



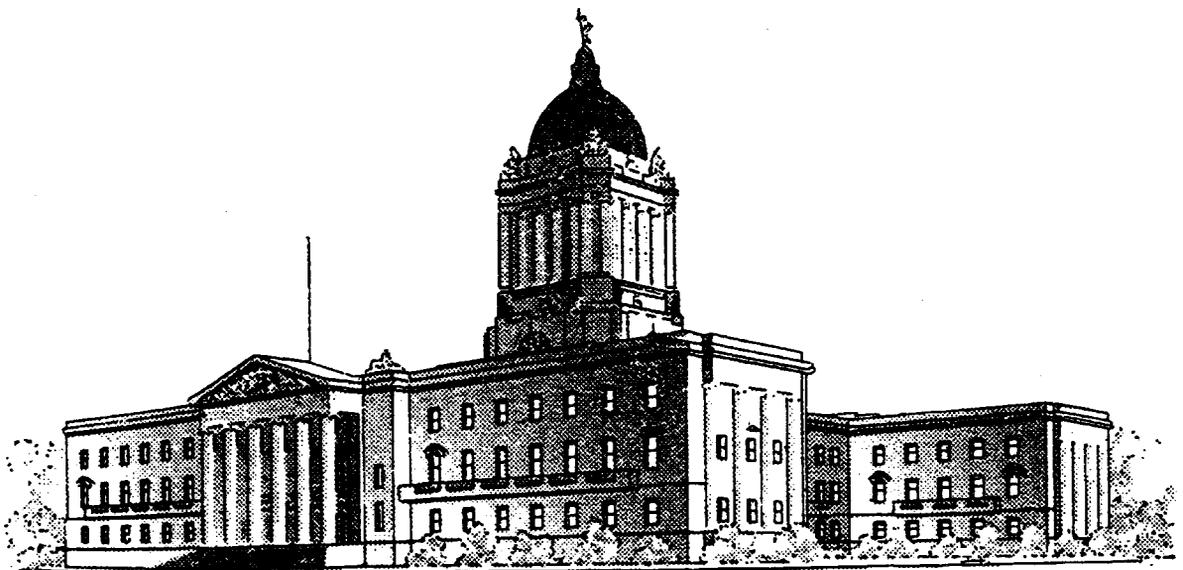
**First Session - Thirty-Sixth Legislature**

**of the**

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS  
(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Sixth Legislature**

**Members, Constituencies and Political Affiliation**

<u>Name</u>	<u>Constituency</u>	<u>Party</u>
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim, Hon.	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David	Riel	P.C.
PALLISTER, Brian, Hon.	Portage la Prairie	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Monday, October 23, 1995**

**The House met at 8 p.m.**

**ORDERS OF THE DAY**  
(continued)

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

**DEBATE ON SECOND READINGS**

**Bill 18—The Housing and Renewal Corporation Amendment Act**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Urban Affairs (Mr. Reimer), Bill 18, The Housing and Renewal Corporation Amendment Act; Loi modifiant la Loi sur la Société d'habitation et de rénovation, standing in the name of the honourable member for Wellington (Ms. Barrett).

**Ms. Becky Barrett (Wellington):** Mr. Deputy Speaker, it is a pleasure to rise this evening and speak on Bill 18. The Minister of Housing and Urban Affairs, when he introduced this bill for second reading at the end of June of this year, said basically that the intent of this bill was to remove the existing limitations on the composition of the Manitoba Housing and Renewal Corporation board and to give the government the option of opening board membership to non-civil servants and the option to consolidate the Manitoba Housing Authority and the Manitoba Housing and Renewal Corporation, if that is deemed to be appropriate, and to clearly clarify accountability in the management of tax dollars for social housing.

Well, we, on this side of the House, I will say at the outset, are not going to be supporting this piece of legislation, not because we do not think that there needs to be clarification and clarity in the whole operation of social housing. There is no question that that has to be discussed, and, as the minister stated, the Provincial Auditor has some concerns with the reporting relationships between the Manitoba Housing Authority and the Manitoba Housing and Renewal Corporation.

**Some Honourable Members:** Oh, oh.

**Mr. Deputy Speaker:** Order, please. The honourable member for Wellington has the floor at this time, and I am sure that we would all be interested in listening to this debate. The honourable member for Wellington, to continue.

**Ms. Barrett:** Mr. Deputy Speaker, as I stated earlier, we agree that you need to look at, the government needs to look at, streamlining and making more effective all parts of the government operations. In this particular situation, since the provincial government and the federal government appear to be getting out of the whole area of social housing in its entirety, perhaps there is some internal logical consistency in being able to amalgamate the Manitoba Housing Authority and the Manitoba Housing and Renewal Corporation.

However, Mr. Deputy Speaker, we on this side of the House think that it is a dreadful shame that both the federal government and the provincial government are rushing precipitously towards the elimination of public sponsorship and public participation in social housing. We believe that there is definitely a role for the public sector in providing a degree of social housing for the people in the province of Manitoba. It is one of these areas we feel, such as areas like health and education and basic social assistance, is the cornerstone of good public policy, or it should be the cornerstone of good public policy.

If a society cannot provide or chooses not to provide the milieu for people to be able to support themselves, then it is not a government or a society of which we can be proud. In many cases, Mr. Deputy Speaker, through no fault of their own, people are unable to provide for their housing needs, and that has been the role of social housing since its inception, to have a portion of the housing stock be managed and owned and delivered by the public sector, because we as a society say there is a role for the public sector, for all of us as a society, to help those who have less ability to deal with these issues on their own. It is the same kind of thing where we say that we have as a society a role

to ensure that basic necessities of life are met, and one of those basic necessities is certainly housing.

So we are very concerned with the diminution of the role of the public sector, both federally and provincially, in the provision of social housing. We believe that Bill 18 will allow the government to privatize the entire area of social housing. There is no social housing being built currently today. The federal government has reduced its support, virtually eliminated its support for social housing. The provincial government provides virtually nothing except maintenance in the social housing that is currently on the books in the province of Manitoba.

Mr. Deputy Speaker, I can state to you that from personal experience in my own constituency, it is very difficult for many of these social housing units to even have the basic maintenance done because of budget restraints.

In one of my social housing units there has been no railing put on the outside steps, and there are four or five concrete steps that are totally exposed to the weather. There are people in this housing unit who are senior citizens who are disabled who have a great deal of difficulty going down steps at the best of times but most certainly in the middle of winter when the ice has covered them, and we all know how concrete steps can get in wintertime when there is no railing at all for these individuals. It has taken me well over a year, almost two years, to get a wrought iron railing put on one end of this building, one exit, so that people could go outside in the middle of winter or in the rain—

**Mr. Deputy Speaker:** Order, please. I would just like to remind the honourable member that we are dealing with Bill 18. As we are dealing with the bill, it does not open us into general discussion on housing, so as long as the honourable member could refer to some aspect of the bill during her general discussion, just to keep me in line with where the discussion is going.

**Ms. Barrett:** I am most certainly not contradicting anything that the honourable Deputy Speaker would say or any suggestion he might make, but I would suggest that when Bill 18 talks about the ability of the government to amalgamate the Housing Authority with

the Manitoba Housing and Renewal Corporation, and the only current activity that the Housing department undertakes in the province of Manitoba now is maintenance, and I was saying that they are not even able to do that kind of a job under the current circumstances because of funding cuts. But I think I have made my point about the problems of maintenance.

**An Honourable Member:** Move on.

**Ms. Barrett:** I think that I may just stay here for a while.

I think one of our major concerns is what this bill allows the government to do. It is not clear, at least in what the minister stated in his remarks on second reading, if the government is actually going to do it or not. So as in other bills before us this session, we are left with not knowing about the implementation of a piece of legislation, and that causes us some certain degree of discomfort, particularly when it is in an area dealing with issues that are not of a major concern to this government such as social housing.

It gives the government the authority to privatize, as I stated earlier. It allows the government to say: We do not want to be in the business of social housing at all; we do not want to have a public role in social housing provision.

\* (2010)

The concern that that raises in my mind is that certain standards and certain principles that can be used as benchmarks for the private sector that is involved in social housing will be absent if there is no public control over any of the social housing in the province of Manitoba.

If the government eliminates its role completely from the whole area of social housing, then it leaves it entirely to the private sector and, Mr. Deputy Speaker, the members opposite know that we have had good debate on the role of the public sector versus the private sector in many areas of our economy and our province, and I think that we will probably agree to disagree on

this one as well, but it does seem to us that there is a guardianship role, if you will, for the public sector to play in the whole area of social housing to ensure that the government is a player at the table.

An analogy, if I may be allowed, Mr. Deputy Speaker, might be the continuing diminution of support for health care by the federal government, and the government members have spoken at length about the problems that they are going to be faced with when the transfer payments are reduced by \$270 million.

We have some major concerns about that too and would suggest that the government has not really paid any more than lip service to that concern, or they would not have brought in a piece of legislation such as the balanced budget legislation, but before the Deputy Speaker calls me on relevance here, I will return to the elements of Bill 18, the analogy between the reduction in financial support for the social policy area, the health and post-secondary education support.

We all know that when the federal government reduces its financial support and financial commitment to CAP and to post-secondary education and to health care, their ability to influence and affect public policy in the provinces and throughout the country is diminished by that same amount, that if they do not have the money to back up what their policies are, they can talk as much as they want to about the five basic principles of health care, but as long as they have no authority in this area, they can only influence, they do not have any actual power.

I am suggesting that the potential of Bill 18 is to have the same thing happen, that the province will have no authority, no financial authority, no financial commitment to social housing and, therefore, it is going to be very difficult for the provincial government to have any moral or principled authority in the provision of social housing. This causes us a great deal of concern because, if the government has no input into social housing, we are convinced that the end result will be a continued reduction in good quality social housing. We all know that is happening right now.

Every one of us on this side of the House has examples in our own constituency, and I would suggest

that members opposite in the government benches may also have examples of houses and apartments that were under the Manitoba Housing and Renewal Corporation or the Manitoba Housing Authority that now have been sold to the private sector and those houses stand vacant or they are torn down, but there is nothing to put in their place.

So our housing stock is not only aging rapidly, and our housing stock in Manitoba is among the oldest in the country because our building materials do not age as well as building materials used in the East, stone and brick, which have a longer lifespan. Our building materials have largely been wood and our foundations are subject to the incredible temperature variations that Manitoba's climate provides. Our housing stock is aging. Our housing stock is being reduced because the government is not putting resources into helping maintain it, so if we then add to that problem a total lack of provincial government input into social housing, we may as well forget it.

I think the Minister of Urban Affairs, who is also the Minister of Housing (Mr. Reimer) is looking to market himself out of a job because why should there be a Minister of Housing if there is no funding for any housing?

Bill 18 allows the government to begin that process. I would suggest that while the government is slow on some things, far slower on some things than we would like to have them be, when they want to do something, they do it very quickly. I would suggest that very shortly after the passage of Bill 18, the government will be completely out of the provision and the support for social housing. Mr. Deputy Speaker, this causes us a great deal of concern.

There are other concerns that we have regarding the whole provision of social housing, the move the former Minister of Housing made to have a higher percentage of recipient's income go to rent, the fact that certain things that were excluded as income before are now included as income, the whole concern that we have dealing with the probable change from a two-tier to a one-tier social assistance system in the province of Manitoba is going to mean more and more and more pressure on the housing component for people who are in low income.

Not all people who access social housing are on social allowance, but they all are low-income Manitobans and the pressures on them are from all sides. As I stated, the changes that are coming to the social assistance rates, the changes that have already taken place in how much of a person's income will go to rent, all these things are putting a great deal of pressure on individuals. Mr. Deputy Speaker, if you combine that the going up to upwards of 30 percent of a person's income can go to rent with a reduction in the government's role in providing social housing, and if you put those together with a complete privatization of the social housing area in the province, what you are doing is that you are giving a great big gift to private landlords.

Mr. Deputy Speaker, we all know there are instances where private landlords use their housing stock as a way to cram as many people into a unit as they can to earn a buck rather than to be good landlords, and the only thing that has kept many of these people from having a free rein is the fact that the government has been involved in social housing provision.

If the government gets out of that social housing provision, what they are doing is saying to the private sector: Go ahead, you have a free rein. We are not going to control anything. We do not care about standards. We do not care about basic provision of basic housing requirements for individuals.

It is just all of a piece. It would not surprise us on this side of the House at all to see that as an outcome of what appears to be a fairly innocuous piece of legislation.

In conclusion, Mr. Deputy Speaker, I think it is fairly obvious that we are not going to be supporting Bill 18. I look forward to some dialogue with government members on this piece of legislation and would like to hear some of their comments on Bill 18 on the record, and I know that others of my caucus colleagues will wish to speak to this bill at a later date. So that concludes my remarks.

**Mr. Neil Gaudry (St. Boniface):** Mr. Deputy Speaker, in regard to Bill 18, The Housing and Renewal Corporation Amendment Act, this legislation

is in response to the need to clarify the working relationship between the Manitoba Housing Authority and the Manitoba Housing and Renewal Corporation. The Auditor has commented that the responsibility and authority of these two bodies are not adequately defined.

\* (2020)

Bill 18, Mr. Deputy Speaker, removes existing limitations on the composition of the MHRC board and gives the government the option of granting board membership to persons other than civil servants, and to consolidate MHA and MHRC, if that is deemed appropriate. Therefore, this bill makes one ask the question, what is the government going to do to address accountability problems? This bill is an act of giving themselves permission to clean up the mess. What steps will they take in the future?

Mr. Deputy Speaker, with these few comments, we will see the bill go to committee. We will support it that it goes to committee, and then we will have amendments if necessary.

**Ms. Rosann Wowchuk (Swan River):** I move, seconded by the member for Thompson (Mr. Ashton), that debate be adjourned.

**Motion agreed to.**

### **Bill 23—The Health Services Insurance Amendment Act**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Health (Mr. McCrae), Bill 23, The Health Services Insurance Amendment Act; Loi modifiant la Loi sur l'assurance-maladie, standing in the name of the honourable member for Inkster (Mr. Lamoureux) with 34 minutes remaining.

**An Honourable Member:** Stand.

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

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

**An Honourable Member:** Stand.

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

### **Bill 26—The Liquor Control Amendment Act**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Culture, Heritage and Citizenship (Mr. Gilleshammer), Bill 26, The Liquor Control Amendment Act; Loi modifiant la Loi sur la réglementation des alcools, standing in the name of the honourable member for Osborne (Ms. McGifford).

**An Honourable Member:** Stand.

**Mr. Deputy Speaker:** Stand?

**An Honourable Member:** No.

**Mr. Deputy Speaker:** No? Leave has been denied.

**Mr. Steve Ashton (Thompson):** Mr. Deputy Speaker, I want to indicate that the member for Osborne may have some additional comments on this on the third reading, but I will be speaking as our critic for the Liquor Control Commission and will be just making a few brief remarks, as is my normal custom. I will be speaking very briefly, and the reason I wish to speak on it is because I think this is a kind of bill that we need to get into committee to see if there is input from members of the public.

There are a couple of provisions in this I would like to highlight. I am looking forward to input, certainly, Mr. Deputy Speaker, in particular, the provisions impacting on Remembrance Day, and there are some provisions also impacting on the legions. The command, the northwestern Ontario-Manitoba command of the legion has indicated its own support, but I do think it is important—and I believe the minister can confirm that for the proposed changes—that when we do pass this bill, we give some notice for people, and, particularly, I am thinking of people active with the legions and other veterans organizations, the Army Navy & Air Force, as well, to be able to comment on this particular change, because my own consultations

with people, I found that there is not that much awareness of the specific changes.

I will certainly be encouraging people to attend the committee if they have any input on this, and I want to indicate, Mr. Deputy Speaker, it is not to prejudice what their view might be. I am not suggesting for a moment that people should necessarily oppose or support those particular provisions, but the provision in regard to Remembrance Day, as the minister knows, is a provision that has been discussed fairly consistently in the past and there has up until now been some concern, and I realize it does not change other aspects of Remembrance Day.

To my mind, Mr. Deputy Speaker, I think it is important to maintain Remembrance Day as a unique day. It is not a holiday, it never was intended to be. It is a day that we set aside to look on a yearly basis at the sacrifice made by the many Canadians who fought for this country and gave their lives and, quite frankly, anything that can mark that day as being different, to my mind, is worthy of support. I realize this is not going to change, for example, other provisions in terms of stores and other areas that could be open on that day, but it does impact in terms of the area of liquor being able to be served, and I do think that is something that should be considered.

If that is not a concern—by the way, I listened to the legions and Army Navy & Air Force on this, and I have always said, I respect their opinion on matters such as these. I am a member myself of the legion in Thompson. Well, I am an associate member, because my dad was in the Forces, and I respect the work of the legions and the Army Navy & Air Force, and of course even a few years ago there was some controversy when Army Navy & Air Force and legions were excluded from some of the things that were happening with hotels particularly in terms of the VLTs. We can talk all we want about the broader issue of VLTs. A lot of us thought it was unfair at the time and quite frankly what has happened is, the provision of those machines to the legions and Army Navy & Air Force has made a significant difference.

By the way, there is every indication the legions and Army Navy & Air Force are going to be here to stay.

I know the member for The Pas can point to a very successful example in his community where the legion membership has more than doubled with the opening of the new facility, and I think it is a lot of people perhaps of my generation and other generations who are joining out of perhaps some family affiliation but also out of respect for what the legions and the Army Navy & Air Force stood for, because quite frankly, Mr. Deputy Speaker, my reason for joining is that I have a lot of respect for the legion in my own community and a lot of respect for the legion, period.

In fact, one of the highlights for me the last number of years was when I had the opportunity this summer to go to the D-Day beaches in France and see where the Canadian Forces landed on Juno Beach. I do not know how many other people have had the opportunity to be there, but I can tell you, we went, my wife and my family, and we were looking for Juno Beach, and we went to the small town. It is very well known in France because it was where De Gaulle landed. We drove, we were looking for the beach, and the first thing we saw was a gigantic sword, which is the monument put forward by the Royal Winnipeg Rifles, and believe you me, it was with considerable pride to stand there and see tourists walking by reading the inscriptions. There are a number of other monuments there as well, also dedicated to many Canadian soldiers who fought over there. Quite frankly, that is one of the reasons I support the legions, the Army Navy & Air Force, and all those who want to remember. It is a very important thing. I was really pleased when my own kids from yet another generation are able to carry on that remembrance.

That is why I want to be very careful on this bill. I want to say to the minister, and I will say this to the government House leader, that I hope that we will give some notice, not 24 hours notice that we often give on bills. I would urge that we not start the committee hearings on this bill any sooner than Thursday to give some days' notice. I am sure the Minister of Natural Resources (Mr. Driedger) and other ministers will support that.

This is a bill where we have to show some sensitivity. There are other changes, but, quite frankly, I want to be very careful personally. I know our caucus wants to be very careful personally in dealing with

anything that impacts on Remembrance Day, and I want to make sure that particularly the legions, the Army Navy & Air Force people in this province, are in support of the amendments that are in this bill because that is probably the one that is the most controversial.

**An Honourable Member:** It is your timetable.

**Mr. Ashton:** Indeed, the minister says, our timetable. I will, as House leader, be approaching the government House leader.

I will get into further discussion probably on some of the other details in third reading, but I think this is the kind of bill that, given its nonpolitical nature, it is important to get it into committee with some notice. We can hear the public, and I think on third reading I will make a final decision on this specific provision.

**Mr. Neil Gaudry (St. Boniface):** Mr. Deputy Speaker, in regard to Bill 26, The Liquor Control Amendment Act, we will also be supporting it to go to committee. We will look forward to having organizations make presentations. I think the member for Thompson (Mr. Ashton) has indicated that it is a very sensitive bill in regard to Remembrance Day.

I think that has to be considered by the three parties in the Legislature because the first amendment will allow liquor to be served in licensed establishments on Remembrance Day. The rationale is that we are the only Canadian province that does not allow service of liquor in establishments other than licensed dining rooms and veterans clubs on Remembrance Day. The bill proposes to allow veterans associations to have to 50 percent of their membership as guests. This is to allow veterans associations to remain viable in their communities in the face of declining membership.

\* (2030)

Finally, the bill proposes to allow hotel beer vendors to sell beer to licensees in their communities. Currently, licensees are required to purchase beer from the Liquor Control Commission stores, the Liquor Control Commission distribution centre or from private beer distributors. The bill is intended to give licensees more flexibility in making their purchases and is aimed

in particular at rural licensees, who may be a considerable distance from the nearest LCC store.

Therefore, with these few comments, we would like to see it go to committee so as to give a chance to the various organizations to make presentation, and at that point we will support, I think, with all three parties, in recognizing and not forgetting Remembrance Day. Thank you very much, Mr. Deputy Speaker.

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

**Some Honourable Members:** Yes.

**Mr. Deputy Speaker:** The question before the House is second reading, Bill 26, The Liquor Control Amendment Act; Loi modifiant la Loi sur la réglementation des alcools. Will the House adopt the motion?

**Some Honourable Members:** Agreed.

**Mr. Deputy Speaker:** Agreed and so ordered.

**Bill 27—The Cattle Producers  
Association Amendment Act**

**Mr. Deputy Speaker:** On second reading of the proposed motion of the honourable Minister of Agriculture (Mr. Enns), Bill 27, The Cattle Producers Association Amendment Act (Loi modifiant la Loi sur l'Association des éleveurs de bétail), standing in the name of the honourable member for Swan River, with 12 minutes remaining.

Also standing in the name of the honourable member for Brandon East (Mr. Leonard Evans). Is there leave that this—

**Ms. Rosann Wowchuk (Swan River):** No. No leave for him.

**Mr. Deputy Speaker:** No leave for the honourable member for Brandon East. The honourable member for Swan River, to continue.

**Ms. Wowchuk:** Mr. Deputy Speaker, I would just like to take a few moments to put some final comments

with respect to this bill, The Cattle Producers Association Amendment Act, and as I had said earlier, this is not a bill that we will support, because it does not follow the proper process. I feel and we feel that the members—certainly, it is very important that farm organizations do have strong bodies representing them but to develop those bodies the membership, the farmers, the producers, the cattle producers in this case, should have the opportunity to have a vote.

The cattle producers are holding a series of meetings. This would be an opportune time for them to go out and meet with producers and explain to them what is going on and request from those producers whether or not this is actually what they want because in actual fact very few people, very few of the producers realize what this government is doing. They did not put out very much information with respect to Bill 15 or Bill 27.

I can tell you, Mr. Deputy Speaker, that having got in contact with many farmers, they are not aware of this legislation. That is why I think it is a great disappointment on the part of this government that they did not take on the suggestion that we made that we hold public hearings in rural Manitoba, so people could become aware of this legislation. If it was what people wanted, they would make the government know their views. Certainly, I feel that it is also the responsibility of those people who want to collect their membership dues by an automatic checkoff that they also canvass the farming community in rural Manitoba, and that has not happened.

Mr. Deputy Speaker, as well, the Keystone Agricultural Producers is going to be holding meetings throughout rural Manitoba. They could have put this on their agenda and let producers know what was being discussed and had a very good discussion. They have chosen not to do this. I also want to say that I think it is important that at a time when we are having such a dramatic change in the agricultural industry, changes to the agriculture industry because of actions taken by the federal Liberals with cutting back support for farmers, changes to the Crow benefit which will dramatically change agriculture, I think it is very important that we do have a strong farm organization. But not all farmers feel that it should be dictated to them which

organization they should belong to. There should be choices. There should be a choice as to which group farmers want representing them.

As I say, not all of them have the same view. There is a need, and I am not condemning the work of any organization. All we are asking for here is that farmers—all we want is for a democratic process to take place, that people are aware of what is going on.

It is a very simple process to send out some information to producers and let them know that policies are changing, let them have a say in it. But that is not the choice of this government. Instead, they are putting through legislation that has been asked for by one organization. We have to give the—for that one organization, Keystone Agricultural Producers, the canola growers and the cattle producers in this case, have lobbied for funding legislation.

The government has agreed to pass that legislation. We think that the way they are introducing this is wrong, because they are not listening to enough people.

Certainly we will look forward to committee hearings when I know that there should be, I hope, many people presenting. I am very pleased that we have been able to hold the hearings off until this time of the year when the farming community is not very busy. For had we had this legislation pass earlier on when we were in the middle of harvest and many other activities that take place on the farm at this time of the year, farmers would not have been able to participate.

I have had phone calls from many farmers even this last week who have said that they will not be able to participate but they are interested in having their comments put into the record. I have had letters from several farmers as well who have indicated clearly they were not aware that this change was taking place and, again, indicating that they are opposed to the change. Certainly they are opposed to the negative option. They do not feel that their money should be taken up front and then have to apply for it back.

I think that part of the idea behind this legislation is the fact that it is quite well known that when there is a negative option, many people do not bother. Although

they do not want to be part of an organization, they do not realize that there has been a check-off, they do not take the time to apply back, and there is going to be an increase in the funds that go to these organizations.

**Mr. Deputy Speaker:** Order, please. I am really having difficulty hearing the honourable member for Swan River, and the chatter is from both sides of the House.

**An Honourable Member:** Speak louder, please.

**Ms. Wowchuk:** Someone is asking me to speak louder. I apologize. I have a very bad cold, and I cannot speak any louder. With that, we will let this bill go to committee and we will hear from the people who are making presentations. I hope that the members of government will listen to the people who will be there, and I hope that the government will consider some amendments to this legislation that we hope to bring forward to make it perhaps a little bit more palatable than it is. Thank you, Mr. Deputy Speaker.

**Mr. Neil Gaudry (St. Boniface):** Mr. Deputy Speaker, just a few comments on Bill 27, The Cattle Producers Association Amendment Act. We will be supporting the bill to go to committee so as to give a chance to the farmers to come and express their concerns in regard to this bill.

This legislation changes the method by which cattle producers can obtain a refund of their contribution to the Canadian Cattle Producers Association. The legislation allows producers to provide additional insurance to protect themselves against business failures of dealers to whom producers deliver their stock. This insurance would top up the bonds that the dealers are required to pay under the current legislative scheme. We should support this bill to go to committee and listen to the concerns of the farmers, and then from there, if there needs to be amendments, let us provide the amendments according to farmers' wishes.

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House is second reading, Bill 27, The Cattle Producers Association Amendment Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** Agreed and so ordered. No?

**Ms. Wowchuk:** On division, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** On division.

### **Bill 31—The Highway Traffic Amendment Act (2)**

**Mr. Deputy Speaker:** To resume debate on the proposed motion of the honourable Minister of Highways (Mr. Findlay), Bill 31, The Highway Traffic Amendment Act (2); Loi no 2 modifiant le Code de la route, standing in the name of the honourable member for Elmwood (Mr. Maloway).

**An Honourable Member:** Stand.

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

Also standing in the name of the honourable member for Transcona (Mr. Reid).

**An Honourable Member:** No.

**Mr. Deputy Speaker:** No. Leave has been denied.

\* (2040)

**Mr. Neil Gaudry (St. Boniface):** Mr. Deputy Speaker, in regard to the bill for The Highway Traffic Amendment Act, I think the minister would like me to say that we should clean the licence plates.

Amendments in this bill cover three main areas: medical standards, vehicle safety inspections and residency requirements.

Medical standards—the amendment removes medical standards for drivers from the regulations under the act and replaces them with guidelines, allowing the registrar greater flexibility in examining medical conditions on a case-by-case basis.

Vehicle inspections—this amendment addresses some administrative problems with the newly implemented requirement for an inspection whenever a vehicle changes hands.

Residency clarifies the requirement that a person be a resident of the province for a driver's licence to be issued. I think all these amendments are worthy of support and we will see that it goes to committee and, if amendments are required, we will listen to the people of Manitoba.

**Mr. Steve Ashton (Thompson):** Mr. Deputy Speaker, I do want to speak on this particular bill, because it does—

**An Honourable Member:** Again?

**Mr. Ashton:** Again, yes. We wish to get the message across to government. We hope they will eventually listen but, you know, the bottom line, Mr. Deputy Speaker, is that we have got to be, I think, aware in looking at this particular bill of some of the significant changes this government has made in terms of vehicles in this province and in particular in terms of vehicle inspections—and I want to say that in the guise of vehicle safety I really think that this government has foisted a bureaucratic, expensive system on the people of Manitoba that, in particular, is impacting on the ability of many Manitobans who do not have the money to buy the more expensive, the newer cars. I think that is important to recognize, because that is part of the whole concern that we have to be dealing with in this province, fairness.

Mr. Deputy Speaker, I know you have an interest because in your community, these kinds of issues, I am sure, are raised with you. Not everyone in your community can afford a Cadillac. Not everyone in your community can afford a brand new car. There are a lot of people who rely on cars, who rely on vehicles and who rely on the ability to afford those kinds of vehicles that I think we should recognize.

Mr. Deputy Speaker, I know you have some differing views as to others on this particular bill but, quite frankly, just look at the mess that we have seen in terms of the initial implementation. This surely was not the

situation the people that supported the idea of mandatory vehicle inspections wanted to see, because we are seeing a wide variety in costs to the public. We are seeing, quite frankly, some documented rip-offs of the public, and that has got to stop.

Regardless of what system you put in place, you cannot have the current situation continue. It is just not fair, and if you look at it, consider these statistics for a moment. I believe if you look at it, about 4 percent of accidents are mechanically related—4 percent.

Now, vehicle inspections do not pick up even all of that 4 percent. We could all recount the type of repairs that just do not get picked up. A number of years ago I bought a car and it was, Mr. Deputy Speaker, from a dealer, and it had been safetied, it had been mechanically checked. I took it out on the highway, and two hours later it was spurting transmission fluid, not picked up in the inspection because it is not considered part of the basic test.

**An Honourable Member:** You hit a rock.

**Mr. Ashton:** Well, I know the Minister of Natural Resources (Mr. Driedger) was the Minister of Highways at the time, but this was actually on a part of the road that was close to Winnipeg, so there were not too many rocks. Now, if it had been Highway 391 or Highway 280 or a number of the northern highways, we probably could have blamed it on the highway and the government, but the minister will note that I did not blame it on the highway and I did not blame it on the government. I said that it had been safetied and the safety inspection certificate said nothing about the faulty transmission.

I raise that, Mr. Deputy Speaker, because I think we really have to raise the serious question of what is the best way of providing a reasonable safety check for Manitoba motorists. The current system, as has been adopted, is based on purchase. If you have a car that is 13 or 14 or 15 years old, and I have one vehicle that is getting close to that stage, it does not have to be safetied. It can sit in my backyard for a considerable period of time, and it does not have to be safetied because nobody buys it. I can transfer it within the family, but that vehicle can run on the road. If you then

turn around on the other side and you have the situation where you have a four-, five-, or six-year-old car that you have to sell, then it has to be safetied.

Mr. Deputy Speaker, what is the logic of that? If the concern is to deal with vehicles that are of an older nature, surely a process would be more fairly put in place that had random inspections or even mandatory inspections. There are some countries in Europe, for example, that require that you get vehicles to be tested at a whole series of stages. But the bottom line, this government chose the route, following lobbying, fairly extensive lobbying, I know, from dealers, and there was an inconsistency there depending on where you purchased a vehicle and whether it required a safety check or not. But I can tell you there are a lot of frustrated people out there.

Now this bill deals with some of the problems created by that new system, out-of-province testing in particular. There are people who have had to safety their vehicles twice under the legislation brought in by this government. That is wrong. I mean, surely we can come up with a system whereby one safety check is enough. You should not have to have it safetied again if you bought a car in Kenora or you buy one in Regina, you should not have to get a second safety certificate in Manitoba. That is why this bill is presumably being dealt with. I think that is important to note because I have had a lot of complaints from constituents about this particular matter.

The system is a major concern with people because, quite frankly, when they have seen some of the coverage and some of the rip-offs, the first reaction of a lot of people is, can the government not bring in some tighter standards? This is a government-mandated inspection. There should be an obligation from the government to do a very basic thing, and I would suggest have set rates for inspection. You should not have to vary from \$45 up to \$400 just to get checked. That is ridiculous.

I think it also has to be explained to members of the public, too, because a lot of people do not realize that often what happens is you can have a series of mandated repairs that can cost you a heck of a lot more than the cost of the inspection itself.

Now, that is logical. If there is a problem with the car, you have to get it fixed, but that is something a lot of people are not aware of. You are getting people entering into offers of purchase not knowing that the \$500, \$1,000, \$2,000 car they are buying may cost a lot more than that once the repairs are put in place, and I think that is another aspect that has to be dealt with.

The bottom line is, if you are going to have this system in place, and I do not necessarily agree it is the appropriate system to go on, do it right. That is partly what this bill does, as I said, in terms of out-of-province inspections but, you know, the bottom line here is, fix up the current system.

I go one step further, and I mentioned about some of the costs. I think CBC found the cost was between \$150 and \$600, and the bottom line is that that could be regulated. "Regulation" is not a dirty word. We bring in regulation with every act that is passed in this Legislature pretty well, so why not bring in some regulations that apply a set fee and then apply it strictly? There is a set fee, but what is happening essentially is that it is not being followed by the garages that are involved.

\* (2050)

I do not want to say every garage is doing that. I do not think even a large majority, I do not even think the majority are. It is a small percentage of people that are taking advantage of the system to do inspections and repairs that are not approved by the customer, so it is a simple question of consumer protection.

There are some other issues that have to be dealt with. I mentioned about random testing. This does not deal with that. We used to have a system where MPIC did random testing. Why not go back to a modified version of that program?

I have a vehicle that is over 10 years old. I do not mind getting it tested before I operate it on the road; that is only fair and reasonable. If I purchase a car that is five years old, I do not think that that is necessarily in the same category, particularly if you have proper disclosure of where that vehicle came from, whether it has been involved in accidents, what kind of repairs may or may not have been done.

I would say, it is a lot more economical system, because then the repairs will be done based on the age of the vehicle. Then you are going to end up with a much fairer system whereby people I think know instinctively that when the car gets older you have to get it fixed that much more often.

I asked this to the government. Why did they not choose this route? They would have a lot fewer complaints about this, and they would not hit a lot of people in Manitoba who just cannot afford new or even newer cars. There are a lot of people I know out there that rely on vehicles. They rely on a second vehicle even if they have a newer first vehicle. They rely on a second vehicle that would be pretty basic, and people who have seen what I drive know what I mean. I speak from experience.

My 1983 K-car station wagon may not be the most glamorous vehicle in the world, but, you know, it gets me back and forth, gets my kids to school. I am not unique in that sense. There are a lot of people who have cars in the same category, but the reaction of what is going on to this bill is to make it that much more difficult for people on modest means to afford an automobile. [interjection]

The member for Portage la Prairie (Mr. Pallister) says tell us more about my kids. I will be glad to; we can all talk about our families. I am just talking about the reality for what it is like for a lot of people who are out there, particularly when you got a need for a second car. A lot of Manitobans are in that category.

It is particularly difficult, I know, for those of us MLAs, particularly from out of town, because you end up in that you need a vehicle here, you need a vehicle back in your constituency. You need a vehicle for the road back and forth. I mean, ideally, you need several vehicles. [interjection] Three, exactly. [interjection] Wow, we got some offers of it being sold, but, you know, I probably have to—I do not know if I could afford it with a safety certificate. I do not think I could afford the repairs; I got a vehicle that I could sell the member for Portage as well. Believe you me, he could not afford the repairs that will probably have to be done on it. But, if I do not sell it to him, Mr. Deputy Speaker, I can run that vehicle until the wheels fall off. I have not had that happen to me yet. [interjection]

The member for Portage says that he would not buy it, but that is the whole point. The whole point of what I am saying is that safety should not depend on the sale of a vehicle. Safety should depend on the condition of the vehicle. That is why the logical system—you ask anybody out there, they say that the logical thing is to test vehicles based on how old the vehicle is, not on whether you sell it or not. [interjection]

Well, the member for Portage says, what about people? I think that is the whole issue here. What about people? The people are getting shafted by this new process that has been put into place. Quite frankly, Mr. Deputy Speaker, there are a lot of people who are not going to be able to afford vehicles and who are shying away from purchasing them for the simple fact of this new change that was brought in place.

I know that was not the intent. I know that, Mr. Deputy Speaker. I look at you specifically. I know that in your position in the Chair that you cannot comment on public issues, but I know in other environments you comment on public issues. You wear ribbons, too, but I will not mention that because I realize that is a sensitive matter at the current time. But I know that you probably even have a view on this issue. [interjection]

Well, I did not mention what the yellow ribbon referred to. I think members in the House know what—if they do not, it has something to do with hospital cutbacks and emergency care wards. You know, if I mention that too extensively, you are going to rule me out of order, and I know that.

Mr. Deputy Speaker, and I speak through you, that the intent of the whole section that was brought in by this government, which is based on a private member's bill—it was brought in by somebody very near and dear to you. It is rather difficult to talk this way when you are in the Chair, but perhaps I will put it on the record. The Deputy Speaker brought in the original private member's bill, which brought in this concept. It was later adopted by the government. I thought it interesting that we had it brought in the form of a private member's bill, presumably because the government caucus itself could not make up its mind to support this in its initial stage.

I must give the Deputy Speaker some credit because he must have done a fair lot of lobbying over the intervening period of time, because I am sure what he ran into were people in his caucus who said, I do not really know if this is the kind of way we should go. He convinced his caucus, but I want to suggest to you, Mr. Deputy Speaker, that what happened along the way is someone got it messed up when they put it into force as a government bill.

You did not want people to be ripped off, to be paying between \$150 and \$600 for inspections. You did not want a system put in place which put an imposition on people that have cars that are modest and have modest incomes. You did not want that. You wanted a safety system that would protect the Manitoba public, so that is why I am suggesting, on this particular bill, that before, and for the member for Portage (Mr. Pallister), who should, I am sure, read this bill, I am sure he would be very interested to see Bill 31.

What this does is, this deals with an amendment that deals with one of the problems that was a result of this particular move by the government. I want to suggest, the logical thing, Mr. Deputy Speaker, is to go a lot further than simply saying that if you have an Ontario or Saskatchewan safety certificate that it is followed here in Manitoba. I would suggest to you that at committee we might even go so far as to propose that we have a mandatory random check, that we have always had in this province and we had traditionally, which I think is the fairest way of going, the fairest system that is available.

So that is why I chose to speak today. I know, from my own experience talking to many people in my constituency, this is a concern. No one—[interjection]

Well, the member opposite says, what would it cost to put my car in shape? I will know within about a week or two, because that is the process I am going through with one of my vehicles, and I know the cost that can be involved. My car, by the way, has had a fair amount of work on it. I would not say it is in impeccable shape, but it is a good—it is a K-car station wagon. What can I say? It is a pretty basic car. [interjection]

**Mr. Deputy Speaker:** Order, please. Could I ask for a little bit of decorum in the room.

If the honourable member for Thompson can revert from talking about his K-car and revert to the bill that is before us, I think that would be more appropriate.

**Mr. Ashton:** The minister said about my driving around in a wreck—I said, I do not drive around in a wreck. I take care of my vehicles. A lot of people out there take care of their vehicles. There are a lot of people who have 1983, 1980, 1979 cars. Not everyone can afford a brand new car. Not everyone drives around in a \$20,000, \$25,000, \$30,000 automobile in this province. There are a lot of people who have never had a new car. There are a lot of people who have never spent more than a few thousand dollars. There are a lot of people I know who have never spent more than \$1,000 or \$2,000 on a vehicle, but they take care of their vehicles. They watch those vehicles.

They are the ones who are saying, make sure that you have a random system in place, Mr. Deputy Speaker, a random system based on age of the vehicle. They will get their cars checked out. They will repair them if necessary. But do not penalize, as you are doing now, people who are purchasing cars, particularly cars that I mentioned earlier, somewhat older. Do not get into that kind of system and do not make people have to go through this whole shopping-around process. I mean, Mr. Deputy Speaker, if the government says by regulation you have to have a safety certificate, what is wrong with the government saying you have to have a set rate, you cannot charge more, and if you rip off the public, your ability to provide that safety certificate is taken away.

That was the intent, I think, of the original legislation. It is not happening right now, and I want to know where the Minister of Consumer and Corporate Affairs (Mr. Ernst) is to deal with this. Well, there is the minister talking to the original drafter of the bill. I am encouraged. Where is the Minister of Highways (Mr. Findlay)? Where is the government?

Mr. Deputy Speaker, what amazes me is we live in an age where everybody talks about, you know, the limited resources available to government—what

amazes me is that we do not move in some of the areas that do not take a heck of a lot of resources. They do not take much in the way of resources at all—consumer protection legislation. What would be wrong, what would be the problem if the Minister of Consumer and Corporate Affairs sat down with the Minister of Highways and Transportation and said no more rip-offs? The public is not going to go through this again. There is going to be a set rate. Anybody that steps out of line will not be able to provide the safety certificate. End of discussion. You know what? How much would it cost to enforce that? Nothing. Virtually nothing. I mean, the CBC has done all the research for the government. Why not do something that is inexpensive and will provide protection to the public? A very simple suggestion, if you do it that way.

\* (2100)

Mr. Deputy Speaker, I think that is what is wrong, to a certain extent, with the approach of this government on this issue. The bottom line is the government was lobbied, and I understand where the automobile dealers were coming from, but in their rush to bring in—[interjection]

(Mr. Mike Radcliffe, Acting Speaker, in the Chair)

Well, I am not saying anything out of line here. The bottom line is the automobile dealers lobbied. They lobbied me. They lobbied every member of the Legislature to have safety certificates upon sale extended to all vehicles, and that is what I said. In the government's rush to adopt that, it is forgotten that if you are going to bring in regulations—

**An Honourable Member:** They started lobbying in 1966—big rush.

**Mr. Ashton:** Well, big rush. The member opposite makes my point. They have been lobbying since 1966. So why was the government in such a rush here in 1994 to bring in a system that does not work properly? I am amazed, Mr. Acting Speaker, now with the Conservative government across the way, because why do they not just talk to their constituents? I do not think there is anyone over there that has not run across somebody that is frustrated with the system or

concerned about it. If you ask people, if you talk to your constituents, you are going to get the concern raised with you.

I have had concerns raised about what the government did in terms of the application of the retail sales tax on the purchase of vehicles. It can cost you more to appeal it than it does in terms of the difference, and I have known people who buy vehicles where the book value is considerably higher than the actual value they paid for it. They are not ripping off the system, but you cannot contest the book value.

Now, those are the kinds of things, and the Minister of Finance (Mr. Stefanson), I know, has heard some of the concerns on that—a little bit of flexibility, a little bit of common sense. This is not politics here in the partisan sense. It only makes sense that you cannot just bring in a new system; you cannot just put your fist down and say from now on in, we have got a safety certificate system and you have got to get this. It is the government regulation. But no, no, we are not going to have any real regulations affecting whether you get what you are really supposed to be getting, a proper safety certificate, and you will not get ripped off.

I mean, what would be wrong with it? What is wrong with protecting the consumer? I do not think, and I can say this to the member for St. Norbert (Mr. Laurendeau), because I know he is a person with an open mind. [interjection] Well, I hear some reaction from his fellow caucus members, and, without getting into that other issue I cannot reference because it is not relevant to this bill, I know he has probably been told a lot more than, oh, yes, within the caucus room. But, you know, he brought in the original bill.

I say to the member who brought in the original private member's bill—this is surely not a partisan issue—and I say to the government members opposite, if we were to bring in amendments that make this bill function better, it would make the vehicle inspections function better. I appeal to the member for St. Norbert to support it, as the original author of this kind of legislation, and other members.

Would it be so wrong if once we actually put aside—surely this is not a political issue—if we once put

everything aside and we looked at it in terms of common sense? You know, when you are seeing people getting charged up to \$600 for a vehicle inspection, I mean, is that not wrong? Can we not do something about it, Mr. Acting Speaker? What would happen tomorrow if the member for St. Norbert said, boy, the opposition has a point, and voted for an amendment to change that? Well, apart from the act that he would be disowned by his caucus, he would have made a significant step forward.

I mean, the member spoke in committee about a number of issues related to liquor. He has spoken out on hospitals. But I look to the government members, and surely there must be how many others who actually seriously thought about some of these bills? Seriously, though, there are two of them who have seriously thought about this, Mr. Acting Speaker. I am impressed.

Just think of the power if those two voted with the member for St. Norbert (Mr. Laurendeau) and with the opposition to bring in the amendments that I am talking about. You know what would happen? There would be some pressure from the government caucus, the Whip would be on—I mean, I must admit it would probably create some personal pressure upon them. But they would be able to go to their constituents, Mr. Acting Speaker. You know what they would be able to say? They would be able to say, I stood up on your behalf for common sense.

I mean, others have done that. I look to the member for Portage la Prairie (Mr. Pallister) because there is a tradition in Portage la Prairie of members who say it the way they see it even if it does not fit in with how their colleagues see it.

I talked to Ed Connery, former member for Portage la Prairie. He lobbied in this particular area as well, which is, I think, quite ironic. He was not always popular in government ranks for saying what he thought but, you know, he stuck to his guns.

The member for Rossmere (Mr. Toews) might want to talk to the previous member for Rossmere, Mr. Acting Speaker, when he said the real truth on the deficit in 1992-1993. Was he popular within the Conservative caucus at the time? Well, no, he was not.

**An Honourable Member:** What about Jim Walding, Steve?

**Mr. Ashton:** There were a lot of people who were not popular in their caucus. I am glad the member for Portage is aware of some other ones.

Mr. Acting Speaker, would it be that difficult if we were to take a bill like this and a number of MLAs would say, it only makes common sense. What have you got to lose? What does any member of this House have to lose on this particular thing? I mean, I look to the member for St. Norbert (Mr. Laurendeau) because, if he could have survived the last few days for speaking out on the hospital emergency rooms, it will not take much more to support what we are talking about in the way of amendments on this bill, which is really an issue that is very dear to your heart.

I say that because one of the difficulties, Mr. Acting Speaker, in this House sometimes is that we do not have the ability to do what we were elected to do. I have no argument against the party solidarity that we all need on major issues. I was elected as a New Democrat. Other members were elected as Conservatives and Liberals. We were elected on the party platform, so when it comes to a bill like, say, Bill 2 and some of the other items of legislation, I would not expect anyone really to vote against something they campaigned on as part of party principle.

But what is the party principle in this bill? What is the party principle? It was not exactly a major election issue, but it is a major concern for the average person out there. What would be wrong if—we do not even have to do it in this House; we can do it in committee. What would be wrong if members of that committee, once we pass this bill, which we will do soon, to the member for Portage, actually said, this makes common sense, let us look at this? I think we might even want to reform the committee structure to allow the committee to even consider these things.

This is the kind of issue where it would make much more sense than a department and a minister taking a private member's bill, messing it up, putting it through and then having to correct it, which is what is happening with Bill 31. What if the MLAs themselves,

what if the member for St. Norbert (Mr. Laurendeau), who actually brought in the original bill, had the opportunity to come before the committee? What if that committee then was able to go out and hear from the public? What if that committee did not have to push through amendment after amendment that was being forced in by the government? What if the committee could take the issue to the public? [interjection]

Mr. Acting Speaker, well, the member for Portage (Mr. Pallister) wonders if talking about the democratic process that we might follow on this bill is relevant. I believe that democracy and the democratic process are always relevant and are particularly relevant on this bill, because if the member for Portage had been paying attention to what was happening, we saw a great idea which some people agreed to, some did not, brought in by a private member on the government side, messed up by a government department and a ministry that we are now asked as government and opposition members to correct. I am saying, if you want to do it right in the future, change the process.

The minister and the department have already got it wrong once. I believe that, even with this bill, they are still getting it wrong. I look to other ministers. I mention the Minister of Consumer and Corporate Affairs (Mr. Ernst), who can do things to correct the situation. The member for Portage might even be able to put his considerable influence in—

**The Acting Speaker (Mr. Radcliffe):** Order, please. I regret to interrupt the honourable member for Thompson, but I would ask him to keep his comments relevant to the contents of the bill, that a debate as to the committee process could take place at another time and place. I would ask him if he can focus his remarks on the proposed legislation or the proposed bill that is at hand.

**Mr. Ashton:** Mr. Acting Speaker, I was referring to the principle of the bill, the original bill as was developed by the member for St. Norbert and that my hope that members opposite, government members—and I am quite surprised at the member for Portage. The member for Portage has heckled me more on this bill than any other bill. I do not know why. I do not know why he does not listen to the import of my speech.

### Point of Order

**Hon. Brian Pallister (Minister of Government Services):** Point of order, Mr. Acting Speaker, just to put on the record the fact that the only reason I am directing comments at the member for Thompson is because he is departing from the usual practices of the House. I once again will raise a point of order that you have already raised, unfortunately, which is being disregarded by the member, that he stick to the principles of this bill and stop wasting the House's time as he is doing currently.

\* (2110)

**Mr. Ashton:** On the same so-called point of order, Mr. Acting Speaker, I would suggest that not only the member not have a point of order, but to repeat as he is attempting to do in disguise his nonpoint of order in the form of a point of order because you just gave a ruling is not only highly irregular, it is out of order.

I would ask if I could have the opportunity to continue remarks which indeed if you were to look at Hansard and if indeed the member for Portage had been listening to instead of speaking over my speech he might have realized were very relevant to the principle of Bill 31.

**The Acting Speaker (Mr. Radcliffe):** Thank you very much to the members of the Assembly. I would rule that there is not a point of order here, and I would invite the honourable member for Thompson to proceed with his debate.

\* \* \*

**Mr. Ashton:** Thank you, Mr. Acting Speaker. I would suggest, by the way, because I think there is some confusion with some members opposite, we are talking about Bill 31, which deals with vehicle inspections, which is the issue that I have been dealing with here tonight. I realize it may not be an issue of concern to them, but it is the issue in this particular bill. There is an amendment dealing with one of the faults that was left by this government when they pushed this through, ironically, pushed it through. It was lobbied for since 1966. You would think they would get it right. They did not. That is what I am saying.

I am saying, this particular amendment, you know, nice try to the members of the government, but it still does not fix the problem. You are not going to fix the problem until you deal with some of the root causes of the problem. Even if you are going to have this system put in place, in all seriousness, putting aside all the debate, I appeal to you, if you are going to require by regulation that the people of Manitoba do something and there is abuse of that regulation—that is what is happening now, not by everybody, but by some—the proper solution to this is to apply that regulation to ensure that people do not get ripped off. That is all I am saying.

We will deal with it at committee, and I appreciate your advice on that. I just want to indicate, and we may get into debate in this House, I focus my remarks on the fact that at least one member opposite I know has taken a lead on this issue, and I am hoping that he will perhaps even raise this issue within his own caucus, because I think there are a lot of improvements that could be made to Bill 31.

Quite frankly, I remember when the member came to members on our side and lobbied on this issue for support when it was a private member's bill. I think if the member could work with our critic, because I know our critic will be raising suggestions on how this bill could be improved, I want to put that out as an open invitation. In the same spirit he approached us, I am now saying to that member and to all members, because it is not fair to simply focus in on the one member—the only reason really I mentioned the member for St. Norbert (Mr. Laurendeau) tonight is the fact that the member was the one that brought this bill forward to this House initially.

Quite frankly, I had some concerns about it at the time. I am not saying this from the vantage point of having necessarily supported it from the beginning. You know, we could have dialogue on these issues. If this bill passes tonight into committee, we have got some time. This bill will be coming forward to committee in the next number of days. I ask members to go back and look at this because, believe you me, if there is an amendment coming back in that will provide some protection to the public beyond what is currently in this bill, in the areas that I have mentioned, I would

suggest to you that we could very seriously look at having it brought in unanimously. We can bring it in at committee. We can bring it in at report stage.

I am not referring to the later process. I appreciate your admonition, but, in talking about the principle of the bill, which is what debate on second reading is about, I want to refer to the fact that there is room—[interjection] I am sorry I did not hear the comments from the member, but, if he is indicating his own interest in looking at that amendment, I am saying there is room to deal with this situation in a nonpartisan way, in the same way that this issue was initially raised. In fact, I look forward to the member for St. Norbert (Mr. Laurendeau) perhaps even making some comments on this debate because I think—I say this, putting aside all the debate back and forth—that there are ways in which the vehicle inspection system can be improved, that the member himself would—and I am not saying this from any private discussion, but I know his original intent was not in keeping with what is—I mean, he probably does not even necessarily agree with all my criticism of it.

There may be some middle ground here. I throw that out, Mr. Acting Speaker, because I really feel this is not the kind of bill that—it is not Bill 2. It is not a bill that is going to make or break the government. It is not an issue we campaigned on. It is not exactly a partisan issue. I mean, safety of used cars, I do not think, is exactly in any of the platforms of any of the three major parties. That is why I raised this issue tonight. I would not have spoken even at this great length. My intention was to speak fairly briefly, but I must admit, when I saw the member for St. Norbert, I just could not resist talking about the fact that here is a bill that started off as a private member's bill. So we are still dealing with it now.

What is wrong, even at this stage—even though this is now a bill brought in by the Minister of Highways and Transportation (Mr. Findlay), why can we not deal with it in the same spirit it was brought in, when a member of one party went to the members of the other party? It was all members who said, support this. By the way, I do not think this bill would have happened if that process had not taken place, because I do believe that open lobbying process helped convert other people. I

do not think this bill would have gone through. I respect the member for doing that. All the other comments aside about other issues, I think it is important we respect individuals in this House who take the initiative on nonpolitical issues such as this and try and do something that they feel is an improvement to the public of Manitoba.

The bottom line, in conclusion, Mr. Acting Speaker, I think this bill could be significantly improved. I know our critic is going to be referring to some of the specifics that we feel should be dealt with. There are some other issues in the bill which I have not commented on because of time constraints, but anybody who thinks the vehicle inspection system in this province is working, they had better talk to a lot of people out there. Please take the concept that had some noble intents and, if you are going to stick to that concept, at least improve it. Thank you very much for listening.

**Mr. Marcel Laurendeau (St. Norbert):** Mr. Acting Speaker, first, let me thank the honourable member for Thompson (Mr. Ashton) for bringing forward this interesting debate and congratulating me on bringing it forward as a private member's bill, but I cannot take credit for bringing it forward as a private member's bill. I had the assistance of the honourable member for Emerson (Mr. Penner) and Mr. Ed Connery, who had worked very closely with me in drafting this legislation.

Mr. Acting Speaker, the concerns that the honourable member brings forward are exactly the reasons why this bill was brought forward initially. This government was concerned and is concerned about the safety of the public and their driving.

Mr. Acting Speaker, the public, under the other inspection system, were only getting 15,000 a year inspected. Already, this year, we have inspected 50,000 vehicles. Also, he had concerns about certain service stations or automobile repair places that were doing some of these repairs who were not being legitimate. That was exactly why we brought this bill into play, because there was no way to decertify or to find out who was doing these rip-offs—and let us call them what they were; they were rip-offs within the

industry. They were rip-offs, and now we have the ability, through this certification, to walk in and pull their tickets. Let me tell you, there are not too many dealerships or repair facilities that will want their tickets removed because, when that little green sign comes off the building, it is not only a bad sign to the public, it is a black mark on how they are going to be dealt with by the public.

Mr. Acting Speaker, when we say that these rip-off artists will be around, it will not take us long to clean them up, and I challenge those rip-off artists to stick around. They will not be here because the general public will not put up with it.

When I was in business, I remember some of these dealerships who actually sold cars that they said had 50,000 and 60,000 miles on them, and the odometer had been spun. They were rusted out, they came from the east, they had no frames, they were Autopac write-offs, but they gave them a safe vehicle certificate. The vehicle was not safe for the road, but we had no recourse to go back on those dealers. We had no recourse to go back on that person who certified that vehicle as safe.

Today we do. Today, under this legislation, we have the ability to walk in and pull that operator's licence. The first time, Mr. Acting Speaker, it might only be three months and then six months, but then there is a provision with a very large fine that will punish those people who are doing exactly what this member is bringing forward as far as concerns.

\* (2120)

When we start talking about the protection of the public and we say, well, he had a \$600 bill, that is exactly it. Before the public buys the car, get the inspection, please. It is worth the \$40. Have it inspected. See if it is worth having the car or to buy the car. If it needs a thousand dollars of repair, take a thousand off of the end price. Do not buy the vehicle till it has been inspected. I beg of you, this is a protection act for the citizens of Manitoba. This is a way that we have the citizens of Manitoba not to be ripped off.

We have now the ability to record odometers. Now, we have been looking, the RCMP have been investigating a way to find, to record the odometers. We will catch those odometer spinners.

Mr. Acting Speaker, this is good legislation, and this government is on the right track with this legislation in protecting the public, and this legislation will pull more wrecks off this province's roads and save more lives than any inspection that we had previous could have. This is an improved legislation, and, yes, there are some areas that we have to rework, and, yes, we are doing that. That is exactly what this amendment is all about. Let not the naysayers say that we are out to rip-off society. This is out to protect them.

How can these naysayers keep coming forward and saying, well, the public is going to have a \$600 bill? We ask the public to go out and, before they buy their vehicle, have it inspected. Do not buy it without a vehicle inspection. I would not invest \$8,000 in a vehicle until I had someone who was able to do an inspection on it and tell me if it required work. I would not buy a house without having an engineer come in and check the structural structure. Would I trust a real estate salesman to tell me that? No. I would want somebody who is professional in it to tell me exactly what is wrong. So you do not make a major investment without having it inspected. When he said the inspections are \$600—no, the inspections are not \$600. We set a maximum of \$40, and \$40 is a long way from \$600. The only reason you get the \$600 is because you bought the vehicle without having the inspection done before you bought it.

Now, there is something out there called buyer beware, Mr. Acting Speaker. [interjection] That is exactly it. You know, we cannot protect everybody. If someone chooses to buy a vehicle without having it inspected, we cannot legislate that he do that. It is still buyer beware, but we beg of them to please do that. So, as far as the amendment that we are bringing forward, yes, it is to the safety legislation that we propose, and there may be some in the future, because as it is growing we may find some other concerns, but we have now got the initial highway built. We have that highway of protection built, and if we have to add on another lane, we can add on another lane. If we

have to take some of the service off and do some reservicing, we can do that later as well, but that is exactly it: the main highway for protection of the public is now in play. Let us protect it. Let us keep redesigning it. Let us make sure it is efficient for the public of Manitoba. It is safety legislation. It is protection. I will support this legislation, Mr. Acting Speaker.

**Mr. Jack Penner (Emerson):** I will not be very long, Mr. Acting Speaker. I know my House leader is sort of looking at me and probably wondering why I would want to put some comments on the record.

I think it is important to note that this legislation was drafted in order to put some equity into the whole auto industry. Having been an automobile dealer myself and worked in the industry for 12 years, I know how important it is for a vehicle to be inspected when it comes off the street and is taken in trade and put back on the street again. Very often vehicles require a very significant amount of work before you can actually safety it.

The legislation, as it stood before, had the inequity in it that if you in fact traded a car, in other words, sold it to a dealer, before the dealer could resell it, it not only had to be inspected but had to be safety certified. If you were a private person and if you sold your car to your neighbour, you could do that without safetying it, so what really happened is we set up a two-tiered automobile dealership system in the province: one to deal with the sale of new cars and those that were relatively new and did not cost too much to repair; the others were somehow back-lotted. Many of our cars today were sold off individuals' lots, maybe even some dealership setup that they did not need to safety-sell cars as is. Our legislation, of course, allowed for that. As a matter of fact, it encouraged it. Therefore, we set up a two-tiered system which put cars back on the street that were very often in questionable condition.

Under this legislation, there will be equity put into the system which will ensure safety to the general buying public, and the people that buy safety-certified cars under the new legislation will have some measure of comfort that, No. 1, the brakes are going to be in order, the lights are going to be in order, the exhaust

system. In other words, all those components that are deemed to be safe for safe highway travel will have to be inspected.

If you pull a vehicle off the road that has gone through a so-called safety inspection and certified by a certified shop and it is deemed not to have been safetyed, then we have the right, under the legislation, to pull the licence of that dealership or that garage or that certification agency. So I think it is relatively clear that the legislation that is being proposed here is in the best interest of the consumer in general to ensure that the vehicles that will be sold off dealers' lots or off individuals' lots or sold through the private trade will, in fact, all have the same level of safety attached to them.

Now, if the opposition members want to oppose that kind of legislation, I would suggest that they go out to the public and explain what their rationale now is for not supporting this kind of legislation.

Mr. Acting Speaker, with those few comments, I would sit down, and ask the honourable members opposite to support the passing of this bill as written.

**Mr. Gerard Jennissen (Flin Flon):** Mr. Acting Speaker, thanks for the opportunity to put a few words on the record regarding Bill 31, The Highway Traffic Amendment Act (2).

I would like to summarize a little bit regarding the bill. First of all, the bill has three basic sections dealing with medical standards for drivers, changes to rules and registering used cars and clarifying rules on residency of drivers.

The bill was introduced for second reading on June 28, just three days before the private vehicle inspection program became law, and it is an admission by this government that the program already had serious problems.

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

Under the rules currently in effect, anyone who brings a used car into Manitoba must have it tested

before it can be registered, even if it had previously been approved by another provincial program, such as the ones in Saskatchewan or Ontario. Several drivers have now been forced to pay twice for tests as a result of these rules, something that the government now acknowledges was a mistake and is trying to address.

The government is also amending the section authorizing regulations of the program so that one common regulation can be created which will specify the duties and responsibilities of dealers and mechanics with a form of inspection certificate and procedures to follow when conducting an inspection.

The other major sections of the bill allowing the registrar to set medical guidelines instead of fixed standards and a clearer definition of residency for the purpose of registration really are not that contentious.

Our major concern is, and this has been mentioned by the member for Elmwood (Mr. Maloway) before and by the member for Thompson (Mr. Ashton) today, the private vehicle inspection program. That is the one that is giving us some serious concerns.

\* (2130)

As was noted on a recent CBC I-Team investigation, there is no protection for consumers from garages taking advantage of motorists getting their safety checks. Now I know that the minister has said that out of the 800 garages, only a handful are of questionable nature, but if you happen to be the unfortunate person that is taking the car there, it is a moot point to say, well, you know, there is only a small portion of these garages that operate like that. Some do operate like that.

Now the CBC I-Team report found that five different garages charged five different rates, ranging from \$150 to over \$600 for the same car, the same kind of repairs. The system, therefore, is clearly open to abuse, but the minister does not seem to be that terribly concerned, because when he was asked about it on CBC, he said, people should shop around for the best price. But that is ignoring the fact that each time you go to a garage you have to pay the \$40, so if you want to shop around

at five different garages, you had better be prepared to pay at least \$200 for the basic inspection, and then you can start picking the cheapest of the garages. [interjection] Well, the honourable member says, no, but as far as I understand the safety inspection will cost \$40.

**An Honourable Member:** The safety inspection is 40 bucks.

**Mr. Jennissen:** Right, but—

**An Honourable Member:** You get a list this long that you are supposed to have done to your car, you can take it to any . . . and shop for a price of what will it cost for you to get this done.

**Mr. Jennissen:** Well, what I am saying, Mr. Deputy Speaker, is that if you get a safety inspection and this garage says get a, b and c done and you want another independent body to verify that and you go to another garage, they may say that you need b, c and d done, and you still pay the \$40 each time. In other words, to shop around costs you the 40 bucks each time before anything is done.

Now, the minister says, just shop around for the lowest price. I guess that is one way you could do it, but I want to draw attention to the fact that shopping around is going to cost you money. I do not think this is acceptable, and I think the older system, where there was random mandatory inspection, seemed to be much fairer, fairer in the sense that you could hit all cars sort of in an indeterminate way, like there was no way you knew ahead of time which car was to be inspected. This way, the way it is now, if you drive an old wreck 10 years or older and you are not going to sell it, you hang on to it, it might be 20 years old, you do not have to get it inspected.

I do appreciate the fact that more inspections were carried out, Mr. Deputy Speaker, that they have gone up from 15,000 to 50,000. In fact, that is very laudable and commendable, but we are concerned about the sort of market nature of it, the private vehicle inspection program, market-driven nature of it, because I am not sure if that is good for Manitobans. In fact, I do not think that is good for Manitobans.

Mr. Deputy Speaker, although there are aspects of this bill that other members have pointed out can be positive, there is enough there that gives us serious concern and therefore we cannot really support it. There have to be some improvements; I hope these improvements or these suggestions will come out when the bill reaches committee stage. Thank you, Mr. Deputy Speaker.

**Mr. Mervin Tweed (Turtle Mountain):** I too would like to just put a couple of comments on the record and perhaps correct some of the comments from the other side. The last speaker suggested that when you move vehicles from province to province, now, with the law in Manitoba, if the vehicle is safe in, say, Saskatchewan, and you bring it to Manitoba, it has to be safetied again.

I just want to correct one thing. That is the way the system has been in Saskatchewan for over a year. A car safetied in Manitoba could not be sold in the province of Saskatchewan and, just for your information, their safety fees are \$300, just to correct the record.

The only thing that I think you have to look at when you talk about safety legislation is safety. What is best for the people who are going to be buying and driving these cars? Are we going to put vehicles on the road continually that are unsafe?

This law protects the consumer. He has the ability to shop for the repair, he has the ability to pay the price that he deems to be fair, but he has a safe vehicle.

I can tell you that the amount of safe vehicles on the road will go down with this legislation, because even the dealers—go up, pardon me, unsafe vehicles on the road.

Even the dealers that fought so hard for this legislation are finding that they have to meet very stringent requirements, and although it is a bit of an impediment to them, they feel that the success of the safety program is in the best interest of all Manitobans.

The only other thing I want to say is that you talk about the differences in prices and variances in prices.

That happens in everything in the market industry. I can take you anywhere in Winnipeg and find you a meal that is identical but at variant prices, and it is your choice as to what you want to pay for that meal. Nobody is twisting your arm.

You bring your vehicle in for a safety report; they give you a safety report, suggest what has to be done to meet the law, and you can take that list and shop it anywhere you want. That is where the difference lies; that list is what has to be done to it to make it safe. That is the bottom line. Safe vehicles, safe cars on the road; less accidents, less people hurt.

I think the other note that I would just like to make, and the honourable member for Flin Flon (Mr. Jennissen) brought it up, is that we will see an increase from 15,000 safety inspections to 50,000.

I think it is very important that anybody on that side that talks about the people and representing the people and for the safety of the people, then I think they have got a wrong perspective on the legislation. The bottom line is safety for all. Thank you.

**Mr. Deputy Speaker:** As previously agreed, this matter will—No?

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** Is it the will of the House to deny leave to the honourable member for Elmwood (Mr. Maloway)?

**Some Honourable Members:** No leave.

**Mr. Deputy Speaker:** Leave has been denied for the honourable member for Elmwood.

Is the House ready for the question?

**Some Honourable Members:** Yes.

**Mr. Deputy Speaker:** The question before the House is Bill 31, The Highway Traffic Amendment Act (2) (Loi no 2 modifiant le Code de la route).

Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**An Honourable Member:** On division.

**Mr. Deputy Speaker:** On division.

#### **Bill 33—The Statute Law Amendment Act, 1995**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Justice (Mrs. Vodrey), Bill 33, The Statute Law Amendment Act, 1995 (Loi de 1995 modifiant diverses dispositions législatives), standing in the name of the honourable member for Brandon East (Mr. Leonard Evans).

Is leave denied? Leave has been denied.

Is the House ready for the question? The question before the House—

**Mr. Kevin Lamoureux (Inkster):** Mr. Deputy Speaker, what bill is it that you are referring to?

**Mr. Deputy Speaker:** Bill 33, The Statute Law Amendment Act, 1995.

**An Honourable Member:** What about 32?

**Mr. Deputy Speaker:** Oh, I am sorry. It was Bill 32. I am sorry, I called the wrong bill. I am going to revert back one, okay?

#### **Bill 32—The Proceedings Against the Crown Amendment Act**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Justice (Mrs. Vodrey), Bill 32, The Proceedings Against the Crown Amendment Act (Loi modifiant la Loi sur les procédures contre la Couronne), standing in the name of the honourable member for Thompson (Mr. Ashton).

**Some Honourable Members:** Stand.

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

#### **Bill 33—The Statute Law Amendment Act, 1995**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Justice, Bill 33, The Statute Law Amendment Act, 1995 (Loi de 1995 modifiant diverses dispositions législatives), standing in the name of the honourable member for Brandon East (Mr. Leonard Evans). Leave has been denied?

**Some Honourable Members:** Right.

**Mr. Kevin Lamoureux (Inkster):** Mr. Deputy Speaker, I understand that amendments are primarily for the purpose of correcting some of the minor errors in the statutes, and there are some substantive changes which, I am sure, we would all like to go to committee.

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

The question before the House is second reading of Bill 33, The Statute Law Amendment Act, 1995. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Mr. Deputy Speaker:** Agreed and so ordered.

#### **Bill 34—The Municipal Amendment and Consequential Amendments Act**

**Mr. Deputy Speaker:** Resuming debate on the proposed motion of the honourable Minister of Rural Development (Mr. Derkach), Bill 34, The Municipal Amendment and Consequential Amendments Act (Loi modifiant la Loi sur les municipalités et apportant des modifications corrélatives), standing in the name of the honourable member for Interlake (Mr. Clif Evans). Stand? Is there leave that this matter remain standing? [agreed]

\* (2140)

#### **Bill 36—The Municipal Assessment Amendment Act**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Rural Development (Mr.

Derkach), Bill 36, The Municipal Assessment Amendment Act (Loi modifiant la Loi sur l'évaluation municipale), standing in the name of the honourable member for Interlake (Mr. Clif Evans). Is there leave that this matter remain standing? [agreed]

### House Business

**Hon. Jim Ernst (Government House Leader):** Would you call Bill 14, please?

Mr. Deputy Speaker, perhaps if I could have your indulgence and that of the House for a couple of minutes of House business before you call Bill 14, I would like to call the Committee on Economic Development for 9 a.m. on Thursday, October 26 to consider Bills 26 and 28, and then the Committee on Agriculture for 8 p.m. the evening of October 26 to consider Bills 15 and 27 and to refer Bill 33, just passed, to the Committee on Law Amendments which will sit tomorrow evening, October 24 at 7 p.m.

So Bill 33 would be referred to the Law Amendments committee for tomorrow evening, and then on Thursday morning at 9 a.m. Bills 13, 26 and 28. Sorry, Bill 13 is not yet passed, but should it pass between now and Thursday morning, we will refer it Thursday morning, and then for 8 p.m. Thursday evening, the Committee on Agriculture for Bills 15 and 27.

### Bill 14—The Mines and Minerals Amendment Act

**Mr. Deputy Speaker:** To resume debate on the proposed motion of the honourable Minister of Energy and Mines (Mr. Praznik), Bill 14, The Mines and Minerals Amendment Act (Loi modifiant la Loi sur les mines et les minéraux), standing in the name of the honourable member for Transcona (Mr. Reid).

**Some Honourable Members:** No.

**Mr. Deputy Speaker:** No. Leave has been denied.

**Ms. MaryAnn Mihychuk (St. James):** It is my pleasure to rise and speak on The Mines Amendment Act, Bill 14, a bill that we have seen twice over. It was

brought before the House last year and was not addressed at that time, so the members have had an opportunity to look at this bill, in fact, two times.

This bill deals with the whole industry of mining, and mining is particularly important. As members here know, it is the second largest wealth-producing primary industry in the province after agriculture. It is an industry of significant importance to Manitoba, and we have seen, fortunately, some positive trends in the mining community.

We have seen rising world prices, and we, like other countries in the world, are governed by world markets when it comes to metals and metallic commodities. Much of what we do is dependent on those world markets. But we have seen rising prices for nickel and copper, which bodes well for Manitoba, and this is a positive step in a time where we have seen some very bleak things happening in our mining industry, including some drastic shutdowns in communities like Lynn Lake, Snow Lake and other communities that have to depend primarily on the mining sector.

It has indeed been a long period of decline. In fact, since approximately 1989, coinciding with this government's election, we have seen a significant decrease. In fact, in Manitoba, we have lost over a thousand jobs in the mining sector. So these small movements forward, like the recent opening of a mine at Photo Lake, creating approximately 70 jobs, is a very positive step, but we have a long way to go to recover from what has been a very, very long period of tough times for the mining communities in Manitoba.

The mining industry, Mr. Deputy Speaker, generated approximately \$700 million in revenues last year with a record high of \$1.8 billion in 1989. It accounts in Manitoba for 4,700 direct jobs, and, as I have said, we have lost a thousand jobs since the Filmon team took office, and that is a pretty bleak figure when you look at those communities in the North.

We also have seen this government take a step that is also very retroactive, and that was selling the Mineral Resources corporation, a vehicle for government which was used proactively to bridge communities where revenues fell off, where mining activities fell off. This

government decided to go and sell off a government jewel to balance the budget, so they went and sold something that made a profit annually and then claimed it balanced the budget.

We still look for other things, and let that be a warning to Manitobans, that these types of activities, this type of hocus-pocus balance budgeting, on the basis of selling off Crown corporations, is in fact their agenda and how they intend to balance the budget.

I just want to direct some of my comments to the Department of Energy and Mines, whose goal it is to foster wealth and job creation through the sustainable development of our energy, mineral and petroleum resources and to promote the efficient use of energy. This is a goal that we applaud, and we look for that type of leadership, particularly in terms of creating jobs. Not only do we want to see an open-door policy of, basically, welcome in and exploit our resources, we are looking for sustainable development which creates meaningful long-term jobs.

Bill 14 has been called a housekeeping bill. I have to say that this is one dirty house, because we are talking about 77 amendments, 77, so it has quite a few minor amendments. It is quite the housekeeping, would you not say? And there are eight more substantial amendments to this bill. So it has indeed several significant changes.

I would say one of the major drawbacks of this package before us is that it actually omits an area that needs to be addressed now. This government has not had the wisdom, the foresight or the reasoning to contact the people involved in industry to include it in this amendment. That is unfortunate, and it is costing local private prospectors of Manitoba, again and again, their livelihood, and sometimes they are losing their claims because this government has not seen the wisdom to bring in the proper amendments, Mr. Deputy Speaker.

Speaking to the amendments before this House, there are some that we have serious concerns with. If we look at the act itself, it was proclaimed on April 1, 1992. It was a major rewrite. We had been working with The Mines Act that was outdated, had been in

existence for, I believe, something like 70 years; it did need to be rewritten.

These amendments that are before us, and I quote from the Minister of Energy and Mines (Mr. Praznik), were basically put together, and I quote: By my predecessor who worked on many of the amendments that I bring forward.

That would be the previous minister Don Orchard.

The major amendments that I am going to be speaking about are the ones that actually reduce accountability and reduce openness of government. I think those are concerns that Manitobans have, and I am prepared to raise them and let the community understand what these so-called minor housekeeping amendments actually entail.

If we look at the first amendment, it is suggesting that the annual report be moved from date of June 30 to December 15. The reason for this delay is to be consistent with other departments that have a later date. Mr. Deputy Speaker, this is the most ridiculous idea I have ever heard. If you wish to be consistent, why not move the publication of annual reports forward, rather than backwards?

I say, why do we need to delay the release of information to the public? Is it a valid reason to say, to be consistent? It is ridiculous. In fact, I believe that the motivation is actually a political one. The date now is to be December 15, so I believe this government's motto is, never do today what you can postpone for just before Christmas, when people are much busier worrying about celebrations and they are not going to be able or willing to be reviewing the annual report from the Mines Branch. The fact is that this year, for example, the Annual Report for Energy and Mines was tabled within days, I would say, two days after Estimates. This is a disgrace. We did not have that document to review in detail. I would say that, if this government believed in openness and accountability, those annual reports would be available for Estimates—[interjection] No doubt.

\* (2150)

Moving on, another major area of amendment is the government's desire to completely delete the conflict-of-interest provision in The Mines Act, a provision that was put there to protect the public interest. Is that something that this government does not support? What is the motivation for this government to say they do not want a conflict-of-interest section in The Mines Act? Truly, an incredible concept. Is that accountability? I say, no. Is that openness? No, Mr. Deputy Speaker..

What is the problem with the conflict of interest? If there is a specific problem with the conflict-of-interest provision, which basically provides for fairly serious, I would say, consequences to somebody who breaches the conflict-of-interest provision, what is in particular the problem with this section?

I would suggest to the government that it would probably be wiser to look at it in terms of a minor amendment, but do they call the deletion of the whole conflict-of-interest section a minor amendment? I do not think so, Mr. Deputy Speaker, not likely. It is in fact a serious concern to this side of the House, and I believe to the Liberals, and I believe to all Manitobans, that to delete the whole conflict-of-interest section is indeed shocking. [interjection]

Well, there are several members saying what is the agenda. Maybe there is not, but let us have it open on the table. If everybody—for example, Mr. Deputy Speaker, are the staff in the minister's office going to be covered under the civil service policy of conflict of interest? Are those people going to be accountable to the people of Manitoba? Are they going to be available to answer these questions?

These are all questions that the public has. These are all questions that we are going to be raising in Estimates. We feel that there are some serious flaws in terms of pulling out this whole provision, certain personnel who may have access to information, and, as you know, in the mining sector, where you are working with large monetary value, that type of insider information, Mr. Deputy Speaker, may have a significant influence. It is very important that people dealing with this type of knowledge be aboveboard and comply with all conflict-of-interest provisions.

So that is one of the reasons why we are going to be voting against this bill, and, as we continue, there are further serious concerns with the minor housekeeping bill regarding The Mines Act, so-called minor housekeeping bill.

If we look, for example, at the area of the Quarry Rehab expenditures, it right now requires an Order-in-Council. Every expenditure from the fund requires an Order-in-Council. This bill, in fact, eliminates the requirement for an Order-in-Council. Again, we see the lack of accountability. Again, we see a government closed. Again, we see public funds going to whom? The public deserves to know. The public has to know who these monies are going to, and, right now, the only accountability we have is the Order-in-Council's.

What is the process that the Minister of Mines (Mr. Praznik) has prepared to ensure that public funds are expended appropriately? Mr. Deputy Speaker, in fact, it is this very department that received a scathing review in the Auditor's Report, talking about the department giving away funds to perhaps unverified contracts with little supervision or inspection, monies that were going out on the pretense of exploration in Manitoba. The people of Manitoba do want exploration. They do want exploration and development of our mining community, but they also want a government who is going to ensure that our money is going into meaningful projects.

The Quarry Rehab program has many inherent problems. One of the problems is that there is not sufficient regulation. Are we sure that we have the personnel to manage, to inspect and to ensure that public funds are going in the appropriate places? I say no. In fact, the Department of Energy and Mines has been slashed and reduced over the years and the money is now going as incentives and there is very little in terms of regulation.

What we have seen is perhaps, as the Auditor has said, some questionable allocation of funds, and I think that is a serious concern. Before this government goes ahead and takes away the only accountability we have in terms of the Quarry Rehab fund, I would suggest that we see a comprehensive program which assures public accountability of those monies.

This program is, in fact, operated and run out of the Mines Branch. It has the mines inspectors going out inspecting operators that are supposed to be following The Mines Act, Mr. Deputy Speaker.

So they go out as police, in a way, and they have the authority to charge operators who are perhaps not complying with The Mines Act. In this case, they not only are the inspectors, they are the charging and then they now have the ability to hand out grants, Mr. Deputy Speaker, which leads in to a whole area of impartiality. How are the contracts awarded? I do not think that this government, who wishes, they say, to have an open, honest, accountable system, would allow this type of misrepresentation to go forward.

So I would say that this government requires to take back this minor housekeeping amendment and look at the substantial changes that they are talking about,

changes that perhaps we could support if they were modified dramatically. I am willing to work with the government in assisting them in terms of trying to deal with some of these efforts.

Given that there are very few geologists on that side, I would be glad to put my expertise—and there are blatant examples of where the department needs to look at some significant changes.

**An Honourable Member:** Well done. Devastating.

**Ms. Mihychuk:** Well, I am not done yet.

**Mr. Deputy Speaker:** When this matter is again before the House, the honourable member will have 23 minutes remaining.

The hour now being 10 p.m., this House now stands adjourned until tomorrow at 1:30 p.m. (Tuesday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, October 23, 1995

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