



First Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

Member	Constituency	Political Affiliation
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ASPER, Linda	Riel	N.D.P.
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CALDWELL, Drew, Hon.	Brandon East	N.D.P.
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LATHLIN, Oscar, Hon.	The Pas	N.D.P.
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LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 19, 2000

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY
STANDING AND SPECIAL COMMITTEES

Committee of Supply

Mr. Conrad Santos (Chairperson): Mr. Speaker, the Committee of Supply has considered certain resolutions, directs me to report progress and asks leave to sit again.

I move, seconded by the Honourable Member for Selkirk (Mr. Dewar), that the report of the Committee be received.

Motion agreed to.

INTRODUCTION OF BILLS

Bill 36—The Summary Convictions
Amendment Act

Hon. Gord Mackintosh (Minister of Justice and Attorney General): I move, seconded by the Minister of Finance (Mr. Selinger), that leave be given to introduce Bill 36, The Summary Convictions Amendment Act; Loi modifiant la Loi sur les poursuites sommaires, and that the same be now received and read a first time.

Motion presented.

Mr. Mackintosh: Mr. Speaker, this bill requires a person against whom a default conviction is entered to pay a penalty.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

*Motion agreed to.*Bill 37—The Miscellaneous Health
Statutes Repeal Act

Hon. Dave Chomiak (Minister of Health): I move, seconded by the Member for Wolseley (Ms. Friesen), that leave be given to introduce Bill 37, The Miscellaneous Health Statutes Repeal Act; Loi abrogeant diverses lois en matière de santé, and that the same be now received and read a first time.

Motion presented.

Mr. Chomiak: Mr. Speaker, this bill repeals the private acts that incorporated five Manitoba hospitals. Each of these hospitals is now operated by a regional health authority under The Regional Health Authorities Act. The private acts are therefore no longer required.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Motion agreed to.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, may I draw the attention of all honourable members to the gallery where we have with us today, from St. Norbert Adult Education Centre, six adult ESL students under the direction of Mrs. Kristie Peters and Mrs. Kate Cormack. This school is located in the constituency of the Honourable Member for St. Norbert (Mr. Laurendeau).

Also we have, from Winkler Elementary School, 47 Grade 5 students under the direction of Mr. Lawrence Siemens and Mr. Eckhart Classen. This school is located in the constituency of the Honourable Member for Pembina (Mr. Dyck).

Also, in the public gallery, from Oakburn Elementary School we have eight Grades 3 to 6 students under the direction of Mrs. Sylvia Nowosad. This school is located in the

constituency of the Honourable Member for Russell (Mr. Derkach).

I would also like to draw the attention of all honourable members to the Speaker's Gallery where we have with us today His Excellency Sir Anthony Goodenough, British High Commissioner to Canada.

On behalf of all honourable members, I welcome you here today.

Also seated in the Speaker's Gallery, we have with us today legislators from the State of North Dakota: Representative Frank Wald, Speaker of the House; Representative Merle Boucher, House Minority Leader; Senator Tim Flakoll; Senator Ken Solberg; Representative Ole Aarsvold; Representative Lois Delmore; Representative Bill Devlin; Representative Gene Nicholas; Representative Clara Sue Price.

On behalf of all honourable members, I also welcome you here today.

ORAL QUESTION PERIOD

Budget Income Tax

Mr. John Loewen (Fort Whyte): Mr. Speaker, the NDP's decision to delink one year early has resulted in the majority of Manitobans paying more provincial income taxes after the Government's budget than they did the day before the Budget. A family of four making \$50,000 is now paying \$113 a year more in provincial income tax due to this government's unwillingness to provide Manitobans the full benefits of the federal tax reductions.

Mr. Speaker, I would ask the Minister of Finance to explain to Manitobans why his government moved to delink one year early, given his comment during Estimates that he had to be dragged "kicking and screaming" to adjust the delinking time frame.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, once again I appreciate getting this information from the Member opposite. When you flip through to the fourth page, it once again proves, without a shadow of a doubt, that

Manitobans are paying less taxes this year than they did last year. This is a real saving, not a hypothetical one, and they will be lower again next year, 2001, and the next year, 2002, as demonstrated in the table.

Mr. Loewen: Mr. Speaker, Manitobans are upset they are paying more taxes this year, so I would ask the Minister: Can he advise this House that through either a news release or by other means he told Manitobans that his decision to delink taxes one year early would have a significant and negative impact on their taxes this year?

* (13:35)

Mr. Selinger: Well, once again, Mr. Speaker, as I reiterated earlier, there are significant tax savings flowing through to Manitobans, indeed, in all income categories. I challenge the Member opposite to stand up and show me on his pay stub or the pay stub of any other Manitoban where they are paying more taxes now than they did before the Budget. In fact, there are no changes.

Mr. Loewen: Mr. Speaker, I would certainly expect the Minister of Finance to know that his own tax changes do not come into effect until July 1.

Mr. Speaker, I would like to table before this House a two-page document that proves definitely, and it is backed up by Sill and Company, a local chartered accounting firm, that Manitobans are paying more provincial income tax as a result of this minister's budget. I would like to table that to this House.

What I would like to ask the Minister is when he will come clean with the people of Manitoba, when he will be totally honest and explain to them that, because of his budget, they are paying more tax now than they would have had he done nothing.

Mr. Selinger: Mr. Speaker, I really hope the Member opposite released all the material that he had because that material, once again, demonstrates that for this year, in the majority of categories, taxes are lower. Indeed, in all categories, their taxes are lower this year than last

year. They will be lower next year than they are this year, and they will be lower the year after next year than they are this year.

* * *

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): Mr. Speaker, just before my question, I would like to belatedly wish all colleagues in the House, whom this is appropriate to, a belated happy Father's Day and to any others that might be present today.

First Nations Casinos Operations Management

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): Mr. Speaker, my question is for the Premier. In the Government's efforts to fast track the addition of five casinos in this province, we see it turning out to be just one big fiasco. Criteria on the request for proposals have been ignored. Some of the partners in the selected casino projects are not in compliance with gaming laws. Community support does not seem to matter. Even the Minister of Consumer and Corporate Affairs (Mr. Lemieux) and the Minister of Aboriginal Affairs (Mr. Robinson) have contradicted each other about whether or not there is another short list if some of the current projects do not work out.

However, Mr. Speaker, the latest mess is the one that is most serious. The Saskatchewan Indian Gaming Authority, the management company for two of the proposed casinos, is involved in a serious scandal about accountability and misappropriated funds. According to the final report by the selection commission, the Manitoba Gaming Control Commission issued background investigation requirements to all applicants and required this information be included in their applications at the end of March.

Could the Premier please table the criteria established by the Gaming Commission and indicate whether Headingley and Thompson casino proposals meet the requirements?

Hon. Gary Doer (Premier): Mr. Speaker, the only scandal I read about this weekend in Manitoba was the scandal at 23 Kennedy. You

may want to talk about scandals in Saskatchewan, but there is a scandal right across the street with members opposite participating in the solicitation of memberships for another political party. I wonder whether the acting leader is investigating the fact that tax deductions are being used to solicit memberships for another political party.

Mrs. Mitchelson: Mr. Speaker, it is obvious that the Premier, in trying to deflect away from the absolute mess that this government has created around aboriginal casinos, will use any tactic. I think it is very important; this is a very serious issue for the people of Manitoba. It is one issue that the Government seems to have no answers to questions on, and Manitobans are wanting those answers.

* (13:40)

Mr. Speaker, every day in this House we get different answers from this government. It is especially important—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mrs. Mitchelson: Thank you, Mr. Speaker. These questions are very important, given that these management companies will receive 30 percent of the revenue that is generated by aboriginal casinos.

Mr. Speaker, since it is evident that the Headingley and the Thompson casinos do not meet the criteria that were put forth in the RFP, can the Premier please tell the House whether he and his government are pulling their support for these inadequate proposals, or are they changing the selection criteria again?

Mr. Doer: Mr. Speaker, in the first question, or so-called question, part of the preamble mentioned that we were going to proceed with casinos contrary to the public position. That is false. We said that already.

In the second question, the Member opposite made a statement about 30% commissions. The Minister has already answered out of the Bostrom report dealing with those matters. I

have also answered in this House, last week, that we want the majority of the money to go to First Nations people. That would be part of our conditions, as were recommended by Freedman and Nadeau to the Government.

Thirdly, the system in Saskatchewan is different than Manitoba. We have not established a separate gaming commission. We have one gaming commission here in Manitoba.

Mrs. Mitchelson: Obviously, the Premier is afraid to answer the question of whether the proposals that did not meet the criteria are going to be pulled and not allowed to move forward.

First Nations Casinos Audits

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): My final supplementary: In light of the serious scandal that is unfolding in Saskatchewan, in light of the mess that this government has made in Manitoba of aboriginal casinos, and in light of the flip-flop by the Minister of Consumer and Corporate Affairs (Mr. Lemieux) who now says that he is going to use the Provincial Auditor, will the Premier commit today to regular audits by the Provincial Auditor, including value-for-money audits on where the money is spent?

Hon. Gary Doer (Premier): Two weeks ago, in a question raised by the Member for Lac du Bonnet (Mr. Praznik), I said that the Provincial Auditor would be used. In fact, we have already used the Provincial Auditor to show a \$70-million cost overrun from members opposite, to show questionable practices from the former administration and no accountability between the board members who knew nothing and the Government who knew nothing. We have said before that we would use the Provincial Auditor. We were proud to use the Provincial Auditor to deal with the mess members opposite left us, and we will be proud to use the Provincial Auditor in the future.

First Nations Casinos Gaming Agreement Compliance

Mr. Jack Reimer (Southdale): Mr. Speaker, last week I referenced page 10 of the report of

the selection committee of Freedman and Nadeau in regard to recommendations. On page 10, it says: The Manitoba Gaming Control Commission issued its background investigative requirements related to the regulatory aspects of the casino project. The information was requested to be submitted directly to the MGCC. The Minister responsible for gambling indicated that, although this criteria of the RFP was openly ignored by the selection committee, the next committee would look at it.

Mr. Speaker, my question to the Minister of gaming: Can the Minister of gaming inform this House if the compliance information provided to the MGCC and filtered through the selection committee appointed by this minister indicated that several of the proponents were not in compliance with the Manitoba Gaming Control Commission's report's requirements? Were they in compliance?

Hon. Ron Lemieux (Minister charged with the administration of The Gaming Control Act): Once again, I stand to certainly tell people within the province of Manitoba and within this Legislature that the issue before us is there have been recommendations made to the Government. Obviously those have to proceed. First Nations people have an opportunity now to go forward to their communities and put forward their proposals.

* (13:45)

We, on this side, want First Nations people to be successful. I am not sure whether members opposite feel the same way, but on this side of the House we want First Nations people to be very successful in this province.

Mr. Reimer: Mr. Speaker, I am talking about taxpayer accountability of the dollars of this province. That is what I am talking about. I am asking why this requirement for the audited statements and the compliance was filtered through the MGCC before it went to the selection committee. Why did it pass through that committee that was appointed by this minister?

Mr. Lemieux: I thank the Member opposite for the question. I am not sure whether or not the

Member opposite wants to go down that road with regard to tax accountability or taxpayers accountability, looking at \$50 million—well, the Member opposite is nodding, yes, he does. Let us go from an initial \$50-million to \$112-million casino projects for Regent and McPhillips. We will not even talk about leased vehicles for \$1 or less, I am not sure, or thereabouts.

You know, Mr. Speaker, we are talking about an opportunity here for First Nations people. First Nations people just want the opportunity to go ahead. The recommendations have been made from the selection committee. All those recommendations have a stringent criteria to go through. They have to pass through an implementation committee, which will certainly have guidelines with regard to looking at their proposals to ensure that they have met all the criteria. Then, when that happens, obviously it will come back to the Government, and the buck stops with the Government. We will make a decision then.

Mr. Reimer: Mr. Speaker, there is a statement I will agree with. The buck stops with that government. That government has to be involved with all the decision making.

I am asking this minister, and I will repeat the question again: Why was the requirement stipulated in the RFP that the compliance report and the audited statement had to be filtered through the MGCC before it went to the selection committee? A simple question.

Mr. Lemieux: Mr. Speaker, once again I want to repeat what I said last week and what this government continually has said. If there are members of the consortium or participants in the consortium and if there are compliance issues, that particular proposal will not receive acceptance from this government. It has to go through that stringent test with regard to the Manitoba Gaming Control Commission. If people are not in compliance, they will not get a licence, and they will not get a casino.

First Nations Casinos Standing Committee Review

Mr. Jack Penner (Emerson): Mr. Speaker, some of the proponents of casinos have been

told that their application will be denied and have been told to terminate their relationship with the Saskatchewan casino authority because of a scandal involving the chief executive officer. Some of the proponents indicated that they wanted the Manitoba Lotteries Commission to be the managing partner, and some of those proponents had indicated that their financiers would be a Manitoba-Canadian banking association.

Would the Premier (Mr. Doer), given that each day Manitobans learn of the more serious flaws with the selection process, now commit to having Messrs. Nadeau and Freedman appear before the standing committee of this House to explain in detail the inner working relationships of the selection process?

* (13:50)

Hon. Ron Lemieux (Minister charged with the administration of The Gaming Control Act): Mr. Speaker, I thank the Member opposite for the question.

A depoliticized process, an independent body making a selection, looking at recommendations, the people of Manitoba want that. They have assurances that no one will receive a licence or the go-ahead unless there is total compliance. That is the process that Manitobans want. That is the process Manitobans have confidence in.

Mr. Jack Penner: Well, Mr. Speaker, it is very apparent that the Premier and his ministers do not entirely agree. The Premier indicated that he would be willing to allow the—

Mr. Speaker: Order, the Honourable Government House Leader, on a point of order.

Point of Order

Hon. Gord Mackintosh (Government House Leader): On a point of order, Mr. Speaker. Of course, *Beauchesne's* Citations 409 and 410 say that supplementary questions require no preamble. Would you please direct the Member to come up with a question.

Mr. Speaker: The Honourable Government House Leader does have a point of order. *Beauchesne's* Citation 409(2) advises that a supplementary question should not require a preamble.

* * *

Mr. Speaker: I would ask the Honourable Member for Emerson to please put your question.

Mr. Jack Penner: Thank you very much, Mr. Speaker. The question then is: Has the Premier changed his mind? Is he saying now that he will not allow Messrs. Freedman and Nadeau to appear before the standing committee?

Hon. Gary Doer (Premier): There were a number of questions the first Question Period after the recommendations were released from the independent committee. One of the questions was Mr. Freedman and Mr. Nadeau be available to the public for a response to the process. They were available to the public the next day. I believe the Tuesday, and I believe that members of the Opposition, two of them, attended the media briefing and the public briefing on the process.

Mr. Jack Penner: Mr. Speaker, it is becoming very apparent that this government is not wanting to allow Freedman and Nadeau to appear. Will the Premier (Mr. Doer) now explain to Manitobans and two failed casino proponents why they are not entitled to an open and public accounting of the rationale behind the selection process in this case? Why were some of the people denied when they, in fact, had Canadian banks financing and the Manitoba Lotteries Commission being the management organization? Why?

Mr. Lemieux: Mr. Speaker, we entered into a partnership with the Assembly of Manitoba Chiefs with regard to this initiative, and we felt very confident that First Nations people and all the proponents who would be entering into this endeavour would certainly be very, very comfortable in the process that was set out with regard to an independent committee and so on. We, on this side, felt working with First Nations people was imperative, working with them in

partnership, not handing out casinos like the members opposite, handing them out like blankets and beads, picking one casino here, one casino there. We had an independent body that was going to decide which proponents and proposals were satisfactory and met the criteria.

First Nations Casinos Background Investigation Requirements

Mr. Darren Praznik (Lac du Bonnet): Mr. Speaker, day after day, week after week, we have asked very legitimate questions of the Premier (Mr. Doer), who is responsible for gaming in this province. We have asked some very serious questions about how this is to operate. We have had no answers. What we have had is that each time a problem has come up we have seen the Government backtrack, and we have seen it again today. The program that the Minister has said was so wonderful, we are going to trust everyone, has proven that an operator for two of the casinos is involved in a scandal in Saskatchewan. I want to ask the Premier, again, a very simple question. Would the First Minister provide this Legislature, provide the people of Manitoba, provide First Nations people, with a copy of the background investigation requirements that each of the casino proposals had to meet? Would you just provide it for public view, sir?

Hon. Ron Lemieux (Minister charged with the administration of The Gaming Control Act): I find it incredible. Trying to tie in two First Nations communities in Manitoba with some scandal in Saskatchewan is really regrettable. Here you have Swan Lake and the First Nations community in Thompson, there was no signed contract or anything with SIGA, and they were just looking at a management organization to possibly help them with it. There was no signed agreement whatsoever, Mr. Speaker.

Mr. Praznik: Again this minister is showing that he does not know anything because the Government in Saskatchewan—and I ask him: Is the Minister aware that the Government in Saskatchewan has actually told this gaming commission to get out of their commitments with these casinos? So there had to be a commitment. I ask the Premier: Was he aware

that there was, in fact, a contract signed when his minister is saying there was not?

* (13:55)

Mr. Lemieux: I thank the Member opposite for the question. I have been advised that SIGA and the First Nations communities in question that the particular member opposite is trying to taint in some way—I have been advised that there is no agreement whatsoever. They were looking at the Saskatchewan Indian Gaming Authority as one potential management company that they would be looking upon. Upon notification that I was aware that SIGA might be involved with those proposals, I asked Mr. Eric Luke who, on my behalf, contacted Chief Primrose and Chief McKinney and told them and recommended that if they were looking at those management companies, they should look elsewhere.

Mr. Praznik: Mr. Speaker, I have to ask the First Minister, the Premier (Mr. Doer), who is responsible for gaming, given that his own proposals call for background investigations, given that his own report has named these casino operators and now that his minister says, well, it is just something else that was not important, I would ask him today: For the sake of First Nations people, will he commit to make public the background investigations so that the air will be cleared, not only on this operator but on all the others? Will he commit to do that?

Mr. Lemieux: I just want to address the question from the Member opposite with regard to SIGA, the Saskatchewan Indian Gaming Authority. They have never applied for registration with the Manitoba Gaming Control Commission. Personal disclosures were not submitted by the Manitoba Gaming Control Commission, and it did not conduct background investigations on SIGA's board of directors and officers. Only a signed disclosure would legally allow Saskatchewan authorities to provide information on individuals. SIGA certainly never applied for registration at all with regard to gaming in Manitoba.

International Joint Commission Ste. Agathe Dam

Hon. Jon Gerrard (River Heights): Mr. Speaker, in honour of the presence today of our

colleague legislators from North Dakota, I rise to ask the Premier a question about an issue which is very important to all of us, the Red River corridor planning, those of course in my party, the Government, and even those who are supporters of the Alliance on my right.

My question to the Premier: Given that he has spent so much time in the last few months on the warpath charging and fighting with people in North Dakota over their plans on Devils Lake, can he demonstrate that in fact he can be co-operative in planning, and will he at last put to rest the speculation about the dam at Ste. Agathe so that people in Manitoba who are south of Ste. Agathe will not have to live in fear of a dam that might flood their properties?

* (14:00)

Hon. Gary Doer (Premier): Well, there were perhaps four questions in the Member's preamble, one of which I agree with, the extremists on your far right, the new Alliance Party. They want us to come clean on all these questions; they cannot come clean themselves on what party they belong to anymore.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Of course, members opposite are not strangers to multiple parties I guess in the past. Having said that—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Thank you, Mr. Speaker. The Member raised: (1) the issue of "the warpath," and (2) the issue of co-operation. We do, with the greatest respect to our neighbours, understand the situation of flooding in Devils Lake, but we are opposed to the diversion project. We have made that very clear to the Governor of North Dakota and others.

Mr. Speaker, at the same time, we are very committed to a watershed co-operative approach, the ISME approach. I have met with legislators from Minnesota, in North Dakota, in November.

I have met with members in February. I have met with members again in March. I have met with members again in April in Winnipeg. I have had the opportunity to meet with former governors Olson and Sinner from North Dakota on looking at upper basin storage of water as one of the co-operative methods we could look at for future flooding on both sides of the border. To the specific question the Member raises, after the three or four subtexts he raised in his question, I am personally opposed to the dam at Ste. Agathe.

Pembina Valley Holding Site

Hon. Jon Gerrard (River Heights): Mr. Speaker, my supplementary to the Premier: I would ask the status of one of the potential joint projects to store water in the upper reaches of the Red River, and that is a proposed holding site or dam along the Pembina Valley which would perhaps hold back about 10 percent of the water and delay the flood crest on the Red River Valley itself.

Hon. Gary Doer (Premier): We are looking at proposals all through the watershed, right from the headwaters to this community. So all these proposals are before the Department of Conservation. The two floodway proposals are before the Department of Conservation. The kinds of flood protection devices that are being used to kind of funnel the water are being looked at right across the border and across the states, Minnesota and North Dakota most specifically in this area. But even areas of water up in South Dakota we are looking at. So the Department of Conservation is looking at all of these ideas, and we continue to work in an ISME process in a co-operative way with our neighbours in the United States, Minnesota, North Dakota, South Dakota. We certainly believe there is lots of good, positive work going ahead, including some research with all three of our universities to perform different functions on how we can co-operate better in our watershed.

Community Dikes

Hon. Jon Gerrard (River Heights): My supplementary to the Premier: Yes, it is apparent that the Department has spent a lot of time looking, and many Manitobans are wondering

why, after three years since the Red River flood, there are 13 community dikes which have not been fully completed.

Hon. Gary Doer (Premier): We are proceeding on dikes. We made an announcement just recently on Highway 59 that will provide both flood protection and transportation for Manitobans. I would say, in lieu of the comment made by the Member opposite about his federal party, that in the early '60s the Diefenbaker and Roblin governments agreed to a 60-40 formula for a floodway. I have raised with the federal Liberal government the 60-40 formula over a long period of time, and I certainly hope we can get the kind of vision of Diefenbaker and Roblin in place with the federal government, because that is the vision you will see from our provincial government.

International Joint Commission Ste. Agathe Dam

Mr. Frank Pitura (Morris): Mr. Speaker, there has been a lot of discussion in the Morris constituency as well about the International Joint Commission's flood report. As a recent meeting in Emerson showed, residents living south of the proposed Ste. Agathe dam are very concerned about the potential human and economic impact. They need answers about the Government's plans for floodproofing.

So, Mr. Speaker, my question is to the Premier: Even though he feels personally opposed to the dam, will he tell this House, the federal government and the International Joint Commission that he will support the people south of Ste. Agathe who feel they should not be deliberately flooded by the construction of such a dam?

Hon. Gary Doer (Premier): It also has potential impacts for our neighbours to the south as well. That is why I am awaiting the scientific reports from our department, because they could support the view that the Ste. Agathe dam would, in fact, have negative consequences all the way up to the border and in fact even further south of the border, and that would be, obviously, opposite to what I believe to be good neighbourly relations on water-management issues. So I am awaiting that report, the technical report, but I am personally opposed to the Ste.

Agathe dam. It is a recommendation made in December to us and more formally in March of this year. I do not believe, and these are the comments I made in the past, it is the best way to proceed by having one set of neighbours protected at the expense of another set of neighbours in Manitoba, and I am against that proposal, Mr. Speaker.

Mr. Pitura: Mr. Speaker, I thank the Premier for that answer.

Red River Watershed International Co-operation

Mr. Frank Pitura (Morris): My supplementary to the Premier is: Will he take the advice of many of the presenters in Emerson and support the need for an overall international watershed approach to not only prevent future floods through upstream storage but to also provide water storage for periods of drought

Hon. Gary Doer (Premier): Again, we are awaiting the cost-benefit reports arising from the IJC. But, again, as I say, before the International Joint Commission even reported, we were meeting with a body of people from Manitoba, North Dakota, and Minnesota, and included in that body of people were two former governors of North Dakota, on a comprehensive watershed strategy that included storage of water. I think that certainly we are awaiting the technical reviews of those recommendations, but it is a matter right throughout the watershed that is really important.

It also has impacts for agriculture, as well, in terms of the speed at which producers get on to the fields. What does that mean for storage? We have, obviously, built up a system that gets our producers, and the Member opposite—as a very credible agricultural rep who had tremendous credibility in his area, I know, before politics—will know that a lot of measures we have taken in the past that have been at the advantage of agriculture have perhaps worked against us in flooding. What we do about those measures is also a question before all of us.

International Joint Commission Assiniboine River Floodway

Mr. David Faurshou (Portage la Prairie): Mr. Speaker, my question is for the First

Minister, as well, in regard to the International Joint Commission's interim report.

I recently attended the public hearing that was held at the Fort Garry, and it was really a grave concern of mine when the interim report stated that the Assiniboine River floodway, which is located in Portage la Prairie, was in the formula at 25 000 cubic feet per second as the capacity. As everyone knows in Portage la Prairie and within the Department of Conservation, the capacity currently on the Assiniboine River floodway is only 13 000 cubic feet per second. The residents of Portage la Prairie are gravely concerned as to this faux pas in the particular report.

What is the First Minister planning as far as construction and modifications to the Assiniboine River floodway to raise the capacity to 25 000 cubic feet per second?

Hon. Gary Doer (Premier): Well, I thank the Member for his question because his question makes the point that we are making, that we have to take the recommendations of the IJC and go through them in terms of each one on the basis of our information and our analysis from the Department of Conservation, which we are doing.

* (14:10)

The one recommendation we are proceeding with that has been studied since the interim report and the final report was the ability to improve the inlet at the floodway, which in fact would give us between 6% and 9% greater capacity, for a relatively cost-effective proposal. Having said that, even the floodway flow of water, and I recall in this Chamber at one point we were told it was—I believe the number was 75 000 cfs and then we were told it was 62 000 cfs and that in fact was the difference between what happened at Grande Pointe and other places with the measures that were taken when the cfs flow did go over 62 000. So sometimes there can be optimum flows through a floodway device, as there was at 62 000 cfs, and sometimes it is not optimum, which we eventually had and resulted in damage in another area.

Your point is well taken. We have to study all of these recommendations.

International Joint Commission Mandate

Mr. Jack Penner (Emerson): Mr. Speaker, a few weeks ago we asked in this House whether the Premier would be prepared to write a letter to the Prime Minister and ask whether the U.S. government and the Canadian government would change the mandate of the IJC to include drought-proofing as well as floodproofing. The International Joint Commission had told us that that discussion was not within their mandate.

Now, has the Premier written a letter requesting that change in the mandate?

Hon. Gary Doer (Premier): Mr. Speaker, I have not written the letter. I have the whole issue of the floodway and the IJC and drought-proofing on agenda for a future meeting with the lead minister, who happens to be the Foreign Affairs Minister of Canada. Canada is now chairing the body. I did say I would have that item on the agenda. I certainly think it is worthy of consideration.

Red River Watershed Drought/Floodproofing Measures

Mr. Jack Penner (Emerson): Flooding along the international boundary in Manitoba has been a constant irritant, whether it is minor floods or major floods. I am wondering whether the Premier would indicate to us today his commitment, as the Premier of this province, to building flood protection structures that would act as drought-proofing structures on the Manitoba side of the border as well as encourage the American government and North Dakota state government to build another structure at Walhalla, North Dakota, on to Pembina to give us both drought-proofing and water protection during high flood levels.

Hon. Gary Doer (Premier): I think it is safe to say that wherever there is a proposal to deal with floodproofing, wherever there is a proposal to deal with our waterways, we are looking at recommendations that can have multiple benefits to our communities and to our investment.

Recreation, for example, is another matter. You know, the great opportunity—we talk about

the corridor—to have tourism from Lake Winnipeg right through to the headwaters of the Red River is a vision that we have. It is easier to have the vision than to have the resources to fund it, but if you have a long-term plan in place and a long-term vision, someday that can become a reality.

The issue of having a floodway, if the floodway needs to be twinned or if it needs to be excavated for deeper and more cfs flow, are there recreational opportunities in this community or adjacent communities that we can use to our advantages to control the water, for example, in the summer when it has gone over the walkway at The Forks? Is there an advantage to having recreational projects? I mean, if we move the dirt, should we not be looking at—we do not have many mountains around here for skiing. Although around here, and I know in the Pembina hills, we have lots. I better mention every ski hill in Manitoba in my answer, Mystery Mountain and others, Russell. I am going to sound like a bus schedule in a minute, but I know that we could use more recreational opportunities.

Yes, the ability to have both storage and floodproofing makes a lot more sense. Multiple use of taxpayers' dollars makes more sense than just singular use.

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

MEMBERS' STATEMENTS

Mrs. Alice Dent

Mr. Stan Struthers (Dauphin-Roblin): Alice Dent is a constituent of mine. She is a resident of the city of Dauphin and a very vital person in our community. Alice Dent is one of 67 recipients this year of the Governor General's Caring Canadian Award, so I would ask that all members join with me in congratulating Mrs. Alice Dent in receiving this award.

This award has been presented since 1996, and it is presented annually to individuals whose unpaid voluntary contributions behind the scenes provide extraordinary help or care to families or

groups in the community. Mr. Speaker, that is Alice Dent.

Mrs. Dent has been involved in a number of activities to help her fellow Dauphinites, which include the Dauphin Health Care Auxiliary, Festival of the Performing Arts, the Canadian National Ukrainian Festival and many hours of work with the Dauphin First United Church.

Mr. Speaker, it is the smaller things as well that Alice does that commend her for this prestigious award. They include visits to hospitals and personal care homes, to lend support and to be friends with people who live in those facilities. She does a lot of work in our community with Meals on Wheels.

Alice and her husband Ted have lived in Dauphin for the past 52 years, have raised their family in our community and have made a huge contribution to Dauphin and district. I just want to say congratulations to Mrs. Alice Dent and hope that all members join me in congratulating Mrs. Dent on this award. Thank you very much, Mr. Speaker.

Manitoba Marathon

Mr. Peter Dyck (Pembina): I would like to bring to my colleagues' attention a very worthwhile event that was held in Winnipeg yesterday. I was part of a record number of runners who proudly participated in the 22nd annual Manitoba Marathon on Father's Day. Twenty-three years ago 11 people died in a tragic fire at the Portage Development Centre. The next year, John Robertson, the host of CBC TV's "24 Hours," resolved that it would never happen again.

He started the Manitoba Marathon in aid of people who lived with intellectual disabilities. In 21 years, over \$3.5 million has been raised by Manitoba Marathon participants. I would like to congratulate the 7513 participants who took part in the different events that made up the 2000 Manitoba Marathon. With an increase of 408 runners from last year's event, this year's event was the biggest ever in Manitoba Marathon's 22-year history.

This year's version provided Manitobans with the opportunity to participate through five

different events. The 2000 event included the Great-West Life 2.6-mile Super Run, the 10k walk, the marathon relay, the 13.1-mile half-marathon and the classic 26.2-mile Manitoba Marathon. The course started and ended at the University of Manitoba campus and moved through Winnipeg's beautiful residential areas, parks and along rivers. The course, sanctioned by Athletics Canada, was the same course used for the 1999 Pan Am Games marathon.

Along the way there were 18 hospitality stations providing participants with water, sponges, medical support and friendly Manitoba smiles. This year, over 2000 volunteers did their part to make the Father's Day run a great experience. I would like to congratulate all those who participated in this year's Manitoba Marathon and thank the volunteers and organizers who continue to make this fantastic event a tremendous success. Thank you very much.

St. James Assiniboia Senior Centre

Ms. Bonnie Korzeniowski (St. James): June is Seniors and Elders Month in Manitoba. With Seniors and Elders Day celebrations coming up at The Forks this weekend, this is a particularly appropriate opportunity for me to congratulate the St. James Assiniboia Senior Centre for pursuing yet another bright, innovative idea and putting it into practice. I am referring to their summer day camp for Winnipeg seniors, Adding Life to Years.

It gives seniors a summer vacation that many of them have not been able to have in a long time. Now in its fifth year of operation, the camp opens up all the opportunities that people look forward to in a summer break. They have a chance to meet kindred spirits, get some healthy exercise, participate in excursions to places they would not get to otherwise and take in some new information on topics of interest.

The seniors are accompanied at all times by the centre's primary health nurse, Laurie Green, as well as a summer student and a volunteer. Thus the camp is able to include both the spry and the not-so-spry. Let me add that the St. James Assiniboia Senior Centre is the only one

in Canada with its own nurse and offers a special focus on health promotion and health-related support groups.

This is another aspect in which it has been playing a leadership role. The centre is a focal point for many of the 19 000 seniors in the St. James-Assiniboia area alone. The staff and volunteers can be very proud of their success in improving the quality of life for these people in Adding Life to Years.

I would like to commend in particular the centre's Executive Director, Karen Pirnie, and President, Mervin Jones, for the progressive and creative programs the centre has developed. Thank you.

* (14:20)

Funk's Livestock Transport

Mr. Jim Penner (Steinbach): Mr. Speaker, I am pleased today to inform the House of yet another growing business in the Steinbach constituency. On Saturday, June 17, I joined with 1300 area residents to celebrate the grand opening of a \$1-million facility which will serve as the new home of Funk's Livestock Transport in Steinbach.

Mr. Speaker, since 1996, this family-run company has grown from having a staff of six individuals to employing over 40 area residents, and last year alone it operated 23 trucks which hauled more than a million pieces of livestock.

Mr. Speaker, I can speak well of the dedication and devotion it takes for a family-run business to succeed in today's world. More than hard work, it takes a willingness to take risks and a commitment to service, both of which have been exemplified by Funk's Livestock Transport.

Mr. Speaker, I would like to take this time to congratulate Lorne and Edna Funk on the growth of their business and for the employment opportunities they have brought to our region. In addition, I would congratulate Mr. Doug Hamm, the comptroller at Funk's Livestock, and Mr. Bernie Rempel, the distribution manager.

Small and family-run businesses continue to be an important part of our economy. On behalf of all members in this House, I would like to congratulate everyone involved with the success of Funk's Livestock Transport for the important role they play in our province.

Manitoba Marathon

Mr. Jim Maloway (Elmwood): I want to take a few minutes today to talk about an event that members from both sides of the House participated in this weekend. Sunday saw more than 7000 runners and walkers participate in the 22nd annual Manitoba Marathon.

The real action occurred in the 10-kilometre walk, with the Member for Pembina (Mr. Dyck) arriving late but passing the Member for Elmwood and keeping the lead for 9 kilometres. At that point, the speedster from Pembina, confident of certain victory, retired for a washroom break. At this point, the Member for Elmwood squeaked by for the victory. The triumphal finish was photographed by the Member for Assiniboia (Mr. Rondeau), and negotiations are pending with the Member for Pembina for a rematch.

Mr. Speaker, the Manitoba Marathon is not only a chance for some good exercise and friendly competition but also an important fundraiser for people with disabilities. In the 21 years, over \$3.5 million has been raised by the runners and walkers and put to use in more than 260 community living projects in Manitoba.

I want to thank all the participants and the volunteers who woke at 5 a.m. or earlier on Sunday to make this year's marathon a resounding success.

ORDERS OF THE DAY

* (14:30)

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Intergovernmental Affairs (Ms. Friesen), that Mr. 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
(Concurrent Sections)**

CULTURE, HERITAGE AND TOURISM

* (14:40)

Mr. Chairperson (Harry Schellenberg): Order, please. Will the Committee of Supply please come to order. This afternoon, this section of the Committee of Supply meeting in Room 254 will resume consideration of the Estimates of the Department of Culture, Heritage and Tourism.

At previous sittings of this committee, the following agreements were made. It was agreed to not pass lines 14.2.(b) Grants to Cultural Organizations and 14.2.(c) Manitoba Arts Council (1) Grant Assistance.

It was further agreed that once completion of consideration of line 14.2.(k) Manitoba Millennium Office (2) Other Expenditures, was complete, the Committee would skip ahead and consider Resolution 14.6. Capital Grants and then pass all lines and that resolution. Is that still the will of the Committee? *[Agreed]*

We will now proceed to line 14.2. Culture, Heritage and Recreation Programs (e) Arts Branch (2) Other Expenditures \$139,600. Shall the item pass?

Mr. Larry Maguire (Arthur-Virden): It was a pretty long day, I guess, Mr. Chair, as we moved forward last Thursday and we went through a number of processes that took a look at the responsibilities of this minister as we talked about a number of the artifacts that were allegedly removed or stolen out of this Legislature after the election last fall.

This minister, as we, of course, came forward last week, indicated that clearly she might at some point come up with an apology to those members of the Legislature for her actions in that whole process. She has indicated that

there were not any news releases, that there were not a number of issues that took place, but, clearly, there was national coverage about a misleading accusation, Mr. Chair, that led many to believe—and she has indicated that it might be all members, but, certainly, the members of now the Opposition were led to be less than honest in regard to their proceedings in this whole area.

We had a vote in regard to this last week, Mr. Chair, on Thursday afternoon late in the day, in regard to this unaccountability on behalf of the Minister of Culture, Heritage and Tourism (Ms. McGifford). We moved forward on that, and as we came back into the Committee late in the afternoon, I had the opportunity of walking in with my colleague from Russell who was in the process of speaking when the vote was brought forward—in fact, he moved the motion last week in regard to the unaccountability of the Minister in regard to the language used and the accusations made around the whole area of artifacts that were misplaced, which were later talked about as not being lost, that were down to some half dozen that the Minister has read into the report of this House now, which very clearly shows that there was really just a misleading statement in regard to the accusations that were made at that time for the credibility of the members opposite today and perhaps even some of her own members that were referred to in some of those news releases.

Mr. Chair, as a new member of the Legislature, it behooved me to come back in and gain some more experience from my colleague from Russell as we moved back into the last few minutes of this session of this committee just before six o'clock last Thursday. I thought the whole process that we had gone through was to try to bring us some accountability to this whole process, and as we walked in, the Member for Russell (Mr. Derkach) acknowledged that he was speaking when the Committee broke for the vote and that he would be speaking again as this whole process began. The Minister clearly stated that he may have something to say, but it sure was not very important.

Mr. Chair, it is incredulous to me that the Minister's arrogance continues to be flaunted before this committee in regard to the importance of the debate in this whole area in regard to

whether or not members of this Legislature did or did not—and it has become very apparent that they did not—misplace or steal, as the accusation referred to, items of artifacts of art, in fact paintings and vases and other items, from the Legislature.

It is appalling, Mr. Chair, that this kind of attitude continues from this minister, and therefore I would like to move a motion here today as the Member for Arthur-Virden, seconded by the Member for Turtle Mountain (Mr. Tweed), that

WHEREAS the Minister before this committee resumed sitting after the vote in the House last Thursday said what honourable members of this committee had to say was not important, quote; and

WHEREAS this display of disrespect for members of the Legislative Assembly is not fitting a minister; and

WHEREAS this minister's arrogance in not apologizing for her politically motivated accusations of theft against MLAs and public servants.

THEREFORE BE IT RESOLVED that this committee donates the Minister's Salary to the Manitoba Arts Council from which can then be derived some value.

Mr. Chairperson: Order, please. The motion that is moved is out of order. You cannot move funds from one appropriation to another. Therefore, the motion is out of order.

Mrs. Louise Dacquay (Seine River): Mr. Chair, with the greatest respect, I challenge the ruling of the Chair.

Mr. Chairperson: The ruling of the Chair has been challenged.

Voice Vote

Mr. Chairperson: All those in favour of sustaining the Chair, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed to the ruling of the Chair, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it.

Mrs. Dacquay: A recorded vote. Yeas and Nays.

Mr. Chairperson: Do you have the support of another member? *[interjection]* You have support. The Committee will be recessed for a recorded vote in the Chamber.

The Committee recessed at 2:47 p.m.

The Committee resumed at 3:51 p.m.

Mr. Chairperson: Order. We will now continue with the Estimates of the Department of Culture, Heritage and Tourism. We are on item 2.(e) Arts Branch (2) Other Expenditures. Shall the item pass?

An Honourable Member: No.

Mr. Maguire: It continues to be brought to my attention, as we discuss this whole matter—it seems like endlessly now—that the Minister still does not have the opportunity, or has not taken the occasion at least, to apologize to this committee and, in fact, to the members of the Legislative Assembly of Manitoba, whether or not it is her own colleagues that she was referring to or to my former colleagues who were in government at the time and basically has derided all of us in regard to whether we were new or old members of this Legislature, but of course in referring to some of us who did not have the opportunity to be in the Legislature, have offices here post the election, I guess, and in regard to being moving of the materials that she was referring to from offices to offices or wherever she believes it was stolen to or broken.

It is just a matter of principle that an apology be forthcoming on this issue; it is very much a matter of principle that the proper thing to do in a procedure like this, when you have had

national attention brought to an issue that is false, is to make a public apology for the kind of actions that were inferred. As we were in the process of moving the last amendment, it was very much brought to our attention by the Minister, who, instead of acknowledging that there might be an apology forthcoming on this kind of an issue, derided some of my colleagues, even again as we left this Chamber, by saying that when actions of these natures occur in this committee you can always tell when something is going to happen, quote, because "all the thugs come in together."

Mr. Chairman, it is very clearly another derogatory statement and another unacceptable form of behaviour and another unacceptable quote from this minister in regard to not just my own colleagues that were here in government previous to the last election but to her own colleagues in regard to some of the process that took place, although it is very clear that her intent was to blame the former Conservative members of this House who were successful in re-election or some perhaps who were not successful, in regard to stealing the kinds of paintings, artwork and cultural—

Mr. Chairperson: Order, please.

Mr. Maguire: There were a number of other derogatory—

Mr. Chairperson: Order. I have not recognized you yet.

Mr. Maguire: I am sorry, Mr. Chair.

Mr. Chairperson: There is too much conversation going on, and we cannot hear the speaker too well.

Mr. Maguire: It is very clear that, as my present colleague from Russell indicated in last week's comments leading up to his call for an apology from this minister, she has not apologized to the people of Manitoba, she has not apologized to the members on this side of the House, she simply continues to stall in this whole process. It is very clear that many of my colleagues, all of my colleagues, are offended by this kind of action. We take this very seriously. There was national coverage. She tried to make it very

public in regard to what took place here in Manitoba. She made it very clear that there was no opportunity to say that, oh, well, it was not as bad as what she had made it out to be.

It is basically the same kind of tactic that was used around the whole issue of the Budget in this Province of Manitoba where in fact it was chided that we had a \$400-million deficit, and it came down to somewhere just over \$100 million, and, in fact, now we have a surplus, which is to the benefit of all Manitobans, but it was still just the kind of deriding the good work done by the former government of bringing in many balanced budgets in a row. This minister continues to put forth the same kinds of false accusations on the record in Manitoba by saying that my colleagues stole artifacts, removed artifacts, of art from this Legislative Assembly. We clearly would make it known and have made it known and will continue to make it known that we seek a public apology or an apology for this kind of action.

So, Mr. Chair, it is with that preamble that I have to move a motion from myself, the Member for Arthur-Virden, and seconded by our Member for Seine River (Mrs. Dacquay), that

WHEREAS the Minister of Culture, Heritage and Tourism (Ms. McGifford) continues to demonstrate her disrespect for members of the Legislative Assembly by referring to them as "thugs"; and

WHEREAS the Minister continues to refuse to offer an apology to all of the MLAs and public servants whom she deliberately maligned with her politically motivated accusation that they had stolen artwork from the Legislative Building of Manitoba.

BE IT RESOLVED by this committee that the Minister's Salary be contributed to aid the victims of the 1999 flood in southwestern Manitoba, as the government does not seem to give a care about these people either.

Mr. Chairperson: Order, please. The motion is out of order. You cannot move funds from one appropriation to another. Therefore the motion is out of order.

Some Honourable Members: Challenge.

Mr. Chairperson: Order, please. The ruling of the Chair has been challenged.

Voice Vote

Mr. Chairperson: All those in favour of sustaining the Chair, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it.

Formal Vote

Mrs. Dacquay: With greatest respect, Mr. Chair, a recorded vote.

Mr. Chairperson: Do you have the support of another member?

Some Honourable Members: Several.

Mr. Chairperson: A recorded vote has been requested. The Committee will now recess for a recorded vote in the Chamber. Thank you.

The Committee recessed at 4 p.m.

The Committee resumed at 5:04 p.m.

Mr. Chairperson: Order, please. We will now continue with the Estimates of the Department of Culture, Heritage and Tourism. We are on line 2.(e)(2). Shall the item pass?

Mrs. Dacquay: Mr. Chair, I am really disappointed that the Minister of Culture, Heritage and Tourism does not feel that the honourable thing to do would be to apologize. She has used name calling and other things that are pretty derogatory towards members of the Legislative Assembly.

We could have probably moved on a matter of privilege to take it into the Chamber where an official apology would be forthcoming. The issue of not admitting that her actions were politically motivated and the fact that she continues to disregard the rights and privileges of members of the Legislative Assembly are extremely disturbing.

Therefore, I move, seconded by the Honourable Member for Turtle Mountain (Mr. Tweed), that

WHEREAS the Minister of Culture, Heritage and Tourism has misused her office by falsely accusing members of the Legislative Assembly and public servants with stealing public artwork from the Legislative Building before she took any reasonable investigation to ascertain the facts; and

WHEREAS the Minister of Culture, Heritage and Tourism gave information to the news media which inappropriately implied that many MLAs and public servants had stolen this artwork; and

WHEREAS the Minister of Culture, Heritage and Tourism exaggerated this issue solely for partisan political purposes; and

WHEREAS the Minister of Culture, Heritage and Tourism has refused to make an appropriate and public apology for her accusations and the mishandling of this issue even after the facts have proven the Minister wrong and that the Minister's actions were politically motivated.

THEREFORE, this committee censures the Minister for her inappropriate actions.

Point of Order

Hon. Tim Sale (Minister of Family Services and Housing): Mr. Chairperson, I think that it is extremely unparliamentary for the Member to use words in this committee in a motion or in speaking which, according to our rules, imputes motive, nasty political motives.

Of course, coming from someone who operated the Chair of this House in the manner

that she did, it is particularly galling to listen to someone talking about political motivation in a motion or in any kind of speech.

I think that you should reflect, Mr. Chairperson, on the text of the WHEREASes, in terms of the imputation of motive and suggest that this is unparliamentary language and that the person moving the motion ought to not only withdraw a motion which is clearly out of order, but she ought to withdraw any words which implied motive, because, under our rules, the imputation of motive, particularly base motives, is inappropriate.

Secondly, Mr. Chairperson, I think it is also inappropriate in several other of her WHEREASes that she implies other motivations. There is not just one WHEREAS there with motivation, but there are a number.

So I believe that it would be appropriate for you to ask her to withdraw the imputation and to therefore withdraw the motion. It is not only out of order; it is clearly unparliamentary; and her language is inflammatory. That is not something that should happen in our debates.

So I would ask you to rule on the question of the parliamentary language in her motion, Mr. Chairperson.

* (17:10)

Mr. Marcel Laurendeau (Opposition House Leader): On the same point of order, I do not believe the Honourable Member has a point of order.

No. 1, the point of order should be a reason when there is something that is contrary to the rules of this committee or the House. It is very clear that this motion is not out of order, but I will leave that to your understanding and leave for you to rule on whether the motion is in order or out of order. I do believe that the only thing that was out of order was this member, who is misrepresenting the facts, misrepresenting and challenging, Mr. Chair, basically impugning motives against someone who had the office of Chair.

So, Mr. Chair, I would ask you to very carefully look at the wording and rule on the motion before the Committee at this time.

Ms. Marianne Cerilli (Radisson): Mr. Chairperson, I think I just wanted to clarify the Member for Fort Rouge's comments to try to direct the Committee and raise that this matter in a motion that has been brought forward clearly was imputing motives. I believe that the phrase using the office for political reasons or political motives was used in the motion and that that is a violation of the rules. It may be that what we have to do in this case is that the Chair would have to take the matter under advisement and look at Hansard to clearly see what has been recorded.

The fact that there was the phrase used, I believe I heard, using her office for political reasons or with a political motive was used, I believe that that means that the motion is out of order and those words should be withdrawn.

Mr. Darren Praznik (Lac du Bonnet): Mr. Chair, on the same point of order, the reason why the WHEREASes say what they are is it is a motion of censure. If you are going to censure a Member of the Committee or a minister, you have to lay out the offence for which you are censuring them. That is simply what that resolution does.

The Member for Fort Rouge (Mr. Sale) says about motives, the reason we are censuring this Minister is because she deliberately took information, misconstrued it, gave it to the media, made an issue and made accusations against members for partisan reasons. That is the reason, Mr. Chair, we are censuring this Minister, not because she made an administrative mistake, not because there was an oversight, not because she had some wrong information. We are doing it because the Minister took an issue, did not investigate it, made accusations against members of the Legislature, leaked it to the media so that it was a story, made it appear that MLAs and public servants were stealing art out of this building.

She did not ascertain the facts. The way in which she did it was to make a partisan issue where there was not one. That is why that

WHEREAS in the motion from the Member for Seine River (Mrs. Dacquay) lays out what the Minister has done that is worthy of being censured by this committee.

Mr. Scott Smith (Brandon West): Mr. Chairman, on the same point of order, I think it would be helpful if the motion could be read out to us for clarification in this regard, as the debate is around the text of the motion. I certainly heard some phrases that I found offensive, but I think that there have been a number of questions about the text of the motion. I think it would be appropriate to have it reread.

Mr. Chairperson: We will have to rule on the point of order first. We will have to check with the authorities to see if it is a point of order or if the motion is okay.

Hon. Diane McGifford (Minister of Culture, Heritage and Tourism): Mr. Chair, on the same point of order, last week I asked members opposite to table this news release that they continually referred to. I would like to ask them again to do that. I would also like to challenge members opposite to produce concrete evidence of their allegations that I accused members of stealing art from the government art collection. I think to put these allegations on the record without proving anything is absolutely despicable.

Mr. Chairperson: On the point of order raised, I will take the matter under advisement. Is it the will of the Committee to have this committee have a brief recess so the Clerk can check procedural authorities? Five minutes? *[Agreed]*

The Committee recessed at 5:15p.m.

The Committee resumed at 5:36 p.m.

Mr. Chairperson: Order, please. On the point of order raised by the Honourable Minister of Family Services and Housing (Mr. Sale), I am ruling that there is no point of order. In my opinion there is no expression of deliberate intent in the motion that would charge the Minister with putting false information on the record or providing inappropriate information to

news media deliberately or knowingly and for partisan political purposes.

Therefore, there is no point of order, and the motion is in order.

However, I would caution honourable members in the selection of their words when drafting motions, and members may consult the Clerk, prior to moving a motion, to check for procedural acceptability. The motion is in order, and it is arguable.

* * *

Mr. Chairperson: The motion before the House is as follows: It is moved by the Member for Seine River (Mrs. Dacquay), and seconded by the Member for Turtle Mountain (Mr. Tweed), that

WHEREAS the Minister of Culture, Heritage and Tourism (Ms. McGifford) has misused her office by falsely accusing members of the Legislative Assembly and public servants of stealing public artwork from the Legislative Building, before she undertook any reasonable investigation to ascertain the facts; and

WHEREAS the Minister of Culture, Heritage and Tourism gave information to the news media which inappropriately implied that many MLAs and public servants had stolen this artwork; and

WHEREAS the Minister of Culture, Heritage and Tourism exaggerated this issue solely for partisan political purposes; and

WHEREAS the Minister of Culture, Heritage and Tourism has refused to make an appropriate and a public apology for her accusations and her mishandling of this issue even after the facts had proven the Minister wrong and that the Minister's actions were politically motivated.

THEREFORE, this committee censures the Minister for her inappropriate actions.

The motion is in order and is debatable.

Ms. McGifford: Well, thank you, Mr. Chair. It certainly is about time I got to put some remarks on the record, having listened to members opposite all afternoon say nasty and disparaging and, I think, well, clearly inaccurate, unkind, despicable, ugly, and one could continue. You know, I had hoped that this whole exercise in Estimates would be an opportunity to provide information, to provide sharing, and education.

Mr. Chairperson: Excuse me. Order. If I may interrupt the speaker, I have great difficulty hearing the speaker. Could I ask all honourable members wishing to hold private conversation to please do so away from the Committee table. I thank all honourable members for their co-operation. Thank you.

Ms. McGifford: Yes, as I was saying, Mr. Chair, I had hoped that Estimates would be an opportunity for members opposite to behave with some decorum and dignity and also to seek the information and education that Estimates are designed to provide. Instead, what we have witnessed in this session is a critic who has hardly done anything; in fact, she has given the mike over to her colleagues day after day whose remarks seem to be, well, as I said, heady and self-important, nasty. It seems to me that what concerns members opposite, first and foremost, is not the integrity of the art collection, not the art bank, not public issues, but what members opposite are concerned about are their precious reputations.

Now, as though members opposite needed any help from me to bring their reputations into disrepute, they have done it themselves. They have nationally disgraced themselves time and time again. I can provide several examples for their edification, and let me start with the MTS promises. Promise not to sell MTS. No, we would not sell MTS made in the 1995 election. Then, Mr. Chair, as soon as—

Point of Order

Mr. Leonard Derkach (Russell): Mr. Chairman, on a point of order, I think the motion is quite clear in that the presenter of the motion, I think, was very clear in terms of what the topic is and at least what we are asking the Minister to do, and she has not done that to this point in

time. She continues to stall. Instead, she continues to put remarks on the record which are offensive to the public of Manitoba. She continues to stall in terms of apologizing to the people whom she accused of stealing the artwork; namely, she accused specifically the bureaucrats and politicians of stealing the artwork, which means that she also accused her own staff.

She goes on again without any heed to what the motion has called for or what previous motions have called for, and, Mr. Chair, I ask you to call her to order and to ask her to put her comments on the record relevant to the topic, relevant to the matter that is being discussed here.

Hon. Gord Mackintosh (Government House Leader): On the same point of order, there is no point of order; there is just some discussion about the motion. I am sure the Member will get to that in due course, but the Minister should have the opportunity to respond to the motion directed at her, and her performance in her public duties, and the issue that she was raising is that this does not deal with a matter of public interest. It deals only with a matter of concern to the Conservative Party's views of themselves, and she was expounding on that one. It is quite inappropriate, of course, for the Opposition to try and silence the Minister and try and get across this view from their vivid imagination that the Minister had a role.

There is no point of order, Mr. Chair.

Mr. Chairperson: I would like to make a ruling. Order, please.

There is no point of order, but I caution all members to speak to the motion. Thank you.

* * *

Ms. McGifford: Thank you, Mr. Chair, and I certainly will speak to the motion. The point that I was making was that so much of this motion seems to be suggesting that I led some sort of deliberate and malicious campaign to undermine members opposite. The point that I am making is they had already undermined themselves. So, as I said, they did not need any help from me.

I mentioned MTS. I could mention that infamous incident in the Legislature when the Member for Seine River (Mrs. Dacquay) turned off the microphones. What a mockery of democratic process, just absolutely unprecedented in the history of parliamentary democracy. I could mention the Monnin inquiry. That was a good one. I do not think members opposite acquitted themselves very well in the Monnin inquiry. I could also mention the most recent scandal which is connected with members opposite, and that is the Lotteries scandal. But let us leave those sleeping dogs lie.

Members opposite, as I said, appear to have this concern about their reputations, but they do not seem to have any concern about the art. They do not—

Mr. Chairperson: Order. On a point of order, the Member for Arthur-Virden.

Point of Order

Mr. Maguire: A point of order, Mr. Chair, it is becoming much more apparent all the time that this minister is not even considering anything along the lines of an apology for the bad-mouthing of members of this Legislature and public servants that she was chastising for the removal of artwork from this Legislative building.

I move, as the Member for Arthur-Virden, seconded by the Member for Russell (Mr. Derkach), that the motion be amended by adding the following, after "this committee censures the Minister for her inappropriate actions," that this committee transfer the Minister's Salary to the United Way where it will do some good.

Mr. Chairperson: Order. I would like to inform the Member for Arthur-Virden: you cannot make a motion when you make a point of order. You can only make a motion when you have possession of the floor.

Mr. Maguire: Mr. Chair, I would challenge that ruling.

* (17:50)

Voice Vote

Mr. Chairperson: The ruling of the Chair has been challenged. All those in favour of sustaining the ruling of the Chair, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it.

Mr. Maguire: I call for a recorded vote.

Mr. Chairperson: Do you have the support of another member?

An Honourable Member: Yes.

Mr. Maguire: The Member for Russell.

Mr. Chairperson: We will recess, and we will go to the Chamber for a formal vote. Thank you.

The Committee recessed at 5:52 p.m.

The Committee resumed at 6:52 p.m.

Mr. Chairperson: Committee rise.

LABOUR

* (14:30)

Madam Chairperson (Bonnie Korzeniowski): Good afternoon. Will the Committee of Supply please come to order. This afternoon, this section of the Committee of Supply meeting in Room 255 will resume consideration of the Estimates for the Department of Labour.

Consideration of these Estimates left off on page 129 of the Estimates book, Resolution 11.1. Labour Executive (b) Executive Support (1) Salaries and Employee Benefits \$500,100. The floor is now open for questions.

Mr. Ron Schuler (Springfield): Madam Chair, it is nice to be back on a cool day like today, a nice breeze. When we left off because the bells started to ring, the question that I had asked the Minister was could the Minister tell this committee approximately how many shortline operations there are currently in the province. The Minister got halfway into her sentence and the bells rang. I was wondering if the Minister could continue with the answer.

Hon. Becky Barrett (Minister of Labour): Yes, the final conclusion of my answer is operations, but the whole answer would be there are currently two shortline rail operations.

Mr. Schuler: The Bill that the Minister is bringing in deals with the unions being inherited basically if a shortline is created. Could the Minister tell us a little bit about jurisdiction if the line crosses a provincial boundary? Who would then have the jurisdiction over that particular shortline?

Ms. Barrett: You would have to deal with each case individually, but most likely in that situation where it would cross a provincial boundary, the shortline would remain in federal jurisdiction because it does cross provincial boundaries.

Mr. Schuler: So that would go with any shortline that would cross a federal boundary; for instance, the boundary between the United States and Canada. That then would be a federal responsibility. As soon as it crosses a provincial boundary, it then automatically becomes a federal responsibility. Would that be accurate?

Ms. Barrett: Yes, if a rail line crosses the 49th Parallel, it would be a federal matter. If it crossed from one province to another, as I stated earlier, it would depend on the individual merits of the situation, but you could assume that there is a likelihood that it would be in federal hands. If it is an interprovincial shortline, the likelihood would be that it would be in federal hands, remain in federal jurisdiction. But you cannot automatically assume that. It would have to be looked at on an individual basis.

Mr. Schuler: Can the Minister tell this committee, Bill 18, was that something that had

already been on the books within the Department prior to the previous election, or was that something that came out of the Department after the past election?

Madam Chairperson: Order, please. I have a ruling for the Committee.

Chairperson's Ruling

Madam Chairperson: On Thursday, June 8, 2000, I took under advisement a point of order raised in the section of the Committee of Supply meeting in room 255. The point of order raised by the Honourable Member for Springfield (Mr. Schuler) referred to rules being applied uniformly to both sides of the table. The Honourable Member for Brandon West (Mr. Smith) and the Honourable Member for Dauphin-Roblin (Mr. Struthers) also spoke to the point of order.

I thank all honourable members for their contribution to the point of order. I must rule that there was no point of order. However, I would like to take this opportunity to ask all honourable members on both sides of the table to please provide the courtesy of your attention to the Member who has the floor.

In response to the request for guidance from the Member for Brandon West regarding conversations at the table, it is acceptable to carry on conversations at the Committee table as long as they do not disrupt the proceedings. I believe all honourable members wish to keep the discussion and questioning flowing along constructively and I respectfully ask for the co-operation of all honourable members in this matter.

* * *

Ms. Barrett: The successor rights legislation that you see before you in the House in the guise of Bill 18 was an issue that was flagged post-September 21, 1999.

Mr. Schuler: Could the Minister tell this committee: Is that something that came up, was it a concern that was brought up by unions that work with the railways that are trying to create shortlines?

Ms. Barrett: Yes, the specific issue that gave rise to Bill 18 was not the issue of shortline railroads but the potential sale of the Weston Shops to, I believe, a company named Progress, who is headquartered in Florida. That sale, should it go through, would mean that Weston Shops would no longer be under federal jurisdiction but would come under provincial jurisdiction. There was discovered to be a potential or actual possibility of losing the successor rights with that change from federal to provincial jurisdiction. So that is the genesis of Bill 18. However, shortline railroads were an example that I gave at the end of last week of another potential industry that could benefit by this piece of legislation.

Mr. Schuler: Could the Minister tell this committee: Is there still a potential that the Weston Shops will be sold?

Ms. Barrett: Yes.

Mr. Schuler: Something that we could be seeing imminently? Is it something that is still in the negotiation stage?

Ms. Barrett: My understanding is that negotiations are still underway and that it would be part of CP's long-term plan to divest itself of much of its current holdings. But we are not at the table, so I could not give you any specific answer to that question.

Mr. Schuler: When the Minister was approached on this issue and it was pointed out to her, what was the main concern with the Weston Shops? Was it the loss of jobs or was it the loss of union wages? What was the main concern that would have precipitated Bill 18?

* (14:40)

Ms. Barrett: Other jurisdictions have faced the similar situation where, because of the divestiture of parts of Crown corporations or other federal entities that were under federal jurisdiction and being sold to private companies, then those organizations that are being sold would by definition come under provincial legislation. But, as other jurisdictions discovered and we have discovered too in this situation, there is a gap in the legislation that has not provided for the transfer of collective bargaining

rights from federal jurisdiction to provincial jurisdiction.

So, as other jurisdictions have done before us, when faced with this particular situation that brought it to our attention, we have determined that, instead of the other two options, one of which would be to just say: Well, that is a problem and the workers are going to have to live with it and take what they get from the new employer, or the other option of fighting it individually or independently, we took the third option, which, I believe, other jurisdictions have done, and said in effect: This is a new situation that has arisen and the intent of the legislation, both federal legislation and provincial legislation, is to protect collective bargaining rights, otherwise known as successor rights.

So we are following the intent of the legislation in ensuring that this transfer, which as I have stated is fairly new in our system, follows the principles of successor rights that have been recognized in provincial-to-provincial sales and federal-to-federal sales.

Mr. Schuler: Section 68(4) of The Manitoba Labour Board Act outlines that conciliation officers are not liable for some of their actions during the discharge of their duties. Can the Minister explain how this works, and is this something the Labour Board is involved in, for instance, not being liable for certain decisions?

Ms. Barrett: The principle of the conciliation-mediation process is that the conciliator or mediator is to be an intermediary, a facilitator if you will, between the two parties to a dispute, and the responsibility of a conciliator or mediator does not include the potential hardship that may accrue to one side or another as a result of final outcome of conciliation or mediation or contract negotiation. This is the responsibility of the two sides that bargain. The conciliation process is a process to try and get the two sides together and not dealing specifically with the details, although that would happen in the process, but it is more of a process thing, so the outcome is the responsibility of the two sides to the collective bargaining dispute.

In the current Chair of the Labour Board's 28 years of experience, there has not ever been a

case where this section has had to be utilized. It is just putting in writing the fact that a mediator-conciliator's role is to be an intermediary not to take responsibility for the final outcome of whatever happens out of the process.

Mr. Schuler: The Manitoba Labour Board seems to have broad and—

Madam Chairperson: Order, please. A recorded vote has been requested in another section of the Committee of Supply. I am therefore recessing this section of the Committee of Supply in order for members to proceed to the Chamber for a formal vote.

The Committee recessed at 2:46 p.m.

The Committee resumed at 3:51 p.m.

Madam Chairperson: Will the Committee of Supply please come to order. The floor is now open for questions.

Mr. Schuler: As I was about to ask, the Manitoba Labour Board seems to have broad and sweeping powers under Section 76(3) dealing with religious objections to participation in unions. Can the Minister explain the process by which the Board determines the validity of religious beliefs? I will leave it at that, and then I will ask the next question.

Ms. Barrett: The Labour Board reviews the tenets of the church that the union member belongs to, and then two principles would have to apply in order for an individual to be allowed to not make union contributions: (1) the articles of faith of the church must state clearly that members of their church cannot belong to unions or contribute to a union; and (2) as well as the articles of faith of the church having to state that clearly, the Member is asked if he or she abides by those articles of faith.

Those are the two requirements that must be met before the union member can be absolved of the union dues.

Mr. Schuler: At any point in time do secular beliefs count under this section?

Ms. Barrett: No, because this article deals with religious beliefs.

Mr. Schuler: How often has it happened that somebody has gotten an exemption due to religious beliefs?

Ms. Barrett: In the last 15 years, two individuals have been granted exemptions under this section, and one church, the Plymouth Brethren Church, has satisfied the conditions of that section.

Mr. Schuler: If the employee is allowed to opt out, does the employee still pay certain dues, or are they completely exempted?

Ms. Barrett: I will just wait for the Member's attention.

The dues go to a charity that has been agreed upon by the Member and the union, and if the union and the Member cannot agree, then the Labour Board will designate a charity to be in receipt of this money.

Mr. Schuler: Do other labour boards have such broad, sweeping powers to determine if religious beliefs are valid or not?

Ms. Barrett: Yes, I have been told to the best of the staff's knowledge, the majority of jurisdictions have such a section in their legislation.

What normally happens and what is encouraged to happen is that this issue is worked out between the union and the Member, and that probably means that is why only half a dozen applications, at the most, in the last 15 years have even come before the Labour Board, of which two were agreed.

So it is a very small number of applications, which would lead me to believe that one and/or two things have happened. One is not many people have chosen to ask for this exemption, and/or two, the union and the Member have been able to reach an agreement without recourse to the Labour Board, which I believe is as it should be.

Mr. Schuler: Does the Minister feel that such broad powers in this particular aspect of life are appropriate for the Board?

Ms. Barrett: Yes. I believe the quotation from the Bible that springs to mind is: Render unto Caesar that which is Caesar's; render unto God that which is God's.

Mr. Schuler: Are board members given any training in judging the religious beliefs of others?

Ms. Barrett: Yes, in an earlier answer I was very explicit as to how this particular section would be interpreted, and it would go straight to the actual tenets of the church which have to be given by evidence, so it would not be just word of mouth. My knowledge of various religious organizations is that they have articles of faith, they have articles of belief, they have creeds that are not only oral but are also written. So the Labour Board would look at those written tenets of a church and use those as the basis of their determination.

Mr. Schuler: Section 76.1(1) and 76.1(2) talks about opting out of the parts of union dues going to, for instance, the NDP party, the Minister's party, and other causes. How many employees in Manitoba currently opt out of their donating to political parties?

* (16:00)

Ms. Barrett: That information is not filed with the Labour Board. It is between the bargaining agent and the employee, so each individual union would have information in that regard, but it does not come to the Labour Board.

Mr. Schuler: Can an employee decide to opt back in?

Ms. Barrett: Yes, there is a provision with virtually every union, I would imagine, to opt back in, but again it is not something that the Labour Board has any jurisdiction over. This is something that is between the bargaining unit and the worker.

Mr. Schuler: Are there plans to change 76.1(1) and 76.1(2)?

Ms. Barrett: This comes under the statement that I made later last week which said that I am not at liberty to discuss any specifics of any

legislation before it has been tabled in the Legislature.

Mr. Schuler: So there is going to be legislation tabled in regard to this?

Ms. Barrett: In due course there will be legislation tabled in relation to The Labour Relations Act. I believe the Member is aware that the Labour Management Review Committee has been meeting to provide recommendations to myself and government on labour legislation, and so when The Labour Relations Act is tabled at whatever point in time it is tabled, then the Member's question will be answered.

Mr. Schuler: Is there a limit on the percentage of union dues that can go for political purposes, or is it just a certain amount of money? Is it a percentage or is it blocks of money?

Ms. Barrett: That amount would be determined by the constitution of the union.

Mr. Schuler: Can a union object to individuals opting out?

Ms. Barrett: No, the law provides for the opting out of individuals.

Mr. Schuler: So, if there is a conflict between the union and the individual, there is really no place for an individual to go if they feel that there is a problem with the way they have been handled? Like, they cannot go to the Labour Board?

Ms. Barrett: Any section of the Act that is contravened can come before the Labour Board, so if a union member feels that their union dues are still being taken off if they have asked to have them be not taken off for political purposes or other purposes, then of course that member has recourse to the Labour Board.

Mr. Schuler: Does the Board maintain a list of arbitrators and potential arbitrators?

Ms. Barrett: Yes.

Mr. Schuler: How many people are on that particular list?

Ms. Barrett: There is a list that has been agreed to by LMRC of arbitrators.

Mr. Schuler: How many people are on that list?

Ms. Barrett: Thirteen.

Mr. Schuler: Could the Minister for this committee tell us who is on that list?

Ms. Barrett: J. M. Chapman, QC; Wally Fox-Decent; M. H. Freedman, QC; S. P. Gray; W. D. Hamilton; K. G. Kaminski [*phonetic*]; G. C. McLean, QC [*phonetic*]; A. R. McGregor, QC; P. R. McKenna; B. D. McKenzie [*phonetic*]; A. Peltz; P. C. Suche, QC; and P. S. Teskey.

Mr. Schuler: How are people added on to that list? How do they get to be—

Madam Chairperson: A recorded vote has been requested in another section of the Committee of Supply. I am therefore recessing this section of the Committee of Supply in order for members to proceed to the Chamber for a formal vote.

The House recessed at 4:06 p.m.

The House resumed at 5:03 p.m.

The Acting Chairperson (Mr. Rondeau): Will the Committee of Supply please come to order. The floor is now open for questions.

Mr. Schuler: Thank you, Mr. Chairman. I noticed that the Minister was quite perturbed after the last time this committee was interrupted. Perhaps the Minister would like to talk to her colleague the Honourable Minister of Culture, Heritage and Tourism (Ms. McGifford) who, right after the election after she was appointed, made the accusation that members in the Opposition when they left government had stolen papers.

Madam Chairperson in the Chair

Point of Order

Mr. Jim Rondeau (Assiniboia): I understand that this is irrelevance. This is not relevant to the Estimates at hand. The Estimates at hand are for

the Department of Labour. They are not for other departments, and therefore I believe that it is irrelevant to the process at present.

Madam Chairperson: On the same point of order, the Member for Springfield.

Mr. Schuler: Madam Chair, the Member opposite makes a very compelling argument, but it is just not quite based on all the facts. There seems to be an interruption that has happened twice already today, and I think a little bit of a discussion about it is in line.

Certainly, we also would like to get through the Labour Estimates, and perhaps if the Minister would tell her colleague. It is as simple as saying it was an error in judgment, and she made a mistake. Maybe it was the heat of the moment. It was unnecessary for an accusation to be made against the Opposition that paintings were, in fact, stolen. I think in fact during the Committee that minister went further and accused the Opposition of a few other matters, and that does have an impact on what we are doing here in this particular committee because it really is a I think an important issue. I think it is an important matter. If we wish to proceed here—and I am sure the Minister does—perhaps she could talk to her colleague and convince her of that.

I do not think the Member has a valid point.

Madam Chairperson: Yes, the Member for Assiniboia does have a point of order. I would like to remind all honourable members that their remarks should be kept relevant to the matter before the Committee.

I will read for the benefit of the Committee our rule 73(2): "Speeches in a Committee of the Whole House must be strictly relevant to the item or clause under discussion."

In the consideration of the current department, an overall discussion has been agreed to allowing for some latitude in the scope of questions and answers. However, within the context of this agreement, I would like to ask members to endeavour to keep their contributions relevant to the current department

under consideration. I respectfully ask for your co-operation in this matter.

* * *

Mr. Schuler: On that particular point, certainly we want to be relevant to what is being discussed here. I was just pointing out to the Minister that a simple discussion with her colleague could move this whole process forward much quicker. Certainly, members opposite have not got to the point where they are so arrogant that they cannot even offer a simple apology to the Opposition. That is basically the point I am making. I do not think the accusations that had been made were right nor were they just, and they certainly did nothing to promote—

Madam Chairperson: Order, please. I believe I just ruled on a point of order. The Member for Assiniboia (Mr. Rondeau) did have a point of order, and you are repeating what you had said previously.

Mr. Schuler: Actually, Madam Chair, I did not repeat anything that I had said previously, but I will move on to the questions at hand.

If the Minister remembers, we were speaking about arbitrators. I believe she had just listed the arbitrators on the record. Of the individuals that were on the list, how does a person get appointed as an arbitrator?

Ms. Barrett: The LMRC reviews the list of people who have said that they would like to be arbitrators, and then the LMRC jointly agrees to the list.

Mr. Schuler: Have there been any changes lately in regard to the list?

Ms. Barrett: No.

* (17:10)

Mr. Schuler: Is the Minister or her department planning any changes to the list of arbitrators as she read into the record?

Ms. Barrett: Well, I think that you have to be prepared for changes in this regard, because people's situations change. Some of the

arbitrators may decide that they no longer wish to do it, or they may leave the province, but at this point I do not contemplate any changes to that list.

Mr. Schuler: Perhaps the Minister could tell this committee: When her predecessor left the Department of Labour, did she feel that he took any art that belonged to the Government along with him?

Ms. Barrett: No.

Mr. Schuler: When the Minister's colleague made the unsubstantiated and unnecessary claim that members of the Progressive Conservative government had taken artwork that did not belong to them, was there some within the Department of Labour that was included in that?

Ms. Barrett: To my knowledge, there was no art in the Department of Labour that had been misplaced or had been dealt with in any way. No, I have no knowledge of any art that was anywhere that it was not supposed to be. The walls of my office were absolutely bare. The previous tenant of my office had, to my knowledge, only put personal pieces on the wall, which he was more than entitled to take when he left.

Mr. Schuler: At the time, did the Minister of Labour concur with her colleague? Did she also feel that the members of the outgoing government had stolen artwork from the government?

Ms. Barrett: I am not going to answer that question because the topic has been ruled out of order by the Chair.

Mr. Schuler: Through you, Madam Chair, Bill 26 brought in part 7.1 of The Labour Relations Act, disclosure of information by unions, in 1996. Are all the different unions in Manitoba in compliance with the various provisions under this part of the Act?

Ms. Barrett: The Member will not like the answer, but, yes, they are.

Mr. Schuler: Madam Chair, I love the answer, I just want the Minister to know. Are the filings by the unions, like financial and compensation statements, accessible to the public?

Ms. Barrett: No. They are available only to paid-up members of the union who have not been excluded by any other pieces of legislation from being members of the union.

Mr. Schuler: Is this something that would be accessible under a Freedom of Information request?

Ms. Barrett: The Labour Board holds that information in trust for the unions and their members. It is accessible to unions. Members of union A can see the financial statements of union A. Members of union B or employers or members of the public are not entitled to see the financial statements of union A. I believe that it would not be FIPPA-able.

Mr. Schuler: Does the Minister or her department have any plans to repeal this section of the act?

Ms. Barrett: When in the fullness of time amendments to The Labour Relations Act are tabled in the Legislature, then the Member will have the answer to that question, which is the same question that he has asked on numerous occasions. I have given the same answer each time.

Mr. Schuler: On Saturday, June 17, an article appeared in the *National Post* detailing a growing rift in the Canadian Labour Congress over attempts by the Canadian Auto Workers and Buzz Hargrove to raid fellow unions of their members. Just on that one, Ken Georgetti, the President of the Canadian Labour Congress, has given Buzz Hargrove, the President of the Canadian Auto Workers, a week to stop raiding other unions and declare his loyalty to the CLC or be removed from all positions of power in the country's largest labour organization.

Just skipping down, Mr. Georgetti and Mr. Hargrove have been embroiled in an increasingly bitter and public debate recently over the Canadian Auto Workers' role in encouraging Service Employees' International Union members, principally hospital and health care employees, to pull away from the SEIU and align with the CAW.

The Canadian Labour Congress, of which both the Canadian Auto Workers and the Service

Employees' International Union are members, investigated and found the CAW guilty of raiding, which is considered an act of high treason within labour ranks.

The CLC has investigated and found the CAW guilty of raiding, which the article states, and I read it, which is an act of high treason in the labour movement. Are there any plans to legislate against union raiding?

Ms. Barrett: This is an internal dispute between members of the Canadian Labour Congress and has no relevance whatsoever to the Estimates of the Department Labour.

Mr. Schuler: Does the Minister or her department feel that, as regards the kind of hostile takeover, this could be seen as an infringement of rights of employees?

Ms. Barrett: Employees have the right under our labour legislation—and I believe, as we spoke earlier, of the very clear right that should be protected—to decide if they wish to join a union, and if they wish to join a union, what particular union they wish to join. If they wish to decertify from a union, they should have that right as well.

Internal disputes between various unions within the Canadian Labour Congress are just that. They are internal disputes between various members of the Canadian Labour Congress. The constitution of the Canadian Labour Congress will come into play, as will the executive in the membership of the organization. I do not know exactly how it is structured. So, again, this has absolutely no relevance to—well, it has a relevance, I suppose, to employees, but it does not infringe upon their rights to join a union. The argument within the Canadian Labour Congress is: Do the actions of the CAW infringe upon the constitution of the Canadian Labour Congress, as I understand it? I am not up on this issue; as I said, it has very little, if anything, to do with the Estimates of the Department of Labour of the Province of Manitoba for which staff are here to answer specific questions.

Mr. Schuler: Can the Minister, through her department, tell us if this will affect many individuals or many union members in

Manitoba, if in fact the hostile raid does go through?

Ms. Barrett: There has been no activity in Manitoba at all.

Mr. Schuler: Should a hostile takeover take place, would the Labour Board get involved in this kind of a dispute?

* (17:20)

Ms. Barrett: As I have stated before, this is an internal process within the Canadian Labour Congress and two of its member unions. The Labour Board would have no authority or reason to get involved as long as the certification of whatever union was approved by its members was appropriate and complete. That would be the extent of the Labour Board involvement.

Mr. Schuler: So the Labour Board, then, would not get involved in any kind of dispute-resolution mechanism? They would completely stay out of it if members of one of the unions were to approach the Labour Board.

Ms. Barrett: That is accurate. The Labour Relations Act and the Labour Board are designed to deal with collective bargaining between a union and the employer, not disputes between union and union or, for that matter, disputes between employer and employer, which have been known to happen on occasion. The concept of hostile takeover is far more prevalent in the business world than it is in the labour-union world.

Mr. Schuler: To the Minister, how things change. If it would so please the Committee, unless there is somebody else here on the Committee who has questions in regard to the Labour Board, I would like to move into Workplace Safety and Health.

On April 12, I wrote the Minister in regard to resolution 00-JE-38. I guess we will wait.

Ms. Barrett: I would like to introduce Garry Hildebrand, who is the Director of the Workplace Safety and Health branch.

Mr. Schuler: I would like to welcome him to the table. My question to the Minister is, on

April 12, I wrote to the Minister in regard to resolution 00-JE-38 regarding workplace safety, and the resolution reads:

WHEREAS the existing legislation passed by a former NDP government allowed workers protection against unsafe work; and

WHEREAS considerable concern has been raised by workers about the lack of enforcement of this legislation by the former Conservative government.

THEREFORE BE IT RESOLVED that the NDP Government ensures that Workplace Health and Safety laws are enforced so workers will have as safe a work environment as possible; and

BE IT FURTHER RESOLVED that owners of workplaces that practise unsafe working conditions be held accountable by law for unsafe work practices.

To the Minister on that, as expected I received a response that did not contain any information pertinent to the questions I asked. I am wondering if the Minister's staff is somewhat more informative when dealing with members of the public than she is with members of the Legislature.

The resolution calls for increased accountability of owners of workplaces that practise unsafe working conditions. Can the Minister tell this committee if her government plans to make any changes with respect to workplace safety and health, particularly with regard to this legislation?

Ms. Barrett: As far as the legislation is concerned, The Workplace Safety and Health Act will be reviewed. As I have stated, all legislation in the Department of Labour will be reviewed.

There have been several announcements made that I am actually surprised that the critic for the Department of Labour was not aware of. I would have thought that would have been a basic sort of a job description of a critic, to be aware of what is going on at least publicly in the Department for which he is critic.

Nevertheless I will take the opportunity to share with the Member at this time some of the things that are happening in the Department of Labour in this regard. The most recent is the public announcement, which got some decent air time actually and was in the print media, and maybe the Member was too busy reading the *National Post* to read the *Free Press* and the *Sun*, but, at any rate, we are hiring eight new Workplace Safety and Health officers.

The process is well underway. There have been literally hundreds of applications received. These officers will be hired by the end of the summer. Training will take place where needed. We expect at least one of these new positions will be headquartered in the North. We are working very closely with the First Nations community to ensure that First Nations people have the ability to apply for these positions, because, as we know, the workforce, particularly in the city of Winnipeg, is going to be increasingly aboriginal in nature over the next few years. That is something we are very proud about. That will add a good percentage more capability in the division to do workplace safety and health audits and work with employers and unions.

Another thing that we have done starting in the first of the year is put in place LINK, which is a computer program. Each Workplace Safety and Health officer has a laptop computer and a portable printer. They are then through this program able to access all of the documentation on every workplace that is covered either by the Department or by Workers Compensation. The history of the workplace, the history of individual workers that have been injured, et cetera. So everything that we know about workplaces in Manitoba is now accessible in real time immediately by the officer.

This will enable the officer, when they are going into a workplace, to know exactly where the challenges have been in the past and be able to direct their attention to those areas; to work more effectively and efficiently with management, with the health and safety committees and with the workers; to ensure that health and safety committees, which are, on paper at least, fairly prevalent by the vast majority of workplaces, that are required to have do have health and

safety committees, but some of them are more operational than others. So that is a very important area for the health and safety officers to be looking at working with employers and the workers.

Another area that we are dealing with is that we have identified 47 companies in the province of Manitoba who have unacceptably high lost-time rates, where workers are being injured much more than they should be. Well, there should be no injuries, but these particular companies stand out in a negative way in the sense that they have high lost-time injuries and the injury severity is more than it should be.

The department is focussing on these 47 companies to go do a real audit of their operation from a health and safety perspective with the end result, we hope, of making employers aware of not only the legislation and legislative requirements for a healthy and safe workplace but also the benefits to them of a more productive workforce and probably lower Workers Compensation rates.

So those are some of the initiatives that we are undertaking in the Department's Workplace Safety and Health Division.

Mr. Schuler: The individuals that the Minister mentioned who are going to be hired, where is the money going to come from that they get paid with?

* (17:30)

Ms. Barrett: The Department of Labour and the Workers Compensation Board have, over the years, developed a very close relationship, as I have stated in the past. We have the same objective, which is a healthy, safe workplace, because then the Workers Compensation commission has less call on their resources. They have fewer benefits they have to pay out. Their goal, as is ours, is to have a safe and healthy workplace.

So over the past number of years, the Workplace Safety and Health Division has been supported largely by funds from the Workers Compensation Board. These eight additional staff are part of that complement.

Mr. Schuler: So is it fair to say that these eight individuals are de facto being hired and paid for by the Workers Compensation Board?

Ms. Barrett: Yes. The Workplace Safety and Health Division is funded currently, 95 percent of its funding comes from the Workers Compensation Board, which is a practice, as I have stated, that has been underway certainly in the former government and the former, former government.

The eight Workplace Safety and Health officers are being funded out of the Workers Compensation fund, but they are being hired and will be employees of the Department of Labour, as all of the employees in this division are hired by, responsible to, and employees of the Department of Labour.

Mr. Schuler: So basically, then, it is private industry money that is being used to pay for these individuals basically to police themselves and see to it that the various workplaces are safe, because this is not government money. It is actually private industry money, correct?

Ms. Barrett: Decades ago when the workers compensation concept came into being, I believe it was in 1916 in Ontario, the concept first saw light in Canada of a scheme whereby employers would pay into a fund based on an assessment formula that would be paid out to injured workers. Workers, on the other hand, would then give up the right to sue for damages as a result of injuries that were proven to be caused by a workplace accident or health issue.

So this concept is one that has worked very well throughout North America. It certainly has worked well in the Canadian context. It has had glitches over the years, and there have been challenges around how do you set the assessment levels, what goes into an assessment level, what are the benefits paid out to workers, what should be covered as a compensable injury or compensable health issue. Those are issues that we deal with on an annual basis or even a daily basis that reflect the changing workforce and the changing challenges faced by workers and the changing abilities of employers to pay.

So this is a scheme that has been accepted by employers and employees as a very workable scheme. As well, the work of the health and safety officers whose job it is to go and ensure that workplaces are safe, that employers are providing a safe workplace and that employees are doing what they can to ensure that their job is safe has been accepted as a very workable solution.

By and large, employers, while they may argue their assessment level or that sort of thing—and they do with regularity and Workers Comp is actually having a rate review process underway right now—accept that it is in their best interests to have a safe and healthy workplace and that it is incumbent upon the regulatory body, which is the Department of Labour, to ensure that employers and employees follow the regulations, follow the rules, learn what is acceptable and what is not and that those employers who do not choose to do that should pay an additional premium because they choose not to provide a healthy and safe workplace.

Mr. Schuler: Yes, certainly I agree with the Minister that it is in everybody's best interest to have a workplace that is safe and healthy. What is not in the best interest of this province nor of private industry nor of workers is that we have a bankrupt Workers Compensation Board, which, frankly, when this minister's party left government last time, was basically what happened. The reason why we have the reduction of rates in the Workers Compensation Board is because we finally had solid management.

I speak from experience where I used to pay well over \$1,000 for Workers Compensation rates, and currently it is around \$220 a year and still going down, and that is to the good management of the last 11 years. I think people are very concerned because one thing that the Minister's government is known for is its largesse when it comes to other people's money. That is definitely a concern. Certainly to have a safe workplace in theory should bring down everybody's rates. Bringing eight more inspectors on in theory should bring down everybody's rates. That is what it should do. In fact, over the last 11 years you have had a very strong and growing economy. I would suggest

that probably now is a good time to bring eight more individuals on.

It concerns me to a degree that it is going to be the Minister and her department—I do not know who will be doing it—that will be hiring. I would probably feel more comfortable if it were the Workers Compensation Board who would have a strong say in this, because I think they have done remarkable work over the last 11 years. I shudder, I absolutely shudder to think in the next three years what the Government is going to do to the Workers Compensation Board, running it into debt and then foisting all of that on the backs of small business. Certainly that is what they did the last time they were in office.

With a great degree of concern, again, a bankrupt Workers Compensation Board will certainly not, not be in the best interest of business, nor is it in the best interest of the men and women who rely on it should they become injured. I would suggest to the Minister that—I am sure she has a lot of pressures on her, not just from within her caucus, from her government and from outside to just run this one up and force business to pay for it, but it is very, very, very hard on small business, in particular, I would say, small retail operations who I would say in the last round before we had a change of government, when the Conservatives came in, small business was bearing the brunt of it, frankly.

* (17:40)

I am glad to see that the shift is starting to go. The Minister mentions 47 companies with high injuries. I take it she has identified them. I look around a shopping mall. Why should a card shop at Polo Park have paid hefty rates to subsidize these companies? Again, in theory, by having more inspectors, by identifying the abusers of the program, in theory the rates should still keep coming down, because there is no reason for a card shop in Polo Park to pay even \$200 a year, because they will simply not need that kind of service. Should they start having injuries, that is when they should start paying it.

I would like to ask the Minister, the 47 companies that she has identified, have they already been notified that they are on watch?

Ms. Barrett: Yes.

Mr. Schuler: Could the Minister table those companies to this committee?

Ms. Barrett: The Workplace Safety and Health Division has never made public the names of companies that are being investigated or are being audited. Nothing that is actually happening with these 47 companies is something that has not happened with regularity in the past. There is no additional program that is being undertaken, to my understanding. Companies have been audited in the past. Companies have had work orders issued in the past. It is part of what the Workplace Safety and Health officers do.

The companies themselves, I think, would be very unhappy if their names were made public. An audit does not mean necessarily, it does not presuppose or predetermine rather what the outcome will be, whether it will be work orders issued or just talking with the employer and saying you need to do this, this, and this, and then they do that and they are in compliance, their rates go down.

We are trying to work with companies. We are trying to be as nonadversarial as possible. We are trying to have the legislation come into effect, or the fines or that type of thing come into effect, only as a last-term measure. We are trying to prevent accidents and injuries and health issues from arising.

So we are working closely with these 47 firms, half of whom have already been audited and half of whom have been notified of an upcoming audit. So I think it would be very inappropriate to raise the names of the firms at this point. If a firm ever gets into a situation where they are taken to court or something like that, that is perfectly legitimate, that is a matter of public record. But to list the names of firms that we hope to work with rather than work against at this point would be counterproductive, to say the least.

Mr. Schuler: Can the Minister explain briefly how the rate review process works. Just on that one, while she is discussing that with her department, are you planning on continuing the process of no claims brings your rates down, and those that have higher claims, their rates keep going up? Is that done by committee, is that done by the Workers Compensation Board, is that by recommendation. How is that done?

Ms. Barrett: This is a rate review process undertaken by the Workers Compensation Board, which is not part of the Department of Labour. So those detailed questions would have to wait until we get the report of the Workers Compensation Board.

Mr. Schuler: The Minister is right. I am also not the critic for the Workers Compensation Board. We would give you notice ahead of time for that.

Ms. Barrett: The Workers Compensation Board makes an annual report to a committee of the Legislature, which is called by the Government. As the Manitoba Public Insurance Corporation makes an annual report, it is not part of the Estimates process at all. It is at the call of the Government.

Mr. Schuler: Once again the Minister is right, Madam Chair. I would like to move on to Occupational Health Branch. Could the Minister provide this committee with some information on the hearing conservation and noise control regulation?

Ms. Barrett: Firms that have been identified through surveys and historical information that have high-noise areas in their firm are surveyed regularly and are encouraged by the Health and Safety Division and the Occupational Health Branch to have their employees that are working in these high-decibel areas to undergo an annual audiometric exam. If the noise is above 85 decibels, their requirement is that they put in place noise abatement procedures. The preferred procedure would be, of course, the engineering route, where you reduce the noise level of the machinery or of the activity that is taking place. If that is not possible, or you need a secondary element, you would do ear control—I would say earmuffs, but that is not a technical term—ear protectors of some sort so that the levels would

go down below 85 decibels. The regulation would kick in if they were not in compliance with that noise abatement program.

Mr. Schuler: Could the Minister provide some details about the Canadian agriculture injury surveillance project?

Ms. Barrett: Dr. Redekop of the branch is working with his counterparts across the country to track the incidence of injury in health-related occurrences in the agriculture sector. They do this through data that would be coming through the hospital authorities. So, if someone from an agricultural sector were to go to a hospital and present with an injury that was a result of the work in agriculture, then that would be part of the data that would be collected. It is basically to try and do sort of a survey of what is actually out there, so it is not anecdotal or scattered, but that we get a broader, more in-depth, accurate picture of what is actually happening in the agricultural community. We have some ideas about what is going on, but we are trying to identify more specifically the nature of the injuries, the nature of the hazards, the severity, and the incidence rates.

Mr. Schuler: Where is the data that is collected available? Is it published?

* (17:50)

Ms. Barrett: Yes, we will have to take that question as notice and get back to the Member on that.

Mr. Schuler: I guess my concern to the Minister is that has been an answer that we have accepted for some two and a half weeks. When would we be able to see an answer to that? *[interjection]* Fine. We will leave it up to the Minister then to come back with it. Should that not happen, we will send a letter to the Minister requesting that be done.

Under Expected Results, could the Minister tell us what WHMIS stands for?

Ms. Barrett: Workplace Hazardous Material Information System.

Mr. Schuler: Could the Minister repeat that one more time, a little slower?

Ms. Barrett: Workplace Hazardous Material Information System.

Madam Chairperson: Order, please. A recorded vote has been requested in another section of the Committee of Supply. As the hour is now 5:52 p.m., is it the will of the Committee to rise for the day before members proceed to the Chamber for a formal vote? *[Agreed]*

Committee rise.

AGRICULTURE AND FOOD

* (14:30)

Mr. Chairperson (Conrad Santos): Will the Committee of Supply come to order, please. This section of the Committee of Supply has been dealing with Estimates of the Department of Agriculture and Food. Would the Minister's staff please enter the Chamber.

Mr. Jack Penner (Emerson): I am wondering, while staff is coming into the Chamber, whether I might ask leave for granting permission for our North Dakota State legislators, some of them, to come join us and sit in the loge and watch the proceedings from the loge. Would we be amenable to that?

Mr. Chairperson: What is the pleasure of the committee?

Hon. Rosann Wowchuk (Minister of Agriculture and Food): Mr. Chairman, I believe that these legislators are here to job-shadow us and review how our Legislature works. I would have no objection to having them join us in the loge.

Mr. Chairperson: The guests from the Legislature from our neighbouring state North Dakota are invited if they wish to come. Thank you.

We are on page 27 of the Estimates book.

Resolution 3.4. Agricultural Development and Marketing (b) Animal Industry (1) Salaries and Employee Benefits \$1,763,100.

Mr. Jack Penner: Mr. Chairman, before we proceed, I would like to introduce Senator Ken Solberg, Representative Eugene Nicholas, and Representative Bill Devlin from the North Dakota State Legislature. I would like to ask you to help me welcome them in our loge today. Welcome.

I believe we were, if I remember correctly, in the discussions on the animal industry. I am wondering whether the Minister could give us an indication as to what her plan is for the coming year and the near future. She indicated the other day what the membership of the Livestock Stewardship Initiative was and what her plan is in regard to the process. There will be the five or six hearings that she has indicated across the province. Has she any interest in expanding those hearings at all, or what are the wishes of the Minister? What is her plan?

Ms. Wowchuk: Mr. Chairman, before beginning I would certainly like to join my colleague in welcoming our visitors to the Legislature. We had the opportunity this morning to discuss several issues that we have in common. I look forward to working with them to resolve these matters in the best interest of producers on both sides of the border.

The Member asks about the Livestock Stewardship Initiative, which we have just announced, and we have announced that there will be six meetings that will be held. There will be the opportunity for people to participate and share their views and thoughts on the industry. As well, people can make submissions to the panel in writing or through the Internet.

Certainly, the panel will have the ability to judge after that is done as to whether or not they require more information or they require more input. But, certainly, they will also have the ability to draw on other people for information that they might need in order that they can write their report and their recommendations to government.

Mr. Jack Penner: So that means that the agenda is fairly well set and that you have no intention of expanding the hearings, as I requested the other day, maybe to Vita and some of the other more intensive livestock areas in the province.

Mr. Chairman, I find when I read the Livestock Stewardship proposal that the Minister has put before us, the negative connotations implied here worry me, because very often when you provide a document for discussion purposes and you apply the degree of negativity that I see and you raise all kinds of issues whether they are relevant to our province or our country or whether they, in fact, are, as she has indicated in her document, right in the middle of the document, relevant to North Carolina or whether they are some of the difficulties that the Netherlands have experienced with livestock production—or whether indeed Denmark should be used even as an example for discussion purposes is questionable. I wonder whether the Minister has given any thought to what the debate will lead to bringing these negative views forward as to other countries.

I find it interesting that she is referring to North Carolina hog production and she says: tended to encroach on established urban residential areas leading to land conflicts. The industry has also raised environmental concerns related, in part, to the state's climate and topography. She states that hog production is concentrated in the eastern part of the state. Many storage structures were built on hillsides to reduce construction costs. She says that consequently when an overflow occurs, a breach forms from the top to the bottom of the structure and storage is completely emptied. The manure then runs downhill into the nearest surplus water course, and the area is also subject to hurricanes which have caused failures for several manure storage facilities near the coast.

Then she says the state lacks the necessary land mass and feed grain production to use all manure as crop fertilizer. Instead, liquid manure is usually stored in treatment lagoons similar to a small-scale version of a municipal sewage treatment plant. In the area's temperate climate, these manure treatment lagoons are able to function all year round reducing nitrogen, organic matter and odours. Manitoba's cold climate prevents the use of this type of treatment system.

Then she goes on to talk about the lessons learned from this. I honestly, Mr. Chairman, fail to associate our topography with North

Carolina's topography, and I fail to associate our climatic conditions with North Carolina's climatic conditions. I fail to see what relevance the Minister is trying to garner from the discussions and the debates that are going to go on, and I wonder whether the Minister could explain, using specifically the North Carolina example in her own document, what purpose she thinks that will serve in drawing and bringing forward the debate that will lead us, as she wants to apparently, to a better resolution than we currently have.

Mr. Chairman, having said that, our former Minister of Agriculture is sitting to my side here, and if we need to refer to him, I will do this, but I would like to ask the Minister whether she is in concurrence with the fact that we probably have some of the toughest environmental legislation in all of Canada prevalent in this province and whether she agrees that in most cases the provisions made under The Environment Act and the new provisions that our government, the Progressive Conservative government, put in place, new laws and new regulations, are in most cases sufficient to deal with the issues?

* (14:40)

Ms. Wowchuk: Well, Mr. Chairman, we went through this whole issue a couple of days ago. If the Member wants to put a negative spin on this document, well, that is his prerogative.

He questions why we would cite North Carolina as an area of an example where there is a hog industry. I am surprised that the Member would even say: Why are you looking at North Carolina? If he will remember, his government, his predecessors, sent a team of people to North Carolina to look at the hog industry, to see what the challenges were they were facing there and what we could learn from that experience. So for us to put it in this book as a framework or beginning of a discussion is no different than what the previous minister did when he was in government looking at the example of North Carolina. North Carolina is an area of high hog production, and we spell it out.

I would never say that we cannot learn anything from them. Sure, their climate is different, their topography is different. We look

at those to cite that there can be hog industries, livestock growth in various climates and on various topographies. But you have to look at whether there is the ability to store manure, whether there is an adequate land base for the spreading of manure, all issues that we are addressing here in Manitoba.

As I say, the Member wants to put a negative spin on this document. I am saying, you know, I am not afraid to look at what has happened in other countries and look at the lessons that we can learn from them.

Certainly when we look at North Carolina there are certain lessons that we can learn. When we look at Denmark there are certain lessons that we can learn. The regulations that we have in place now are based on the experiences of other countries and what they have done as their livestock industry expands. We can learn from those experiences.

So we should not be afraid to look at what others are doing and look at how we can improve upon those situations. We spell it out in this document. His government sent a team of people to look at the situation in North Carolina.

The Member asks why we would—
[interjection]

Report

Mr. Harry Schellenberg (Chairperson of the section of the Committee of Supply meeting in Room 254): In the section of the Committee of Supply sitting in Room 254 to consider the Estimates of Culture, Heritage and Tourism, the following occurred: The Honourable Member for Arthur-Virden (Mr. Maguire) moved a motion that the Committee donate the Minister's Salary to the Manitoba Arts Council. I as Chairperson ruled that the motion was out of order, as funds cannot be moved from one appropriation to another.

Mr. Chairperson, the ruling of the Chair was sustained on a voice vote. Subsequently, two members requested that a formal vote on the matter be taken. Thank you.

Formal Vote

Mr. Chairperson: Call in the Members.

All sections in Chamber for formal vote.

Mr. Chairperson: The bells have rung for 60 minutes. I am therefore asking the Sergeant-at-Arms to turn off the bells, and we shall proceed with the vote.

In the section of the Committee of Supply meeting in Room 254 to consider the Estimates of Culture, Heritage and Tourism, the following occurred: The Honourable Member for Arthur-Virden (Mr. Maguire) moved a motion that the Committee donate the Minister's Salary to the Manitoba Arts Council.

The Chairperson ruled that the motion was out of order, as funds cannot be moved from one appropriation to another. The ruling of the Chair was sustained on a voice vote. Subsequently, two members requested that a formal vote on the matter be taken.

Therefore the question before the Committee is: Shall the ruling of the Chair be sustained?

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 29, Nays 18.

Mr. Chairperson: The ruling of the Chair has been sustained.

The sections of the Committee of Supply will now continue with the consideration of the departmental Estimates.

AGRICULTURE AND FOOD

(Continued)

Mr. Chairperson: Will the Minister's staff please enter the Chamber.

We are on page 27 of the Estimates book, Resolution 3.4, Agricultural Development and Marketing (b) Animal Industry (1) Salaries and Employee Benefits \$1,763,100. Shall this item pass?

Mr. Jack Penner (Emerson): As I had indicated before we were interrupted, I was wondering why the Minister was trying to bring out all the negatives on the whole livestock issue, but in reviewing the document that she has put forward, it becomes more and more evident that virtually all the document is directed toward dealing with is the large livestock producers. More specifically, it appears to me that this whole document is rather slanted towards the production of pork in this province.

You and I both know, Mr. Chairman, that the industry, the pork industry, has become a very significant employer in this province. The jobs that are dependent now in this province—in Brandon, for instance—are a very significant portion of the percentage of the total employment picture in Brandon. Similarly, in this city of Winnipeg, the pork industry employs a very significant number of people. The more important one is that the employment created by the livestock industry in general in this province has expanded very dramatically over the last decade, and I think one has to recognize and realize the importance of what has happened.

I have said this before, about the federal government making a decision to do away with the \$750-million annual subsidization of the transportation system and how that is really changing our whole rural makeup. It is causing some significant increase in population in some of our smaller rural communities, and I give you examples of the town of Altona, for instance. You know, only 10, 15 years ago, it was a small community of some probably some 2400, 2500 people. Today, it is approaching 4000 people. The town of Winkler, a relatively small town twenty years ago—matter of fact, there was a federal study done, Mr. Chairman, that indicated that the town of Winkler, before the year 2000, would virtually disappear. That is what the federal study indicated. And the population would decline to the point where the town would virtually disappear, and the two growth centres might be Altona and Morden. Well, Morden has grown, Winkler has more than tripled in size since that study was done. The town of Altona has doubled in size since that study was done.

* (15:50)

What do we attribute that to? Well, when you look at the employment created by industries that are no longer just grain-related and the growth that has happened in the specialty crops area and the industries that have sprung up, the feed mills that are springing up across this province, especially in the southern parts of the province, all the people employed in that feed-processing sector contribute very substantially to the economy of those smaller rural communities.

The other element that we should not forget is in these livestock enterprises, we talk about the family farm and how relevant the family farm is. Sometimes one needs to sit back and re-evaluate one's interpretation of the family farm, because many of these families that used to operate as private little enterprises maybe on a quarter section of land, some even smaller, that would have a 60- or 70- or maybe sometimes even a 20-sow farrow-to-finish operation have now banded together and formed family corporations and now are expanding, and they, Mr. Chairman, are the ones that are building what some of our opponents are talking about, the pork factories.

I say to you, Mr. Chairman, that we need to seriously, seriously consider very carefully when you do this kind of a document with the negative connotations it brings to the debating table and the discussion table and when you do your public consultations, because what you put out in the discussion paper is really what you are going to get at the end of the day.

Now, if the Minister, Mr. Chairman, would have taken a positive view and a positive approach to the whole general economic base of developing an infrastructure, developing a community-building process and written a very positive document as to what the economic impact is, how environmentally conscious our farmers are in this province and then say I am going to bring all those players into the discussion process and see what kind of positive suggestions we can garner out of this process, instead of identifying—and I want to read this to you, Mr. Chairman—some foreign nation and how they have dealt with their livestock development and what it has done and the

lessons that Manitoba has learned from livestock development in the Netherlands.

Well, Mr. Chairman, I say to you that there are very few similarities between Manitoba's livestock sector and the Netherlands livestock sector. One only needs to go to Holland and look at the huge dams, dikes and canals they have built to drain their waters back into the sea. One need only to go into some of the other Netherlands countries and areas of the Netherlands to see that there are very few similarities between Manitoba and Holland.

I would suggest to the Minister that the only relevance that we might have, in fact, drawn from this analogy is that we hired somebody from Holland to show us how to build dams and dikes around our farmsteads and around our towns and our cities and how to build flood-diversion projects around the city of Winnipeg, and they showed us how to do it. But from a livestock developmental initiative, I think, Mr. Chairman, that our producers could lend some very significant expertise to the people in the Netherlands.

Maybe we should read some of the things that the Minister has put out in her discussion document. She said the density of livestock and poultry is extremely high because of the small land base, and we all agree with that, do we not? We agree that Holland has a small land base, approximately one-quarter of that of Manitoba. Can you imagine that you can virtually put Holland in our two big lakes that we have in the central part of Manitoba? As a result, the livestock produces far more manure than is needed to fertilize the crops. The amount of manure produced in excess to crop required each year is total to the amount of manure produced annually by livestock in Manitoba. Now recognizing that we have much more than five times the amount of agrarian land base to apply fertilizer to, you have to wonder why she would make reference to Holland or the Netherlands. You have to wonder about that.

This situation results in overapplication of manure on crops and in eastern and southern Netherlands, where most of the intensive livestock production occurs. Here is where she

gets to it. The environmental problems are complicated by the overapplication of inorganic fertilizers which are relatively cheap.

*(16:00)

On the one hand she says, look, we are putting too much manure on, and on the other hand, she says, look, we are putting too much commercial fertilizer on. I mean, what are we trying to do? In response to the problem the Netherlands introduced manure-production rights to restrict the production of livestock manure, animal feeds with low mineral content which were promoted, causing phosphate levels in manure to fall by an average of 10 percent. The sale of manure was also promoted to redistribute manure from areas of high-stock densities to areas of lower-stock density. Improving fertilizer recommendations and replacing fertilizer by manure have led to a 30% reduction in fertilizer use, yet she wants to talk on one side of waste management and how to deal.

On the other hand, she promotes and indicates to the people that are going to be reading this that it is actually the commercial fertilizer industry she is going after, and we do not really understand that. She said recommendations will reduce 30 percent of the commercial fertilizer use in this province, in the Netherlands. Quite frankly, I think the Minister needs to have some relevance in what she is drawing conclusions to. Then I would also ask the Minister why there is not a similar reference to all the other livestock industries.

Report

Mr. Harry Schellenberg (Chairperson of the section of the Committee of Supply meeting in Room 254): Mr. Chairperson, in the section of the Committee of Supply meeting in Room 254 to consider the Estimates of Culture, Heritage and Tourism, the following occurred: The Member for Arthur-Virden (Mr. Maguire) moved a motion that the Minister's Salary be contributed to the '99 flood victims in south-western Manitoba. I as Chairperson ruled that the motion was out of order, as it is out of order to transfer funds from one appropriation to another.

The ruling of the Chair was sustained on a voice vote, and, subsequently, two members requested that a formal vote on the matter be taken. Thank you.

Formal Vote

Mr. Chairperson: Call in the members.

All sections in Chamber for formal vote.

Mr. Chairperson: In the section of the Committee of Supply meeting in Room 254 to consider the Estimates of Culture, Heritage and Tourism, the following occurred: The Member for Arthur-Virden (Mr. Maguire) moved a motion that the Minister's Salary be contributed to the 1999 flood victims in southwestern Manitoba.

The Chairperson ruled that the motion was out of order, as it is not in order to transfer funds from one appropriation to another. The ruling of the Chair was sustained on a voice vote, and, subsequently, two members requested that a formal vote on the matter be taken.

Therefore the question before the Committee is: Shall the ruling of the Chair be sustained?

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 28, Nays 20.

Mr. Chairperson: The ruling of the Chair has been sustained.

The sections of the Committee of Supply will now continue with the consideration of the departmental Estimates.

AGRICULTURE AND FOOD (Continued)

* (17:00)

Mr. Chairperson: The Minister's staff may now enter the Chamber.

Point of Order

Mr. Marcel Laurendeau (Opposition House Leader): On a point of order, Mr. Chairperson,

Rule 53(2): "No Member shall read any newspaper in the House." Could you ask members to put away their newspapers?

An Honourable Member: Even during a vote.

Mr. Laurendeau: Even during a vote, Mr. Chairperson.

Mr. Chairperson: All members are reminded not to read newspapers in the Chamber.

* * *

Hon. Rosann Wowchuk (Minister of Agriculture and Food): Mr. Chairman, when we just left the Chamber, the Member was talking about the Livestock Stewardship 2000 document that has been distributed for public discussion, and the Member continues to talk in negative terms about the document. He talks about telling me that I should be putting a more positive spin on the industry, but I have to remind the Member when he talks about opponents, that is a very negative concept. I want to remind the Member also that he talks about waste, and I reminded him about this in our last discussion, that we are not talking about waste, we are talking about a very valuable resource. Manure is a valuable resource, so the Member should not refer to it as waste and put a negative connotation on this industry. I just want to remind him of those few things.

The Member talks about why we would look at other provinces and other countries and what they are doing there, and I remind the Member that none of us are so knowledgeable that we cannot learn anything from someone else. We are talking about the livestock industry, the growth of the livestock industry in our document. We talk about the hog industry, the poultry industry, the dairy industry, the beef industry, but certainly, with one processing plant built in Manitoba and another processing plant in the plans for Manitoba, we anticipate that we will have more hogs in Manitoba.

Certainly, that has been the focus of a lot of discussion by various groups. It has been the subject of *24 Hours*, and there have been national news broadcasts about the expansion of the hog industry, so it is not something that is

new on people's minds. Other countries have expanded and have been having intensive livestock operations, much longer than we have, and when we look at what other countries are doing, we can learn from those. We can learn from North Carolina and when the Member's party was in government there was a delegation of government employees and other people who went to North Carolina to look at what was happening in North Carolina and how we could learn from what they had done and how we could improve the situation.

The livestock industry has been in place for a long time in the Netherlands, and, certainly, their issues are different than ours. They do have a much smaller land base than we do, and they use different methods of using the manure in their operations. We did not talk about Taiwan, but the previous Minister of Agriculture went to Taiwan to see how that hog industry was growing, the challenges they were facing, and I believe there were even some research projects here in Manitoba following that trip to Taiwan, so we should not be afraid to look at other countries and how they are handling the expansion of this industry.

We should look at them to learn from what they are doing, and certainly in this document we outline some of the lessons that had been learned in other countries. I know that the previous government did look at other countries when they were bringing forward the regulations.

We are now looking at those regulations and looking at how perhaps we can improve on them, Mr. Chairman, the regulations that we have that are outlined in this document. I want to say that, when we look at Manitoba's livestock industry, under hogs, it says that under provincial regulations for manure applications about 500 000 acres of land will be needed to accommodate the additional manure created by this level of hog production. That is the hog production that is required for the processing plants that we have here.

Manitoba has about 13.3 million acres of cropland, plus 4 million acres of forage. Therefore, additional land required for livestock production or manure application would equal to

about 4 percent of the crop base. Livestock producers probably supply less than 20 percent of the required nutrients for the annual crop production, with the balance being supplied from commercial fertilizers.

So you see, Mr. Chairman, in this document we are talking about other countries, but we are talking about our country and what is happening in this province. The Member has chosen to focus on about a page and a half, I believe, of a document that talks about other countries and what they are doing. In a whole document, a 40-page document, or 39-page document, he is choosing to focus on what he perceives as negative.

I would encourage the Member to think about this expansion of the livestock industry as a positive opportunity for our producers, a positive opportunity for our province, and rather than try to put a negative connotation on this whole concept, to come forward with some suggestions of what can be done to improve the industry and ensure that the expansion that takes place is sustainable.

I can assure the Member that he should read the document more thoroughly instead of saying that all he sees is negatives in this document, because if you look at the historical overview, the historical overview tells us what has been happening in Manitoba and how our agriculture sector is changing. In fact, Mr. Chairman, in 1900 nearly 80 percent of the provincial population lived on farms, whereas today I think that would somewhere be around 3 percent or 4 percent of the population that is involved in food production in this province, and the whole history of the number of people living in rural Manitoba, why our livestock industry is growing and changing. Certainly, it is something that the Member just talked about as well.

We have had the change to the Crow, which, I say, has had a very huge impact on the producers of Manitoba, and certainly we see it in the grain sector, in particular with low grain prices and the increased transportation costs, which have put a tremendous burden on our grain producers. Those changes have been made, and farmers are trying to make the adjustment because they want to continue producing the

high-quality food that we do produce in this province. They are looking for ways to diversify.

Given our low cost of production, our low grain prices, livestock is one of the opportunities that is ahead of us, and that is why we announced in January that we were going to be making some changes, that we were going to be doing this Livestock Stewardship Initiative, which involves three departments. We are working with municipalities because they have a responsibility in the planning and in the licensing of buildings. We are working with the Department of Conservation, because they also do the regulating of parts of the industry, and with the Department of Agriculture, because, after all, it is within the agriculture industry that the farmers are the ones that are making the investments and making the decisions as to how they want to diversify their production.

* (17:10)

I would encourage the Member to put a little bit more positive spin on his comments as he talks about this industry. In fact, I would encourage him to ask people from his constituency to participate in the discussions, whether it be attending the public meetings or writing a submission and giving it to the Committee, or using modern technology and putting their submission on the Web site.

The Member talks about the new technology that we now have on combines, that we can look at the lay of the land and use computers and the combines to make adjustments to the application of fertilizer and seed. Well, farmers also have computers in their homes, and they have the Web site, and they can use those computers to put in their submission.

Certainly, I have a lot of confidence in the Board that we have put in place with Dr. Ed Tyrchniewicz, Mr. Nick Carter and Mr. John Whitaker. These are all very approachable people and people who have really a lot of hope for development in Manitoba. Within that committee we struck a balance between the academic side of knowledge, with the research side of knowledge, someone from the environmental community and someone from the municipal and farming side. I think that this

group of people will be able to take the information that is given to them and come forward with very good recommendations.

I would encourage the Member as a farmer and someone interested in livestock diversification and the growth of the livestock industry to, as well, prepare a submission and put his thoughts down as to what else we can do to ensure that this industry grows in a very sustainable way.

But, Mr. Chairman, there is a very small section that talks about the experiences in other countries. I do not apologize for putting those experiences in. I do not view them as negative; I see them as positive suggestions and places that we can learn lessons from and build a healthy livestock industry in this province. I would encourage the Member also to try to put a positive spin, rather than being so negative, and talking about—he made some comments about larger operations, that this was focussed on larger operations.

My thoughts are that there is room in Manitoba, with the land base that we have, that we can have large operations, and we can have small operations, but certainly we want to encourage families to be involved and take the opportunities that are ahead of them. There are opportunities in the livestock; there are jobs in the processing; there are opportunities for the grain producers. Mr. Chairman, I also want to say that, although we use the examples of North Carolina and the Netherlands where the main livestock is hogs, I have great hope that in Manitoba we will see a wide variety of livestock, whether it be cattle, sheep, goats, bison, or hogs. We have the land base; we have the people that are willing to invest. We certainly have a high quality workforce and a great work ethic, and I believe we will see that expansion here in Manitoba.

Certainly, I would encourage the Member opposite to co-operate and not send out a signal that there is negativism in this whole process. I believe this can be a very positive process where we have the opportunity to look at how we can improve conditions here in Manitoba, look at Manitoba's regulations and guidelines, and listen to the public. There are issues that have to be

addressed, and we have to be conscious of. We have to be conscious of ground water, of sensitive areas, of nitrates, ground water withdrawal, surface water, phosphates, run-off, all of those things.

We have to be aware that those are issues, and we should not be afraid to address them. Certainly, they have been addressed. There have been a variety of programs that have been on television. There have been newspaper articles, but I believe that the Committee that we have in place can separate the emotion from the science and bring forward some very good recommendations.

Again, I encourage the Member to cooperate with the Committee and put forward his suggestions, so that we indeed can have by the end of this year some recommendations so that we can further enhance the industry in Manitoba.

Mr. Jack Penner: Mr. Chairman, it is interesting to hear the Minister's comments in this regard. I just remind her that when her public consultation process—and there are only going to be six across the province, which is not a very intensive process. When we did the value-added consultation process, I think we had some 28 meetings across the province and really wanted to find out what people thought right across the province.

This Minister is going to do this in six meetings, one of which is going to be held in downtown Winnipeg and one which is going to be held in Brandon. Those people should all have access, too, but let me say this to her: that the livestock industry, in large part, is centred outside of the city of Winnipeg other than some of the processes or the city of Brandon, and to hold four meetings in rural areas is questionable at best.

Then I would ask the Minister whether she intends to, if the recommendations out of these public consultations come forward in a given area, apply the recommendations verbatim, or does she intend to give her own view of it, or is her government going to then say, well, these are meaningless or these are meaningful? How does the Minister intend to proceed with the recom-

mendations that come forward out of this process?

Ms. Wowchuk: The Member talked about the number of meetings in Winnipeg and in Brandon. Brandon is a centre. I know that rural people will come to the meetings. When Rural Forum, when Ag Days is held in Brandon, people come from all over the province to partake in this because they have an interest in it. I think that Brandon is a centre, and people will come to Brandon to participate in these meetings, as they will in Winnipeg. The Committee will then judge whether they have gathered enough information or whether they need more information. But I have confidence in the Committee that they can do that.

After the Committee does their meetings and reviews the presentations and gathers the information that they require, they will be making a report to government. As with all reports to government, we will review the report and then make a decision on how to deal with it.

Mr. Jack Penner: I wish the Minister would have answered the question. The question was: If there is unanimous view on a given recommendation, is she going to apply it?

Ms. Wowchuk: I think I was very clear to the Member. The Committee will be making a report to government. As with all reports, government then looks at those reports and then makes a decision on how to deal with it, as with other reports that were made to his government when they were in power, and they called on people to make reports for them. Those reports are then taken by government, reviewed, and a decision is made on what to do with the report.

* (17:20)

Mr. Jack Penner: Mr. Chairman, there is a question in this document on page 29, and it says: What do you think, should winter application of manure be completely banned?

If the answer comes back a unanimous yes, will the Minister ban it?

Ms. Wowchuk: Mr. Chairman, we have put a committee in place that will go out and hold

public meetings, take submissions from the public, whether it be in writing, whether it be on the Web site, but the Committee will also be in discussion. This document is set out to set a framework and stimulate some discussion, give people the opportunity to share their views.

The Committee will gather this information and they will write a report for government. When we get that report, we will review it just as government always reviews reports that are given to them by committees that they ask to do a task for them.

Mr. Jack Penner: My question again to the Minister is if the answer comes back a unanimous yes, are you going to implement it?

Ms. Wowchuk: Mr. Chairman, the Member is asking a hypothetical question. We will have a process here where people will present their views, and they are going to present a broad range of views. The Committee will be listening to many views that are based on emotion, but they will also be listening to views based on scientific fact.

I trust that they will write us a very good report, and we will take that report and review it, just as with any other report that is given to government. We have to wait and see what is in the report, and then we will make decisions based on that. I think the Member should look at what the manure application is now in the winter months, and the Committee will look at that, and they will make some recommendations. We will review them.

Mr. Jack Penner: My question is again to the Minister, through you, Mr. Chairman, as on page 28, she asks the question: Should the current regulatory trigger number 400 animal units—and I think you should have used the words "livestock units," because I am not sure whether you are excluding poultry here or not. I would suspect that poultry is also subjected to animal units of application of manure. Poultry is not animals; it is part of livestock. But that is a technicality. That is why I referred to livestock units, Mr. Chairman.

But I ask the question, if the answer comes back as a unanimous yes, are you going to change the number?

Ms. Wowchuk: The Member asks about poultry. Animal units is the unit that is measured for poultry and for cows or pigs, for livestock. It is actually a manure management, and so it is used as well.

Again, the Member wants to get a specific answer, and I tell the Member that these are questions that are put forward to ask the public what they think about these kinds of issues. We have a committee that is going to be writing us a report, and I have a lot of faith in that committee, that they can take the information put forward by the public and by the scientific community, and they will bring forward recommendations.

As with any other report, Mr. Chairman, when a report is made to government, government accepts that report, looks at it, and then makes a decision on what should be done with it.

Mr. Jack Penner: Mr. Chairman, on page 27, the third question on the side is: Are we using right planning and zoning tools to deal with the large livestock operations? If not—the negative again being implied—how should they be modified?

I find this kind of negative tone throughout this document. I think the Minister really is putting forward an agenda, I think, that she wants to put forward. I think, Mr. Chairman, this is a very cleverly designed document that will provide a negative response to the livestock industry in this province. I think that is unfortunate. It is very unfortunate because I believe that the farmers have done their utmost to demonstrate good stewardship of the environment. This document leaves in question whether they, in fact, have or have not. I believe that farmers, No. 1, recognize that if their drinking water on their farm is polluted, they are the first to suffer. I believe that if the farmers also recognize that if their soil is contaminated, they are the first to suffer because they are the front-line operators.

I find it unfortunate that this kind of negative tone is applied to a document that is going to be put out to the public to try and derive a response from the public that will deal with the livelihood of many, many people—many, many people employed by the industry. Many, many people have put their whole investment, their whole family's investment, on the table to produce food. This document that the Minister has put forward leaves connotations of negativity throughout it. I think that is unfortunate because the food producers of this province are some of the best in the world. They are some of the most caring in the world, and they are some of the best environmentalists in the world. To leave this constant questioning as to whether they have or have not is unfair to them.

I say to the Minister that there needed to have been some careful review before a document like this goes out and before it is put on a Web site, because people will pick little parts of this document out of the Web site and do exactly what some of the people have done at public hearings before and quote little bits and pieces of it. That is the unfortunate part about it. I say to the Minister that she might have had the best intentions at heart, but, quite frankly, this document, in my view, is not the right kind of document that should have been put out, if we want to put a positive light on and encourage farmers to be, and continue to be, the environmental stewards of our land and our water.

I truly think, having lived with them forever, to leave the impression that the farmers have done otherwise is unfortunate. Maybe the Minister did not even intend that when she had this document prepared, but it comes out that way. That is the unfortunate part about it. When I read: What do you think? Do you feel that farming and intensive livestock production should be the priority land use in designated areas? Then it says why or why not. How important is protection of farming in your municipality? In most municipalities, it is very important, is it not?

An Honourable Member: And that is what they will say.

* (17:30)

Mr. Jack Penner: But she leaves the question: Is it or is it not? I mean, there is no question out there. There is no question. In many municipalities it is the industry, so why even ask the question? Some people think further residential subdivisions and developments should be restricted in farming areas. How do you feel about that?

When I talk to our American counterparts, they have some very strict legislation in place in the state of North Dakota that speaks clearly as to how residential development can take place in the agrarian area, speaks very loudly to that. Maybe the one thing that we have not done in this province is be vigilant enough not to allow significant rural development. Yet my own personal belief is that I believe that the urban area and the rural area must live together. They must live together, especially in a smaller community in order to support themselves financially, economically, socially. They all depend on each other. I find it very interesting that throughout this document there are the negative connotations, and that is all I say to the Member.

I think she will find that the centrefold in her document will be read back to her a number of times before this is over. The references to the negative side of the livestock development in the world being formatted in her centrefold is unfortunate. I honestly think that she should have rethought that.

Mr. Chairman, I have a number of other questions that I would like to ask the Minister unless she wants to respond to the last comments that I made.

Ms. Wowchuk: I guess I have to tell the Member that I am disappointed that he has such a negative attitude towards a livestock industry when we have such a tremendous opportunity here in Manitoba. We have an opportunity. Our land values are lower than some places. Our grain prices are lower. We have a lot of space in Manitoba. We have the opportunity for that industry to grow. We have processes, one processor already established, another one looking at Manitoba. We have an opportunity.

But the Member chooses to put such a negative spin when he should be working with us to ensure that people have confidence in the industry. Certainly, he talks about writing this document has a set agenda, and I am not quite sure what he is implying in that set agenda. I do not think that the public is that naïve that they will look at this document and say they do not want the livestock industry here. I give Manitobans, the farming community and the public in Manitoba much more credit than the Member is prepared to give them. To think that those people are going to be influenced by this document, and it is going to turn everything negative against the industry, does not give much credit to the people of Manitoba to make up their own minds. So I am disappointed in the Member in that aspect as well.

The Member is saying we should not be asking questions. Is he saying that we can never ask questions about what we are doing and we should never try to improve ourselves? I say to the Member, we should never be afraid to ask the question. We should not be afraid to ask and have a good discussion. We should not be afraid to ask how can we ensure that opportunities continue to exist for all sides of farms throughout Manitoba. How can we ensure that quality environmental controls are in place for all types of operations? We should not be afraid to ask about what other social costs and benefits of the livestock industry should be examined. How can technology or innovation in design and development of livestock operations be used to minimize quality of life and nuisance complaints?

The Member talks about his concern and wants to ensure that there are people living in rural Manitoba. Well, that is what the municipalities are concerned about too. They are trying to find that balance as to what land should be agricultural land and what land should be residential land. Those discussions, Mr. Chairman, are going on amongst municipalities all the time.

How do municipalities adjust to make sure that they have this opportunity for economic development but, at the same time, have an environment where people want to live? Many people want to live in rural Manitoba. So I do not think we should be afraid to ask people what

they think. Should land use, planning and zoning, and agricultural use areas be more uniform across the province? If so, how do we ensure that local community values and objectives are adequately reflected in uniform development policies and standards?

Another question: Are we using the right planning and zoning tools to deal with large livestock operations? If not, how should they be modified? How can we ensure that the local review process for livestock development proposals is transparent and accountable to the public?

Mr. Chairman, those are the things that municipal officials are talking about now. Those are the things that people in rural Manitoba are talking about now. We are not planting new seeds in their minds about what they should be thinking about. People are thinking about these now. They have been talking about them for a long time, Mr. Chairman, and you know, I do not think we should ever think we are perfect or the regulations that we have are perfect. We should always be prepared and we should be always striving to improve. We should not be afraid to ask a question.

I would encourage the Member again to rethink his comments when he goes out and talks about this document, to try to talk a little bit more positively about what is happening here in Manitoba. People in Manitoba want those opportunities, are looking for opportunities. I would encourage the Member to try to think a little bit more positively. As I read through this document, I think it is quite positive. We expect that the livestock industry is going to grow. One of the objectives, it says, this document is the starting point for public discussion. It summarizes Manitoba's foremost concern surrounding the livestock industry expansion, specifically environmental protection, land use planning, quality of life, and the vibrancy of the rural economy. It also discusses trends influencing the industry, the regulatory environment, and experiences of other livestock producing areas.

The objective is to raise awareness, stimulate thought, and focus the public discussion. It is meant to focus the public

discussion and think about those things. We must consider the issues from all perspectives, economic, environmental, and social.

Those are the issues that will be discussed, Mr. Chairman. I certainly welcome the member's participation and I welcome his suggestions about the need for additional meetings. I will certainly take those suggestions seriously.

Mr. Jack Penner: Again, the Minister dwells on the negative side. That is her business. I mean, if that is her personality, she will have to deal with that.

I want to ask the Minister what encouraged her and her government to remove the bison industry from the Department of Agriculture and move it into the Department of Conservation, as proposed in Bill 5?

Ms. Wowchuk: The bison industry has not been moved out from Agriculture. It is a very important part of the agricultural economy. There is a growth in the bison industry. People are looking to add value to that industry and look at processing here in Manitoba. The bison industry has not been moved out from under Agriculture.

The Member is referring to Bill 5, and that deals with penned hunts, but the bison industry is under Agriculture under The Livestock Industry Diversification Act.

Mr. Jack Penner: The Minister should read her government's own bill then, Bill 5, as Bill 5 removes the bison from the Department of Agriculture through the classification as wildlife under Bill 5. I ask the Minister why she would not have spoken against that in her own caucus when they were drafting Bill 5.

Ms. Wowchuk: Mr. Chairman, the bison industry is under the Department of Agriculture and remains under the Department of Agriculture. Bill 5 deals with penned hunt, and Bill 5 restricts the shooting of any animals that are domesticated, and bison is one of those species.

Mr. Jack Penner: I would ask then, Mr. Chairman, whether the Minister deems the

classification of wildlife under Bill 5 and the naming of bison under that act as an attempt to ensure that bison will be known as wildlife.

* (17:40)

Ms. Wowchuk: Mr. Chairman, Bill 5 deals with the penned hunt issue. The Member is well aware that this was an issue in the last session, and for some time now, that we raised with the previous government, to ask them to ensure that penned hunting would not be an acceptable policy here in Manitoba.

They did not move on that, Mr. Chairman, but during the election the Conservatives said that they would bring in legislation that would ban penned hunting in Manitoba. We have brought in that legislation because it is not a practice that is acceptable to the public, to have an animal in a confined area, no matter what size, and to have someone then be able to shoot that animal with tranquilizers or with a real gun is unacceptable.

I tell the Member that bison is still under the purview of Agriculture and Food and will continue to be under that purview.

Mr. Jack Penner: Mr. Chairman, do you think the Minister recognizes that this Bill 5 is an amendment to The Wildlife Act?

Ms. Wowchuk: Bill 5 deals with penned hunting. It is a practice that we do not feel is acceptable in Manitoba. We made a commitment that we would end that practice, as did his party during the last campaign, even though they did not do anything about it while they were in government.

In fact, some penned-hunt facilities have been set up in this province under their administration, and Bill 5 is set out to end that practice.

Mr. Jack Penner: Maybe then more directly, I would like to ask the Minister, does she agree that Bill 5 is an amendment to The Wildlife Act?

Ms. Wowchuk: Mr. Chairman, Bill 5 has been introduced into this House to end the practice of penned hunting in this province. It is not a

practice that the public tolerates. It is one that we raised many times in the Legislature, and the previous government said there was no penned hunting in Manitoba, but, in fact, there are species that were being pen hunted.

We made that commitment that we would end the practice here in Manitoba, and we have brought in that legislation.

Mr. Jack Penner: Mr. Chairman, maybe you could ask the Minister, then, whether she agrees or disagrees that Bill 5 is an amendment to The Wildlife Act.

Mr. Chairperson: The Opposition critic cannot induce the Chair to depart from neutrality.

Mr. Jack Penner: I am sorry, Mr. Chair. Could you repeat that?

Mr. Chairperson: The Opposition critic cannot, by any means, induce the Chair to depart from neutrality.

Mr. Jack Penner: Mr. Chairman, I just asked you whether you would ask, as Chairman, a question for me.

Mr. Chairperson: If I were the Opposition critic, I would, but I am the Chair.

Mr. Jack Penner: Would the Chair, then, mind if I ask directly the question to the Minister whether she realizes or whether she does not realize, whether she is naive enough to think that Bill 5 is an amendment to The Wildlife Act? It is a very simple question. Is it or is it not an amendment to The Wildlife Act?

Ms. Wowchuk: I am sure the Member can read, Mr. Chairman. I do not know why he has to ask that question. If he can read, and I know he can, he can read the title of the Act. It is Bill 5, and it is called The Wildlife Amendment Act, and it was presented to the Legislature late in 1999 by the Minister of Conservation. The Bill is enabling legislation that will allow the Department of Conservation to develop regulations to ban penned hunting in Manitoba.

As you know, Mr. Chairman, if you recall, there has been a lot of discussion around this issue. There has been discussion during

Estimates for the last couple of years in the department of conservation, asking the previous government if they were going to allow penned hunting. In fact, that was one of the major issues when the previous government agreed to allow for the capture of elk for domestication in Manitoba. One of the major issues was amongst the producers, of people of Manitoba, was: Are you now going to catch these wild animals and allow for penned hunting? For Manitobans, that is not something that they accept. In fact, I think there were a couple of incidents in Manitoba in the last year where a couple of people were charged for allowing for penned hunts on their property.

So, Mr. Chairman, that is why we brought in the legislation because it was a big concern for the public, and we asked about this issue. I remember, my colleague the Member for Dauphin-Roblin (Mr. Struthers) is one of the people who talked to the minister of conservation many, many times, about this matter, asking, in fact, whether or not there was going to be penned hunting in Manitoba. The minister said, no, it was not a part of it, but, in fact, there are cases of penned hunting. We made a commitment that we do not support this practice. The previous government during the election campaign also said that they were not going to allow penned hunting; and, had they formed government, they would have had to bring in amendments to ensure that they could fulfil their election promises. We have made a commitment, and we have brought forward legislation.

That bill has been sitting on the Order Paper for some time now, and I would encourage the Member to speak on that bill when it comes forward, allow it to go to committee, and let us have the public presentations on the particular issue and get the views of the public. I know, from the correspondence and the letters that I have had, that the public does not approve of the concept of putting animals into a pen, and particularly an old elk, once it has got too old to serve any other purpose, than to set it up in the pen so somebody can have a trophy hunt out of it.

I think that if people want to hunt, they want a real hunt, and they want to go out in the bush

and track an animal, and maybe wait in the tree stand, and wait for an animal to come, or any of those other options. The joy of hunting, Mr. Chairman, for many people, is getting out. This legislation will ban that practice of penned hunts in Manitoba.

Report

Mr. Harry Schellenberg (Chairperson of the section of the Committee of Supply meeting in Room 254): Mr. Chairperson, in the section of the Committee of Supply meeting in Room 254 to consider the Estimates of Culture, Heritage and Tourism, the following occurred: The Member for Arthur-Virden (Mr. Maguire) rose on a point of order and moved a motion. I as Chairperson ruled that a point of order cannot be used in order to move a motion. A member must be in possession of the floor.

Mr. Chairperson, the ruling of the Chair was sustained on a voice vote, and, subsequently, two members requested that a formal vote on the matter be taken. Thank you.

* (17:50)

Formal Vote

Mr. Chairperson: Call in the members.

All sections in Chamber for formal vote.

Mr. Chairperson: In the section of the Committee of Supply meeting in Room 254 to consider the Estimates of Cultural, Heritage and Tourism, the following occurred: The Member for Arthur-Virden (Mr. Maguire) rose on a point of order and moved a motion.

The Chairperson ruled that a point of order cannot be used in order to move a motion. A member must be in possession of the floor. The ruling of the Chair was sustained on a voice vote, and, subsequently, two members requested that a formal vote on the matter be taken.

Therefore the question before the Committee is: Shall the ruling of the Chair be sustained?

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 28, Nays 16.

Mr. Chairperson: The ruling of the Chair has been sustained. The hour being after 6 p.m., the Committee rise.

Call in the Speaker.

* (18:50)

IN SESSION

Mr. Deputy Speaker (Conrad Santos): The hour being after 6 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Tuesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 19, 2000

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First Nations Casinos Mitchelson; Doer	2797	Committee of Supply (Concurrent Sections)	
Reimer; Lemieux	2798		
Jack Penner; Lemieux; Doer	2799	Culture, Heritage and Tourism	2807
Praznik; Lemieux	2800		
International Joint Commission		Labour	2814
Gerrard; Doer	2801		
Pitura; Doer	2802	Agriculture and Food	2827