



Fourth Session - Thirty-Sixth Legislature

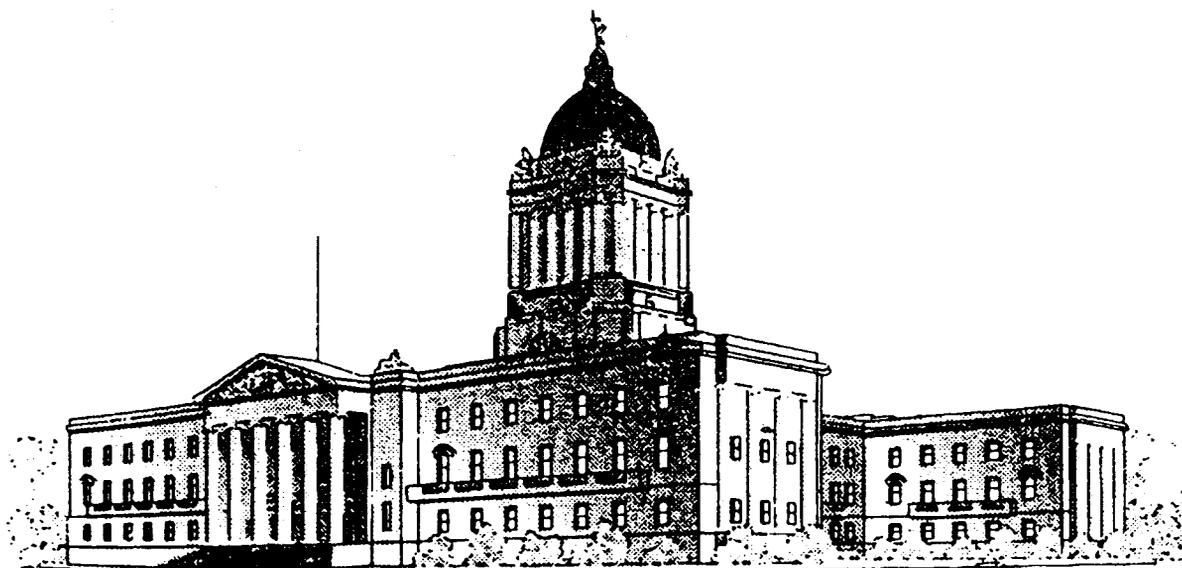
of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**Official Report  
(Hansard)**

*Published under the  
authority of  
The Honourable Louise M. Dacquay  
Speaker*



Vol. XLVIII No. 71A - 10 a.m., Thursday, June 25, 1998

ISSN 0542-5492

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ASHITON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CIOMIAK, 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	Steinbach	P.C.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FAURSCIOU, David	Portage la Prairie	P.C.
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, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	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

Thursday, June 25, 1998

The House met at 10 a.m.

## PRAYERS

PRESENTING REPORTS BY  
STANDING AND SPECIAL COMMITTEES

## Committee of Supply

**Mr. Marcel Laurendeau (Chairperson):** Madam Speaker, the Committee of Supply has considered the motion regarding concurrence, directs me to report progress and asks leave to sit again.

I move, seconded by the honourable member for Turtle Mountain (Mr. Tweed), that the report of the committee be received.

**Motion agreed to.**

## ORDERS OF THE DAY

## House Business

**Hon. James McCrae (Government House Leader):** Madam Speaker, could we begin with report stage, which I believe starts with dealing with The Statute Law Amendment (Taxation) Act. We would begin with Bill 29 and work our way down the first page or two of the Order Paper.

**Madam Speaker:** You want to commence with Bill 29, for clarification?

**Mr. McCrae:** Yes, Madam Speaker.

I move, seconded by the honourable Deputy Premier (Mr. Downey), that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider Bill 29.

**Motion agreed to.**

## COMMITTEE OF THE WHOLE

Bill 29—The Statute Law Amendment  
(Taxation) Act, 1998

**Mr. Chairperson (Marcel Laurendeau):** The committee will come to order. Does the minister responsible for Bill 29 have an opening statement?

**Hon. James McCrae (Minister of Environment):** Mr. Chairman, I believe the Minister of Finance (Mr. Stefanson) has already done a supremely adequate job on this matter.

**Mr. Chairperson:** We thank the minister. Does the critic for the official opposition have an opening statement?

**Mr. Steve Ashton (Opposition House Leader):** Yes, we have already stated our position on this bill and will not be opposing the bill.

**Mr. Chairperson:** We thank the member. During consideration of the bill, the preamble, the title and table of contents are postponed until all other clauses have been considered in their proper order.

Clauses 1 and 2—pass; Clauses 3, 4 and 5—pass; Clauses 5(2), 6(1) and 6(2)—pass; Clauses 7(1), 7(2), 8, 9 and 10—pass; Clause 11—pass; Clauses 12, 13, 14, 15, 16(1) and 16(2)—pass; Clauses 16(3), 17, 18 and 19—pass; Clauses 20, 21, 22(1) and 22(2)—pass; Clauses 22(3), 22(4), 22(5), 22(6), 23 and 24(1)—pass; Clause 24(2)—pass; Clauses 25, 26(1), 26(2) and 27(1)—pass; Clauses 27(2), 28 and 29—pass; Clauses 30 and 31—pass; Clauses 32, 33(1), 33(2), 34, 35 and 36—pass; Clauses 37, 38 and 39—pass; Clauses 40, 41, 42(1), 42(2) and 42(3)—pass; Clauses 43, 44, 45(1), 45(2), 45(3) and 46(1)—pass; Clauses 46(2), 47 and 48—pass; Clauses 49 and 50—pass; Clause 51(1) and 51(2)—pass; Clauses 51(3), 52(1), 52(2), 53(1), 53(2) and 54(1)—pass; Clauses 54(2), 54(3), 55, 56(1), 56(2) and 57—pass; Clauses 58, 59, 60, 61—pass; Clause 62—pass; Clauses 63, 64, 65(1), 65(2), 66 and 67—pass; Clauses 68 and 69—pass; Clauses 70, 71, 72, 73, 74, 75(1) and 75(2)—pass; Clauses 76, 77, 78 and 79—pass; Clause

80(1), 80(2), 80(3), 80(4), 80(5), 80(6), 80(7) and 80(8)—pass; Clause 80(9), 80(10), 80(11), 80(12), 80(13), 80(14), 80(15), 80(16), 80(17) and 80(18)—pass; Clause 80(19), 80(20), 80(21)—pass; preamble—pass; table of contents—pass; title—pass. Shall the bill be reported?

\* (1010)

**Mr. Gary Doer (Leader of the Opposition):** Mr. Chair, I want to speak for just a moment that we supported this bill in second reading, and we will support this bill in third reading. We, of course, disagreed with many measures in the budget in terms of the flattening out and decrease in real terms of investment in health care, the continued impact on cuts in public education, but the modest tax relief in this bill we do support, and we are voting for the tax reduction, and we will honour those tax reductions upon our election to government after the next election.

**Mr. Chairperson:** Shall the bill be reported? [agreed] Committee rise. Call in the Speaker.

## IN SESSION

### Committee Report

**Mr. Marcel Laurendeau (Chairperson):** Madam Speaker, the Committee of the Whole has considered Bill 29, The Statute Law Amendment (Taxation) Act, 1998, and reports the same without amendment and asks leave to sit again.

I move, seconded by the honourable member for Portage la Prairie (Mr. Faurichou), that the report of the committee be received.

**Motion agreed to.**

**Hon. James McCrae (Government House Leader):** Madam Speaker, would you call for report stage beginning at Bill 8 on page 1 of today's Order Paper.

## REPORT STAGE

### Bill 8—The Real Property Amendment Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the honourable Minister

of Consumer and Corporate Affairs (Mr. Radcliffe), I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), that Bill 8, The Real Property Amendment Act (Loi modifiant la Loi sur les biens réels), reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

### Bill 10—The Mining Tax Amendment Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Energy and Mines (Mr. Newman), I move, seconded by the Minister of Natural Resources (Mr. Cummings), that Bill 10, The Mining Tax Amendment Act (Loi modifiant la Loi sur la taxe minière), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

### Bill 26—The Teachers' Society Amendment Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Education and Training (Mrs. McIntosh), I move, seconded by the honourable Minister of Labour (Mr. Gilleshammer), that Bill 26, The Teachers' Society Amendment Act (Loi modifiant la Loi sur L'Association des enseignants du Manitoba), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

### Bill 28—The Employment Standards Code and Consequential Amendments

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Labour (Mr. Gilleshammer) and seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), I move that Bill 28, The Employment Standards Code and Consequential Amendments (Code des normes d'emploi et modifications corrélatives), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.****Bill 32—The Municipal Amendment and Consequential Amendments Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Rural Development (Mr. Derkach), and seconded by the Minister of Consumer and Corporate Affairs (Mr. Radcliffe), I move that Bill 32, The Municipal Amendment and Consequential Amendments Act (Loi modifiant la Loi sur les municipalités et modifications corrélatives), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Mr. Clif Evans (Interlake):** Madam Speaker, on Bill 32, The Municipal Amendment and Consequential Amendments Act, we have made our comments in second reading and have listened to people in committee.

I move, seconded by the member for Swan River (Ms. Wowchuk), that Bill 32 be amended by striking out Sections 7 and 40 of the bill.

I just want to say that we have been getting requests to make these amendments to stay with the three years, not only from the Trustees Association across Manitoba but also councillors, reeves and mayors from different municipalities throughout the province. We feel that it is just too quick of a decision to put in the act that elections be now termed to be four years instead of three, and, Madam Speaker, I think that we should, in fact, have further discussions on this in the future to see whether the changes for one more year, what the elected people in this province would want.

**Madam Speaker:** It has been moved by the honourable member for Interlake (Mr. C. Evans), seconded by the honourable member for Swan River (Ms. Wowchuk), that Bill 32 be amended by striking out Sections 7 and 40 of the bill. Agreed?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Voice Vote**

**Madam Speaker:** No? All those in favour of the amendment, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Nays have it.

**An Honourable Member:** On division.

**Madam Speaker:** On division.

**Bill 33—The Municipal Assessment Amendment and Consequential Amendments Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Rural Development (Mr. Derkach) and seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), I move that Bill 33, The Municipal Assessment Amendment and Consequential Amendments Act (Loi modifiant la Loi sur l'évaluation municipale et modifications corrélatives), as amended and reported by the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

\* (1020)

**Bill 38—The Planning Amendment and Consequential Amendments Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Rural Development (Mr. Derkach), and seconded by the honourable Minister of Natural Resources (Mr. Cummings), I move that Bill 38, The Planning Amendment and Consequential Amendments Act (Loi modifiant la Loi sur l'aménagement du territoire et modifications corrélatives), as amended and reported

from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 39—The Highway Traffic  
Amendment Act (2)**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Attorney General (Mr. Toews), and seconded by the Minister of Education and Training (Mrs. McIntosh), I move that Bill 39, The Highway Traffic Amendment Act (2) (Loi no2 modifiant le Code de la route), reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 40—The Domestic Violence and Stalking  
Prevention, Protection and Compensation  
and Consequential Amendments Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Attorney General (Mr. Toews), and seconded by the Minister of Labour (Mr. Gilleshammer), I move that Bill 40, The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendments Act (Loi sur la violence familiale et la protection, la prévention et l'indemnisation en matière de harcèlement criminel et modifications corrélatives), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Hon. James McCrae (Government House Leader):** Madam Speaker, would you skip Bill 43 for now and move to Bill 45?

**Bill 45—The Manitoba Public Insurance  
Corporation Amendment Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Agriculture (Mr. Enns), that Bill 45, The Manitoba Public Insurance Corporation Amendment Act (Loi

modifiant la Loi sur la Société d'assurance publique du Manitoba), reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 48—The Mennonite College Federation  
and Consequential Amendments Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Education and Training (Mrs. McIntosh), and seconded by the honourable Minister of Consumer and Corporate Affairs (Mr. Radcliffe), I move that Bill 48, The Mennonite College Federation and Consequential Amendments Act (Loi sur la Fédération des collèges mennonites et modifications corrélatives), reported from the Standing Committee on Economic Development, be concurred in.

**Motion agreed to.**

**Bill 49—The University of Winnipeg Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Education and Training (Mrs. McIntosh), and seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), I move that Bill 49, The University of Winnipeg Act (Loi sur l'Université de Winnipeg), reported from the Standing Committee on Economic Development, be concurred in.

**Motion agreed to.**

**Bill 50—The Universities Establishment Repeal  
and Consequential Amendments Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Education and Training (Mrs. McIntosh), seconded by the Minister of Natural Resources (Mr. Cummings), I move that Bill 50, The Universities Establishment Repeal and Consequential Amendments Act (Loi abrogeant la Loi sur la fondation des universités et modifications corrélatives), reported from the Standing Committee on Economic Development, be concurred in.

**Motion agreed to.**

**Bill 54—The Engineering and Geoscientific Professions and Consequential Amendments Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Labour (Mr. Gilleshammer), and seconded by the Minister of Consumer and Corporate Affairs (Mr. Radcliffe), I move that Bill 54, The Engineering and Geoscientific Professions and Consequential Amendments Act (Loi sur les ingénieurs et les géoscientifiques et modifications corrélatives), reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 55—The Certified Applied Science Technologists Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Labour (Mr. Gilleshammer), and seconded by the Minister of Agriculture (Mr. Enns), I move that Bill 55, The Certified Applied Science Technologists Act (Loi sur les technologues agréés des sciences appliquées), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**THIRD READINGS**

**Bill 44—The Statute Law Amendment Act, 1998**

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, I was wanting just to put a few words on the record before it passes—

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

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Natural Resources (Mr. Cummings) that Bill 44, The Statute Law Amendment Act, 1998 (Loi de 1998 modifiant diverses dispositions législatives), be now read a third time and passed.

**Mr. Lamoureux:** I like to think over the years I have developed when I should stand and when I should not

stand. That is the reason why I had looked over to the government, should someone introduce the bill before I actually started speaking on it, but failing seeing that, I had to stand up. [interjection] Anyway, having said that—it was you and Jay who had caused the problem before.

Madam Speaker, this bill is fairly straightforward. It is one that is semiregular. It updates the various parts of the statute of law in Manitoba. It makes minor amendments to dozens of different acts, if you like. We have had the opportunity just to go over it, and we have not necessarily detected anything which the government is trying to dramatically change and therefore would receive support. Quite often or every so often, anyway, the government might try to slip things through. So it is one of those bills which you do have to look out for. We did not notice anything with respect to this bill. So we are glad to see it pass through third reading. Thank you.

**Mr. Steve Ashton (Opposition House Leader):** We are prepared to pass this bill.

**Motion agreed to.**

\* (1030)

**Hon. James McCrae (Government House Leader):** Madam Speaker, would you please call Bill 14.

**DEBATE ON THIRD READINGS**

**Bill 14—The Executions Amendment Act**

**Madam Speaker:** To resume adjourned debate on third reading on the proposed motion of the honourable Minister of Justice (Mr. Toews), Bill 14, The Executions Amendment Act (Loi modifiant la Loi sur l'exécution des jugements), standing in the name of the honourable member for Burrows (Mr. Martindale).

**Some Honourable Members:** Stand.

**Madam Speaker:** There is leave to permit the bill to remain standing?

**An Honourable Member:** Leave.

**Madam Speaker:** Leave has been granted.

**Hon. James McCrae (Government House Leader):** Madam Speaker, would you call the bills beginning with Bill 19, listed on page 3 of the Order Paper, in the order you see them.

### THIRD READINGS

#### Bill 19—The Public Trustee Amendment and Consequential Amendments Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the honourable Minister of Industry, Trade and Tourism (Mr. Downey), that Bill 19, The Public Trustee Amendment and Consequential Amendments Act (Loi modifiant la Loi sur le curateur public et modifications corrélatives), be now read a third time and passed.

**Motion agreed to.**

#### Bill 22—The Veterinary Services Amendment Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Natural Resources (Mr. Cummings), that Bill 22, The Veterinary Services Amendment Act (Loi modifiant la Loi sur les soins vétérinaires), be now read a third time and passed.

**Motion agreed to.**

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

**Motion agreed to.**

#### Bill 24—The Crop Insurance Amendment Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the honourable Minister of Industry, Trade and Tourism (Mr. Downey), that Bill 24, The Crop Insurance Amendment Act (Loi modifiant la Loi sur l'assurance-récolte), be now read a third time and passed.

**Motion agreed to.**

**Mr. Daryl Reid (Transcona):** Madam Speaker, I move, seconded by the honourable member for Dauphin (Mr. Struthers), that debate be adjourned.

**Motion agreed to.**

#### Bill 36—The City of Winnipeg Amendment and Consequential Amendments Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the honourable Minister of Agriculture (Mr. Enns), that Bill 36, The City of Winnipeg Amendment and Consequential Amendments Act (Loi modifiant la Loi sur la Ville de Winnipeg et modifications corrélatives), be now read a third time and passed.

**Motion agreed to.**

**Mr. Daryl Reid (Transcona):** Madam Speaker, I move, seconded by the member for Dauphin (Mr. Struthers), that debate be adjourned.

**Motion agreed to.**

#### Bill 37—The Farm Machinery and Equipment and Consequential Amendments Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Labour (Mr. Gilleshammer), that Bill 37, The Farm Machinery and Equipment and Consequential Amendments Act (Loi sur les machines et le matériel agricoles et modifications corrélatives), be now read a third time and passed.

**Motion presented.**

**Mr. Stan Struthers (Dauphin):** I move, seconded by the member for Transcona (Mr. Reid), that debate on this bill now be adjourned.

**Motion agreed to.**

#### Bill 41—The Life Leases and Consequential Amendments Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the honourable

Minister of Natural Resources (Mr. Cummings), that Bill 41, The Life Leases and Consequential Amendments Act (Loi sur les baux viagers et modifications corrélatives), be now read a third time and passed.

**Motion presented.**

**Mr. Daryl Reid (Transcona):** I move, seconded by the member for Thompson (Mr. Ashton), that debate be adjourned.

**Motion agreed to.**

**Mr. McCrae:** Madam Speaker, with leave of the House, would you please call Bills 48, 49 and 50.

**Madam Speaker:** Is there leave to move to third reading on the three bills identified by the government House leader? [agreed]

### THIRD READINGS

#### Bill 48—The Mennonite College Federation and Consequential Amendments Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, with the leave of the House, I move, seconded by the Minister of Labour (Mr. Gilleshammer), that Bill 48, The Mennonite College Federation and Consequential Amendments Act (Loi sur la Fédération des collèges mennonites et modifications corrélatives), be now read a third time and passed.

**Motion presented.**

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, prior to the bill passing third reading, we want to put a few words on the record. This bill does incorporate the Mennonite College Federation. The MCF consists of three Mennonite colleges that share the goal of creating a new Mennonite university in Winnipeg. The legislation outlines the structure of the federation which will be similar to that of other universities in the province. The only real major difference is that the proposed university will be somewhat of a private institution and maintain Mennonite principles as core values. As is the prevailing trend, students' voices will

also be heard in the creation of a post-secondary education policy which is all in all a positive thing. Thank you.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading Bill 48. Is it the will of the House to adopt the motion?

**An Honourable Member:** Agreed.

**Madam Speaker:** Agreed. Agreed and so ordered.

#### Bill 49—The University of Winnipeg Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, by leave, I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), that Bill 49, The University of Winnipeg Act (Loi sur l'Université de Winnipeg), be now read a third time and passed.

**Motion presented.**

**Mr. Kevin Lamoureux (Inkster):** Yes, again, Madam Speaker, very briefly, this bill will create an act that establishes the University of Winnipeg. Currently Manitoba's universities are established under The Universities Establishment Act. The board members will be equally represented by government appointees and appointees of the United Church.

The board of regents is fairly large, but that is because it is quite involved in administrative matters via establishment of committees. The U of W will also be allowed to act as trustees. The U of W board has expressed its favour for this particular bill, Madam Speaker, and it does warrant the support of the Chamber. Thank you.

\* (1040)

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading Bill 49, The University of Winnipeg Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed? Agreed and so ordered.

**Bill 50—The Universities Establishment Repeal and Consequential Amendments Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, with the leave of the House and seconded by the Minister of Natural Resources (Mr. Cummings), I move that Bill 50, The Universities Establishment Repeal and Consequential Amendments Act (Loi abrogeant la Loi sur la fondation des universités et modifications corrélatives), be now read a third time and passed.

**Motion presented.**

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, this bill is set up to repeal that which is now being incorporated in Bills 47 and 49. The recognition of Brandon University and the University of Winnipeg as separate incorporated entities is in accordance with the University of Manitoba.

It is primarily somewhat housekeeping in that sense, Madam Speaker, to modify consistency of related legislation. The government is moving in a positive step toward this in providing more equal services. Thank you.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading Bill 50, The Universities Establishment Repeal and Consequential Amendments Act. Is it the will of the House to adopt the motion?

**An Honourable Member:** Agreed.

**Madam Speaker:** Agreed? Agreed and so ordered.

\* \* \*

**Mr. McCrae:** Madam Speaker, could we proceed next to report stage of the private bills listed on page 5.

**REPORT STAGE—PRIVATE BILLS**

**Bill 300—The Brandon University Foundation Incorporation Amendment Act**

**Mr. Peter Dyck (Pembina):** I move, on behalf of the member for Brandon East (Mr. L. Evans), seconded by

the honourable member for Portage la Prairie (Mr. Faurouchou), that Bill 300, The Brandon University Foundation Incorporation Amendment Act (Loi modifiant la Loi constituant la Fondation de l'Université de Brandon) (reported from the Standing Committee on Law Amendments), be now received.

**Motion agreed to.**

**Bill 301—An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation**

**Mr. Stan Struthers (Dauphin):** I move, seconded by the member for Transcona (Mr. Reid), that Bill 301, An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation; Loi modifiant la Loi constituant la Fondation de l'Hôpital général de Dauphin, reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 302—The St. Paul's College Incorporation Amendment Act**

**Mr. Marcel Laurendeau (St. Norbert):** Madam Speaker, I move, seconded by the member for Gladstone (Mr. Rocan), that Bill 302, The St. Paul's College Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation le "St. Paul's College," reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 303—The Brandon Area Foundation Incorporation Amendment Act**

**Mr. Steve Ashton (Opposition House Leader):** Madam Speaker, I move, seconded by the member for Wellington (Ms. Barrett), that Bill 303, The Brandon Area Foundation Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation "The Brandon Area Foundation"), be reported from the Standing Committee on Law Amendments and be concurred in.

**Motion presented.**

**Mr. Kevin Lamoureux (Inkster):** This is the fourth private member's bill, if you include the 300, 301, and 302, and 303. Even though we have watched them go through second reading and also in committee, and not necessarily have spoken to those bills but participated in terms of the presence, I just wanted to indicate that all four organizations, as opposed to speaking to each individual bill, to qualify in the sense that all four of these bills are in fact very positive bills that go a long way in supporting a great deal of effort and resources from volunteers and the like and other individuals that have put in a lot of effort in making these bills possible. We applaud their efforts and look forward to their continued contributions in the future. Thank you, Madam Speaker.

**Madam Speaker:** Is the House ready for the question? The question before the House is report stage, private Bill 303. Is it the will of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed and so ordered.

\* \* \*

**Hon. James McCrae (Government House Leader):** Madam Speaker, with the leave of the House, could we now proceed to third reading stage for the four private bills we have just dealt with at report stage?

**Madam Speaker:** Is there leave of the House to proceed with private Bills 300, 301, 302, and 303? [agreed]

### THIRD READINGS

#### Bill 300—The Brandon University Foundation Incorporation Amendment Act

**Mr. Steve Ashton (Opposition House Leader):** On behalf of the member for Brandon East (Mr. L. Evans), I would move, seconded by the member for Wellington (Ms. Barrett), that Bill 300, The Brandon University Foundation Incorporation Amendment Act (Loi modifiant la Loi constituant la Fondation de l'Université de Brandon), be now read a third time and passed.

**Motion agreed to.**

#### Bill 301—An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation

**Mr. Stan Struthers (Dauphin):** I move, seconded by the member for The Pas (Mr. Lathlin), that Bill 301, An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation; Loi modifiant la Loi constituant la Fondation de l'Hôpital général de Dauphin, be now read a third time and passed.

**Motion presented.**

**Madam Speaker:** The honourable member for Dauphin, to close debate.

**Mr. Struthers:** Madam Speaker, I am watching the member for Inkster (Mr. Lamoureux) and learning my parliamentary procedure from the member there. Thank you very much.

I just want to express my thanks to the House and my colleagues on all sides for the co-operation and quick passage of this bill. I do that on behalf of the foundation and on behalf of the board and the people who volunteer in Dauphin to work to make the Dauphin hospital a better place to recover and a better place to serve the people of the Parkland area. So with that, thank you very much, and I look forward to this becoming law.

**Madam Speaker:** Is the House ready for the motion? The question before the House is third reading of private Bill 301, An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation; Loi modifiant la Loi constituant la Fondation de l'Hôpital général de Dauphin. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed and so ordered.

\* (1050)

#### Bill 302—The St. Paul's College Incorporation Amendment Act

**Mr. Marcel Laurendeau (St. Norbert):** I move, by leave, seconded by the honourable member for

Pembina (Mr. Dyck), that Bill 302, The St. Paul's College Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation le "St. Paul's College," be now read a third time and passed.

**Motion agreed to.**

**Bill 303—The Brandon Area Foundation  
Incorporation Amendment Act**

**Mr. Steve Ashton (Opposition House Leader):** On behalf of the member for Brandon East (Mr. L. Evans), I move (by leave), seconded by the member for Transcona (Mr. Reid), that Bill 303, The Brandon Area Foundation Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation "The Brandon Area Foundation," be now read a third time and passed.

**Motion agreed to.**

**House Business**

**Hon. James McCrae (Government House Leader):** I believe there would be leave for us to proceed to report stage of Bills 2, 11, 13, 20, 30, 31, 34, 35, 47, 52, 53, and 57.

**Madam Speaker:** Is there leave of the House to proceed to report stage on Bills 2, 11, 13, 20, 30, 31, 34, 35, 47, 52, 53, 57? Leave?

**An Honourable Member:** One minute, Steve.

**Mr. McCrae:** I propose to call to proceed with Bill 2 a little later this morning or later today and would proceed to Bill 11.

**Madam Speaker:** Is there leave to proceed with the report stage on all bills listed previously with the exception of Bill 2? [agreed]

**REPORT STAGE**

**Bill 11—The Treasury Branches Repeal Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, by leave, and seconded by the honourable Minister of Natural Resources (Mr.

Cummings), and on behalf of the Minister of Finance (Mr. Stefanson), I move that Bill 11, The Treasury Branches Repeal Act; Loi abrogeant la Loi sur les caisses d'épargne, reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 13—The Prescription Drugs Cost  
Assistance Amendment Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Health (Mr. Praznik), and seconded by the Minister of Labour (Mr. Gilleshammer), I move that Bill 13, The Prescription Drugs Cost Assistance Amendment Act (Loi modifiant la Loi sur l'aide à l'achat de médicaments sur ordonnance), reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 20—The Medical Amendment Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Health (Mr. Praznik), and seconded by the Minister of Natural Resources (Mr. Cummings), I move that Bill 20, The Medical Amendment Act (Loi modifiant la Loi médicale), as reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 30—The Pharmaceutical Amendment Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Health (Mr. Praznik), and seconded by the Minister of Agriculture (Mr. Enns), I move that Bill 30, The Pharmaceutical Amendment Act (Loi modifiant la Loi sur les pharmacies), as reported from the Standing Committee on Law Amendments, be concurred in.

All of these are, of course, with leave of the House.

**Madam Speaker:** For clarification, I acquired leave to do them all initially.

**Motion agreed to.**

**Bill 31—The Regulated Health Professions  
Statutes Amendment Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Health (Mr. Praznik), seconded by the Minister of Consumer and Corporate Affairs (Mr. Radcliffe), I move that Bill 31, The Regulated Health Professions Statutes Amendment Act (Loi modifiant diverses lois sur les professions de la santé réglementées), reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 34—The Public Schools Amendment Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Education and Training (Mrs. McIntosh), seconded by the Minister of Labour (Mr. Gilleshammer), I move that Bill 34, The Public Schools Amendment Act (Loi modifiant la Loi sur les écoles publiques), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 35—The Mental Health and Consequential  
Amendments Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Health (Mr. Praznik), seconded by the Minister of Natural Resources (Mr. Cummings), I move that Bill 35, The Mental Health and Consequential Amendments Act (Loi sur la santé mentale et modifications corrélatives), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 47—The Brandon University Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Education and Training (Mrs. McIntosh), seconded by the Deputy

Premier (Mr. Downey), I move that Bill 47, The Brandon University Act (Loi sur l'Université de Brandon), reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 52—The Health Services Insurance  
Amendment Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Minister of Health (Mr. Praznik), and seconded by the honourable Minister of Natural Resources (Mr. Cummings), I move that Bill 52, The Health Services Insurance Amendment Act (Loi modifiant la Loi sur l'assurance-maladie), reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

\* (1100)

**Bill 53—The Apprenticeship and Trades  
Qualifications Act**

**Hon. James McCrae (Government House Leader):** On behalf of the Minister of Education and Training (Mrs. McIntosh) and seconded by the honourable Minister of Housing and Urban Affairs (Mr. Reimer), I move that Bill 53, The Apprenticeship and Trades Qualifications Act (Loi sur l'apprentissage et la qualification professionnelle), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 57—The Regional Health Authorities  
Amendment Act**

**Hon. James McCrae (Government House Leader):** On behalf of the Minister of Health (Mr. Praznik) and seconded by the Minister of Labour (Mr. Toews), I move that Bill 57, The Regional Health Authorities Amendment Act (Loi modifiant la Loi sur les offices régionaux de la santé), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Mr. McCrae:** Madam Speaker, I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

**Motion agreed to.**

### COMMITTEE OF SUPPLY

#### Consideration of Concurrence Motion

**Mr. Chairperson (Marcel Laurendeau):** Order, please. The Committee of Supply has before it for its consideration the motion concurring in all Supply resolutions relating to the Estimates of Expenditures for the fiscal year ending March 31, 1999.

**Ms. Rosann Wowchuk (Swan River):** Mr. Chairman, I would like to ask the minister a couple of questions on a few issues that have been raised with me, and one of them is people from the Grandview area, who, by the name of Fiarchuk, last year found two elk. The mothers had been killed, so they bottle fed these elk. They raised them up. They were not keeping them in captivity. They would come and go from the farm. The other day Natural Resources came, and they took one of the elk. Now, I have talked to Natural Resources and they tell me it is for the safety of the elk that they have taken one, but Mrs. Fiarchuk feels that they were prepared to continue looking after the elk. They did not want these animals to go into captivity.

The other incident that happened at the same time is that very close to Fiarchuk three elk were killed by a vehicle. When Natural Resources was called about this incident they were told that they did not have the funds to clean up these dead animals, that was not their responsibility, so they were not going to clean them up. So the Fiarchuks are wondering how it is that on one hand there is money in Natural Resources to capture the elk that they are looking after, there is money within Natural Resources to be flying over their place to check up on what is going on, but on the other hand when there have been elk that have been destroyed they are told that Natural Resources does not have the money to dispose of these animals when they are Natural

Resources animals. I am sure the minister does not have this information at hand.

I have talked to one of the Natural Resources officers, and I have relayed that information to Mrs. Fiarchuk. She does not feel that they have been treated fairly or that Natural Resources is dealing with this fairly, so I would ask the minister if he is aware of the situation, and if he is not, whether he would investigate the matter.

**Hon. Glen Cummings (Minister of Natural Resources):** I am not directly aware of the situation of the Fiarchuks, if that was the name that the member was referring to, but there is a matter of principle that is involved. I think the member for Swan River would probably concur—

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

**Mr. Chairperson:** Order, please. I hate to interrupt the member, but I think the member for Swan River is having trouble hearing the minister. Could I ask members wanting to carry on a conversation to do so in the loge? It is a little bit disruptive. Thank you and I appreciate it. The honourable minister, to continue.

**Mr. Cummings:** The problem that we have been faced with on not a lot of occasions but on a couple of previous occasions is that there are some very well-meaning people who will want to raise a moose calf or an elk calf that they believe has been orphaned and very often they have obviously been orphaned.

One thing that does arise where an elk calf has been orphaned is that, of course, it is legal in this province now to be able to market elk, but you must be marketing them from licensed operations.

I am not sure if there is any relevance to this case, but I would have to point out that it is certainly relevant to concerns that we have, and that is that we believe there has been in the past illegal activity where female elk were killed so that the calves could be taken. That was obviously illegal and certainly every attempt was made to stop that. But the question that was raised was: if somebody has an obviously orphaned calf that they raised, do they then have the ability to keep the calf, sell the calf into a licensed operation, or return it

to the wild? All of those circumstances create some difficulty for the Department of Natural Resources.

\* (1110)

One thing that I am acutely aware of is that, despite all of the well-meaning people out there, and I suspect the Fiarchuks fall into that category, there are people who might deliberately choose to make sure there was an orphaned calf so that they could then receive some reimbursement or find a backdoor way of getting into the elk ranching business. Either way would be very troublesome and cause us some obvious difficulties for enforcement.

Having said that, I will take the name—I understand it was the Grandview area the member indicated—and review what our actions may have been with this family. The implication was that they are under surveillance, but yet we do not have money to go and clean up the dead elk that have been left—and if you are referring to them in a field or on a roadside.

**An Honourable Member:** On a roadside.

**Mr. Cummings:** They were killed in an accident along the roadside. I suppose, and this is not passing the buck, but in the end, generally speaking, Highways runs a patrol and they do clean up. So it is not a matter of the province not doing it. The Department of Highways is equipped to do it and will likely do it as soon as they realize that there is a mess there that has to be cleaned up.

If, in fact, the Fiarchuks have acquired these elk calves in good faith, then they have nothing to fear from surveillance or anything else. But they are faced with a question, they are facing our officers with a question, oh, well, what are they going to do now. If you habituate a calf to humans, then you obviously create a problem trying to return it to the wild, No. 1. Number 2, if you raise the calf and habituate it to humans, probably it should go into an elk-ranching setting, although that might not be the most desirable in the minds of the person who has raised the calf.

So it has to be handled with some delicacy, but the concern is that we do not in any way make it possible for people to, through the back door or through any

possible illegal activity, profit from raising orphan calves.

**Ms. Wowchuk:** I thank the minister for that answer, and I will pass those comments on to Mrs. Fiarchuk. I want to ask the minister: last spring when elk ranching was starting there was an amnesty that was extended to those people that had elk, whether they were taken illegally or elk that were not registered. Can the minister indicate whether there is any further amnesty being extended, whether there is anybody being allowed to keep elk that are not presently registered? The reason I ask that question is I have been told that—and the minister raised the issue of people shooting the cow and then being able to capture the elk. I have been told, and I cannot substantiate this because I have not seen it happen, that that is exactly what is happening south of the Riding Mountain National Park, and that people within Natural Resources are aware of what is going on but very little action is being taken. In fact, no action is being taken to curtail this activity from happening.

I do not condone it, and I do not condone anybody taking calf elk. I can understand where people get them if they take them when they find them, but I think also that has to be reported to Natural Resources, and the department has to be aware of these animals being—I would not want people to be going out and picking up baby deer or whatever from their mothers. I do not support that at all.

I am concerned about, first of all, the question about the amnesty, whether it is being extended to anybody. Then the next question is is the minister aware of what is allegedly happening south of Riding Mountain, and what steps is he taking to ensure that if this activity is going on, that it is stopped as soon as possible? Is this a case where the special investigations unit that we have within the Department of Natural Resource can play a role? Are they doing any work to ensure that these kinds of activities are curtailed as soon as possible?

**Mr. Cummings:** Well, first of all, if the special investigations unit was being sent into the area, this is the last place I would talk about it. Secondly, if the member thinks that the minister or the department is negligent or if there is information out there that would

be useful in an investigation, I am assuming that she is duty-bound, the same as the rest of us, to share that information in the most useful way with the enforcement officers.

I am not accusing her of not doing that, and it is legitimate that she raised the question here, but the most useful thing that can occur now that we have raised it here is that every bit of information that she has or rumours that she has heard is either shared by letter or by word of mouth with the most direct route that she may choose to get that into the hands of our enforcement officers, because there is no amnesty. We will use the full force of our legislation and the law to stop anybody from moving elk illegally or capturing them illegally in this province.

The capture did not go as well as last year, as we would have liked, but, nevertheless, we are not providing any opportunity for anyone to take elk from the wild. The Department of Agriculture has laid charges that have been pending for a long time. I do not have the detail of the charges in front of me, but the one operator when our last amnesty came into place—and I am not sure that amnesty is the right word. What we did was invite everyone who had elk on their property and in their possession to register them, but we did not condone any illegal activity. They had to be able to demonstrate how they acquired those elk and, in so doing, make a statement about where the elk came from.

The member knows, probably better than I do, but, certainly, I want to repeat it for the record, that the only case that I can think of when elk ranching began in this province where we allowed that elk that may have been taken from the wild illegally were allowed to move into the industry was in the case of a native reserve where there is a constitutional issue about whether or not they could have held the elk for personal consumption. Beyond that, no one was allowed in the industry, that I can call to memory, who would have acquired elk by that means.

In fact, the very question of the legality of how elk were being held in this province and whether or not—the question was, frankly, was the public cheated of some value, and that became an important issue in determining the legality of the elk that were held.

As I have said on the record before, there were people who had elk. Frankly, they got them from the Winnipeg Zoo. I mean, there was no secret about how they got them but nothing intentionally illegal about what they were doing. So, this one soft underbelly, if you would, of the elk industry, where there are people out there who would willingly take a cow down so they could capture a day-old calf, as far as I am concerned they are the scum of the wildlife area. Our officers have my encouragement to do everything they can to stop it. They certainly cannot get those elk into the industry in Manitoba. If they are taking elk in that manner, they are moving them illegally out of the province into some other jurisdiction, because we have the means through the DNA testing to make sure that those elk never get into the herd in Manitoba. Therefore, there should be no value to them.

So if somebody is doing that, and if they are getting value for those elk, they are not getting it in Manitoba, or they should not be, and they certainly will never be able to register them as legally held elk in this province. Therefore, there cannot be any value to them because that is where the opportunity for marketing is as far as I can see it. So there may be some other jurisdiction that is culpable in causing this to still happen, but we are quite prepared to enforce the law and stop it.

**Ms. Wowchuk:** The minister indicated that the capture did not go well last winter because of the warm weather. Can the minister indicate whether there is any intention by his department to do a summer capture? Are there any plans to move the responsibility of running the capture over to the Department of Agriculture rather than maintaining it in the Department of Natural Resources?

\* (1120)

**Mr. Cummings:** As the member for Swan River knows, I challenged the advisory committee at Swan River to discuss whether or not the summer capture was viable, and I believe they recommended against it. I am not pushing the issue. I am asking for the best advice of everyone, from our Wildlife people through Agriculture through, in this case, a committee of concerned citizens in the Swan River Valley, what their best advice is. I am not receiving any advice if the summer capture would be viable or appropriate.

I know, however, that we still have a problem in the Swan River Valley, and I am still not happy with the way the capture went last year. Might as well put it on the record that there was a lot of talk about whether we were capturing valley elk or whether we were capturing mountain elk or whether they were taking the elk out of the right area. In fact, we said we were not going to take elk out of a certain area because we had taken them there before, Pretty Valley being the example. But I think it rings a little hollow when people set up an elk trap within a mile or two of Pretty Valley and then tell me they are not taking Pretty Valley elk.

These are not domesticated animals that stay within the fences, so I am going to be challenging the people in the valley to deal with me forthrightly in this respect. If it is a personality clash, that is one thing, and I am disappointed that that does occur. I am not a pugilist by nature, but I get quite annoyed when people use other means to, in some cases, inflict their personal vendetta into a situation which I find myself in in terms of trying to organize a capture within the valley.

That is a statement that I am not going to elaborate on either here or anywhere else, but to simply say that I do intend to take another broader look at what we are doing in terms of the capture in the valley. I think it is appropriate that the capture still rest with Natural Resources. The Department of Agriculture, at the minister's level at least, has never expressed a desire to change the way in which we manage the capture. Natural Resources is responsible for the regulatory side of the wild animals and their habitat. It is only after they are placed in a ranching situation that the Department of Agriculture takes over, which, again, is appropriate because we are into appropriate legislation under their acts, and, of course, we are dealing with veterinary and domestic issues that Natural Resources is ill equipped to deal with.

But in relationship to the capture, I must emphasize that we did learn a little bit more this winter. The one problem we had, not in the Swan River Valley but on the south side of Riding Mountain, I can assure you that I will be the first one who will be looking for improvements as a result of the one death that we had—well, the death of two animals that we had. That should not have occurred. It need not have occurred, and I will make

darn sure that chances of it happening again are very small.

*Mr. Gerry McAlpine, Acting Chairperson, in the Chair*

**Ms. Wowchuk:** Mr. Chairman, last year the minister got into an agreement with First Nations that they would be responsible for the capture or a portion of the capture in order to help them get established in the industry. I want to ask the minister whether he has had discussions with Metis people, and I understand the matter has been raised with the minister. It has been raised with us where Metis people are wondering how they fit into this picture and whether there is any opportunity for them to get involved in capture or get into ranching.

The avenue that I see right now for them, the only opportunity that I can see for them right now, as things are going, is that they would have to purchase elk from the pool or have some arrangements. But I would like to ask the minister, have there been discussions? Does he see a role for Metis people who have expressed an interest in getting into the industry of elk ranching or who have expressed an interest in the capture? Has the minister had his staff look at how this issue could be addressed?

**Mr. Cummings:** Yes, there have been a couple of delegations representing Metis people who have been in my office or in my colleagues' offices when I was present lobbying for the opportunity for a Metis capture, same as the native capture that we agreed to last year.

We told them that we would prefer that the Metis community look at their opportunities somewhat differently than the way the native community, the aboriginal community was represented, as represented through the Assembly of Chiefs chose to move. There is a difference obviously.

I do not know if the member for Swan River is advocating for a Metis capture. To this point, we have indicated that we would prefer that they attempt to work with the system, attempt to enter it through legitimate agricultural operations. We are prepared to look at it through our lending institutions, providing opportunities, all of those things, but anything short of

providing for a Metis capture. But, obviously, I would be interested if the member for Swan River has a different view.

**Ms. Wowchuk:** On another issue, one issue that we have talked about many times is the allocation of wood and the availability of hardwoods for independent sawmill operators. The minister will well remember the discussions when Louisiana-Pacific was coming into the area, people wanting assurances that independent sawmill operators would have the ability to continue to operate.

I recently wrote to the minister about people in the Ethelbert area, one of them being Dennis Burdeniuk who is looking for an allocation of wood. Can the minister indicate—again, he may not have the answers here. First of all, is there any review being done of the amount of wood that is available, whether the annual allowable cuts that have been used up till now are accurate? Can the minister indicate whether there are any surpluses in the hardwood right now that would allow for people who are interested in operating sawmills for pallet lumber or different kinds of hardwood lumber that are needed?

The other question is we have always talked about the Swan River area and the Duck Mountain, Porcupine Mountain, and I think that there is quite a high usage in there. Can the minister indicate whether there is any hardwood available in the Interlake area that has not been allocated that other people would be able to access in order to start up different operations?

\* (1130)

**Mr. Cummings:** Yes, I did not pick up on the specific name that the member indicated, but I will answer the question in the bigger picture. I do want to observe, and I would not be a good politician if I did not observe that the member for Swan River, along with her party, has not acknowledged what their position is on whether or not there should be a Metis capture of elk. [interjection] I think it is only fair that they put their position on the record. I recognize that I am supposed to answer the questions, but I also recognize that everything I say will go out for public consumption. I find it interesting that the official opposition has no position, so it leaves them free to say whatever they

want when they leave this House, but my position is clearly on the record from what I just said in answering the previous question, you know, and there is nothing better than a good policy debate to separate the two positions and how we believe we could manage our resources.

Going back to the wood lot, or not wood lot, managing the wood forest licensing opportunities, the cutting opportunities, Manitoba is becoming increasingly committed. Manitoba woods are increasingly committed closer and closer to maximum. I am not aware of what you would call surplus wood. There is a trade. There are trading opportunities. Leaving the Interlake alone for a minute and dealing with the west side of the province, there were a lot of privately held cutting rights that have been sold and traded over the last 10 years, as I understand it. There is also some pretty large and significant players, one of which has been growing a fair bit which is a mainstay of her hometown, or not her hometown, but the centre of her riding in the Swan Valley. The Spruce Products has acquired a lot of cutting rights recently, spent a lot of their own money doing so, have spent a lot of their own money expanding and have got a first-rate operation going in the valley.

Going further afield, however, into the Interlake, there might be some availability there. I recall an inquiry from Peguis, however, looking for cutting opportunities and realized at that time that there are very few cutting opportunities that the department can offer right in that area. There are opportunities, however, where contracts can be had with Tolko, Pine Falls, and those are opportunities that people should not overlook if they wish to contract or be involved. If they wish to actually acquire the wood, then I would have to seek further advice from my Forestry department as to what specifically might be available. I just cannot answer that off the top of my head.

**Mr. Gary Doer (Leader of the Opposition):** I thank the Minister of Labour (Mr. Gilleshammer) for participating in concurrence, and I have a couple of questions concerning Mr. Mike Pavlek, a person who is probably well known to all of us because he has certainly greeted us from time to time at the Legislative doors and raised his concerns about Workers Compensation and his injury with us. I

promised him I would ask the questions to the Minister of Labour, and I will do that. He is certainly a feisty individual and a determined individual. I can attest to that and I am sure the minister can as well.

Apparently Mr. Pavlek, according to our information, worked at Inco and sustained an injury in Thompson in 1966. He performed janitorial duties for Inco, and then seemed to have had a situation where WCB was dealing with his condition by sending him to rehab and scheduling him for surgery in the early '80s. Apparently Mr. Pavlek had a dispute with the Workers Compensation Board employee, and was informed in his opinion that this condition was pre-existing and not work related.

*Mr. Ben Sveinson, Acting Chairperson, in the Chair*

He has a couple of questions he would like the minister to deal with. One, why was Mr. Pavlek sent to rehab and assessed for surgery by the WCB if his injuries were pre-existing, as later claimed by WCB? Why did the WCB change their opinion? And, No. 2, Mr. Pavlek claims the medical information has gone missing; what can and has been done to ensure Mr. Pavlek receives his complete Workers Compensation Board file?

I recognize that, through this period of time, the minister has not always been the Minister of Labour, and the members opposite have not always been the government of the day, so I just ask this question on behalf of Mr. Pavlek recognizing that this obviously is a long-term issue of dispute between himself and the Workers Compensation Board. I do not have any answers for him, quite frankly, because I do not know the facts. I am just putting those questions to the minister today.

*Mr. Chairperson in the Chair*

**Hon. Harold Gilleshammer (Minister charged with the administration of The Workers Compensation Act):** I thank the honourable Leader of the Opposition for the question. I do recall that the member did make a commitment on open-line radio in Brandon, I believe, to look into this, and I believe he is fulfilling that promise.

As the Leader of the Opposition knows, I do not get involved in day-to-day cases that come before the Workers Compensation Board, and I have had this discussion with his critic on a number of occasions. I believe the board has processes in place to review cases, to have people go to an appeal system if they feel that they have not been given fair treatment, and ultimately they can go to the Ombudsman to have their case reviewed as well.

So I am not sure with this individual whether these options have been exercised or not. I have not had the pleasure of meeting the individual, nor delving into the case myself. That is done by people at the Workers Compensation Board. So I guess I would advise the Leader of the Opposition—and I know he well knows this—that there are a number of very complex cases that are dealt with that go back to previous decades and some of them have some history with the board in terms of being dealt with in the '70s and '80s, and they do not feel that they have been given satisfaction.

My one piece of advice was to use the processes in place by having the case reviewed, perhaps going to the appeal panel, and if that still has not resulted in satisfaction in having a thorough examination of the case—and I believe it will because I know the board has in my meetings with the chair of the board and board members on a number of occasions, they have always reiterated that they have processes in place and that it is very difficult to start making individual decisions without going back to the legislation and the processes that are there. I would urge the member for Concordia to give that advice to anyone that brings an individual case to him, that I believe that the legislation and the procedures and processes that are in place do ultimately give individuals fair treatment. It gives them an opportunity to have their cases reviewed from time to time, and this can certainly be done with any individual.

**Mr. Doer:** Mr. Chair, is the minister aware of whether this individual has ever received the assistance of a workers advocate?

**Mr. Gilleshammer:** I cannot answer that, but the member does bring up another source of information, and assistance and workers advocates are available.

**Mr. Doer:** I would like to then ask the minister in his other portfolio, his other responsibility, that if Mr. Pavlek has not had the contact already with the workers advocate office of his department, would it be possible to have this individual meet with the workers advocate and see? I mean, I would rather have the individual sitting with the workers advocate to see if there is any remedy for his situation, or appeals or any other processes or not, rather than having to engage in his democratic right to protest on the Legislative steps. I cannot imagine it is that healthy to be out there sleeping in front of the Legislative Building, and perhaps, somebody that feels this strongly about this situation, perhaps a workers advocate could be helpful, if they have not already been formally engaged.

\* (1140)

**Mr. Gilleshammer:** I will raise that with my senior staff and have them review that.

**Mr. Doer:** I would urge the minister, if he has not already seen a workers advocate, let us get him working through the systems that the minister has outlined through a workers advocate. There may be ways of answering the questions. There may be ways of posing the appeal, and I thank the minister for his attention on this matter on behalf of Mr. Pavlek.

**Mr. Stan Struthers (Dauphin):** Mr. Chairman, I want to thank the member for Natural Resources (Mr. Cummings) for being here today in the House to answer some questions in concurrence. The questions that I have, I have several of them having to do with the forest management licence agreement with Pine Falls Paper Company.

We have been over this area a while ago in Question Period, and I would like to go in a little more detail in it today. Will the minister agree that no forest management licence agreement should be signed between the government of Manitoba and Pine Falls Paper Company until there is participation of First Nations communities along the east side of Lake Winnipeg?

**Mr. Cummings:** Well, the member and I have discussed this before, as with other concerned citizens, and I think what he demonstrates is that—and it is unfortunate that this is the case, but there are probably

people who just flat out do not trust the system, and they will say so, so I am not saying that I acknowledge that they should. I am saying that there are people out there who, I believe, do not, for whatever reason, want to trust the system that is in place.

I happen to trust the system that is in place, and in working with a potential harvester—in this case Pine Falls, but it would not matter whether it was Tolko or whether it was Louisiana-Pacific or any of those major companies—it is a work in progress, because in a forest management agreement, there are cordages that are of harvestable wood that are known to be in an area and that is done with, I believe, very large margins of error. So if there are sites that are environmentally sensitive, which we might have missed in the original survey of the area, or if there is local interest that may not have been totally acknowledged, all of those things, so that as any company in response to licensing procedure has to have additional conditions imposed on them, there is plenty of room for that to occur. Let me illustrate what I am getting at in case I sound like I am speaking gobbledegook.

Staying away from Pine Falls, let us look at the larger issue in the North right now. Tolco, for example, has established a very good record since coming here of wanting to involve the local native communities in their plants. I leap from there back to Pine Falls and say, yes, they have an obligation to be out consulting and seeking information with the affected communities, and that includes the native communities, the aboriginal communities. The member is asking should I be an advocate that a condition of even sitting down with them is that they reach an agreement beforehand with those communities. I think that may be a position that he holds.

What I am saying is not that, but I am saying that Pine Falls has to step up to the plate, and they certainly have agreed that they will, and they are undertaking consultations, as I understand it. But where the member for Dauphin (Mr. Struthers) and I both get caught in this situation is that different people have different concepts of what is appropriate consultation. On the one hand, consultation can be what do you think and then I ignore your comments, or consultation can be how can we work together on this and coming to some kind of a mutual understanding on how in this

case the forest industry will evolve within their local community.

Some of the concerns that have been raised in the Pine Falls area—and let us hit the question straight on here—some of the areas that have already been part of the traditional and the older areas where Pine Falls has been harvesting are the areas where the concerns are coming from, not so much the new areas where potentially they could be moving in to harvest. So that raises the question about whether consultation in this case means what are your plans and how can we work with you, or is it the other question which is what are your plans and how can we continue to frustrate the process? In the minds of one or two people that I have talked to, frankly, they do not have a particularly open mind in terms of what I think should be consultations.

Remember just a moment ago I criticized Pine Falls by saying they have got to step up the pace a little bit more, but there are people on the other side of the issue, as well, who have to I think approach this with a little bit more of a pragmatic view as to what is the best way of getting some development in the area using the forest management licence and the harvesting that is going to occur as one of the best vehicles to improve opportunity in their area, at the same time recognizing traditional interests, recognizing hunting opportunity and all those other things.

So I am not going to accept the preamble of the member for Dauphin (Mr. Struthers), but I am going to say that I agree there has to be a meaningful consultation occur. Perhaps that is really where the common ground is, not only between him and me but between the people in that part of the province. Meaningful consultation is the key to successful implementation of any future agreement with Pine Falls and an FML, a management plan and an environment plan that we the province and the public will put into place.

But the concern that I am unwilling to directly address unless I hear a little bit more detail from the member for Dauphin is I think he implied that no deal should be made, no progress can be made in terms of management of the forest or even striking a contractual arrangement between Pine Falls and the Province of Manitoba, that none of that should occur until

everybody is satisfied that they have had appropriate consultations. I got that impression from his question, and if that is where he is leading perhaps he would like to expand on that.

**Mr. Struthers:** Mr. Chairperson, the minister pointed out that there will be people who do not trust the process, and I concede that. There are also people who do not trust the people in charge of the process. There are people who disagree with the process, maybe the minister himself. Who knows? However, the concern is that deals will be made unofficially having to do with economic activity and economic development in this part of the province on the east side of Lake Winnipeg without major stakeholders being consulted, without major stakeholders being part of that process and without major stakeholders having a say in how they want this part of the province to develop.

My concern is with the process. If there is going to be trust built in the decision-making process, if people are going to have credibility, if they are going to think highly of decision makers, then what is really important here is the process.

\* (1150)

Speaking on behalf of this side of the House, if the process in place is followed and if everybody is treated equally and fairly in this process, then there is not going to be a hue and cry from this side of the House. If, on the other hand, we find evidence that things are not above board, if we find evidence that deals are being made without aboriginal people, for example, having a real say in this process, then we will raise this as an issue of concern and I think legitimately so. So what it really comes down to here is outcomes. It is actions rather than words, and if aboriginal people are excluded from the process, then, yes, the minister will hear from me. The minister will hear from a lot of people probably, and I think he knows that. So that is what is important here. That is the angle that I am coming at this from.

I also understand that in the late '70s, 1979, I believe, there was a document entitled Provincial Overview Plan: East Side of Lake Winnipeg, a plan that was put together having to do with looking towards the future with the economic development on the east side of

Lake Winnipeg. On page 14 of that report it stated that Abitibi-Price and Natural Resources are also involved in the construction of roads in the area. It is anticipated that this road will be extended northerly along the shores of Lake Winnipeg.

The report was never adopted by the government as a land use management plan. What it did do, though, was it identified several major concerns related to increased development along the east side of Lake Winnipeg that need to be mitigated prior to an all-weather road being constructed on the east side of Lake Winnipeg. Some of the other concerns that this report identified were the need for the government to identify and adequately record and investigate the area for archeological and historical sites; the need to protect historical, architectural and archeological sites and structures from use or activities that would endanger them; the need to implement environmental protection measures in the area prior to major development or alteration of existing land use policies; the need to resolve resource and land use conflicts; maintenance of the esthetic appeal of the area; maintenance of fish and wildlife populations and the habitats upon which they depend; protection of a significant portion of the plan area for wilderness recreation.

So what I am getting at, Mr. Chairman, is that there has been work in the past in order to determine what the economic development along the east side of Lake Winnipeg should be. It seems to me there has been some good work done in establishing priorities, establishing some objectives, and that it did, from what I gather, include all the stakeholders on the east side of Lake Winnipeg. Now, what I do not want to see happen is to have this kind of work, all that has been done, all this consideration, time spent consulting with people to see what should happen on the east side of Lake Winnipeg, and then have this provincial government come and sign a deal with Pine Falls Paper Company that would run in contravention to that kind of work that has already been done.

On that, I think the minister would agree that there are a lot more uses on the east side of Lake Winnipeg than just cutting down trees and converting them to products that we use. That is one strain in this economic development scheme, but it should not be done to the detriment of the other streams of economic

development that could take place in this part of the province. It does not mean that we should go ahead and make these arrangements, make these deals with companies without having in front of us all the stakeholders who are involved and all the people who should have a say in what happens in that part of the province.

Could the Minister of Natural Resources (Mr. Cummings) indicate what the Department of Natural Resources has done to resolve the concerns that this report has put forward? Could he tell me if there has ever been a comprehensive review of the social, economic and environmental impacts associated with the company's proposed plans?

**Mr. Cummings:** First of all, I do not think I am going to let all of the preamble go by without responding to some of that. Essentially all of the concerns and the issues that the member raises I have no disagreement with. I think we have a disagreement probably over process, because I see a lot of safeguards in the system to protect the environmental, the aboriginal, the traditional uses. He is right. You do not just identify an area and go in and mow everything down and say the only thing it is good for is cutting, whether it is pulp logs or saw logs or whatever. We do practise multiple use on our Crown lands. I think we have got a disagreement probably with some people in the area about the degree of the sphere of influence, what are Crown lands, where the province has a responsibility, what are the normal traditional uses in the area, how far those would expand.

I mean, the province does have an obligation and a responsibility to manage for the benefit of all our Crown assets. That includes looking after the social and economic opportunities in the area. Sustainable development speaks very much to making sure that we have a sustainable lifestyle in all of the communities in our province. But sustainability also means that there is activity, opportunity for jobs, and I think it also recognizes that we cannot stay stuck in any particular time in our history. We have to continually look at how we can manage better, how we can improve the position and the opportunity for various communities. It should also be where economic activity can be used to enhance areas where in fact the resources are being drawn from.

I know the member for Dauphin might be a little surprised at this statement, but I made it well known in the Thompson area that when the forestry licences are being granted in the Thompson area, we intended that the wood should be cut there, not that that should be held in reserve forever, because the very activity of going in and doing some of the cutting there had good economic spinoffs for the area and job opportunity for the people in the community.

That was one of the things that we impressed on Repap originally, to not just high-grade the logs out of certain areas and leave other areas. There had to be a balanced approach. That does include putting roads into areas where there are not roads today. I guess the reason I get a little bit arrested in making sure that my rebuttal is clear and concise is that there was very little doubt that the official opposition was not particularly supportive of Conawapa and putting another line down the east side of the province. Of course, they were prepared to dig in and support the environmental concerns that were being raised at that time, and there were legitimate concerns that were being raised. But the fact is that there is significant future opportunity.

I suspect there is a disagreement between some of the communities that are, in fact, remote and that do not have a road today, as opposed to some of the communities that already have a road but are looking for some additional economic opportunity as a result of cutting in their area. When you look at the opportunity

to use the coincidence of a need for a road and use and market and harvest some of the timber that is in the area, that also opens up the question of wilderness, the protection of the environment, the opportunity for tourism. You can have fly-in tourism, fly-in camps or remote canoeing, but the numbers can be limited, the opportunity can be limited.

But let me tie that very directly to the opportunity for a hydro line when Conawapa is developed in the future and a road at the same time, and I think it is pretty obvious that the two can, I think, be successfully married together with some careful planning. In recognition of the local interests, I will bet you a significant amount that Red Sucker Lake would be awful happy to see some additional ground access into that area. That tells me that if we do it right, there is a lot of local support on that side of the province to look in a holistic way at the opportunities that are there, and that is very much related to the question that he raises about whether or not we license opportunities for Pine Falls in a correct way. I guarantee him that the local people will have an opportunity for input, they will be heard, and that the licensing process will reflect their concern.

**Mr. Chairperson:** Order, please. The hour being 12 noon, pursuant to the rules, I am interrupting the proceedings of the Committee of Supply with the understanding that the Speaker will resume the Chair at 1:30 p.m.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 25, 1998

## CONTENTS

### Presenting Reports by Standing and Special Committees

Committee of Supply  
Laurendeau 4843

### ORDERS OF THE DAY

#### Committee of the Whole

Bill 29, Statute Law Amendment  
(Taxation) Act, 1998  
Doer 4844

#### Report Stage

Bill 8, Real Property Amendment Act 4844

Bill 10, Mining Tax Amendment Act 4844

Bill 26, Teachers' Society  
Amendment Act 4844

Bill 28, Employment Standards Code  
and Consequential Amendments 4844

Bill 32, Municipal Amendment and  
Consequential Amendments Act  
C. Evans 4845

Bill 33, Municipal Assessment  
Amendment and Consequential  
Amendments Act 4845

Bill 38, Planning Amendment and  
Consequential Amendments Act 4845

Bill 39, Highway Traffic  
Amendment Act (2) 4846

Bill 40, Domestic Violence and Stalking  
Prevention, Protection and Compensation  
and Consequential Amendments Act 4846

Bill 45, Manitoba Public Insurance  
Corporation Amendment Act 4846

Bill 48, Mennonite College Federation  
and Consequential Amendments Act 4846

Bill 49, University of Winnipeg Act 4846

Bill 50, Universities Establishment Repeal  
and Consequential Amendments Act 4846

Bill 54, Engineering and Geoscientific  
Professions and Consequential  
Amendments Act 4847

Bill 55, Certified Applied  
Science Technologists Act 4847

Bill 11, Treasury Branches Repeal Act 4852

Bill 13, Prescription Drugs Cost  
Assistance Amendment Act 4852

Bill 20, Medical Amendment Act 4852

Bill 30, Pharmaceutical  
Amendment Act 4852

Bill 31, Regulated Health Professions  
Statutes Amendment Act 4853

Bill 34, Public Schools  
Amendment Act 4853

Bill 35, Mental Health and  
Consequential Amendments Act 4853

Bill 47, Brandon University Act 4853

Bill 52, Health Services Insurance  
Amendment Act 4853

Bill 53, Apprenticeship and Trades  
Qualifications Act 4853

Bill 57, Regional Health Authorities  
Amendment Act 4853

### Third Readings

Bill 44, Statute Law  
Amendment Act, 1998  
Lamoureux 4847

Bill 19, Public Trustee Amendment  
and Consequential Amendments Act 4848

Bill 22, Veterinary Services  
Amendment Act 4848

Bill 24, Crop Insurance  
Amendment Act 4848

Bill 36, City of Winnipeg Amendment  
and Consequential Amendments Act 4848

Bill 37, Farm Machinery and Equipment  
and Consequential Amendments Act 4848

Bill 41, Life Leases and Consequential  
Amendments Act 4848

Bill 48, Mennonite College Federation  
and Consequential Amendments Act  
Lamoureux 4849

Bill 49, University of Winnipeg Act  
Lamoureux 4849

Bill 50, Universities Establishment Repeal  
and Consequential Amendments Act  
Lamoureux 4850

Bill 300, Brandon University Foundation  
Incorporation Amendment Act 4851

Bill 301, Act to Amend an Act to  
Incorporate the Dauphin General

Hospital Foundation  
Struthers 4851

Bill 302, St. Paul's College Incorporation  
Amendment Act 4851

Bill 303, Brandon Area Foundation  
Incorporation Amendment Act 4852

### **Debate on Third Readings**

Bill 14, Executions Amendment Act 4847

### **Report Stage—Private Bills**

Bill 300, Brandon University Foundation  
Incorporation Amendment Act 4850

Bill 301, Act to Amend an Act to  
Incorporate the Dauphin General  
Hospital Foundation 4850

Bill 302, St. Paul's College  
Incorporation Amendment Act 4850

Bill 303, Brandon Area Foundation  
Incorporation Amendment Act  
Lamoureux 4851

### **Committee of Supply**

Consideration of Concurrence Motion  
Wowchuk 4854  
Cummings 4854  
Doer 4858  
Gilleshammer 4859  
Struthers 4860