake hands? At those meetings, a lot of the mayors and councils, like my colleague was saying, are not in those positions to make a lot of money, because they do not get paid a very—they get a small honorarium, which is true. A lot of those community leaders are the ones that spearhead the communities. They are the ones that are involved in almost every aspect that the communities get involved in. They do give of themselves a lot of their time and efforts, and it happens in every community.

You know, we could look in the southern communities, northern communities, east communities, west communities and there is always

a small nucleus of individuals in those communities that sort of forge the community to further developments. They are the leaders of the community.

I have been into almost every community in northern Manitoba at one time or another. I do not think there is a community that I can think of that I have not been to. A lot of those communities that you see are within the Northern Affairs boundaries and are in conjunction with treaty lands. So a lot of the initiatives that are undertaken in those communities also affect the reserve lands and also vice versa. When you have changes by chief in council in those communities, it also affects what the mayor and council will either adapt or amend or approve.

Those communities are always working very, very close together. So when you talk about sewer and water projects, you know, when you bring in sewer and water into, say, Cross Lake, you have a Northern Affairs community, and for years and years the school and the public buildings were the only places that had access to sewer and water, and then the community got it and finally the band got it, and it does make a big difference to the lifestyles and commitments to, I guess, one's own home when advancement is made.

Some people figure, well, the old outdoors will always do, but we are changing with time. Someday I hope not too far in the distant future we will see every community, whether it be a reserve or a Northern Affairs community, have access for the people to sewer and water.

We had a training project where—we talk about these amendments to the communities, amendments to the towns, but we always overlook a lot of times where we could be of the most benefit to the communities, where if we have projects that are within those communities we should try and at least employ people from those communities to either get training in those areas or at least get a job on those projects.

One good example, when I see where in this bill, where it refers to sewer and water, was the community of Moose Lake. We had never tried this in the past, and sure there was some trial and error, but what we had agreed to at that time was to put through a training program to build a lagoon in Moose Lake for the community use of the reserve side and also for the Northern Affairs community. In

that process the only people who were hired from the outside were the instructors. Every person who worked on that lagoon was a local resident of Moose Lake. It brought in economic benefits, it created some employment opportunities, but it also left some skills back in the communities.

* (1600)

So when you talk about sewer and water in the community, those are the kinds of initiatives that I hope that Northern Affairs will address and will work with the mayor and councils. The mayor and councils are there to try and help their community and their people. It is not really to try and make a lot of money or to get rich. What they are trying to do is to stay active in their community and lead their community forward.

Also when you talk about Northern Affairs communities, you could look at the whole aspect of housing issues. There is a great need for housing in some areas, but a lot of it has been addressed by MHRC and CMHC through, well, it used to be Regional Housing I guess, and they used to develop housing for the community needs. CMHC had various programs to help the people. That is the kind of initiatives that we have to continue to have.

When we talk about minor changes in certain bills, I hope the long-range plans are to help the communities to further develop. When you talk about occupations of land, sure, the minister is right. If you had to get permits for every time someone wants to occupy land you would be continually going back in those communities to have a meeting with the mayor and council for every use, but when there is agreement signed for occupations of lands in those communities, it should be done very, very carefully with the occupants of those communities. When you say occupants, it is the community leaders, your mayors and councillors.

If you look back in the communities, a lot of the communities have had pretty well the same—when you look at the community leaders, a lot of them have been there for years. If they have not been there, it is their families that have been there. Like, if you look at the community of Pikwitonei, I am sure the Minister of Northern Affairs (Mr. Downey) would recognize the Thorne name. They have been very active in that community. The mother, Mrs. Thorne, was the mayor for many, many years, and she kept getting re-elected over and over and over. I had the pleasure of participating in some meetings when

she was mayor at that time, and her council, and she was a very, very active participant at those meetings and a very forceful person, and she fought hard and worked very hard to try and develop her community. Then I sort of followed what has been happening in the North, because I am from there, and I saw later where her son, John, was elected mayor, and he followed in his mother's footsteps.

So, that is the kind of activity that happens in northern Manitoba, and a lot of times a lot of the power in the community rests with one family. In the smaller communities, all the family members, the mayors and council, the majority of them are made up with one family member. You know, if you look at development in northern Manitoba, not even that many years ago all the communities really did not have access to roads, which they do now, and upgrading of those roads in the communities, so with these minor changes that are happening I hope good things happen for the communities and for northern Manitoba.

When I was looking at the bill where the Minister of Natural Resources (Mr. Enns) seconded this bill, I was pleased to see that, because I have always believed that Northern Affairs and Natural Resources go hand in hand. They have to work very closely. They have to consult with one another in many, many areas. If you look at the Natural Resources area, the hunting and the fishing, a lot of your users for food are from the Northern Affairs communities.

Mr. Speaker, with those few comments I look forward to other participants debating this bill, and hopefully the minister will look at working closely and look at ways of maybe further rewarding the mayors and councils who work very diligently in those communities.

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

An Honourable Member: It is still standing.

Mr. Speaker: Yes, Bill 5. Leave has already been granted to the honourable member for Interlake to stand.

Bill 8—The Insurance Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Consumer and Corporate Affairs (Mrs. McIntosh), Bill 8, The Insurance Amendment Act; Loi modifiant la Loi sur les assurances, standing in the name of the honourable member for Elmwood (Mr. Maloway). Stand? Is

there leave that this matter remain standing? [agreed]

Mr. Leonard Evans (Brandon East): Mr. Speaker, as I understand this act, it contains very little of any major substance, and that it is mainly a housekeeping type of bill, mainly administrative type of bill, but it does touch upon a very important subject that is dear to the hearts of Manitobans, and that is the availability or lack of availability of good insurance, of reasonably priced insurance.

I appreciate that this bill is more all-encompassing than just MPIC, but the fact is that MPIC has played and continues to play a very significant and important role in the lives of Manitobans. In fact, MPIC has been and, to some extent, continues to be more than just Autopac. As we know, it had a very important portfolio of general insurance, and admittedly the general insurance business did have some difficult times, but it did turn around and there was money to be made.

But this government in its wisdom, Mr. Speaker, regrettably eliminated the general insurance division, even though it has shown that it had been turned around and that it was making money. Not only that, but the general insurance section or division of MPIC provided insurance to a lot of people who normally have great difficulty in getting protection: people in remote communities, certain types of enterprises, certain types of industries that had expressed difficulty to us in terms of getting adequate coverage from private insurers. This included enterprises such as those engaged in sporting activities and tourist activities, various recreational activities. It included people in other miscellaneous businesses, such as the pesticide business, who said they were dependent on MPIC general insurance.

I think it is regrettable, Mr. Speaker, that this government has seen fit to eliminate that particular portion of MPIC activities, and I do regret as well the loss of jobs in my own constituency that resulted from that particular decision. Frankly, I do not think the people of Manitoba have been well served by the disposition of the general insurance division of MPIC.

Mr. Speaker, this is the time of the year that people are very concerned about insurance in general, and, as I said, Bill 8, hopefully, will make some improvements, minor as they may be, that

might improve the insurance situation in the province.

But, when you talk about insurance today to Manitobans, they immediately think of course of automobile insurance because this is on everyone's mind to the extent that you read reports about it in the papers, you hear about it on the radio, and so on, where people simply cannot afford to pay the kind of premiums that they are being asked to pay. As a result, we find people—I was surprised myself as late as yesterday seeing the number of licence plates around this city, driving around the city a bit, that did not have the red sticker on, did not have the sticker indicating that they had obtained a renewal of their Autopac policy, that they had not renewed it for the 1993 driving year.

* (1610)

Of course, there have been reports that people, for whatever reason, have not been able to afford it, stories of people leaving their cars at home, taking the bus. In fact, my wife remarked and friends remarked to me that they noticed even fewer cars on the road because people for whatever reason were not able to pay their Autopac premium and, as a result, decided they had to leave the car at home, leave their vehicle at home and take the bus or whatever.

I guess, hopefully, some of them may come around to being able to pay for it in the next week or two or whatever, but it is a reflection of the fact that automobile insurance is very expensive for Manitobans, particularly when Manitobans are taking pay cuts, particularly when Manitobans are losing their jobs, particularly when we see people laid off left, right and centre or people being worried about being laid off their jobs. People feel very insecure. There is no doubt in my mind that a lot of workers today are in a worse position to pay for auto insurance than they have been for some time.

I regret that in terms of insurance this government has not taken any effective action to keep the price of Autopac premiums from rising. Judge Kopstein was appointed by the previous NDP government to look at ways and means of curtailing rising costs in auto accidents and, therefore, in auto insurance premiums. He came forth with a long list of recommendations.

I know some of the recommendations have been put into place, but the major recommendation, the fundamental recommendation, was that we go for a

pure no-fault system comparable to the system in Quebec. Judge Kopstein in his report indicated savings of many tens of millions of dollars from this particular innovation. Subsequently, a report was commissioned by MPIC I understand by 1990, again, to look at the Quebec system of insurance to see whether it could be implemented in Manitoba. I think it was referred to as the Tillinghast report. There again, we had a report indicating that substantial savings would accrue to Manitoba drivers, to Manitoba MPIC policyholders if the government could see its way to implementing a system comparable to Quebec.

The interesting thing about Quebec auto insurance is that the premiums have hardly risen in the last few years. Their premiums have been kept substantially low and that is because they have saved enormous amounts of money on unnecessary litigation. This is where the money is going. Their money is going into what I consider to be unnecessary litigation. It is going into court, going into the costs of courts. As a result of this unnecessary type of expenditure, we have Manitobans paying more than they should be for Autopac insurance.

For the life of me—the government has two reports now telling them that this is the way to go, this is the way to save money, this is the way to keep the premiums down, and yet they see fit not to act upon this, the major recommendation. I would remind the Minister of MPIC (Mr. Cummings) now of all of his statements and the grandstanding that he engaged in in 1987 and '88 in front of this building and elsewhere with regard to rising Autopac premiums. Somehow or other Autopac premiums at that time were supposed to be being raised at a level that was unacceptable and nobody liked to see high rates, but somehow or other the idea was put out that a Conservative government would somehow magically roll back these rates or at least freeze these rates and, you know, the people who rallied to the cause and supported the Conservative Party I am sure are extremely disappointed, to say the least.

I am sure they are wondering exactly what has happened, and I think particularly of that young woman who led the demonstration. I just wonder what she is thinking today of what has happened since this government has been in office, because we have had one increase after another, one major increase after another and again this year to top it

all off one of the highest, in fact the highest rates of increase when you take inflation into account, but we know from statements by Autopac, by MPIC, that the basic reason for MPIC costs going up are the bodily injury claims.

The bodily injury claims are going up because of the serious amount of litigation that is going on and the extreme amount of costs being incurred by the court system. Monies that are paid to the legal profession, to the courts as a result are forcing up Autopac premiums unnecessarily in this province. So, here is an opportunity, Mr. Speaker, for this minister and this government to move forward and do something of significance to keep the costs from rising in the future. They have been rising substantially in the past and there is no reason to think that they will not rise again in the future unless we make a drastic change in the system.

I think people in Manitoba want to continue with the public system of automobile insurance. I think I am satisfied from all the information I have had, from all of the statements I have received—I have listened to various radio programs, open-line programs and so on, and I know that people generally are satisfied with the public auto insurance scheme, particularly those who remember what was the case before when we had a private scheme where you did not know whether you had coverage or not sometimes. There were horrific stories about people driving their automobile for a vacation, being away for a couple of weeks, coming home and finding in the mail a letter from their friendly insurance company saying they were cut off a week or so previously and that they had virtually been on the road without any coverage. Well, that sort of thing has gone.

Also is gone the failure to make proper payments to various people engaged in the repair system. Certainly it is better for the agents, because they do not have to wake up in the middle of the night to answer problems of people who have had accidents and so on. We have a good system, and we have a system that is worth preserving and protecting, but it is not a system that cannot stand some improvement. For the life of me, I do not understand why a government would not accept a major recommendation of the Kopstein report of the Kopstein Commission. In fact, this was the reason that Judge Kopstein was commissioned to do the study, to come up with an answer, come up with some way of government, of MPIC maintaining low Autopac rates. This was it, the No. 1

recommendation, and yet I know the minister has stated over and over again in answers to my questions both in this House and in the committee that, in so many words, over his dead body, so to speak, words to that effect, will a no-fault system be brought in.

I know there is opposition from the legal profession in this province. I know they have prepared briefs. They probably have been approaching the minister. I do not know whether they have been approaching the minister recently, but they are very concerned about it, because if we went to a no-fault system we would be saving tens upon tens of millions of dollars. Of course, I guess lawyers look upon it as a loss of income. Mr. Speaker, all in all, therefore, we would have a better insurance system. All in all we would have a system that would provide protection at far more reasonable rates. I again remind the minister and other members of the House, look at what has been happening in Quebec. The fact is that premiums hardly rise whatsoever in Quebec, to my information anyway. They have been kept down. It is amazing how Quebec has done an excellent job in keeping Autopac premiums from rising, and it is basically because they have implemented a no-fault system so that there is not this runaway cost of paying unnecessary legal costs.

Mr. Speaker, I know there are criticisms of a no-fault system. Some people would say, well, you know there are limitations to how much should be paid out, and therefore, if you have a high income, you will not be necessarily adequately compensated for your loss. There are ways around this. In fact, I think Judge Kopstein made reference to it in his report, that an individual could buy supplementary insurance so that if he or she were of a high income he or she could protect themselves from a payment from a no-fault insurance board that might not be adequate in terms of their own particular income. So there is a way of getting around that particular criticism.

* (1620)

Furthermore, Mr. Speaker, if I recall, and I do not have the document with me, the Kopstein report also recommended that apart from an internal review there would also be possibility of finally going to court anyway, so that it is not as though a person would be forever denied access to the courts if he or she were not satisfied with what came out of the system in terms of compensation.

The interesting thing, yes, and it sounds like magic, Mr. Speaker, is that, according to Judge Kopstein, not only would we be able to keep Autopac premiums from rising but the average payout would be substantially better, so that the average claimant, the average injured party would be receiving far more compensation than he or she is now obtaining under the tort system that we are presently following.

So, Mr. Speaker, I just take this opportunity to make this plea. I know this bill, The Insurance Amendment Act, goes beyond MPIC and deals with the insurance industry in general, but the fact is that MPIC is one of our most important insurance companies in the province, and no matter which way you slice it, it plays a very vital role in Manitoba society. So, for all kinds of reasons then, I suggest that the minister should really look carefully at this matter.

Today the minister made reference to the salary, or yesterday rather, when I asked the question about this enormous increase in the salary of the chair of the MPIC going up by 75 percent—an atrocious amount, Mr. Speaker, when everyone else is being asked to take cuts, when people are being laid off, when school divisions and hospitals and welfare recipients and so on are getting less money, and here we turn around and pay someone, who, I believe is retired, an enormous amount of money. Nevertheless, the minister did say, well, we need him because he is worth it, and because he is going to be doing something very important and moving us towards, I think he said, Autopac 2000, if I recall. I am just wondering if in that reference the minister is finally making a move towards a no-fault system. We do not know. He has remained very quiet about it, but he is now justifying this unusually large increase in the salary of the chairperson or the chairman of MPIC's Board of Directors in terms of the job, in terms of the work cut out for this individual, that there is going to be some major change in the automobile insurance system.

Mr. Speaker, we have had two major studies of automobile insurance, and the two major studies, one by Judge Kopstein, the other by the Tillinghast group, both indicate categorically that there are savings to be made, that there are improvements that can be made in the system that we have. For the life of me, therefore, I do not know why this minister or this government would not accept the recommendations of those two major reviews and

go with that. I do not know what else the minister might have in mind. I would appreciate it very much if the minister would participate in this debate on Bill 8, The Insurance Amendment Act, and take this opportunity to give some of his thoughts on this matter.

It is fine for me to talk here reasonably and so on, but there are a lot of angry people out there, a lot of angry people on the street complaining about their Autopac premiums, complaining about what is, I guess, generally a 10 percent increase on average, a little less for some but a lot more for certain other categories; people not understanding; people being disappointed, being disillusioned; people who do not understand why year after year they are being forced to pay higher and higher premiums. As I was saying earlier, the fact of the matter is you have so many people now out of work, so many people who have had reduced incomes, so many people who are working on temporary jobs, who, instead of full-time jobs, are working part-time jobs so that you, therefore, get people with lower incomes, people who find it even more difficult than ever to pay their Autopac premiums.

Mr. Speaker, I welcome this opportunity to get up and rise on this matter. There is a lot more to be said on the issue of insurance, whether it be new definitions of reinsurance, because that is made reference to in this bill, and other details in here which refer to ways contracts will be signed or countersigned by agents, and the role of the superintendent in carrying out the administration of The Insurance Act, and procedures affecting insurers on delivery of application and so on, notification of insurer. I appreciate there are some moves here that hopefully will provide a better organized system of supervising and carrying out the insurance business, the protection offered by the industry in this province.

Mr. Speaker, again, I say in conclusion that the MPIC, which, I believe, has over the years played a significant role in providing a type of automobile insurance that would not be available under a private system, has to be improved. Again, I appeal to, through you, Sir, members of the House and to the government to take a hard good look at the Kopstein report, the Tillinghast report, and do the right thing. Bring in a system that is going to keep premiums down and that is going to pay out better compensation to those who may unfortunately be involved in the accidents. There is no question

about it. The main reason for Autopac increases is bodily injury claims, and these bodily injury claims come out of the litigation that occurs in all the legal costs that are involved: to the lawyers, to the law profession, and to the courts—not to speak of all the delays and so on.

So, Mr. Speaker, this is the way. We have been shown the way. We have been given the advice by experts and, for the life of me, I do not see why the minister and the government does not accept that particular advice. Thank you.

Mr. Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for Elmwood (Mr. Maloway).

Bill 10—The Farm Lands Ownership Amendment and Consequential Amendments Act

Mr. Speaker: On the proposed motion of the honourable Minister of Agriculture (Mr. Findlay), Bill 10, The Farm Lands Ownership Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la propriété agricole et apportant des modifications corrélatives à d'autres lois, standing in the name of the honourable member for Point Douglas (Mr. Hickes).

An Honourable Member: Stand.

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

Bill 12—The International Trusts Act

Mr. Speaker: On the proposed motion, the honourable Minister of Justice (Mr. McCrae), Bill 12, The International Trusts Act; Loi sur les fiducies internationales, standing in the name of the honourable member for Thompson (Mr. Ashton).

An Honourable Member: Stand.

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

Bill 13—The Manitoba Employee Ownership Fund Corporation Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Industry, Trade and Tourism (Mr. Stefanson), Bill 13, The Manitoba Employee Ownership Fund Corporation Amendment Act; Loi modifiant la Loi constituant en corporation le fonds de participation des travailleurs du Manitoba,

standing in the name of the honourable member for Flin Flon (Mr. Storie).

An Honourable Member: Stand.

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

House Business

Mr. Speaker: The honourable acting government House leader, what are your intentions, sir?

Hon. Darren Praznik (Deputy Government House Leader): Yes, I hear some call from some members to call it six o'clock.

Mr. Speaker: Is it the will of the House to call it six o'clock? No, OK, that is out.

Is it the will of the House to call it five o'clock?

Mr. Praznik: Yes, I would ask, Mr. Speaker, if there is a willingness of this House to call it five o'clock?

Mr. Speaker: Is it the will of the House to call it five o'clock? Yes, it is agreed.

PRIVATE MEMBERS' BUSINESS

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

DEBATE ON SECOND READINGS—PUBLIC BILLS

Bill 200—The Child and Family Services Amendment Act

Mr. Speaker: On the proposed motion for Wellington (Ms. Barrett), Bill 200, The Child and Family Services Amendment Act; Loi modifiant la Loi sur les services à l'enfant et à la famille, standing in the name of the honourable Minister of Family Services (Mr. Gilleshammer).

An Honourable Member: Stand.

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

Bill 203—The Health Care Records Act

Mr. Speaker: On the proposed motion of the honourable member for St. Johns (Ms. Wasylycia-Leis), Bill 203, The Health Care Records

Act; Loi sur les dossiers médicaux, standing in the name of the honourable member for Emerson (Mr. Penner).

An Honourable Member: Stand.

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

Bill 205—The Ombudsman Amendment Act

Mr. Speaker: On the proposed motion of the honourable member for Killdonan (Mr. Chomiak), Bill 205, The Ombudsman Amendment Act; Loi modifiant la Loi sur l'ombudsman, standing in the name of the honourable member for Niakwa (Mr. Reimer).

An Honourable Member: Stand.

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

SECOND READINGS—PUBLIC BILLS

Mr. Speaker: Are we proceeding with Bill 208? OK, we are not proceeding. Are we proceeding with Bill 209 in the name of the honourable member for St. Johns (Ms. Wasylycia-Leis)? No.

* (1630)

Are we proceeding with Bill 211, standing in the name of the honourable member for Swan River (Ms. Wowchuk)? No.

House Business

Hon. Darren Praznik (Deputy Government House Leader): Mr. Speaker, on House business, I detect from the Liberal House leader that there may now be a willingness on the part of the Liberal Party to call it six o'clock. You may wish to canvass the House if they have changed their minds.

Mr. Speaker: Do you want me to canvass the House again? Is it the will of the House to call it six o'clock?

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

Legislative Assembly of Manitoba

Tuesday, March 2, 1993

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