

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, 9 July, 1987.

Time — 1:30 p.m.

OPENING PRAYER by Madam Speaker.

MADAM SPEAKER, Hon. M. Phillips: Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MADAM SPEAKER: The Honourable Minister of Natural Resources.

HON. L. HARAPIAK: Madam Speaker, I have a brief statement. I have copies for distribution.

Madam Speaker, I would like to make a short ministerial statement today regarding the announcement of the HELP program. HELP is an acronym for the Habitat Enhancement Land-use Program, which was signed earlier today by representatives of Wildlife Habitat Canada, Ducks Unlimited Canada and the Province of Manitoba. To mark this occasion in the Legislative Chamber, a cap with the "HELP" logo was provided to each MLA prior to this afternoon's sitting.

This program is one of the most progressive habitat and soil conservation initiatives in North America. HELP will provide incentives for farmers to set aside land for wildlife and soil conservation. This holistic eight-year program will commence this year in the Rural Municipality of Shoal Lake. Under this program, equipment and expertise will be provided to those wishing to undertake farming conservation measures such as rotational grazing and zero tillage.

The bulk of this program's funding will come from private sources. This \$3 million undertaking over eight years will help to address the decline in waterfowl and other wildlife populations resulting from intensive farming of wetlands, native prairie and woodlands in Western Manitoba. Wildlife Habitat Canada is contributing 50 percent of the funding, Ducks Unlimited, 25 percent, and Manitoba is providing 25 percent of the funding.

HELP is an outstanding example of interagency cooperation. I am sure that it will set the stage for a province-wide integrated approach to soil, water and wildlife management into the next century.

The Government of Manitoba is pleased to be involved in this innovative undertaking. I am sure that all members of the House will join me in wishing this program every success.

MADAM SPEAKER: The Honourable Member for Virden.

MR. G. FINDLAY: Thank you, Madam Speaker.

It's indeed a pleasure for me to rise and commend the Minister for making this statement, and thank him

for allowing me to be part of the signing procedure this morning, Madam Speaker. I'd also like to thank the critic, the Member for Emerson, for allowing me the opportunity to respond to this announcement which affects my home municipality.

Madam Speaker, as an MLA, as a farmer, as a resident of the R.M., and as a wildlife enthusiast, I'm very, very pleased that this program is being initiated in Manitoba, in my R.M., and is going to be an opportunity to allow for further co-existence of wildlife and farming practices. We're very pleased that the way it's designed. It's certainly going to help to promote conservation farming, which I'm sure the Minister of Agriculture will support also.

And, Madam Speaker, I can assure you, from the standpoint of living in the R.M., that there will be strong support for the program and for the way the program is being set up, both from the R.M. council and from the farmers of the community, because they all see it as a good method to further the attempt that is now under way to improve conservation farming.

I guess the unfortunate part of this announcement is that it did not occur 20 years ago, Madam Speaker, because even in good times and certainly in bad times, farmers, for economic reasons, have had to put into production lands that were very marginal, that were good wildlife habitat, and some of that cannot be reversed. This program is certainly intended to help to prevent further loss of wildlife habitat.

Madam Speaker, I'm glad the Minister identified that the majority of the funds for this are going to come from private sources and that 50 percent of the funding does come from Wildlife Habitat Canada, 25 percent from the province and 25 percent from Ducks Unlimited.

Madam Speaker, all residents of Manitoba and Canada will benefit from this program as it expands, and I know that other R.M.'s and farmers are going to be asking the Minister to get on with the expansion of the program to their areas because it not only helps wildlife, it helps farming and it helps the economy of the area.

Madam Speaker, I said this morning and I'll say it again, I express thanks to the Minister and I will invite him to my farm as a kickoff for the program in the local R.M.

Thank you.

MADAM SPEAKER: The Honourable Minister of Co-op Development.

HON. J. COWAN: Yes, Madam Speaker, I have a ministerial statement to make.

Madam Speaker, five years ago, the Manitoba Government and the credit union and caisse populaire movements entered into a five-year agreement that called for financial assistance for the credit unions and caisses populaires, and certain other actions designed to improve upon the overall health of the two systems.

Since that time, we have seen excellent growth within both systems, and significant strengthening of the credit

union and caisse populaire movements to the point where direct financial assistance is no longer required.

In December of 1982, there was a deficit of nearly \$14 million in the credit union system. There is now a surplus of more than \$14.6 million. Credit union membership now exceeds 302,000 and deposits have increased to over \$2 billion.

Growth among the caisses populaires has been equally strong. Whereas the overall movement experienced a deficit of just over \$3 million as of December 1982, there are now reserves of over \$1.3 million. Membership has grown to over 31,000 and total assets exceed \$200 million.

These gains were not accomplished without hard work on the part of the leadership and employees of the movements, a strong and committed membership, and a government committed to working with the movement. That work has been successful.

New legislation, necessary mergers, performance improvement programs, the government examination program, new stabilization funds, and the will to build stronger credit unions and caisses populaires have resulted in the progress we see today. But there is still more work that needs to be done to build upon those efforts.

Today, I am announcing a new agreement between the government and the credit union and caisse populaire movement which continues that cooperative working relationship we first struck in 1982. It is significantly different than the 1982 loan agreement in that there is no direct government assistance as was the case then, but it does provide for transitional assistance as the movements expand their self-help efforts.

These new agreements call for:

- The province to guarantee a 10-year loan to the Credit Union Stabilization Fund which, in turn, will borrow up to \$25 million from within the credit union movement to help improve the reserve position within the credit union movement.
- The province will provide a 10-year loan of \$3.4 million to Le Fonds de Sécurité with all principal and interest to be repaid over the 10-year period.
- The Credit Union Stabilization Fund will impose a special levy of one-eighth of 1 percent of deposits and outstanding borrowings of all credit unions. Le Fonds de Sécurité will continue with a similar special levy which was introduced in the caisse populaire movement in 1983. These levies, in addition to the one-quarter of 1 percent currently being assessed, will be used by the Fund for operating costs, retirement of loans, and continuation of deposit insurance activities.
- The government examination program, which was introduced in 1982 to provide operational reviews of credit unions and caisses populaires, will continue. Over an agreed-to phase-in period, both movements will absorb the full cost of the examination program which is currently funded 100 percent by the Provincial Government.

When the 1982 agreement was announced in this Chamber five years ago, all members joined in a

commitment to work together to strengthen credit unions and caisses populaires throughout Manitoba. At that time, the Deputy Premier expressed confidence that that agreement would "enable the systems to stabilize and expand their services to members and assure members that quality competitive services will be available from their locally-controlled, locally-owned organizations." The Opposition critic of the day echoed those sentiments when he indicated that his party was "committed to the long-term viability of the movements" and would support that which would "strengthen the system of the membership to allow them to run their own credit unions in this province."

I believe, over the past five years, we have gone a very long way towards those mutual goals. This new agreement should take us the rest of the way.

MADAM SPEAKER: The Honourable Member for La Verendrye.

MR. H. PANKRATZ: Thank you, Madam Speaker.

In response to that statement, Madam Speaker, we on this side of the House do welcome the Minister's announcement today. It is encouraging to see that credit unions and caisses populaires have been able to increase their assets and their overall reserves to a position whereby all they need basically is a provincial loan guarantee, with the exception of \$3.4 million to the caisses populaires.

I also welcome the idea that the credit union society will be able to appoint two members to the Stabilization Board. I do believe there should be a limit as to how much each individual credit union or caisse populaire has to contribute towards the Fund. I believe there is still more important work that will have to be done in the future but, hopefully, as they get more control over their own destiny, this can be achieved.

Thank you very much.

MADAM SPEAKER: Notices of Motion . . . Introduction of Bills . . .

ORAL QUESTIONS

Human Rights Legislation - free vote

MADAM SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Thank you, Madam Speaker. My question is for the Premier.

Given the concerns, in fact the disagreement, that has been expressed by at least two members of his government with the inclusion of sexual orientation in The Human Rights Act, Bill 47, will the government and this Premier now reconsider the position that they have taken and allow for a free vote so that members, all members, on their side of the House will be able to vote with their conscience and not have to set aside their religious and moral convictions in order to tow the party line?

MADAM SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Madam Speaker, it was quite interesting to observe yesterday the extent of what

appeared to be - it's easy to have a free vote if you've got unanimity, isn't it, on the opposite benches from our own?

Madam Speaker, that is a matter of caucus deliberation and is not a matter that I am prepared to discuss in this House.

MR. G. FILMON: Madam Speaker, that is regrettable that the Premier won't allow for the free vote.

MPIC - foreign auto parts

MR. G. FILMON: My further question is to the Minister responsible for MPIC.

In view of the dispute between MPIC and foreign auto dealers as to the pricing of foreign auto parts that is currently under way, is the government considering buying a couple of foreign auto dealerships as a solution to the problem?

MADAM SPEAKER: The Honourable Minister responsible for MPIC.

HON. J. BUCKLASCHUK: Madam Speaker, the Leader of the Opposition should be aware that, for a number of years, MPIC has had a policy of paying only manufacturers' list prices for parts.

It's unfortunate that the dealers in foreign car parts have not lived up to that policy. Discussions are taking place at the present time between the corporation and the representatives of the industry, and I would hope that there would be some resolution to the problem.

In the meantime, the corporation, in the interests of all motorists in Manitoba, is doing what it can to obtain parts for these foreign cars at a reasonable price - that is, at the manufacturer's listed price - and not paying 30 percent, 80 percent or, in one case, up to 123 percent over what the manufacturer suggested as a price.

MPIC - purchase of foreign auto dealerships

MR. G. FILMON: Madam Speaker, my question to the Minister: Included in that mandate of doing what it can, is the corporation considering buying a couple of foreign auto dealerships?

HON. J. BUCKLASCHUK: Madam Speaker, that is certainly not the policy of the corporation, although they may well have been part of discussions that have taken place.

MR. G. FILMON: Madam Speaker, so the Minister is indicating that is one of the options? Because the import car-dealer spokesman, Jim Carey, is quoted today as saying: "Mr. Silver informed us Autopac was firm in its stand and the onus was on us. It sounds ridiculous, but he said he'd buy a couple of dealerships if he had to."

Is that the policy of MPIC, to buy a couple of foreign auto dealerships?

MADAM SPEAKER: May I remind the honourable member that quoting from newspaper articles and asking a Minister to confirm or deny is not . . .

Order please, order please.

Would the Honourable Leader of the Opposition please rephrase his question.

MR. G. FILMON: I used the quotation by way of preamble. My question very clearly was: Is it now the policy of MPIC to buy a couple of foreign auto dealerships?

MADAM SPEAKER: May I remind the honourable member of the Citation that I was just quoting from, 362, which says: "Reading . . . extracts from newspapers as an opening to an oral question is an abuse of the rules . . ." That particular Citation also goes on to say: "It is the Member's duty to ascertain the truth of any statement before he brings it to the attention of Parliament."

The Honourable Leader of the Opposition with a question.

MR. G. FILMON: Given that it is not always necessary to have a preamble before a question, as you've often admonished me, I'll just ask the question: Is it now the policy of the MPIC to buy a couple of foreign auto dealerships?

HON. J. BUCKLASCHUK: As I indicated, as a responsible Minister responsible for MPIC, I cannot sanction, as perhaps members of the Opposition might, surcharges of 20 percent, 30 percent, 80 percent, 127 percent on foreign car parts.

As an example, I know of one specific part that the manufactured list price was \$327, and the Ford dealers quoted prices of anywhere from \$465 to \$728 for that same part. We will not tolerate that. We will review whatever options there may be in the interests of Manitoba motorists to prevent this unnecessary cost of perhaps up to \$3 million a year by a small number of suppliers who cannot live by the rules of the game.

MR. G. FILMON: Is the Minister now saying that one of those options then that is available and is being considered is to buy a couple of foreign auto dealerships?

HON. J. BUCKLASCHUK: Madam Speaker, I indicated previously that management has undertaken discussions with the industry. I, frankly, find it somewhat difficult to respond to questions when the Leader of the Opposition appears to be negotiating on behalf of the foreign car suppliers in the Legislative Assembly. Madam Speaker, I haven't . . .

MADAM SPEAKER: Order please.

The Honourable Leader of the Opposition on a point of order.

MR. G. FILMON: Madam Speaker, my question to the Premier: Given that this is an outlandish proposal that the government buy a couple of foreign auto dealerships, would the Premier indicate whether indeed that is one of the options that the government is considering?

MADAM SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Madam Speaker, the message that really must be delivered very, very strongly to those who have charged excessive prices, as outlined by the Minister, is that, while the Opposition may be prepared to acquiesce and to tolerate ripping-off of the Manitoba Public Insurance Corporation, this government does not intend to be ripped off.

That does not mean, Madam Speaker, that we're looking at dealerships or anything of that nature. But let me be clear to the Leader of Opposition, this government, this New Democratic Party Government, will not permit the motorists of this province, through their publicly operated automobile insurance system, to be ripped off in the way that has just been described by the Minister to the extent of hundreds of thousands of dollars that belong to Manitobans.

MR. G. FILMON: Madam Speaker, I can tell you that I certainly wouldn't buy a used car from that Premier under those circumstances.

Bill 28 - legal opinion on whether enforceable on Gov't of Canada or AECL

MR. G. FILMON: Madam Speaker, my question is for the Minister responsible for the Environment.

I wonder if he could indicate whether or not he has sought a legal opinion as to whether or not Bill 28, The High-Level Radioactive Waste Act, is enforceable on the Government of Canada or its Crown agency, AECL?

MADAM SPEAKER: The Honourable Minister for the Environment.

HON. G. LECUYER: Thank you, Madam Speaker.

As part of the drafting of any legislation, Madam Speaker, legislative counsel of course is consulted in terms of whether the bill that is in the process of being drafted is legal, and this applied to this bill as well as to any others.

MR. G. FILMON: Well, what was the answer of the legislative counsel? Is Bill 28 enforceable on the Government of Canada or AECL?

MADAM SPEAKER: Order please.

The honourable member first asked a question as to whether a legal opinion was obtained. It's not correct to ask what the content of the legal opinion was.

SOME HONOURABLE MEMBERS: Why not?

MADAM SPEAKER: Citation 358(c) says: "Such questions should not require an answer involving a legal opinion."

The Honourable Leader of the Opposition.

MR. G. FILMON: I wonder if the Minister of the Environment can indicate whether it is the policy of the government that Bill 28 ought to be enforceable on the Government of Canada or AECL.

HON. G. LECUYER: Madam Speaker, Bill 28 is introduced in this House as a matter of policy that the

government has announced in terms of its position in regard to the disposal of nuclear waste.

As far as legal opinions in terms of the province's ability to enforce that legislation, there are differing opinions, Madam Speaker, or opinions that differ not on the totality of this particular legislation, but as a matter of policy and principle.

This government believes it is important to introduce this legislation.

Bill 28 - tabling of differing opinions re

MR. G. FILMON: Madam Speaker, will the Minister table those differing opinions then, please?

HON. G. LECUYER: Madam Speaker, those are not opinions that I have in writing.- (Interjection)- Yes, Madam Speaker, we did have more than one opinion. I will see, Madam Speaker, if those are in writing. If indeed I have them in writing, I will table them in the House.

I believe, Madam Speaker, these were opinions which were given to members of staff as a part of the consultation which took place prior to the drafting of this legislation.

Eye specialists - assurance of no loss to other jurisdictions

MADAM SPEAKER: The Honourable Member for River East.

MRS. B. MITCHELSON: Thank you, Madam Speaker. My question is for the Minister of Health.

Will the Minister of Health assure Manitobans who are in need of eye care that we will not lose our eye specialists, who are already in short supply, to other provinces or other jurisdictions as a result of cutbacks in eye services?

MADAM SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, I wish to say that I was fortunate in attending a conference on health in Halifax the last few days. It was an excellent conference with over 400 people coming from Sweden, England, the United States and Canada. It was obvious; everybody was unanimous in saying that we need some change in health and that we can improve the situation.

Now I've also said on many occasions, Madam Speaker, that I think there should be as little as possible partisan politics on that because it is so important a subject. We have been assured that there would be cooperation. Now, obviously, the questions are exactly to try to do one thing, to give the wrong impression. I can't dictate who should ask or what kind of question they ask, but I can certainly answer them in a way that I'm not going to make it more difficult, Madam Speaker, for any worthwhile need of change.

I want to say again that, in the question of keeping the hospitals within their budgets, they were asked to make certain recommendations and suggestions how

they would achieve this. This is at the commission. These are recommendations; nothing has been closed. No announcement was made by anybody. This is something that was presented to the commission.

I will not try to defend or say what is going to happen. When a decision is made, we'll make it clear. In the meantime, I don't think it is proper to say as if a decision has already been achieved. Every decision and discussion with the hospital will be looked at very seriously. We will see what it is going to do and, when an announcement is going to be made, it will be made very clearly.

In the meantime, I think it is improper to every day ask the same question about something that somebody has made a suggestion is not policy.

Eye surgery - user fees

MRS. B. MITCHELSON: Madam Speaker, there wasn't much reassurance to Manitobans in that answer, but I'll ask my next question.

Is it government policy to impose user fees on those who require essential eye surgery and will be rerouted from hospitals to clinics as a result of cutbacks in eye services?

HON. L. DESJARDINS: There has been no change in policies. I certainly don't know of any user fees. There are certain things that have never been covered, there are certain things that have never been insured, and there's been no change in that either.

Eye care needs - long-term study

MRS. B. MITCHELSON: Madam Speaker, another supplementary to the same Minister.

Has the Minister requested a study to determine the long-range needs of Manitobans in need of eye care? And if so, will he table any study that his department has done?

HON. L. DESJARDINS: Probably one of the biggest improvements has been there; it is dealing exactly with this subject. There have been changes where this has been done in an ambulatory fashion in many ways and the waiting list has been reduced. Every effort will be made to increase and improve the situation.

Yes, I could tell you what happens. I can get the information for you, what happened, where the improvement has been made, what they're doing, the percentage that is being done at the Health Sciences Centre, at Seven Oaks and at Selkirk, and so on. Yes, I'll gladly get that information.

Eye surgery - cutbacks at St. Boniface, Minister not to consider approving

MRS. B. MITCHELSON: Madam Speaker, with a final supplementary to the same Minister.

Given the fact that the Health Sciences Centre has just recently cut back on the amount of eye surgery, and Seven Oaks has been asked to cut back on their number of cataract surgeries that are done, from 1,300 to 1,150, and given that Misericordia is operating at

full capacity in their Eye Department, will the Minister consider not approving St. Boniface's proposal to cut back on eye care beds?

HON. L. DESJARDINS: Madam Speaker, I have already answered this question. We will consider very seriously not approving. We will also consider approving the request of the different hospitals. That's the name of the game; that's what we're doing right now.

Selkirk 230 Corridor - Open House meetings

MADAM SPEAKER: The Honourable Member for Ste. Rose.

MR. G. CUMMINGS: Madam Speaker, my question is to the Minister of Highways.

Last Spring, the Premier committed himself to consultation with the people in the Selkirk area regarding the 230 Corridor. A second Open House meeting was held without the presence of the local MLA.

I would like to know: Is it the policy of the Department of Highways to support the statement that was made by the representative of the department that this type of meeting was held to avoid people monopolizing microphones? Is this department now using that policy to protect the Premier?

MADAM SPEAKER: The Honourable Minister of Highways and Transportation.

HON. J. PLOHMAN: Madam Speaker, this is an absurd statement by the Member for Ste. Rose. The fact is that what the Department of Highways has, in terms of a long-established procedure, is an effective way to deal with the concerns of the public.

The most effective way to deal with it is on an open-house basis. In addition to all the meetings that are held with the municipalities and with the planning boards in the areas, they are also for the public to provide input - those who are directly affected - and others who are interested have an opportunity at an open house, on a one-to-one basis, with staff, to discuss their concerns, to fill out a questionnaire, to bring forward any suggestions they have. That is the traditional way that this is done. It is found to be effective and, insofar as having a meeting where you have adversarial opinions, that is the most disruptive way to deal with an issue such as this. It is not an effective way. The most effective is the established way that is in place.

MR. G. CUMMINGS: I imagine the system is quite effective because that same . . .

MADAM SPEAKER: Does the honourable member have a question?

MR. G. CUMMINGS: . . . representative of the department also made the comment that, when asked if the questionnaires filled in would have an effect on the final . . .

MADAM SPEAKER: Does the honourable member have a question?

Selkirk 230 Corridor - public opinion questionnaires

MR. G. CUMMINGS: My question, Madam Speaker, is: Do they support the statement of the member from the department who stated that, when asked if anyone filling out a questionnaire, and if all the questionnaires were similar - opposed to the proposal - "Would it have any effect on the final results?", the representative responded "no"?

Will the department now change their approach to presenting to the communities these types of proposals for development?

HON. J. PLOHMAN: Madam Speaker, the Member for Ste. Rose should not be putting words in the mouth of the staff of the department who are not here to defend themselves.

The fact is that all opinions are considered. Nothing has been carved in stone, and certainly this whole issue has not been treated any differently than other major projects. This is a meaningful process in which meaningful consultation is taking place and, if the member looks at the results of it to date, he will see that this is a meaningful process because we are listening and providing alternatives and reviewing those alternatives to ensure that the best decision is made. It is being made on the basis of those representations.

The member is not doing credit to himself to raise such innuendo in this House without first ascertaining the truth of those statements, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Ste. Rose has a final supplementary?

MR. G. CUMMINGS: Well, Madam Speaker, the Minister has done nothing to dispel the fears that these types of meetings do nothing to impact upon the department.

Highway signs - use of 24-hour clocks

MR. G. CUMMINGS: I have a supplementary question to the same Minister: Is it now the policy of the Department of Highways to use a 24-hour clock in advertising highway controls for turning and for hours of parking?

HON. J. PLOHMAN: The member should clarify his question, Madam Speaker.

All clocks are 24 hours.

MR. G. CUMMINGS: I thought I was quite clear. The 24-hour clock is where you refer to 1800 hours, 0200 hours.

Would the Minister explain if it is the policy of his department to use that type of a clock on the signage rather than the 3:00 a.m. to 4:00 a.m. type of numbering?

HON. J. PLOHMAN: Now that the member has made clear his question, I can take that as notice and determine whether there has been any change in policy in that area.

Madam Speaker, I should emphasize that as a result of the open houses and the consultation on the issue

that the member raised previously, we do have, the department indicates, support from the municipalities in the area for the proposals that are being put forward as the preferred routes for the corridor between Selkirk and Winnipeg at the present time, Madam Speaker. That is something also that the member should be aware of when he raises the question here.

Prosecution decisions - length of time to settle

MADAM SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Madam Speaker, on Wednesday, I took as notice a question from the Member for Brandon West with respect to prosecutions arising from the events at SuperValu of about 10 days ago.

I intimated at the time I thought that there was either something wrong with the story or something wrong with the information. I was right. In fact, in terms of the picket line disturbances, charges were laid immediately and have already been on the police docket or the court docket right from the very beginning.

The story or the information - it doesn't matter; it was in error - was referring to charges against SuperValu with respect to Sunday closing. Those are the ones that are handled by Murray Conklin, and those are the ones that are pending. They have nothing to do with the picket line disturbance. The matters relating to the picket line disturbance went through the normal course, appeared on the court docket immediately, and are being processed in the normal way.

Jobs Fund - amount of money to Manitoba Labour Education Centre

MADAM SPEAKER: The Honourable Member for Brandon West.

MR. J. McCRAE: Madam Speaker, my question today is directed to the Minister responsible for the Jobs Fund, and I thank the Attorney-General for the information that he has supplied to the House.

The question to the Minister responsible for the Jobs Fund arises from questions asked during the Estimates. At that time, the Minister said he did not know the answer. I'll ask him again today.

How many Jobs Fund dollars were made available to the Manitoba Labour Education Centre in 1985-86?

MADAM SPEAKER: The Honourable Minister of Industry, Trade and Technology.

HON. V. SCHROEDER: Madam Speaker, my recollection is that there were no funds made available other than anything that possibly might have come through the Department of Employment Services and Economic Security dealing with summer employment. I'm not aware as to whether or not any payments were made there.

They would qualify, like any other employer, like the University of Brandon, like McKenzie Seeds, like a thousand other employers in the province.- (Interjection)- I didn't bother, I didn't bother. They were

entitled to apply like any other employer. Young men and women in Winnipeg were entitled to go to work there if they had made application for a grant.

MR. J. McCRAE: Madam Speaker, members of this Legislature are entitled to know this information and this Minister should not be keeping it from us.

I'll ask him the same question dealing with 1986-87.

HON. V. SCHROEDER: Madam Speaker, the member has been around the House for a little while. He knows that every now and then the Minister of Finance provides some fairly thick, blue-covered books, Book 1 and Book 2, Public Accounts of the Province of Manitoba. If he wishes to pull those out and take a look to see whether the Province of Manitoba paid any money to the Labour Education Centre, he's perfectly capable of doing that.

I think it's a waste of time. If he wants to go ahead and do it, let him go ahead and do it.

Manitoba Labour Education Centre - cost to province

MR. J. McCRAE: Madam Speaker, a question to the Minister of Labour regarding the Manitoba Labour Education Centre.

During the Estimates debate on the Jobs Fund, the Minister of Labour told us that he would let us know how much the taxpayers of Manitoba are out of money as a result of criminal charges being laid and a conviction being registered against the previous executive director of the Manitoba Labour Education Centre.

Will the Minister make that figure available to us now? How much are the people of Manitoba out as a result of this criminal activity at the Labour Education Centre, funded totally by the Province of Manitoba?

MADAM SPEAKER: The Honourable Minister of Labour, if that's within his jurisdiction. I'm not sure whether the question is within the Minister's jurisdiction.

HON. A. MACKLING: I'm going to answer the question.

MADAM SPEAKER: I recognize the Honourable Minister.

A MEMBER: Yeah, we recognize him, too.

HON. A. MACKLING: Thank you.

Madam Speaker, I'm glad that both you and honourable members opposite do recognize me.

I do want, for the edification, particularly, of the Member for Brandon West, to recall to him that he, subsequent to the meeting of the committee dealing with Estimates, asked me about that. I assured him that in due course I would have that information for him. There are some problems in confirming the exactitude of the amounts involved because of the claims that were made in respect to insurance, and so I indicated the complexity of providing that information, but that I would get the information to him as quickly as I could. I haven't received the information yet. I have requested it. It will be furnished as soon as possible.

MR. J. McCRAE: Will the Minister get in touch immediately with his friends, Wilf Hudson and John

Pullen, and get that information immediately for this House?

MADAM SPEAKER: May I remind the honourable member that an insistence on an answer is out of order.

St. Boniface Hospital - equipment fee for outpatient services

MADAM SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Madam Speaker. My question is to the Minister of Health.

Madam Speaker, in the announcement by the St. Boniface Hospital that they were going to close the eye care unit, they indicated that the reasons why they felt they could do so was because alternative services were available on an outpatient basis. But it is my understanding, Madam Speaker, that while patients do not pay any additional doctor's fee for such services, they can and indeed are charged an equipment fee.

Is it the policy of this government that patients be asked to pay an equipment fee for service formerly provided in hospital care?

MADAM SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, I'd like to repeat again that no decision has been made on the suggestion of the St. Boniface Hospital. That will be all considered.

I would also like to add that we have the same concern. There were some places where it was cheaper to get an operation if you were admitted to the hospital, and we're looking at that to see if we can improve that because we want to increase, for instance, the ambulatory service as much as possible. So that is being looked at, at this time.

MRS. S. CARSTAIRS: With a supplementary question to the same Minister, Madam Speaker.

Is this government prepared to pay for equipment which will be placed in doctors' offices which will, in fact, provide service to patients so that they will not be charged an equipment fee?

HON. L. DESJARDINS: Madam Speaker, I can only repeat what I said, that is being looked at, at this time. It's not that simple - are you going to pay or aren't you? There is some abuse in certain ways when that is paid and, what are you going to cover, should that be done at the doctor's office? Should it be more equipment in the doctor's office, or could that be done in a community clinic for instance and so on? The whole thing is being looked at.

MRS. S. CARSTAIRS: Madam Speaker, with a final supplementary to the same Minister.

The concern obviously is a dual care for our patients, those who can afford it and those who cannot.

Will the government assure Manitobans that medical care for eye or for any other service will not be based in this province on an ability to pay?

HON. L. DESJARDINS: Madam Speaker, if any government has stated very clearly that they do not believe that there should be a dual system where there are two classes of citizens, I think that we have done that. That doesn't mean that everything in the system is perfect.

I'm talking now about the essential services. Obviously, we can't pay for everything, and it might be that in some areas it will be co-insured, but the essential services, it is certainly my aim and my dream to make sure that all essential services are paid fully by the state and that there should not be any utilization or deterrent fees for those at all. So I have no hesitation in saying that's the policy that we want. We know that it is not perfect and we're trying to rectify that as much as we can.

Farming operations - licences re environment legislation

MADAM SPEAKER: The Honourable Member for Virden.

MR. G. FINDLAY: Thank you, Madam Speaker. My question is to the Minister of the Environment.

Madam Speaker, on previous occasions, farmers of Manitoba, representatives of farm organizations and I have asked both the Minister of Agriculture and the Minister of the Environment to consider right-to-farm legislation in order to protect farmers of Manitoba in this province.

Madam Speaker, Keystone Agricultural Producers and farmers in this province are afraid that the proposed Environment Act is going to allow Cabinet, in the future, to have the power to license various farming operations in this province, Madam Speaker.

I would like to ask the Minister of the Environment if he's prepared to change government policy with regard to this new Environment Act to assure farmers that in the future they will not have to obtain a licence in order to carry out numerous of their farming operations, Madam Speaker.

MADAM SPEAKER: The Honourable Minister of the Environment.

HON. G. LECUYER: Thank you, Madam Speaker.

Under the existing act, Madam Speaker, the farmers of Manitoba are covered by regulation. With the new legislation, Madam Speaker, they will be covered in the same manner because those regulations will come under the new legislation.

We have established, by clause, in the new legislation, that these regulations cannot be amended without consultation with them. Therefore, Madam Speaker, I think that the farmers have nothing to fear in terms of their right to farm.

Minister responsible for all impacts of agriculture on environment

MR. G. FINDLAY: Madam Speaker, given that we all know that regulations are subject to change, I would like to ask the Minister if he's prepared to make the Minister of Agriculture responsible for all impacts of

agriculture on the environment so that farmers can have a better assurance that they will be able to carry on sustainable development in the agricultural industry.

HON. G. LECUYER: Madam Speaker, increasingly, all departments have to take a greater degree of responsibility for the environmental impact of the decisions that are made by their departments. That applies to agriculture as it applies to natural resources, as it applies to mining, as it applies to any other department of government. In some cases, it's related to manufacturing decisions or decisions that impact the trade departments.

Having said that, Madam Speaker, enforcement of the regulatory aspects of the environmental legislation should never be in the hands of all of these departments, Madam Speaker, because they could, so to speak, be in a conflict-of-interest situation. I, for one, do not recommend that each one of the departments becomes the enforcer of environmental regulations or legislation.

Environment legislation - deferral of

MR. G. FINDLAY: Madam Speaker, given that there are still very serious concerns in the farming community about the intent of this legislation, I would like to ask the Minister if he is prepared to delay passage of this bill until these concerns of the farming community are adequately dealt with.

HON. G. LECUYER: Madam Speaker, these concerns that the member refers to have been addressed adequately, as I've just indicated.

Awasis Agency - training of staff

MADAM SPEAKER: The Honourable Member for Rhineland.

MR. A. BROWN: Thank you, Madam Speaker. My question is to the Minister of Community Services.

My question has two main thrusts, which are the delivery of child care for Native children, generally, and the training of child care workers.

According to the Minister, there are problems with the Native agencies, that they are underfunded and that staff is not sufficiently trained. Now Community Services is responsible for the delivery system, including the training of staff for Native agencies which are involved in child care.

My question is how much formal training or experience did the worker for the Awasis Agency have who has been accused of, and fired, for ignoring the allegations of a Native girl, called Amy, that she was being sexually abused?

MADAM SPEAKER: The Honourable Minister of Community Services.

HON. M. SMITH: Madam Speaker, the Native agencies are funded and mandated under a tripartite agreement under which the Federal Government funds, and the Provincial Government provides the legislative framework.

The preparation leading up to the mandating of the agency included training that was given and evaluated

in terms of the readiness of the agency by external bodies. Social work department people were involved and they assessed that the agency was ready to open its doors.

Along with every other agency, Madam Speaker, and certainly applicable to the Native people who in the past have had very little access to this kind of training and to the delivery of this type of service, there are ongoing training needs. The official financial responsibility still rests with the Federal Government, but wherever we have, under the provincial Child and Family Service system, been able to include Native personnel in the agencies, we have done so. We will continue looking at ways to assist them because they are willing to carry on in their development and, in their training, assist. But we will also keep the door very open for the main funder to play a more responsible role in supporting the development of these agencies.

Child care social workers - qualifications of

MR. A. BROWN: My supplementary question is what qualifications are needed to work in the delivery of services to any family through any of the agencies in the province of Manitoba? For example, are people who are taking training to receive a two-year certificate already carrying caseloads?

HON. M. SMITH: There is a pattern of staffing that is what we call differentiated. There are senior people who would have degrees, and supervisory people, and then there are front-line workers, some of whom would have degrees and some of whom would have shorter-term training such as two-year certificates.

The intention is that, where a person of lesser training is carrying a direct caseload, they would be under much closer supervision than someone who had a more advanced degree. That is the expectation of the agencies, that they will pursue that type of responsible staffing and supervision.

MR. A. BROWN: My final supplementary.

What proportion of casework supervisors in the Child Welfare Branch have professional qualifications such as a Bachelor of Social Work, or its equivalent, or a master's degree; and how does Manitoba compare with other provinces in Canada?

For instance, Alberta has 84.7 percent of their caseworkers having either a Bachelor of Science or a Master of Science in Social Work.

HON. M. SMITH: Madam Speaker, the member has asked a very complicated question that would certainly take a great deal of time to compare that sort of comparative statistic.

I also just must leave a question in return on the record. I do query what the relevance of a Bachelor of Science or Master of Science would be to social work in Alberta. There must be something that I am missing.

Inter-City Gas - purchase amount for Greater Winnipeg Gas

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Madam Speaker, a few days ago the Member for Lakeside was asking for information regarding ICG's purchase of Greater Winnipeg Gas, and I undertook to provide whatever information was public and available that we could get.

I would indicate that he also left the impression that ICG - and I think he left the impression outside the House - had bought Northern and Central Gas Corporation from Norcen for something in the order of \$77 million. That's quite incorrect. Inter-City Gas bought the shares of Northern and Central Gas for a price of \$240 million. The purchase was paid for with \$163 million in cash and \$77 million worth of ICG preferred shares. The purchase price was for the shares only. In addition, ICG assumed a Northern and Central Gas debt which was, I understand, significantly higher than the cash price for the shares.

Greater Winnipeg Gas was only part of those assets purchased by Inter-City Gas. There was no separate price quoted, and there is no separate price, as such, with respect to Greater Winnipeg Gas. But one can see, Madam Speaker, that the order of magnitude is much more than \$77 million. It's certainly \$240 million for the shares, plus the assumption of equity, which is significantly more than that.

MADAM SPEAKER: The time for Oral Questions has expired.

COMMITTEE CHANGES

MADAM SPEAKER: The Honourable Member for Kildonan.

MR. M. DOLIN: Thank you, Madam Speaker.

I move, seconded by the Member for Ellice, that the composition of the Committee on Privileges and Elections be amended as follows: M. Dolin for the Hon. L. Desjardins; Hon. R. Penner for the Hon. A. Mackling; Hon. L. Harapiak for the Hon. B. Uruski; J. Maloway for D. Scott; S. Ashton for the Hon. J. Storie.

I further move, seconded by the Member for Ellice, that the composition of the Standing Committee on Municipal Affairs be amended as follows: the Hon. B. Uruski for the Hon. J. Bucklaschuk; the Hon. V. Schroeder for the Hon. H. Harapiak; D. Scott for C. Santos.

MADAM SPEAKER: Agreed? (Agreed)

ORDERS OF THE DAY

HOUSE BUSINESS

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, I believe the Member for Fort Garry, in the committee this morning, made a suggestion that perhaps it would expedite the business of the Privileges and Elections Committee if we were to amend our meeting times.

They are now scheduled to meet at 8:00 p.m. tonight, at 2:00 p.m. tomorrow afternoon, and at 8:00 p.m. tomorrow evening, if required, to amend those to meet

at 7:00 p.m. this evening and 1:00 p.m. tomorrow afternoon, and then I would suggest probably 7:00 p.m. tomorrow evening, if that's required, as well. I think that will allow us to hear more presentations earlier in the day and the evening and would expedite the business.

I thank the Opposition members and the Opposition House Leader for their cooperation in that regard.

Madam Speaker, I also want to remind members that the Standing Committee on Municipal Affairs will meet at 8:00 p.m. this evening as had been scheduled.

Also, Madam Speaker, I understand that there is an inclination on the part of all members to forego Private Members' Hour, by leave.

MADAM SPEAKER: Is that agreed? (Agreed)

HON. J. COWAN: Madam Speaker, will you please then call Second Reading on Bill No. 72, followed by Debate on Second Reading on Bill No. 58, as it appears on page 6 of the Order Paper; and then please call the bills listed under Debate on Second Readings, starting with Bill No. 25 on page 5 and continuing through to Bill No. 56, inclusive, on page 6, in the order in which they appear.

SECOND READING

BILL NO. 72 - THE CHILD AND FAMILY SERVICES ACT (2)

HON. M. SMITH presented Bill No. 72, An Act to amend The Child and Family Services Act (2), for Second Reading.

MOTION presented.

MADAM SPEAKER: The Honourable Minister.

HON. M. SMITH: Madam Speaker, as I indicated last week, the government is introducing a bill to amend section 19 of The Child and Family Services Act.

Our main goals in doing so are to protect children and reduce child abuse. The intent of the bill is to strengthen the provisions related to the investigation, reporting and registration of child abuse cases, consistent with requirements under the Canadian Charter of Rights and Freedoms.

Amendments to section 19 have been under consideration for some time. The recent decision of the Manitoba Court of Queen's Bench, striking down certain provisions under section 19, requires immediate legislative review of the act.

There is a need to include provisions setting out criteria for the registering of both victims and perpetrators of child abuse and for establishing procedures concerning due notice and appeal.

Child abuse registries were established by provinces to assist agencies and departments in the protection of children. The Manitoba Registry was established in June, 1971, and was intended to enhance the goal of protecting children by requiring that agencies report all suspected cases of child abuse.

Over the years, the registry has been valuable in assisting agencies in identifying children at risk of abuse

and families with a history of child abuse. It has also been useful in screening applicants wanting to work or provide services for agencies caring for children.

A recent report, submitted by the Provincial Advisory Committee on Child Abuse, in cooperation with the Ombudsman, and involving extensive consultation with various professionals and members of the public, recommended changes to the registry to the effect that the present registry be divided into two listings, one for child victims and the other for abusers; specific criteria be implemented for the listing of victims and abusers; access to the registry be broadened to include employers of those working in a position of trust with children; and provisions be made for the deleting of names, including processes for review and appeal.

On Friday, June 19, 1987 a Court of Queen's Bench decision determined that the Provincial Abuse Registry is in violation of section 15 of the Charter, and subsections 19.2 and 19.4 of The Child and Family Services Act were struck down. This decision has serious implications for the protection of children. The existing registry cannot be used. Names of abusers or victims cannot be added, and existing names may not be shared with Child and Family Service Agencies.

Child protection services will be seriously undermined if agencies cannot determine if a child may have been previously abused. Suspected abusers' names cannot be made available to determine if there have been previous allegations about the abusive behaviour of an adult.

Potential employee checks, which are important, are also not possible as a final clearance for people who will be working directly with children, such as foster parents, homemakers and day care workers.

The bill I am introducing today reflects many of the recommendations in the report on the registry, as well as legal advice on requirements consistent with principles of natural justice and provisions in the Charter.

The bill includes the establishment of agency child abuse committees to review cases of suspected abuse of children. Criteria for the . . .

MADAM SPEAKER: Order please, order please. Order please.

The Honourable Minister has the floor. If other members want to carry on private conversations, could they do so elsewhere, please?

The Honourable Minister.

HON. M. SMITH: Thank you, Madam Speaker.

Knowing the high seriousness and concern with which this issue has been dealt with during the Session, I really would appreciate the members' attention.

Criteria for the reporting of the names of child victims and of abusers to the director, including the circumstance surrounding the abuse; procedures for receiving and registering agency reports by the director; provisions for notice being given by the director; the establishment of an independent registry review committee, appointed by the Lieutenant-Governor-In-Council; provision for appeal to the Court of Queen's Bench; and provisions related to confidentiality and access.

Madam Speaker, due to the relative speed with which this set of amendments was developed, we did omit and do intend to add at committee stage two additional amendments with regard to the deletion of names. I will just give the gist of them at this time.

With regard to the deletion of information regarding an abused child, we will be recommending that any identifying information on a child who is listed as an abused child shall be automatically deleted from the registry when that child reaches 18 years of age. With regard to the deletion of information regarding a child abuser, subject to 19.2(8) of the bill, any identifying information on a person who is listed as having abused a child shall be automatically deleted from the registry on the later of (a) a full 10 years after the date of the last registration or, (b) on the day the child who was abused attains 18 years of age. Again, Madam Speaker, we believe that automatic deletion is preferred to discretionary deletion, as it is less open to Charter challenge and much less difficult to administer. We think that the recommendations we are making do give the system sufficient information to protect children.

We will also be looking at one other possible amendment as well, whether we will include the admitted category of child abusers as one of the groups of names that will be accessible when employers such as schools or day care centres are asking the registry for information.

I call on all members to consider the intent of the proposed amendments and to work toward the enactment of provisions that will strengthen and support child protection legislation in this province.

MADAM SPEAKER: The Honourable Member for Rhineland.

MR. A. BROWN: Thank you, Madam Speaker. I have a question for the Minister.

I wonder if the Minister would let me have a copy of her speaking notes so that I don't have to wait for Hansard for it to come out.

HON. M. SMITH: Yes.

MR. A. BROWN: I move, seconded by the Member for Niakwa, that debate be adjourned.

MOTION presented and carried.

ADJOURNED DEBATE ON SECOND READING

BILL NO. 58 - AN ACT RESPECTING THE ACCOUNTABILITY OF CROWN CORPORATIONS

MADAM SPEAKER: Debate on Second Reading on the proposed motion of the Honourable Minister responsible for Crown Corporations, Bill No. 58, standing in the name of the Honourable Member for Roblin-Russell.

MR. L. DERKACH: Thank you, Madam Speaker.

Madam Speaker, I'm pleased to rise today to participate in the debate on Bill 58. Madam Speaker,

this bill on Crown corporation reform is nothing but a perceived commitment by this new Minister to gain some meaningful control over the mismanagement that is taking place in our Crown corporations.

For four years, Madam Speaker, we have seen a Department of Crown Investments which was charged and had a mandate to look over Crown corporations and to make them more accountable to the public and to the Legislature. We have seen whereby, although we had a department that was responsible for this kind of process, nothing was accomplished. By its own admission, this government has failed in gaining the control over Crown corporations. Nothing in the four years has changed the accountability and the mismanagement that Crown corporations have incurred. As a matter of fact, the reverse has happened. Although we have had a Minister in charge who has had a staff, who has had a mandate, Madam Speaker, Crown corporations increased year by year.

So now we have a Minister who is proposing a new bill, a bill which he says is going to change all of this. We are going to now see some action in terms of Crown corporation accountability, legislative accountability and accountability to the people of this province.

This bill, Madam Speaker, is a very clear example of how intellectually bankrupt this government really has become. Since the last election, Madam Speaker, this government has become plagued with scandal, corruption and deceit. Misguided in its direction by a tired Premier, this government's hallmark has been mismanagement and financial dishonesty.

Just yesterday, Madam Speaker, we concluded second debate on Bill No. 47, and passed it into the committee stage. During the debate, Madam Speaker, we saw how difficult it was for members on the government side to contain themselves and not to speak against this piece of legislation. As the debate became more intense, we witnessed the frustration of a Government House Leader who paced back and forth behind the benches, attempting to muzzle those who might want to be moved by their own conscience to speak on this bill, a bill that is immoral and an indecent piece of legislation, an example, Madam Speaker, of a government that is truly on the brink of disaster.

This is not the only area in which this tired, cynical government has missed the mark. The embattled Labour Minister, Madam Speaker, had his share of scars in his attempt to muscle through a labour bill, which not only enraged the anger of employers but also saw employees turn against a bill that was supposed to help them.

Since the election, we have witnessed a deplorable and intolerable situation with regard to Crown corporations. At no time in the history of this province has there been such a disgraceful record of mismanagement and incompetence of our Crown corporations. But even more offensively deceitful is the cover-up that has taken place by Ministers of this Crown. The losses to Manitoba taxpayers has been in the hundreds of millions of dollars. Yet this government and this Premier shamelessly stand before this House and congratulates itself on its record.

Manitobans have recently become aware, and rightfully so, about the state of our health care system.

Closing large blocks of beds, complete departments and wards in hospitals are resulting in a lack of health care services to people in need in this province. We have not seen this kind of thing before in this province.

Can you imagine, Madam Speaker, how useful the \$120 million that was lost at Manfor might be today in providing a health care service for this province? How many Cat scans would this province have been able to afford to buy had we not lost \$27 million in MTX, or the \$60 million losses at MPIC? If this government had not participated in the Flyer giveaway plan, can you imagine what kind of health care service this province would have, with the \$65 million? The list goes on, Madam Speaker, and can you imagine where we would be today financially if we had not incurred losses in places like Workers Compensation, Venture Tours or ManOil?

When the former Minister responsible for Crown Investments was in charge of this particular department, in 1984 he stood before this House in Estimates and he said: "We believe that the public has a right to be kept informed about important developments in the Crown corporations." He made that statement in his opening remarks.

He also indicated that his department would be streamlining and improving the information flow that was essential to the decision-making process of Crown corporations.

He said that his department would be involved in assisting corporation officials to rectify problems which were plaguing Crown corporations. He said, in that particular year, his department would assist in ascertaining the strategies which would permit Flyer Industries to make positive economic contributions to this province.

Well, Madam Speaker, which one of those goals were achieved? Not a single one. And if we compare those goals, which are laudable in their purest sense, to the goals that this Minister has set in this particular bill, are they much different? I submit that they are not. So it is not simply words and passage of a bill that will improve the performance of our Crown corporations, but rather it is the will of a government to do something constructive in terms of accountability and the incompetence of people who manage the Crowns.

In 1985, the Minister responsible for Crown Investments again stood before this House, and he said that the goals and objectives of his department were, No. 1., to assist the Government of Manitoba through the Economic and Resources Investment Committee of Cabinet and the Ministers responsible to exercise more effective direction and control over Crown corporation sectors.

Madam Speaker, that seems familiar when we take a look at the remarks that were made by this new Minister with regard to this particular bill, when he said: "The keynote of the policy, Madam Speaker, is the accountability of the Crown corporations to the public and the Legislature." Well, that is not different than what we had in 1985 or in 1984.

Because of the relentless attack by members of the Opposition, members on this side of the House, at Crown corporation committee hearings, we have been able to uncover the kinds of mismanagement and incompetence that have existed in the Crown corporations. This government has been forced to

attempt to clean up its act with respect to Crown corporations.

But what does it do as a result? How does it propose to clean up its act? What kind of new creative ideas does it propose? This intellectually bankrupt government, Madam Speaker, turns to a piece of legislation from Saskatchewan that was originated some 40 years ago.

The Minister of Crown Investments has not referred to the current Saskatchewan model of Crown corporation management. Neither does he mention in his proposal legislative accountability through a select Standing Committee on Crown Management.

If he was truly interested in making Crown corporations accountable to the Legislature and to the people of this province, that would be one of the first things he should be including in this particular bill, a committee made up of all parties within the Legislature that would have the right to question, to bring forth staff, to pose questions and make sure that Crown corporations would have to divulge their activities over the ensuing year. But this Minister chooses to leave that particular aspect of the Saskatchewan model out. He does not mention present efforts by the Saskatchewan government to depoliticize Crowns. And, Madam Speaker, he says across the way, "Are you kidding?" I guess that is true. They will never depoliticize Crown corporations. But in the Saskatchewan model we have seen a major move in the depoliticization of Crowns by the appointment of private citizens as chairpersons of Crown corporations.

It is not surprising that this Minister fails to mention the Crown Investments Review Committee. And what did the Crown Investments Review Committee in Saskatchewan find? Well, Madam Speaker, it found that Crown management under the Saskatchewan NDP was based largely on political control, rather than on financial and managerial corporate control.

So, Madam Speaker, this Minister apparently has failed to recognize that the Saskatchewan model has come a long way since the 1940's, and that changes that have evolved are resulting in a more favourable method of Crown corporation control. Instead this Minister takes his new ideas - and I say his new ideas - from a 1940 CCF model on Crown corporation control.

In his remarks to this bill, the Minister cited four major areas of accountability, and I must say that I cannot disagree with this concept. The concept is laudable. For far too long, Crown corporations have not been accountable enough to the people of this province who, through their hard-earned tax dollars, have invested heavily in many ventures.

The first area of accountability cited by the Minister is that to the public. And again, Madam Speaker, I go back to 1984, and I've mentioned this before when the former Minister, the Minister now responsible for IT and T stood up in the House and said, we believe that the public has a right to be kept informed about important developments in Crown corporations.

This is not new, Madam Speaker, this was a mandate of Crown Investments. Crown Investments had the power to do this and we see this reiterated in this particular bill. And the Minister presents this as a new idea of Crown corporation control.

(Mr. Acting Deputy Speaker, M. Dolin, in the Chair.)

Mr. Deputy Speaker, this government's previous record of accountability leaves one very suspicious of the type of accountability this Minister is talking about. By this government's own record one can only assume, and quite accurately I must say, that this will only be window dressing.

This government has become so untrustworthy that it is indeed questionable as to how much truthful information will be allowed to be dispelled to the public. And then what about the timing of the information that is allowed to flow to the public? We have witnessed how, in several ministerial departments, information was purposely withheld by this Premier and his Cabinet from the public for the purposes of getting elected in an election.

A MEMBER: Disgraceful.

MR. L. DERKACH: And can we really trust this administration to do differently from now on in?

And I must give this new Minister credit, Mr. Deputy Speaker, because I think he has some genuine interest in making sure that Crowns become more accountable and he would like to do credit to his position, but unfortunately he is not yet the Minister or the power in that particular Cabinet - oh and it's not the Premier either. He has to bow to the wishes of the House Leader on that particular side, Mr. Deputy Speaker.

So we are left very suspicious as to what information will flow, what is meant by public accountability, how this Minister proposes - of course he says he has service committees that will do this. They will go out and tell the people what these Crown corporations are doing.

But who are these service committees controlled by? We have a board that's going to be in charge of a holding company. And who makes up this board? The board is made up of Cabinet members, Cabinet Ministers, whose interests, of course, must be not only social and economic but have to be political. Therefore, I am sure as I stand here that any information that is allowed - and this is based on past performance of this government - to flow to the public will have to be scrutinized by that powerful central committee, formerly the ERIC committee.

The second area the Minister mentions, Mr. Deputy Speaker, is that of accountability to the Legislature. This is probably the most important area of accountability. This is where Crown corporations can be made to answer and account for their activities through questioning by members of all parties. Representing Manitobans throughout the province, Crown corporations can be made to attest for their activities. It is this process whereby members of committees have been able to expose gross mismanagement activities and incompetence by departments and by Ministers.

But, Mr. Deputy Speaker, recent developments have shown that this government plans to make a mockery of this process. We have heard repeatedly and just in the past few months and weeks the commitment of this Premier, First Minister, of many of his Cabinet Ministers giving the people of this province the false impression that any information that the legislative committees will want will be forthcoming. All of this has been simply political rhetoric and political posturing.

The Minister of Crown Investments has indicated in response to questions that, yes, there will be greater accountability by our Crowns. He has admitted that mistakes have been made and corrections are necessary. But, Mr. Deputy Speaker, where was this Minister, this super Minister - and it is not a phrase that we on this side should take credit for, but it's rather a phrase that has been born out of the kinds of news releases that this Premier has made and the unrealistic expectations that he has of people like the Minister who is responsible for Crown Investments. This Premier has done that before, whether it was promising Manitobans great reductions in gasoline prices.

Last November, he made the great announcement that all of a sudden he has come to the realization that Crown corporations are not being accountable enough to this province and he unveiled a tremendous plan that was going to bring Crown corporations into line. Well, Mr. Deputy Speaker, we are still waiting for some glimmer of hope that there will be some greater accountability. I guess we're looking across the way at the Minister who so often has been referred to as the super Minister in this House.

Where was this Minister who has responsibility over Crown corporations or Crown Investments? Where was this Minister, Mr. Deputy Speaker, when just a week or two ago members of the legislative committee on the Manitoba Public Insurance Corporation asked staff to be brought forward to the table to answer important questions on activities of that particular Crown corporation? Where was he?

Because he made the statement in this House that he would ensure that there would be greater accountability of Crown corporations. And how do we get accountability of Crown corporations if not through the legislative committees and through questioning? So where was this Minister's commitment of greater accountability?

You know, Mr. Deputy Speaker, I am not going to condemn this Minister at this point because he is new to the portfolio. He has perhaps some way to go in developing this particular portfolio. So we must give him an opportunity to do that.

I pose a challenge to him. I think that this challenge will determine whether or not this Minister is going to do something with his department. The challenge is this: Will this Minister allow or will he instruct his subordinate Minister that members or staff people be called to the table at the next MPIC hearings to answer important questions about activities in the Manitoba Public Insurance Corporation? If this Minister is committed to his goal of making Crown corporations more accountable, then I ask him to answer that challenge. Mr. Deputy Speaker, if he is not prepared to do this, then what does this bill really mean in this House? Where is the accountability then? I go back and I ask the Minister why he hasn't proposed that there be an all-party legislative committee, standing committee for Crown corporations.

A MEMBER: They got rid of it in British Columbia in a year.

MR. L. DERKACH: Oh, he says they got rid of it in British Columbia in a year. But, Mr. Deputy Speaker,

they have not gotten rid of it in Saskatchewan. That's the model that he was using and that's where it is working.

A MEMBER: They don't call Session either.

MR. L. DERKACH: Oh, he says they don't call it. Well, as a matter of fact, Mr. Deputy Speaker, it's on right now. As a matter of fact, the hearings are going on today. So it is being called, and it is there for the purpose of establishing what the activities of Crown corporations are. Of course, it doesn't matter what standing committee you have. If you don't call the committee, if you don't allow it to be called, then you're not going to get any kind of accountability.

Is that what this bill is all about? Is it to hide from the public of this province, from the people who pay the tax through their taxes to support these Crown corporations? Is it the intent of this government to hide the truth so that people in this province will not know the kinds of monies that are squandered, the kinds of incompetencies that we have by the Ministers, the kind of mismanagement that goes on in our Crown corporations?

So, Mr. Deputy Speaker, I am going to wait with anticipation to see whether or not this Minister will intervene and ask the Minister responsible for MPIC to allow staff to come forth and answer questions at the next MPIC hearings, which apparently are scheduled for next week.

The third area of accountability, Mr. Deputy Speaker, is through the joint council process. When one takes a look at this, I suppose one can't argue with it if it is applied in its purest sense and if it is not gerrymandered by the political whims of the Minister or the particular individual in charge.

This is an area which can be very constructive to the morale, to the staff complement, to the workings of employees in a Crown corporation, to the productivity of employees within a Crown corporation. It allows some involvement by people who are producing the product, or people who are rendering the services and, therefore, there is some credibility in proposing a joint council, and it's not a new idea, again.

The Minister outlines in the bill what the purpose of the joint council is. First, he says it's to discuss ways and means of improving the delivery of services to the public, a worthwhile goal, and I commend him for doing that, because it is important that Crown corporations do deliver services properly to the public that has the responsibility of paying for them, to consider corporate policies as they affect employees. This has been going on in other corporations, in other sectors, quite effectively. Employees should have an input into what the policies are that affect them.

The third area is to consider methods to improve the operations of the corporation. No one denies that this is an important way to help improve, because employees too have a view of how a corporation perhaps can be improved as it relates to them. So I have no specific argument with that particular part of this legislation.

Because of this Minister's previous involvement in labour organizations, it is my hope that this process will evolve to be a positive process, a positive

experience, especially for those people who are the backbone of these corporations - the employees.

We go to the fourth area, and that is the area of a holding company, not a new idea again. By his proposal, it is very evident though that this Minister's commitment to Crown corporate management is based on the NDP commitment of central planning. Cabinet control is the single most important policy and desire of this particular government.

The establishment of the holding company in reality is the formation of a new Crown corporation, or perhaps we might say a new Cabinet Committee replacing ERIC.

ERIC is emerging in a different form under a different name. However, the ultimate intention is the same, that being to ensure that the policies and development projects undertaken by Crown corporations are consistent tools or instruments of this government's social, economic and political policies. Thus, Mr. Deputy Speaker, when we speak about Crown corporations' accountability, in reality, Crown corporation accountability will be firstly to the Cabinet Committee, not to the people of this province.

The rest, Mr. Deputy Speaker, will be simply window dressing and that is unfortunate. But I say that because of the previous record that this government has built for itself. We have seen this through Crown investments; we have seen this through activities, whether they be the Manitoba Telephone System through MTX, whether it's MPIC, whether it's Workers Compensation, any of these. We see that this government cannot be trusted to do what it's been mandated to do.

If there is any doubt about what the intention of this government is through the implementation of this bill, I would simply like to quote what the leader of the Saskatchewan N.D. Party said. He said, and I quote: "I am inclined to view that much of our preoccupation with the form of the corporation is illusory. If we grant that policy matters must be controllable by the political heads, and if we grant that policy matters and administrative matters are merely two ends of the same stick, then it appears likely that the degree of policy and indeed of administrative independence is determined not so much by the corporation's structure as by the political considerations in the minds of the responsible Minister and his colleagues." In essence, Mr. Deputy Speaker, Crown corporations' activities are determined by the political aspirations of the Cabinet.

This Minister, Mr. Deputy Speaker, has admitted that the Department of Crown Investments failed in its mandate. He excuses the failure, because he says, "Lack of staff resulted in an inability to deal with the situations at hand."

However, Mr. Deputy Speaker, we do have Ministers of each of the Crown corporations who are charged with the stewardship of the corporations. Where is the accountability of these Ministers? Who do they answer to? Do they not answer to Cabinet? Do they not answer to the ERIC committee? Where was the Minister responsible for Crown Investments? Did he not have any questions for the Ministers when their individual corporations were losing millions of dollars? Did he ever take a look at what was going on in the various departments? Did these Ministers ever take a look at what was going on within their own departments?

So you see, Mr. Deputy Speaker, we are talking not only about a holding company all of a sudden making

things right; we are talking about Ministers who are incompetent, Ministers who allow mismanagement, Ministers who are not really in control of the situation.

In his remarks, this Minister has referred to a holding company model of the private corporation, and that be the Power Corporation. However, he didn't make any reference to the differences between the private and the public sector, and there are some differences, and some significant differences.

In a public corporation, the ultimate power is with the Cabinet. In a private corporation, that power lies within that holding company and its owner and ultimately the shareholders, of course. But would there be the kinds of losses tolerated that we have witnessed in this province in Crown corporations? I doubt it. That would be intolerable and it would not go on for any length of time. But yet, in the public sector in this province, there seems to be no end to money. If a corporation loses \$100 million, all you do is go back to the taxpayers, get some more, put it in, waste another \$100 million. And it's been going on and on and on.

In the final analysis, Mr. Deputy Speaker, it doesn't matter. It doesn't really matter whether we have a Crown Investments Department or a holding company, whether we have an ERIC committee of Cabinet, or whether we have a committee of Cabinet in charge of a Crown-holding company. If the government does not have the will to bring its corporations into line by replacing Ministers who are incompetent, who mismanage the corporations, then nothing will change.

This new model will cost the taxpayers of this province an additional \$2.5 million, as I understand it. We have already witnessed one sample of the new model of accountability in the legislative committee hearings of MPIC. I hope, and I sincerely hope, that this is not the beginning of a track record of this new holding company that shall be established. It would appear at this point that this government, through this new bill, will be able to bury incurred losses, mismanagement and incompetence by Ministers.

By its previous record, as I've indicated before, I would submit that the goal of this bill is to plan centrally and enforce Cabinet control over all Crown corporations, and the ultimate goal being to deceive the public of this province.

In conclusion, Mr. Deputy Speaker, I do not see any great change that will result in the accountability and performance of our Crown corporations by simply passing this piece of legislation. There has to be a genuine desire on the part of this government as a whole to bring the whole process under control. If this Premier continues to allow incompetent Ministers to remain in departments where they have bungled terribly, where they have created intolerable losses, the result will never improve.

When a private corporation or even a hockey team or a football team continues a record of losses, then there is a replacement of senior management. This Premier and this government has not displayed any will to do any of that and, until he does, the taxpayers of this province will continue to pay heavily through their tax dollars for corporations that have outlived their purpose as public corporations.

Thank you very much.

MR. ACTING DEPUTY SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Thank you, Mr. Deputy Speaker.

It's a privilege to address the Chamber briefly on Bill 58, particularly following the excellent contribution made by my colleague from Roblin.

Mr. Deputy Speaker, I can't recall a government initiative that's been debunked and shot down in flames so quickly as this particular initiative that the Minister is trying to get the Chamber to pass and to foist on the people of Manitoba.

Mr. Deputy Speaker, we all know why we're dealing with Bill No. 58. We all know - I say with some regret, as a practising politician - that, in politics, perception is all too often far more important than reality. What is being perceived in the minds of the voting public is what's at issue here.

Mr. Deputy Speaker, several months ago, back last fall, early winter, when one Crown corporation after another Crown corporation was finding itself in ever-increasing difficulty, this government, this First Minister, realized they had to do something politically so that the people of Manitoba whose taxpayer money was being lost in the millions of dollars by Crown corporations doing the kinds of things that they ought not to be doing, said, "We have to do something about this."

He called his Cabinet in together, the ERIC Cabinet group together, that was supposed to look after these things, and they dreamed up Bill 58. We'll find a bright, new young Minister to put in charge of it, the Minister with a pretty face, the Minister who hasn't had too much experience in public office, who hasn't gotten himself into trouble yet, and we will, in effect, make him a super Minister.

Mr. Deputy Speaker, I have too much respect for the Minister, the Member for Concordia, in his capabilities, that this Minister is going to find this assignment, the assignments that have been entrusted to him under the bill that he is now proposing to be passed in Chamber, a very frustrating experience.

Mr. Deputy Speaker, it does not matter who we are, what particular role we play in the overall design of government, but I am prepared to acknowledge that each and every one of us giving up our time to serve the public during our particular period of time that we are elected, given the fact that we all have other interests, family and private interests, but most of us like to do something and spend our time in a constructive and a meaningful way. It may be viewed differently by the people outside. It may be viewed differently and certainly often is by Opposition members.

That's part of the democratic process, but I doubt very much whether this Minister will get any satisfaction out of just doing the kind of charade, practise the charade, that he is going to have to practise in carrying out the so-called responsibilities under this bill.

Mr. Deputy Speaker, we've already seen it. We've already seen it exhibited here in this House, and it was not meanness on our part that we've tested it out. We've asked the Minister very specific questions with respect to some of the responsibilities that he's going to assume for Crown corporations under this act. But inevitably the Minister directly responsible has very quickly stood up in the House to defend his turf, not going to have any interference from this new super Minister, not going to have any interference from any kind of legislation that we pass.

Now, Mr. Deputy Speaker, you've watched that, you've heard me ask questions with respect to the Crown corporations, one of our largest Crown corporations that this Minister now is supposed to take a firm handle on and make accountable to the people and to the Chamber. I've asked questions about Manitoba Hydro and - I was going to say, Mr. Parasiuk, but that's against the rules - the Minister of Energy and Mines very quickly got to his feet and took control with respect to any answers, any responses that were to be made in respect to that Crown corporation. The same thing applies when we directed questions with respect to the Manitoba Public Insurance Corporation. Very quickly, the designated Minister, designated by the Lieutenant-Governor-in-Council and, Mr. Deputy Speaker, it can't be any other way. I'd have recognized that.

Mr. Deputy Speaker, it's been my privilege over the periods of my time to have been responsible or to have been answerable for a number of Crown corporations in this Chamber. It was once my responsibility to be responsible for Manitoba Telephones, for the Manitoba Crop Insurance Corporation, for the Agricultural Credit Corporation, for Autopac, for the Manitoba Public Insurance Corporation. So there is a little bit of knowledge in the background of when I address the problems that I see in this bill.

It seems to me, Mr. Deputy Speaker, that it's regrettable that the government has chosen to essentially play the game of politics, recognizing that perception is all too often more important than reality, and they've presented us with Bill 58, presented us with a super Minister who will live no longer than such other efforts have survived, the most recent being Crown Investments, ERIC committee, other super committees of Cabinet that were held and directed to take specific responsibility over the affairs of Crown corporations.

(Madam Speaker in the Chair.)

Well, Madam Speaker, what kind of constructive criticism can I give to the Minister, to the government? Madam Speaker, it's my contention that it's when Crown corporations fundamentally begin to stray from their original and individual acts that incorporated them to provide a particular service, carry out a specific function, when we examine some of our most recent disasters, that's when we get in trouble.

So, Madam Speaker, I suggest that the Minister, this Minister and this government, would be far better off spending their time in re-examining the initial acts of incorporation of the various Crowns that we have operating in the province for different reasons. There's always a good question, Madam Speaker, as to how many of these Crowns do we require, and that's another part of the problem.

Madam Speaker, traditionally we looked upon Crown corporations as providing a kind of a public utility service, and that did not have an ideological bend to them. It didn't matter whether it was a Conservative Government or a Liberal Government or a New Democratic Party Government. When collective wisdom prevailed that it's best to do certain things, provide certain services collectively on behalf of all of us, then indeed there was an occasion for a Crown corporation.

Certainly, Manitoba Hydro, Manitoba Telephone System, Manitoba Public Insurance Corporation,

Manitoba Crop Insurance Corporation and Manitoba Agricultural Credit Corporation were all established on those bases.

Madam Speaker, when we go right back to those corporations and then find out who, after all in the main, operated trouble-free for many years and provided many years of the kind of service that the shareholder, the Manitoba taxpayer, expected of them. It's my submission, Madam Speaker, that it's when Crowns began to vary from their original mandate as laid down specifically in legislation that we invited difficulty and we invited trouble, or when Crowns deliberately and blatantly broke their own legislation that established them is when we got in trouble, as is the case with the Workers Compensation Board right now.

Madam Speaker, the Workers Compensation Board has as its mandate and written right into its act that it cannot operate with a deficit. But that very specific mandate, that very specific section of the act has, since these gentlemen came to power, ladies and gentlemen, been deliberately violated. Madam Speaker, if they wanted to change the operation of that particular institution, then have the political will to bring about those changes, bring those amendments to the act that allow that institution to operate within its legislative framework.

Madam Speaker, it's when Crown corporations or other governmental institutions operate outside of their legislative framework that we are held responsible, that we draft for them, just as we are drafting this right now, then that is when we are in difficulty, Madam Speaker.

Madam Speaker, I say this with considerable respect to the memory of the late J.O. Dutton who, I suppose, could be considered the father of the Manitoba Public Insurance Corporation in Manitoba. As I say, I want to make it very clear, I say it with the greatest respect to his memory, but the special audit that has just been carried out with respect to that corporation reveals, Madam Speaker, that the entry into international reinsurance was done so without a clear mandate in its act that established it.

The act that established the Manitoba Public Insurance Corporation was to provide a specific service to Manitobans. We get involved in accidents with our vehicles, we pay premiums and our cars are repaired at the lowest possible cost, the same thing with respect to sick benefits. But, Madam Speaker, the special audit clearly reveals that it was never presented to anybody in government including the New Democratic Minister who was then responsible, nor to myself when I was Minister responsible, the entry into international reinsurance treaties that have now lost that corporation millions of dollars.

You know, Madam Speaker, what so many Manitobans are asking themselves as they read the newspaper stories about the troubles that Crowns have gotten themselves into, they simply don't understand why we were doing that kind of business in the first place. I mean, why did we have to reinsure that multinational American chemical plant that had that dreadful accident in Bhopal, India where 2,000 people died? And Manitobans are paying for the insurance claims for that case. That's not what we started Autopac for.

-(Interjection)- Because a Crown was out of control, there was no reporting of that activity, and I believe the present Minister, there was no reporting of that activity until 1984. The special audit just carried out indicates that there was never a business plan presented to the board of Autopac, never a business plan presented to a Minister, never a business plan, never a suggestion.

Madam Speaker, I will tell you, I'll make that confession. I did not know we were in the business. I did not know we were in the business.

A MEMBER: What about Bison? Tell us about Bison.

MR. H. ENNS: Yes, I'll tell you about Bison.

A MEMBER: You knew about Bison.

MR. H. ENNS: Well, of course I did; I directed it. Of course it was. And that saved the corporation at least \$2.5 million in premiums - \$2.5 million in premiums. The special audit on page 22 clearly indicates those savings.

Madam Speaker, let me tell you another thing with respect to Manitoba Telephone System. Manitoba Telephone System, if you read the act - the act is fairly clear, very precise - is to provide a telephone communications service across the width and breadth of Manitoba. I will be acknowledged. It started in Conservative times, Madam Speaker. Nowhere in the act of the Manitoba Telephone System does it say that it has to preserve and create jobs. They provide telephone services, so a slight deviation from their mandate.

Because of technology, and we had a surplus of personnel, we accepted an offer from Bell Canada to participate in a contract in Saudi Arabia. But the rationale for doing it on the part of Manitoba Telephone System was not to carry out the mandate of its act, but just to provide some work opportunities for employees who might otherwise have to be laid off. Well, Madam Speaker, from that small deviation, all of a sudden, we end up doing business with some Arab sheik, signing promissory notes and losing \$25 million, \$27 million, \$30 million of the taxpayers of Manitoba. You and I and every one of my constituents, including my senior citizen widows on fixed incomes, have their telephone rates jacked up by this government, and we've got a Saudi Arabian sheik running around with \$20 million and driving cadillacs.

HON. A. MACKLING: It's the same management that deceived you, Harry.

MR. H. ENNS: That's right. That's right, Madam Speaker. I'm not arguing with my honourable friend, the former Minister of Telephones, who, up until six months ago, described that business venture as going to be a great, profitable opportunity for all Manitobans, Madam Speaker.

HON. A. MACKLING: I, like you, listened to that same management.

MR. H. ENNS: I am offering some good advice as to what needs to be done with respect to bringing Crowns

under control and accountable, and it needs to be done whether they're in power or whether we're in power. I'm just suggesting to the Minister that the piece of legislation that we're passing now will not do that.

I'm suggesting the time ought to be redirected to review and rewrite and rethink the original acts of incorporation that set up these corporations because, Madam Speaker, we are now in the latter 1980's. Times have changed, conditions have changed, government has intervened more often. Let me speak to you about another one, Madam Speaker, with respect to Manitoba Hydro.

The Manitoba Hydro Act has a very clear section that spells the mandate for Manitoba Hydro, the largest of all our Crown corporations. That is to produce energy, to boost electricity in the most economical manner, and provide it at cost, service at cost, to all Manitobans. Madam Speaker, that fundamental direction in its act was possibly first violated in 1969. In 1969, when it became - when Manitoba Hydro came in 1967-68 - when they developed their program for the utilization of our northern rivers, that would be the Churchill and the Nelson for hydro development, they were still operating under their mandate. Their suggestion was for high-level diversion of the Churchill River to the Nelson. That was the cheapest, most economical way of utilizing the great water resources of our north.

Madam Speaker, politicians intervened at that point in time. We deviated in a fairly major way from Manitoba Hydro's statute requirement. We said no, Manitoba Hydro has to take into consideration the ecological damage it's doing in the area, has to take and consider the human values in terms of the dislodgment, the inconvenience, cost, human and social factors with respect to the people living in that area or will be affected living in areas by waterways that are raised. Madam Speaker, there was nothing wrong with that, absolutely nothing wrong with that. I would think that we evolve as we go along to change our attitudes from what initially was fairly black and white, in the case of Manitoba Hydro, to employ hopefully the best engineers to tell us how to build a dam to produce power.

When that project starts to interfere with what we now accept as due and proper concern for our environment, then obviously there had to be a change written into The Manitoba Hydro Act. But, Madam Speaker, we didn't do that. We just started intervening more directly and more politically with the affairs of Manitoba Hydro and, to this day, we are doing it.

Nowhere in The Manitoba Hydro Act is there a mandate for it to build dams to sell power to the Americans. Nowhere is there in The Manitoba Hydro Act a section of the act that says that Manitoba Hydro is there to make money. Manitoba Hydro is there to provide service at cost.

Now, Madam Speaker, if this government or any other government wants Manitoba Hydro to become a money earner for us, as indeed this government wants - they've talked glowingly in the last Session, and they in fact established another bit of window-dressing legislation, Manitoba Energy Inheritance Fund. To ride on the piggyback of the once very popular Alberta Heritage Fund, we passed legislation, Madam Speaker, that established a heritage fund where we were going to take all the profits from the money that we make for selling power to the Americans into that fund to go

and help us build our roads, keep our hospital beds open, improve our schools, universities.

Madam Speaker, we're now a year later, two years later. Is there a nickel in that heritage fund? Is there one red copper in that heritage fund? Of course not. Will there be one next year, or the year after, or in 1990? Of course not, because you don't start selling power to the Americans till 1993, although we've already built the dam and are paying interest to the tune of \$200 million a year. Perception, Madam Speaker, is what this government works on. Perception, perception, perception, and ignore reality.

So we're passing a bill, Bill 58, that's designed to fool the public of Manitoba, that this First Minister - getting a handle on runaway Crown corps. He had to do something because it was getting outrageous. Every other month, another very serious financial scandal was breaking with respect to our Crown corporations.

So he devised this whole scheme that we are now carrying out today, this whole charade, appointed a super Minister. He had to give the super Minister something to do so we'll pass a piece of legislation for him, Bill 58, and expect that something is going to happen.

Well, I know one thing that will not happen is any more accountability or direct control over Crown corporations. I also predict, Madam Speaker, as I said earlier, a great deal of frustration on the part of this young and ambitious Minister, who will not be, quite frankly, satisfied; who will not tolerate the position that this legislation and his First Minister has put him in.

I have too much respect for his talents that he will be satisfied to wheel away imaginary decision-making processes at 10 different meetings, when in fact the decisions are being carried out in the board rooms, where they ought to be carried out, of Autopac, of Hydro, of the Telephones, or anywhere else. And a year from now or a year-and-a-half from now, this Minister will be wanting to shed himself of this responsibility which is largely illusory and designed to be so.

That's the shame of it, Madam Speaker, it's designed to be so. Really, when you consider the concerns, the problems that we have in this province, when you consider the real efforts that we should be applying our minds and our energies to resolving some of those problems - in the health field, in agriculture, in urban/rural living problems, generally - then we shouldn't be wasting time on this kind of game of charades.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Ft. Garry.

MR. C. BIRT: Thank you, Madam Speaker.

I would like to add just a few brief comments to the comments made by my colleague from Lakeside. I endorse them wholeheartedly because I think we're dealing in an area of charade and misdeception - I would like to say it. It's not a correct word, but I think it's more accurate to it. The government has found itself over the last two years rocked by one continuous mismanagement problem after another and, with rising taxes and reduction of services, if there is anything more that the public is demanding of its elected leaders in office today, it is good management of the tax dollars. And we haven't been getting it.

So this government rushed forward to try and solve the problem by giving a new bill saying that we're going to have accountability; we're going to have better accountability. We're putting in structures that are going to give us accountability that's going to be so good that we now have a super Minister who is going to give us super accountability.

Now my colleague just pointed out the problems when civil servants, political appointees, deviate from the norm, when we have all over the world the large corporations that went on the building binge, the acquisition binge, found that they couldn't do the jobs well that they acquired, are now shedding the companies and going back to their basic core operations. That, in effect, is what we should be doing in Manitoba with our utilities. But we're not going to get super accountability unless we get political accountability. The one thing that has been sadly lacking in all of this, and even leading up to introduction of this particular Bill 58, is the political accountability.

The political accountability has not been there for any of these scandals. Yes, some civil servants' heads have rolled, but where has the political accountability been?

As my leader said some time ago, what does it take to get a Minister fired from this government? And we know the fact is that this political party in power today believes in someone else's accountability for their mistakes, but we're above it. So how can we have super accountability if we don't have political accountability?

Now, in Public Utilities Committee where I chaired a few meetings, I've listened to the Minister who is responsible for this act. I've listened to some of his comments also made in the House during debates. He would like to give political accountability, and we heard it while my colleague was speaking from Lakeside about Project Ida and when he was Minister, or when another member, my colleague, had been the Minister of Telephones, he should be accountable for the problems in Project Ida.

We also have heard, at least I have heard the comments made about, well tell us about Manfor. They don't accept political accountability, but they want to lump all the disasters that have gone back for a number of years on the certain members on this side who have been Ministers. They want us to accept political accountability, but they're not prepared to accept political accountability.

So again, when we're dealing with this whole world of perception, I can tell you that the public isn't buying the new bill that's going to wave its magic wand and get them out of there, the swamp that they're in. So you can't have it both ways. You can't duck the accountability issue and you can't lump the accountability issue on someone else. For the Minister's information, he should look closely into the history of the Manfor project, because he keeps liking to dump it on to the previous Tory administrations. I would remind him that one Premier Schreyer advanced 90 percent to 95 percent of the funds to the company and said it was good, and then shortly there later he turned around and put it into receivership. So, if you want political accountability of Manfor, lump it on one of your own.

What we have are the same political people sitting around the Cabinet table, we have the same civil

servants, we have the same political support staff, only wearing different hats. We're now going to have some superbodies, and we're going to have some of those bodies sitting in meetings, at board meetings. We're going to have everything flowing through a special group, and they're going to be accountable for it. Well, these are the same people who gave us these disasters. How can you expect something new if you're using the same old tired players? I grant, the Minister was not involved in any of these and I, like my colleague from Lakeside, wish him well, but I think he's being guided like Napoleon was when he was going into Russia. He may wake up one day saying, what the hell am I doing here, and want to get out on a very orderly retreat. But he has been given a job, he'll attempt to carry it out.

The one area that I would like to know is, if you are not accepting political accountability, yet we're going to get superaccountability from this Minister and his staff, how are we going to get to the truth at committee hearings? Who do we ask? Who do we try to pin the tail of the donkey on? The Minister has said that existing Crown corporations will still flow through to the committee stage. We will still be able to ask questions but, when something is going wrong, such as the unfunded liability at MPIC, the Flyer problem, MTX, whatever else may be on the horizon or is now in the pressure cooker, who do we ask and who becomes acceptable? Is it the new Minister and his staff or, if this mine field is blowing up, does it then fall on the Minister who is responsible for that Crown corporation and his staff? Who do we ask? Who do we go after? Unless the Minister can clarify it, unless the Minister and his colleagues are prepared to give us political accountability, this whole thing is a sham and I'm sorry to see him waste his time.

I think the public is looking for leadership, the leadership to get back to the basic services that Manitobans have long wanted, did not want to get into a lot of adventures with, are now paying for those adventures. They will not buy this charade that the government is trying to play that they're trying to do something to get their house in order. If they will not give us political accountability, if they will not freely admit their mistakes - and I grant the Minister has made on the MTX matter. He said it was a disaster, we should never have gone into it, and I give him credit for that. But it's a good defensive ploy. When you've got nothing else going for you, admit you're wrong and let's carry it on, but it won't go under the carpet that quickly.

So when the Minister and his colleagues are prepared to provide us with some political leadership and some political accountability, then maybe the public will buy the need for Bill No. 58.

Thank you.

MADAM SPEAKER: The Honourable Member for La Verendrye.

MR. H. PANKRATZ: Thank you, Madam Speaker.

I move, seconded by the Member for Niakwa, that debate be adjourned.

MOTION presented and carried.

MADAM SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 25, standing in the name of the Honourable Member for St. Norbert. (Stand)

BILL NO. 28 - THE HIGH-LEVEL RADIOACTIVE WASTE ACT

MADAM SPEAKER: On the proposed motion of the Honourable Minister of the Environment, Bill No. 28, standing in the name of the Honourable Member for Emerson.

The Honourable Member for Niakwa.

MR. A. KOVNATS: Thank you, Madam Speaker.

The Honourable Member for Emerson stood the bill for the Honourable Member for Niakwa.

MADAM SPEAKER: Proceed.

MR. A. KOVNATS: I am happy to rise today, finally, to speak on this Bill No. 28, The High-Level Radioactive Waste Act.

In preparation to speaking to this bill, I took the opportunity of visiting the only location in Manitoba that I thought would give me an insight as to what happens with waste materials from radioactive sources. I did have the opportunity of visiting at Pinawa.

I had a fear of the unknown and, to allay that fear, I thought that it would be best to have a first-hand look at a site in which there was nuclear waste. I wanted to base my criticism or support on an understanding rather than a fear of what nuclear waste was all about, nuclear waste that was created through the use of fuel rods and material that does give us a waste material of high-level radioactive waste.

Madam Speaker, The High-Level Radioactive Waste Act, Bill No. 28, is an effort to protect Manitobans from the dangers of storing and disposing of nuclear waste in Manitoba. We have our own nuclear waste that comes from programs that are beneficial to Manitobans, such as medical treatment and some industry development. This waste is our responsibility, and we must accept this responsibility. We can, however, not accept the responsibility of disposing of nuclear waste from other jurisdictions. This bill states that by its prohibitions, and we support these prohibitions.

The development of the Atomic Energy of Canada at Pinawa should be encouraged, with its nuclear research and development and the underground research lab, to lead us into the 21st Century in safety and responsibility. Let me, at the onset, state we are not supporting the development of nuclear weapons and, second, we are not supporting the disposal of waste from nuclear weapons.

Madam Speaker, the Atomic Energy of Canada at Pinawa probably leads the world in development and research. To my knowledge, they have over 1,000 employees at Pinawa, about half of them doing research and half of them developing nuclear power. It is being monitored to see that the agreement between the Provincial Government and the Atomic Energy of Canada will develop in an orderly and safe manner. I am pleased that the United States has contributed financially to allow them to gain the knowledge to store their nuclear waste in their own jurisdiction.

I have always stated that energy is and will be the future of Manitoba. That energy could be electrical energy through Manitoba Hydro. It could be hydrogen power through the development of electrical energy, nuclear power, or any other type of energy, Madam Speaker. But I believe that energy will be the salvation and the future of the Province of Manitoba.

Ontario today develops half of its electricity from nuclear reactors and, by 1992, that figure will be 60 percent. Just as a matter of information, did you know that 10 carloads of coal, about 400 tonnes, is equivalent to one bundle of nuclear material, Madam Speaker?

Pinawa is producing a technology and developing knowledge that is incomplete as yet. We must make people aware of nuclear power and its waste. There has to be an educational process set up so that we have a clearer and better understanding of what it's all about, rather than an abnormal fear based on what we hear about Chernobyl and Three Mile Island, great disasters. But we must be educated as to what happens with nuclear material. We must make people aware of the dangers and the benefits of nuclear power and waste. Let us not close our eyes to the development of nuclear power for peaceful purposes.

Now is not the time to deter the expanding of the nuclear industry, particularly in Manitoba. It could be our safe salvation for the future. Now is the time to develop this technology in cooperation with the Federal Government, the Provincial Government, and the people who are directly involved.

I do have some criticism, Madam Speaker, wherein this bill only touches on part of the problems that we have with nuclear waste. We are passing a bill that is not going to allow nuclear waste from other jurisdictions into Manitoba, but we've only looked at part of the problem.

I know that this Minister is absolutely concerned about the other parts of it, but here we are rushing into passing a bill or trying to pass a bill that will only cover one small aspect of nuclear power and nuclear waste. I think that the whole problem should be examined more carefully. The Minister responsible for Workers Compensation, after the King Report, is going to take six months before he takes any action on any one part of it. He's going to take action on the whole picture.

I guess I'm caught in the middle where I criticize the government sometimes for moving too quickly and sometimes I criticize the government for not moving quickly enough. But there are many questions to be answered, Madam Speaker, and the Minister is going to have to answer these questions before I can fully support the bill.

What do we do with the high level of waste that we now have stored at Pinawa? Is every province to look after their own waste? Is there a cooperation across Canada concerning nuclear waste? Do we go through the NIMBY process - not in my back yard - or do we go through the process of not in anybody's back yard? How are we going to dispose of our own waste?

Madam Speaker, I stood next to a concrete bunker that contained nuclear waste. I wanted to see what it was all about. My first-hand look when I was at Pinawa - it is being stored. Is this the site that has been chosen for the storage only, or are we going to dispose of nuclear waste in this site?

Is the Minister prepared to advise the people of the Province of Manitoba where we will be disposing of

nuclear waste? I think the people deserve an answer, and I think that they deserve an answer when this bill is passed.

Where is the medical waste that is going to be stored or disposed of in Manitoba, medical waste that comes from the good of the medical profession, wherein they have had to store some medical waste? How are we going to dispose of that waste and what is the Minister doing to plan to dispose of that waste? We can't just sit still and wait for that waste to accumulate to such a size that it will not be able to be disposed of.

While I was visiting Pinawa, I had the opportunity of going through the whole of the plant, and I noticed an activity there which the people advised me was what they call a slow-poke reactor. It's a small nuclear-generating station that generates nuclear power that can service smaller locations.

I started thinking about these locations that could be around Manitoba that would give some comfort to people because it does generate heating facilities for some smaller locations. I was thinking mostly of some of the Native reserves in the north. That would provide them with some comfort. I was thinking of locations like Churchill, that would provide some comfort for the people up there with this slow-poke nuclear reactor. I was thinking that some of these nuclear reactors, these slow-poke reactors, will be going up into the Northwest Territories or into isolated locations. What's going to happen with the nuclear waste of these slow-poke reactors?

I think, Madam Speaker, that the Minister has got to advise us when we come to this bill. When he gives us his final speech on the bill as to what is going to happen, he's got to advise us about what's going to happen to the nuclear waste that comes from a slow-poke reactor where it's generated or manufactured right here in Manitoba, shipped to another jurisdiction. Are we going to allow it to come back? These are all questions that have to be asked.

Madam Speaker, to my knowledge, there is a danger to power nuclear waste. But also to my knowledge, I don't know of any deaths that have been attributed to nuclear power in Canada. I can cite that some of the other forms of power that are generating electricity and comfort for the people of the Province of Manitoba have caused some deaths, and also some gas explosions, some electrical power problems. But I think that, before we make a final decision as to whether we are going to reject nuclear power or not support it out of fear, we do have to have an educational process. I would hope that, with this bill, there'll be an educational process so the people will understand exactly what we've got here in the Province of Manitoba.

With that, Madam Speaker, I'm going to say that I'm going to support the bill to the point where we will reject the storage of nuclear waste from other jurisdictions into our own province. We must accept the responsibility of our own nuclear waste here in this province, and I will be supporting that part of the bill.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Thank you, Madam Speaker.

Thursday, 9 July, 1987

I, too, wish to comment on Bill 28, The High-Level Radioactive Waste Act. Madam Speaker, I have no difficulty in accepting the principle that we, as a province, should not be responsible for the treatment and disposal of nuclear waste which is not generated in Manitoba. If we receive none of the benefits, why should we accept responsibility for any potential risk or damage to our environment or our lifestyle? Similarly, if nuclear waste is being stored, as a former Environment Minister, I would agree that you should store it above ground for easy retrieval and monitoring.

With respect to the overall issue of nuclear energy, Madam Speaker, a great deal of research is ongoing into the safe treatment and disposal of nuclear waste. Now though scientists and nuclear physicists continue to give assurances that nuclear material can be safely handled, every so often we get a Three Mile Island or a Chernobyl to remind us that no system is foolproof. No means of handling can give absolute security. So it is with treatment and disposal. An absolute foolproof system or repository is yet to be found.

We have of course, as we're well aware, ongoing research in Manitoba at that underground nuclear research facility near Pinawa. It may yet produce definitive results and assurances. If it does, it will probably be applicable to all similar rock structures, meaning that we may find here in the Precambrian Shield in Manitoba that we can safely dispose of nuclear waste. But the Precambrian shield stretches from Quebec to Ontario and all the way through to Saskatchewan, Northern Saskatchewan. So that would give a number of options and whatever research produces here in Manitoba would also apply, obviously, to other areas of similar rock structures, probably in the Precambrian Shield.

But on the other hand, if the research concluded, Madam Speaker, that there was only one safe place in Canada to dispose of nuclear waste and that was right here in Manitoba, I wonder if the Minister and his colleagues would say no, we will have none of it here under any conditions. We will condemn our brothers and our sisters in other provinces to the hazards and the consequences of potentially unsafe disposal methods, rather than accepting them in Manitoba if it were proven to be the safest place in all of Canada. I would have difficulty. In fact, I'd probably have great difficulty with that attitude, saying you go and store it in an unsafe place or a less safe place somewhere else in this country because we who have the only safe place in the country won't let you store it here. I'd have difficulty with that concept, and I think that most reasonable Manitobans would have difficulty with that concept, Madam Speaker.

What about this bill, Bill 28? What does it really do for the protection and the benefit of Manitobans? The Minister said in his opening statement that the act does three things. He said, firstly, this new act will make it a violation of provincial law to dispose of nuclear waste in Manitoba; secondly, it requires that the waste be stored above ground to permit retrieval and provide for continuous monitoring; and thirdly, it prohibits the storage of waste not intended for research purposes in Manitoba.

The government has already said that's its policy. I think I have indicated that, with the possible reservation that I put forward of this being the only safe place in

the country, we can generally accept those principles but why do we need to put them in the form of an act? The Minister has already said that no other province has such an act, has put such provisions in legislation. Why are we doing it?

Well, Madam Speaker, I believe that it's window dressing. I believe that it's a sop to the vocal lobby groups who are continually badgering and bothering the Minister and, rather than continue to give them assurances, he said I'm going to give it to you in absolutely ironclad terms in the form of an act. His word that Manitoba shouldn't accept nuclear waste, his actions and his speeches, whether they be in Ottawa or in Minnesota, haven't satisfied the lobby, and he is saying that this act is the final ironclad way of assuring Manitobans that they won't have nuclear waste disposed of in Manitoba.

Madam Speaker, I believe that this legislation is really akin to that resolution that we debated to create Manitoba as a nuclear weapons-free zone. It really was to a great extent meaningless. It certainly was toothless, because there is absolutely no way that declaration would prevent Manitoba from coming under a nuclear attack. There's absolutely no way that resolution would prevent a nuclear weapon from hitting Manitoba. So what assurances did that give to the people of Manitoba or anywhere else?

This legislation too, I believe, is designed to reassure people where no reassurance can be given because, just as we can't prevent that nuclear attack, this act won't do what the Minister said it will do, and I'll quote what the Minister said this act will do. He said: "The new act is designed to address the concerns of Manitobans. It should exclude Manitoba from future site-selection processes for high-level nuclear waste disposal facilities." And he said further: "The Manitoba High-Level Nuclear Waste Disposal Act represents our government's intention to deal with this issue and permit those involved in Canada's high-level nuclear waste disposal program to exclude Manitoba, once and for all, from any future site-selection processes."

Madam Speaker, that is simply not true. This act won't do that. The Minister is guilty of false advertising. The Minister is guilty of misleading the public, because I asked this Minister today in question period whether or not he had a legal opinion from Legislative Counsel as to whether or not this act could be enforced upon the Government of Canada or AECL, a Crown agency, in right of the Government of Canada. He said that he had differing opinions. He didn't have opinions in writing, he just had opinions. So rather than stand on any legal opinion, as any good Minister and any good government should, and know that what they were doing would give them the powers that they were going to tell people it gave them, he ignored all that and he went ahead and he brought in an act that doesn't do what he says it will do. Now that's deception, Madam Speaker.

I wrote to Legislative Counsel and I asked those questions, Madam Speaker. Specifically I asked: "If this bill should pass all stages of debate and receive Royal Assent, would it be enforceable on Her Majesty, the Queen, in right of Canada." And the answer was "No." That's what Legislative Counsel for the Province of Manitoba says, that this could not be imposed upon the Government of Canada or one of its Crown agencies. Madam Speaker, I was so shocked at that

response, at the irresponsibility of this Minister in bringing in an act that couldn't be imposed upon the Government of Canada or AECL, I was so shocked that I had a telephone discussion with Legislative Counsel to be absolutely sure. I said, "Am I reading this correctly, because there are a number of references in here?" And I said, "Does that mean that if AECL wanted to put forward a nuclear waste disposal facility in Manitoba, they could do so despite this act?" And he said, in his opinion, "Yes."

(Mr. Deputy Speaker, C. Santos, in the Chair.)

Now we have to look around, Mr. Deputy Speaker, at who might want to put a facility in Manitoba for the disposal and treatment of nuclear waste. Would it be a private company? I suggest it probably wouldn't, because all of the nuclear energy activities are done by government and government agencies, by and large, whether they be provincial or federal. So I suppose it's possible that the Ontario Hydro that does have nuclear energy plants might want to set up a disposal and treatment facility in Manitoba but, given the stance of this government, given the stance that I'm saying, we wouldn't want to accept that, and we would tell them so.

This act gives the absolute power for preventing Ontario Hydro from coming in, but that's a very small possibility. The greatest possibility is that AECL, the major nuclear material user in this country, AECL would be the one Crown agency institution that would want to set up a nuclear waste treatment and disposal facility in Manitoba. Would this act stop it? No, that's what legislative counsel said, "no."

So what do I accuse this Minister of, Mr. Deputy Speaker? Do I accuse him of ignorance? Do I accuse him of incompetence? Do I accuse him of deception? Probably all three are true. Probably all three are true because we've seen him in action before.

We saw him come here in the House and, in debating Bill No. 47, try and say that what he was supporting in the way of including sexual orientation in The Human Rights Act was acceptable to the Catholic Church, and that the Pope said that we have to treat people with dignity and decency and tolerance, so that what he was doing wasn't in opposition to the tenets of the religion that he is a member of. That wasn't true.

In fact, I had one of the Catholic priests of Winnipeg who knows him phone me and say, that is drawing a longbow and that certainly isn't the case, and that in fact what the Minister was saying was clearly against the teachings of his religion. But that's the kind of deception that we have to become used to with this Minister. Now we find it in an act, a principal act that he's bringing forward in this Legislature, in which he is saying to Manitobans that this will prevent the establishment of a nuclear waste treatment and disposal facility in Manitoba, and it will do nothing of the sort.

If the Government of Canada or any of its Crown agencies wants to do so, if AECL wants to do so, this act will not stop them. I wonder if the Minister has told those lobbyists that he has wanted to try and make feel warm and fussy by his strong action that his act won't prevent that from happening. I'll bet he hasn't, Mr. Deputy Speaker. I'll bet he's been telling them that he has gone forward and done something that hasn't

been done by any government in the country, and made us absolutely safe and secure from having a nuclear waste disposal and treatment facility in Manitoba. I'll bet you that's what he's told them.

I would call that deception, Mr. Deputy Speaker, because if he's told them that it isn't true, it isn't true. He didn't even have enough common sense or intelligence as a Minister to get an opinion from the legal counsel before he brought forward this legislation. That, Mr. Deputy Speaker, is a condemnation of incompetence, as well as ignorance.

Mr. Deputy Speaker, I think that having reviewed the act, regardless of whether or not we may agree on the principles, it is irresponsible for this Minister to bring in a piece of legislation that won't be applicable to the major Crown agency that would be responsible for bringing in a nuclear waste treatment and disposal facility.

Here we have this Minister attempting to assure and provide a sop to people, the anti-nuclear lobby that's giving him a hard time. He has no way of responding, so he brings in an act; he brings in an act that doesn't do anything. It's a toothless tiger, and the Minister ought to be ashamed. He has brought forward, in my view, something that is totally deceptive. It is irresponsible and that doesn't do what he advertised it to do. He's guilty of false advertising and he, as a Minister, ought to be ashamed of himself, and indeed the Premier ought to review his position as a Minister responsible because of what he's done.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. DEPUTY SPEAKER: The Honourable Minister will now close debate.

HON. G. LECUYER: Thank you, Mr. Deputy Speaker.

HON. J. STORIE: Oh, wait, Clarence wanted to speak.

A MEMBER: Oh, no, he started to speak.

A MEMBER: He said, thank you, Mr. Deputy Speaker; he's on record.

MR. DEPUTY SPEAKER: The Honourable Minister had started speaking.

HON. G. LECUYER: Ask him if you have leave?

MR. C. BAKER: Members opposite, would you give me leave?

MR. DEPUTY SPEAKER: Is there leave?

A MEMBER: Yes.

MR. DEPUTY SPEAKER: Leave granted to the Member for Lac du Bonnet.

The Member for Lac du Bonnet.

MR. C. BAKER: Thank you to the members of the House and to you, Mr. Deputy Speaker, for allowing me to say a few brief words.

Firstly, I suppose that this bill, like any other bill, before anybody could say whether it's strong enough or whether it will stop what it's said to do or not; it would have to go to court. I think we can all admit that because we see countless bills being tested in court. We see ourselves involved in a court battle insofar as whether the deregulation of energy will keep up or not, but I don't rise on that point. I merely say to the House that I believe the bill, of course, would have to be tested in court. I think anybody in this House would agree with that.

But what I do rise on, I think that the research facilities at Pinawa have taken on a lot of undue lumps because of the fear, the emotional fear, of people who don't want to be near a nuclear waste repository, and that's understandable. The unknown is always fearful, everybody fears the unknown.

But I rise to speak on this bill because I'd like to put forward to this House and let it be on record that there are a lot of fine things happening at Pinawa that have nothing to do with the storage of nuclear waste. Naturally, of course, it's a commendable job that they're doing because they're looking for a method of storing it that would be the safest and would alleviate everybody's fear that they've done everything they can possibly to find a safer way of storing nuclear waste.

But that isn't what I want to talk about. I want to talk about all those other things associated with the research over there that is doing countless and countless numbers of good for people in this country - the radiation of course, to treat cancer and all that kind of thing.

Further to that, the research facilities, they are capable of doing many, many things. For instance, they have produced the chemical "Roundup." They did it in their lab. They can produce that, and perhaps the day when the patent comes off, maybe somebody, some entrepreneur in Manitoba will take it upon himself to get into the business of producing Roundup, versus the Member for Morris stated, he and his friends are in the business of producing Treflan since the patent has run out.

So, Mr. Deputy Speaker, I'd like to put on record that this government, this Member for Lac Du Bonnet, and I'm sure the Opposition members as well, I'm sure I speak for them when I say that we support all those positive things that are happening at Pinawa, all of those fine people who are working on a lot of good research projects.

Once this bill is passed, let's put that behind us. We've done as much as we can to alleviate the fears of Manitoba. Let's promote those positive aspects of Pinawa.

Thank you very much, Mr. Deputy Speaker.- (Interjection)- I'm sorry. If the Opposition has some method of guaranteeing, making more secure, I would welcome discussing it. Well, we don't.

MR. DEPUTY SPEAKER: If there are no more speakers, the Honourable Minister will now close debate.

HON. G. LECUYER: Thank you, Mr. Deputy Speaker.

I shall make my remarks brief and I shall try to avoid stooping, as the Leader of the Opposition did, to distortion of somebody else's comments, as he did in

regard to the words I put on the record in regard to the Human Rights Code, because he clearly did that, Mr. Deputy Speaker, distorted the remarks that I made in that particular speech.- (Interjection)- He did not quote my own remarks, Mr. Deputy Speaker, and he clearly distorted what I said.

Furthermore, Mr. Deputy Speaker, if the Leader of the Opposition was the least bit fair, he would also table those written comments that he supposedly has received.

MR. G. FILMON: Mr. Deputy Speaker, on a point of order, I would like to table the written opinion of the Legislative Counsel . . .

HON. G. LECUYER: That's better.

MR. G. FILMON: . . . because at least I have some concern and sense of responsibility about the legislation that we're passing in the House. This irresponsible Minister doesn't, so I'll give him the copy of the opinion that he should have asked for himself.

MR. DEPUTY SPEAKER: The Honourable Minister of the Environment.

HON. G. LECUYER: At least we've got that done now, which he wasn't prepared to do on his own.

Mr. Deputy Speaker, the Province of Manitoba recognizes the need for ongoing research in all aspects of the nuclear fuel cycle including methods of handling, storage, and ultimately disposing of high-level nuclear wastes. That is why, Mr. Deputy Speaker, we have not or never proposed that particular activity be discontinued.

We've very much encouraged and supported that the nuclear research go on in Manitoba. It has to go on and, in fact, I feel we have a responsibility in Canada to carry on that responsibility or that role inasmuch as we use the nuclear power, we generate nuclear wastes, and therefore as a society we have a responsibility to deal or to find ways that we can dispose of these wastes in a safe manner. We cannot just leave that responsibility to future generations, a point that I've made many times before.

This act is not intended to impede this research in Manitoba. Neither is this act based upon any evaluation of the ongoing research into high-level nuclear waste disposal methods. And it doesn't purport to do that.

The principles upon which this act is based are as follows: (1) that any disposal method of high-level nuclear waste will have some residual risk associated with it; (2) that high-level nuclear wastes, if they are to escape to the environment, present indeed a unique hazard; (3) that almost all of the high-level nuclear waste produced in Canada is generated as a result of commercial electrical production; (4) that Manitoba does not have a nuclear power program and therefore should not bear any risk associated with the waste disposal from such use.

This statement of principle should not be interpreted in any way upon the safety of present or future disposal methods of high-level nuclear wastes, and we have never intended it to be that.

Mr. Deputy Speaker, the Member for Niakwa makes the point that he's visited the site. I've also visited the

site more than once. I've also visited the underground research site, and I wish to reiterate again that we're not talking here about low-level nuclear wastes, Mr. Deputy Speaker, we're talking about high-level nuclear wastes. So, we're not talking about the good research that's being done in Pinawa that might be used in the hospital sector or elsewhere, that might be used to produce new research methods or new instrumentation for research. We're not talking about that, Mr. Deputy Speaker. We've said that those activities can continue to occur.

Pinawa is producing research, is producing technology and, Mr. Deputy Speaker, they bear most of the responsibility for educating the Canadian public. I think that I have to say, in the past, they did not assume that responsibility too sufficiently and perhaps are responsible to a large extent for much of the fears that Canadian citizens experience today in regard to what has transpired in the past. And for that, Mr. Deputy Speaker, they have to bear the responsibility. They are the ones who are most knowledgeable about the research that they carry on. They have the responsibility to educate the Canadian public upon that research.

To say that now is not the time to curb the development of the nuclear industry, especially in Manitoba as the member has stated, I don't know what that statement states. If he's saying it's not the time to curb the research, well, we've never said that, Mr. Deputy Speaker. We're saying that we, as a province that doesn't rely upon that form of energy to produce its electricity, should not be required to bear the costs and the risks associated with the disposal of that type of waste.

The question that is being asked is: What do we do with the high-level nuclear waste now stored in Pinawa? Well, we keep them there as they are now stored where they can be retrieved, where if there are problems we can address them.

Where will the nuclear waste be stored in the future? Well, the answer to that is, that's why we do not discourage the research. That's why we say, until we have found permanent way of disposing that is safe, it should continue to be stored near the sites where it is produced to avoid handling, transportation problems, which will further enhance the problems.

(Madam Speaker in the Chair.)

What's going to happen with the nuclear waste of slow-poke reactors? Well, that's highly hypothetical, because they are not in production now. They are not in use now. Should they be, first of all, they will produce - yes - high-level nuclear waste in much smaller quantities than our present nuclear reactors. All I can say to that is I hope that the member is not suggesting that we should develop disposal facilities for high-level nuclear waste in each and every one of our provinces in Canada. That is not certainly feasible when one considers probably even a single aspect of cost.

The Leader of the Opposition says I presume that if the research indicates that the disposal of nuclear waste in Lac du Bonnet is feasible and we can guarantee that it is safe, probably it can be shown that it's safe elsewhere. If that is the case then, why will it not be stored elsewhere where it is produced, primarily in those provinces who depend upon nuclear power to produce their energy? I suppose that means Ontario and Quebec.

If it can be shown that it can be disposed of underground in a safe manner, if it can be guaranteed - to raise the hypothesis, what if that can be done only in Manitoba? That is purely a hypothesis. The Leader of the Opposition says, why does Manitoba need to introduce this act when other provinces who are not dependent upon nuclear power have not introduced them?

First of all, I would say we shouldn't wait for the others to do it; we don't have to be the followers here. But secondly, the Leader of the Opposition should realize that Manitoba is the only province in this particular situation where, while being a non-user of nuclear power to produce electricity, we are the province where the research is actually taking place.

So if there is a province where people have a right and indeed are concerned about the potential effect of the disposal of nuclear waste, it is indeed in Manitoba where the research is taking place. That is why it's necessary for Manitoba to express very strongly its views, in terms of the disposal of nuclear wastes, which it doesn't produce.

For that reason, it is certainly not window dressing to introduce this legislation, just like it wasn't window dressing to introduce a Nuclear Weapons Free Zone Resolution some time ago, because even though that does not - it typifies the small capacity of the Leader of the Opposition's mind not to be able to understand the difference that, even though this will not prevent Manitoba from forever being attacked by a nuclear perhaps weapon, it certainly gives an indication of where we stand in terms of producing such weapons in our boundaries.

Therefore, Madam Speaker, to state that this legislation cannot be enforced -(Interjection)- I would ask the Leader of the Opposition to keep quiet, he's had his opportunity more than once on this legislation. Not only does he distort the facts when he speaks, Madam Speaker, he speaks from his seat to try and disrupt what I'm trying to say at this point in time. That also applies to the Member for Sturgeon Creek, who always shouts from his seat, Madam Speaker.

To have the nuclear research carried on, the underground nuclear research carried on in Manitoba, puts us in a situation where we have to be, of course, doubly concerned. To state from there that there is no guarantee, no guarantee that we can enforce that regulation or the legislation to the Federal Government or agencies, Madam Speaker, I have never stated that this legislation could be enforced on the Federal Government. That's where the Leader of the Opposition distorts the facts.

I have never stated that it could be enforced on the Federal Government, Madam Speaker. Therefore, I have never tried to mislead the people of Manitoba.

What I have stated, Madam Speaker, and what I'll state again is that it is the expression of where we stand, and it is to express it as strongly as we can express it.

Madam Speaker, I for one would hope that it never has to be tested. I, for one, would hope that if a province expresses as strongly as passing legislation, that those wishes would be respected by the other level of government. I for one would hope, Madam Speaker, and would assume that they would not force that on the Province of Manitoba, if the Province of Manitoba

has passed legislation stating they do not want a disposal facility within its province, Manitoba.

Madam Speaker, I fully expect that would be respected. At any rate, even the Federal Government, even the federal agency of Atomic Energy of Canada, has itself signed a lease. Therefore, it doesn't say we can disregard your wishes in that regard. They have signed a lease that, in the research for instance, Madam Speaker, they would not even use radiation as part of the experimentation and testing. Therefore I do believe that they are prepared to respect the wishes of the province and fully hope that, by passing this legislation, we are giving a strong indication of where we stand in regard to the potential risks of nuclear waste disposal and the fact that we do not benefit from the production of the energy in Manitoba from that source, Madam Speaker. Expressing our wishes by legislation is a strong indication we can give to the Federal Government that facility should be located where it is indeed produced.

And there are further reasons why that should be the case because of course, Madam Speaker, the handling, the transportation of that waste also presents additional risks that should be avoided at all costs, especially when we consider that the large bulk of it is produced in a particular part of the country which brings together Ontario and Quebec, the major producers of it.

So, Madam Speaker, independently of the comments made by the Leader of the Opposition, I'll stand by those comments.

QUESTION put, MOTION carried.

BILL NO. 38 - THE LAW SOCIETY ACT

MADAM SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 38, standing in the name of the Honourable Member for Fort Garry.

MR. C. BIRT: Thank you, Madam Speaker.

I've had a chance to review the proposed bill which is actually amendments to the existing legislation that was introduced last year, and I find it surprising that within less than a year it's necessary to make some substantial changes not only in detail, but in some of the principles that are contained therein.

I believe, when the first legislation was introduced, it really sort of created the illusion of an entity to dispense funds as it relates to the field of law in the Province of Manitoba. But there was very little flexibility or discretionary power given to that entity in which to dispense those funds, and actually in fact the Minister, through the agreement, had tied the hands of the foundation and how they were to handle those funds.

But I note with interest, and probably to the relief of those who were on the board thinking that they had some discretion in how to handle public funds, or at least funds granted to them, that they would be able to fund other worthwhile projects in the Province of Manitoba. Though some of the funding formulas have changed, what it does is, in effect, create some additional funds that will be allowed to be spent by the decision of the board of directors of the particular institution.

The only question that I would have and I would ask the Minister is last year he created, I believe it was The Victims Assistance Act. If that is not the correct name, it's the act dealing with victims that he introduced last year and the funding that was required, but basically was to provide research and assistance into how to help victims of crime. And on this year's Order Paper, there is The Crime Prevention Foundation Act, and I'm wondering if there is truly going to be discretionary powers given to the board, or is the funding for these two entities to flow from the so-called discretionary aspect of the bill.

That is the only real question that I have with the act. As I said, some are just minor housekeeping things, some are some substantive changes, but I think it is a positive step and will give the foundation some more flexibility in attempting to carry out their mandate.

Therefore, Madam Speaker, I would recommend that it proceed to committee.

MADAM SPEAKER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Very briefly, Madam Speaker, I find this bill very interesting because, when the original legislation was introduced, I commented on how little discretion the Law Foundation had with respect to grants because the Attorney-General tied up the bulk of the funds by virtue of the agreement with the Law Society, in which I doubt there was a fair balance of authority used, in the sense that I think there was some pressure on the Law Society to accept what the Attorney-General wanted and how he wanted the funds disbursed.

And then we find this year we're presented with a bill where the Law Foundation is now asking that an amendment be brought in to show, in fact, in the legislation, how little discretion that they had.

So from that point of view, Madam Speaker, I think the First Annual Report of the Law Foundation was just filed a few days ago evidencing their position. I wanted to make these remarks because I indicated on the original bill that I felt there was not sufficient discretion in the hands of the Law Foundation and that there was too much authority imposed by the Attorney-General in terms of appointments, in terms of appointing the chairperson of the Foundation and the agreement which tied the hands of those people who were appointed in that manner.

MADAM SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: My apologies to the Member for Fort Garry. I just caught the beginning of his brief remarks and hurried in so that I wouldn't miss the balance, but he was briefer than I thought.

There was a question that was asked by the Member for Fort Garry, and I wonder, Madam Speaker, if I might just interrupt my few remarks and ask the Member for Fort Garry to repeat that question so I might deal with it.

MADAM SPEAKER: The Honourable Member for Fort Garry, then.

MR. C. BIRT: Thank you, Madam Speaker.

My question at the end of my brief remarks was the discretionary clause that is being created by this particular legislation. I understand that there was an adjustment in how the calculation of interest was arrived at with the banks and, as a result, there was some adjustment between how what percentage would go to the Law Society and the other areas. Those figures, in fact, I think were dropped slightly but, in effect, it created some additional funds and now they have a discretionary power after paying administrative expenses, etc., to spend as they see fit.

My only question was that there is on the Order Paper of this year one act - well, it's The Justice for Victims Act of last year and The Crime Prevention Foundation Act. I'm wondering if they are to be getting funding from this. In other words, is this then becoming the vehicle for funding that operation or will they still receive funds? I presume, once The Crime Prevention Foundation Act goes through this year, it would flow from the public purse. I can appreciate they may receive grants. My question is: Is their sole funding coming from this discretionary power?

HON. R. PENNER: Thank you, Madam Speaker, to close debate.

In answer to the question, no, it is not the intention at all that the Justice for Victims of Crime operation receive any funds from the Law Foundation. Their funds are received entirely from the surcharge, which is proving to be a fairly substantial sum, and that is an earmarked fund. It's not available to - it's in a trust fund, in consolidated, earning interest, but it's not available for any other purpose except that. And for that reason they would not be in a position to apply to the Law Foundation. So, too, it is the intention of the Crime Prevention Foundation Bill that it be funded and consolidated, and indeed my Estimates this year contained a sum which annualizes at about \$240,000 to allow it to operate.

Again, it is not the intention that Foundation would apply to the Law Foundation. They can, or it can. It's hardly likely that it would stand very high on the list of things that the Law Foundation would want to look at, given that it has its own specific governmental source of funding.

With respect to the point made by the Member for St. Norbert - and I agree that the discretionary funds available to the foundation are limited for the first three years by the agreement now forming an annex to the bill. It's entirely up to the foundation after that three years whether or not grants will continue and to what extent to those named beneficiaries.

The report that was just tabled in this House of the first few months of the operation of the foundation, I think, are encouraging. They show an attempt to build up a corpus; that is, a residual fund from which the interest can be used for grants so that, in the event matters change and the interest on lawyers' trust account doesn't flow to the same extent it's now flowing, they will be able to continue.

I think I've answered the points raised by both of the members, and I'm pleased that the matter will now go to committee.

QUESTION put, MOTION carried.

BILL NO. 42 - THE CONSTRUCTION INDUSTRY WAGES ACT

MADAM SPEAKER: On the proposed motion of the Honourable Minister of Labour, Bill No. 42, standing in the name of the Honourable Member for St. Norbert.

MR. G. MERCIER: Madam Speaker, I adjourned this matter for the Honourable Member for Brandon West.

MADAM SPEAKER: The Honourable Member for Brandon West.

MR. J. McCRAE: Thank you, Madam Speaker.

I rise today to participate in the debate on Bill 42 dealing with The Construction Industry Wages Act. I rise to speak against Bill 42 and to request the Minister to withdraw the bill from consideration by this Legislature.

Madam Speaker, except for the clause in the bill dealing with the commencement of the provisions contained in the bill and except for the clause dealing with offence and penalty, all Bill 42 is, is a blank cheque for the Minister of Labour and the Government of Manitoba.

Madam Speaker, we heard yesterday the Premier tell us that he wasn't about to give anyone a blank cheque when it comes to matters dealing with free trade, but Bill 42 is nothing but a blank cheque.

On the other hand also, Madam Speaker, when it comes to the government takeover of Inter-City Gas, we on this side of the House are being asked to sign a blank cheque for this government to approve its takeover of the distribution facilities of ICG in Manitoba without giving us adequate information on which to make an intelligent decision. That, again, is a blank cheque, and Bill 42 falls into exactly the same category.

Madam Speaker, the bill, as I understand it, arises from confusion about the definition of what construction is in the Province of Manitoba and it arises because there have been court cases dealing with the matter. Well, if this is the government's response to closing loopholes, if this is the way the Government of Manitoba is going to respond and this is the imagination that it has when it comes to dealing with problems that do come up with legislation, then I have very little confidence in the ability of this government to tie its own shoes.

Because really the response we get in Bill 42 to problems relating to the definition of construction, the response is a blank cheque for the Minister of Labour. To make decisions about what construction is in this province, in consultation who knows with whom, but past events tell me that I know exactly who the consultation will be with. That will be people like Wilf Hudson and the people in the union movement without adequate opportunity for people on the other side of a given issue to be heard by the Minister.

The Minister has a sore toe, I'm sorry about that. The Minister tells me that he and a baseball had a serious disagreement, Madam Speaker, and as a result, I think the baseball is probably still all right, but the Minister's toe is in considerable pain, and he has my utmost sympathy. When I first saw the Minister hobbling around, I thought to myself, oh oh, Wilf Hudson has

stomped his foot once more. But that's not what happened. Apparently it was a baseball and the Minister has my sympathy.

To get back to the point at hand, Madam Speaker, I must say that it shows a remarkable lack of imagination on the part of a government to problems that arise to bring forward a bill that in every section, except the two that I mentioned, gives the Minister of Labour and the Government of Manitoba unfettered power to make changes by regulation.

Under this bill, construction can include a number of things, Madam Speaker, and they are listed. But, it also includes such related activities as the Lieutenant-Governor-in-Council by regulation deems necessary to include within the definition. Why is it worded this way? Does the Minister's department not have the imagination, or the Minister not have the imagination, to define construction so that the definition can be applied without ending up in court?

The next section defines, sector, Madam Speaker. In addition to those definitions listed, it also includes such other divisions of the construction industry as the Lieutenant-Governor-in-Council, by regulation, deems necessary to include in the definition.

The section deals with penalties. We're talking about penalties for a corporation of up to \$10,000.00. Now, not all the corporations in this province are very big corporations. Should there be an infraction of some regulation that the Minister dreams up, Madam Speaker, a small corporation could be facing a \$10,000 fine. Now, a \$10,000 fine might not be out of line at all, Madam Speaker, if we were dealing with legislation that everybody understood, but the opportunity is here once again for the Minister to change the rules of the game whenever he wants.

I have to ask this Minister: Will this bill help when it comes to some of the problems that the construction industry faces? Madam Speaker, instead of inventing or giving himself unfettered powers, like the kind we see in Bill 42, the Minister and this whole government should be addressing problems like the problems we know exist in the north in this province.

Madam Speaker, the magazine, "Construction in Manitoba for the Summer of 1987," tells a bit of a horror story about three northern communities.

HON. J. STORIE: Not a very accurate report.

MR. J. McCRAE: The Minister of Education wants to get involved in the debate, and I'm sure he will after I'm finished to set the records straight and to correct me on all the mistakes that I make in my speech, Madam Speaker, as he always does. I can only hope that he will use temperate language, as opposed to some of the language we hear on the part of honourable members in this House. The kind of language we hear from honourable members in this House is the kind of language which we find will be illegal under the new Manitoba Human Rights Code.

Madam Speaker, we talked, in the Manitoba Human Rights Code, about vexatious and unwelcome language, and we get that every day from honourable members opposite. They might even occasionally accuse me of doing the same thing. But, Madam Speaker, I paid my debt to this Legislature. Those honourable members

are cowards, Madam Speaker, when it comes to the language they use in this House.

MR. H. SMITH: Slime.

MR. J. McCRAE: Now the Honourable Member for Ellice refers to "slime." The other day it was "bastards." What's it going to be next, Madam Speaker?

MADAM SPEAKER: Will the honourable member please address his remarks to the bill at hand?

MR. J. McCRAE: I would be pleased to do that, Madam Speaker, but I'm easily distracted by language like "bastards" and "slime" and words like that.

MADAM SPEAKER: Order please.

Would the honourable member please refrain from using those words? That word was used once in this Legislature and immediately withdrawn. We don't need it referred to again.

MR. J. McCRAE: Madam Speaker, I would not use language like that.

MADAM SPEAKER: Thank you.

MR. J. McCRAE: We leave that for members like the Member for Ellice . . .

MADAM SPEAKER: Thank you.
Now address the bill, please.

MR. J. McCRAE: . . . who uses the language in this House and then steps outside, Madam Speaker, and repeats it to the press and takes back any apologies that he gives to this House.

MADAM SPEAKER: Order please, order please.

Would the honourable member please address his remarks to the bill at hand?

MR. J. McCRAE: Madam Speaker, I'm doing my darnedest, but when I hear honourable members opposite use the language that we hear . . .

MADAM SPEAKER: Order please.

MR. J. McCRAE: . . . coming out of their venom-filled mouths . . .

MADAM SPEAKER: Order please.

MR. J. McCRAE: . . . it makes it difficult for people like . . .

MADAM SPEAKER: Order please.

I also don't need the honourable member arguing with me. Now would the honourable member care to address the bill?

MR. J. McCRAE: Madam Speaker, before I was interrupted, I was dealing with an article in the Construction Manitoba Magazine which is very apropos to this bill, and I still don't understand what all the

commotion is about. But in any event, I'll read briefly from the article.

"During a recent tour of The Pas, Flin Flon and Thompson, an industry official found it almost impossible to locate any construction to photograph for this publication." There is a photograph here, mind you, of one that they were able to find but they, I take it, were hoping to put more construction -(Interjection)- Madam Speaker, I do now know why the Minister of Education wants to get involved in the debate, because we're talking about his area of the province.

A MEMBER: It's stupid.

MR. J. McCRAE: Would you call the Minister of Education to order, Madam Speaker?

MADAM SPEAKER: If the honourable member has sat down and finished his remarks, may I assume he has finished his remarks?

HON. J. STORIE: I apologize, Madam Speaker.

MADAM SPEAKER: If the honourable member has sat down and finished his remarks, may I assume he's finished his remarks?

MR. J. McCRAE: No, Madam Speaker. I asked you to intervene and call the Member for Thompson to order.

MADAM SPEAKER: Order please.

There are ways of raising a point of order, and sitting or standing in one's place and yelling at the Speaker is not the proper way to do that. If the honourable member cares to rise on a point of order, he knows the proper process that everyone in this House has pledged to uphold.

Now would the honourable member care to continue in the debate on the particular bill before the House?

MR. J. McCRAE: Yes, Madam Speaker.

MADAM SPEAKER: Proceed.

MR. J. McCRAE: That's why I sought the floor in the first place, Madam Speaker, to speak to Bill 42.

With regard to the City of Thompson, the article states, Madam Speaker: "Faced with this prospect of continuing lack of construction, many local contractors are annoyed by recent awards of small projects to Saskatchewan contractors whose prices were low by a wide margin. While the contractors have no objection to competition from any province, they are suspicious that the out-of-province firms are not paying the legislated minimum wage rates for the construction industry in order to arrive at low tender figures."

Later in the article it deals with the City or the Town of The Pas, Madam Speaker: "As in Thompson, contractors in The Pas are convinced that many contractors coming into the area from Southern Manitoba and from Saskatchewan are not paying the legislated minimum wages which local contractors are required to pay and therefore have unfair advantage in bidding. Following one project, the local contractors did a detailed study and reestimated the plans and

specifications. Their conclusion was that, if the low bidder paid the legislated minimum wage, he could not possibly complete the contract for the amount bid."

Madam Speaker, instead of bringing in *carte blanche* legislation like Bill No. 42, why will the Minister not address problems like the kind referred to in the article to which I've read from? I think the Minister would do this province a service if he withdrew this bill and went back to the drawing board. If there are things wrong with The Construction Industry Wages Act, he would do this province a far better service by making amendments to the act that would be specific and not just allow this government unbridled power to do what it wishes, in many cases, at the urging of the union movement in this province.

After all, Madam Speaker, when we hear stories like the kind from Northern Manitoba that I just referred to, there are not too many people working in the construction industry. If the Minister and his government doesn't turn its attention to problems like that, really all the legislation in the world isn't going to help.

We need to have economic development programs brought in by this government which would encourage industry and construction. We need to do things like look carefully at how we spend money in this province so that money is freed up so that we can remove that payroll tax which is working so adversely against construction in this province.

Madam Speaker, from whom does this Minister take his advice? I've always had my concerns about that. And the other members of this government, I'm very concerned about from whom they get their advice. They don't always represent a cross-section of the industry in this province. In fact, we found many examples, Madam Speaker, where the advice taken by this Minister comes from one area only, and that's from his friends in the labour union movement.

This government already has too much power, Madam Speaker. It misuses and abuses the power that it has, and so I wouldn't like to be part of giving them additional powers that are unspecified as they are in Bill No. 42. So, Madam Speaker, I would urge the Honourable Minister to withdraw this bill, go back to the drawing board and bring forward better legislation to amend The Construction Industry Wages Act.

I would ask all honourable members to support that idea and, failing that, I would ask them to vote against this bill.

MADAM SPEAKER: The Honourable Minister of Labour.

HON. A. MACKLING: Thank you, Madam Speaker.

I will not speak at length. I'll resist that temptation for which the Honourable Member for Fort Garry at least acknowledges some agreement. No, Madam Speaker, I will resist replying in a similar vein to the contribution of the Honourable Member for Pembina who, when he spoke, exhibited the unfortunate range of vitriolic, vituperative rhetoric that so badly skews what otherwise can be effective criticism of legislation.

Madam Speaker, when in another time I was pleased to be Attorney-General of the Province of Manitoba, I had as one of the counsel, from which I gained a great deal of appreciation for the laws of the Province

of Manitoba, Gerald Rutherford, who constantly brought to my attention concerns about what is often the abuse that governments make of regulatory power. So I, Madam Speaker, am very conscious of the need to be careful in drafting legislation to avoid abuses in granting too broad a regulatory power to government. So buried within all of that rhetoric from the Honourable Member for Pembina when he spoke, and therein, there was some fair criticism of this legislation.

I want to say that this legislation was first introduced in Manitoba under a Conservative Government. I am sure the Honourable Member for Brandon West would like to know that, that a Conservative Government introduced this regulation - that was in 1964. And in 1974, under an NDP Government, the Construction Industry Review Committee was established, representative of both employer and employee representatives, to review the act and the regulations that had been introduced 10 years before by a Conservative Government, and make recommendations in respect to the problems that were associated with the absence of definitions within the act.

That review committee reported to the Minister of Labour in 1977 - again that would have been a Minister of Labour in a Conservative Government in the Province of Manitoba - and the committee specifically recommended that the definitions be located in the regulations since they were very complex and would likely require refinements to be made over time. So those were recommendations that were made to a Conservative Labour Minister.

The definitions recommended by the Industry Review Committee were subsequently reviewed and refined by the three Construction Industry Wages Boards appointed under the act, and by senior officials within the Department of Labour. The Wages Boards consist of employer and employee representatives and one public representative who serves as chairperson.

On the basis of the recommendations made by the Construction Industry Review Committee, and of the subsequent review by the Construction Industry Wages Boards appointed under the act, a definition of what constituted heavy construction was adopted in the regulations in April of 1981, and definitions of what constituted industrial, commercial and institutional construction and house building were adopted in the appropriate regulations in 1984.

So why, Madam Speaker, I draw these times and specifics to the attention of members is to indicate that Conservative Governments, Conservative Ministers of Labour, as well as New Democratic Party Government and Ministers of Labour, have been involved in trying to ensure that there is effective legislation and effective regulations dealing with this industry, an industry that is assisted by having boards that I've referred to that are representative of both employer and employees and who have made unanimous recommendations to government, the Conservative Government that first introduced this legislation, NDP Government, Conservative Government, and now to this government.

What has happened, as I indicated when I spoke when I introduced this bill, is that the court interpreted the existing legislation and indicated that those regulations, the provision for those regulations, was not in the existing act, should have been, and therefore the legislation could not be enforced. There were not

definitions within the act, although those definitions had been crafted within the regulations.

Now the Honourable Member for Pembina and the Honourable Member for Brandon West alluded obliquely to the problem, and I have taken up with my staff my concern, because I have a concern about the breadth of meaning and the delegation of regulation-making power to the Lieutenant-Governor-in-Council, and I will be - I'm sure the Honourable Member for St. Norbert would be concerned to hear this - I will be looking at the legislation. I have had discussions with my staff because I don't like the kind of broad delegation that often the bureaucracy wants in order to accommodate administration.

We did have a concern about the length of the definitions that were necessary in this act if we took the definitions from the existing regulations and put them in the act. They're very wordy, they're very complex, but considered to be absolutely necessary by the industry.- (Interjection)- Now the Honourable Member for Emerson says, "Change it." I've asked staff to look at these sections, and it may well be that I, at committee stage, will be recommending amendments to satisfy both myself and, I think, the concerns of honourable members that the regulation-making power is not as indefinite as it appears to be worded, as presently proposed in this bill that's before us, because I have that concern.

As I've indicated, there was some legitimacy to the concerns of honourable members, particularly the Member for Pembina, although he in his overkill way loses, I think, a lot of listeners by attacking in such a complete and partisan way what obviously is legislation crafted under a Conservative Government, continued under an NDP Government, regulations continued, and so this isn't a partisan piece of legislation and it shouldn't be interpreted that way.

I resent the kind of focus and attack that the Honourable Member for Pembina made in his address. Yet I do give him credit for focusing on an area that is of legitimate concern, and that is the extent of the delegation of that regulation-making power to the Lieutenant-Governor-in-Council. We will address that problem. I will look at it and, as I say, I may very well have amendments ready at the committee stage to deal with that problem which I think has some legitimacy. It is a very complex set of regulations that is necessary because of the concern to ensure that they are interpreted appropriately by the courts.

So I make that undertaking, Madam Speaker, and I commend this legislation to all members in the House.

MADAM SPEAKER: The question before the House is Second Reading on Bill 42. All those in favour, say aye; all those opposed, say nay.

In my opinion, the ayes have it.

The Honourable Opposition House Leader.

MR. G. MERCIER: On division, Madam Speaker.

MADAM SPEAKER: On division.

Carried and so ordered on division.

**BILL NO. 48 - AN ACT TO REPEAL
CERTAIN UNREPEALED AND
UNCONSOLIDATED PUBLIC GENERAL
STATUTES AND PARTS OF
STATUTES (1871-1969)**

MADAM SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 48, standing in the name of the Honourable Member for Fort Garry.

MR. C. BIRT: Thank you, Madam Speaker.
I've had a chance to review the bill and I would recommend that it go to committee.

QUESTION put, MOTION carried.

**BILL NO. 49 - THE REAL ESTATE
BROKERS ACT**

MADAM SPEAKER: On the proposed motion of the Honourable Minister of Consumer and Corporate Affairs, Bill No. 49, standing in the name of the Honourable Member for Fort Garry.

MR. C. BIRT: Thank you, Madam Speaker.
I adjourned this matter for the Member for Riel.

MADAM SPEAKER: The Honourable Member for Riel.

MR. G. DUCHARME: Thank you, Madam Speaker.
I have had a chance to review the bill; however, just a comment in regard to it and mainly functioning on comments made by my colleague from Emerson in regard to the deposits.

I know in our office it has been common practice to provide interest on deposits if requested in the Offer to Purchase, the problem being on 200 to 300 real estate transactions a year, when you have to provide deposits, it does create quite a bit of book work. The book work is quite amazing.

However, where it's very frightening and I would like the Minister to make note that when it comes up in committee that he takes note that on very, very small deposits, as you can visualize, when you do get an Offer to Purchase in an office, it could be today and the possession date could be two months down the road, and the purchaser asks you to put it in an interest-bearing account.

Unfortunately, a passbook must be provided for each individual transaction, so most real estate offices do not have a problem providing that service on, say, fairly large deposits. However, consideration could be made by the Minister that we have a minimum amount that it be provided to be eligible for that interest-bearing account.

With those remarks by myself and the member, that if the Minister could take that into consideration - I'm speaking from some considerable experience in dealing with deposits - that a minimum he could set. Because as he can probably appreciate, on \$100 deposit and someone asks you to file it away and you set up a passbook, at say 6 percent or 7 percent, the work involved is just amazingly incredible. And I would appreciate that he would deal with that matter and maybe explain to us when it gets to committee level.

Thank you. We have no problems further to pass it on to committee for consideration.

MADAM SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

HON. A. MACKLING: Yes, Madam Speaker, in closing debate I would like to thank honourable members for their contributions, and I would like to deal with the specifics of the concerns that were made in respect to the bill.

The Honourable Member for Emerson and the Honourable Member for Riel have indicated a concern in respect to the practical application of the proposed legislation as it would affect an individual real estate transaction and individual realtor receiving a deposit from a client, a proposed purchaser, and the requirements that would flow under the act in respect to that deposit.

Under the legislation, there is a requirement that the real estate agent, broker, place the deposit in an interest-bearing account. If the client wishes - and it will be brought to the attention of the client - then that interest-bearing account will be put in the client's name. But if the client says, well, no you don't have to put it in a separate account, then it will go into the real estate brokers' trust account, which is a pooled account. There can be any number of individual deposits that are placed in that pooled trust account, and there will be a recording obviously in the books of the real estate agent, in a receipt book - the client will get a receipt. And in a ledger that a real estate broker would be obligated to keep under the normal requirements of the real estate operation, there would be a crediting of the amount to which the individual clients are entitled of monies that are on deposit with the realtor, as the system now exists.

So there will not be a separate fund required for the real estate deposits received by a realtor, a broker, unless the client says, I want that money put in a separate interest-bearing account for which I will get the benefit of the interest.

In most instances, I would assure the Honourable Member for Charleswood, the amount of interest earned on an average deposit would be relatively small. It might amount to \$5, \$6, \$7 for the two- or three-month period that the average deposit of, say, \$3,000, \$4,000 or \$5,000 might be held on deposit.- (Interjection)- Now the Honourable Member for Charleswood says, well, maybe your friends, that would be size of the deposit. His friends, it might be \$25,000.00. Well, in those instances, that individual will be able to say to the real estate agent, look, I'm giving you \$50,000 or \$25,000.00. To me, I think that I want to get the advantage of that interest if it's held for two or three months. The act will accommodate that.

But what happens, Madam Speaker, is that with the pooling of all these relatively small amounts of money, there can be a significant interest return to the institutions that otherwise were getting the benefit of that interest.

Now that interest will go to public purpose, and the real estate agents will be involved in an advisory capacity in respect to the appropriation, the appropriate spending of that public money. A good deal of it may well assist in retiring the deficit. It is not expected that there will be a large amount of money returned.

But recently we were talking about the interest earned from lawyers' trust accounts. I'm advised that that interest now amounts to over \$2.5 million annually. So it's a significant amount of money that can be realized for public purposes that otherwise would be to the exclusive benefit of financial institutions. So I believe this legislation is long overdue. I think it will benefit the real estate industry and the public generally.

I thank members for their contribution in the debate and will be happy to deal with any specific issues that might arise when the bill is before committee.

QUESTION put, MOTION carried.

MADAM SPEAKER: On the proposed motion of the Honourable Minister of Finance, Bill No. 51, standing in the name of the Honourable Member for Pembina. (Stand)

On the proposed motion of the Honourable Minister of Finance, Bill No. 52, standing in the name of the Honourable Member for Morris. (Stand)

On the proposed motion of the Honourable Minister of Finance, Bill No. 53, standing in the name of the Honourable Member for Morris. (Stand)

On the proposed mention of the Honourable Minister of Energy and Mines, Bill No. 56, standing in the name of the Honourable Member for Lakeside. (Stand)

BILL NO. 59 - THE MENTAL HEALTH ACT

MADAM SPEAKER: On the proposed motion of the Honourable Minister of Health, Bill No. 59, standing in name of the Honourable Member for River Heights.

The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Madam Speaker.

"Hold fast to dreams, for if dreams die, life is a broken-winged bird that cannot fly." Madam Speaker, that is a verse on a card which I received on Canada Day.

I received it from a woman whose son had recently gone through a great turmoil under our mental health system in Manitoba. A young man who suffers from autism had been threatened by the group home in which he lived that he would be placed in jail because his actions were considered unacceptable.

Madam Speaker, the actions which this young man displayed were actions typical of someone suffering from his mental disorder. The acting out of which he was accused, the temper tantrums which he certainly did engage in are very much a part, unfortunately, of this dreadful disease for which there is, to date, no cure.

All we do know about autism is that it can be treated and it can be treated in the community. But in order to treat it in the community, there must be a service delivery system which tragically does not exist in Manitoba. It does not exist in Manitoba because we have not, to date, had the political will to put such a delivery system into place.

And so perhaps my greatest disagreement with this bill is that it be called a Mental Health Act at all. What we have before us in Bill No. 59 is a committal bill. It is a bill which regulates the way in which a person can be institutionalized in Manitoba. But, Madam Speaker, institutionalization is not the only treatment for the mentally ill. It unfortunately is now the only treatment available in the Province of Manitoba.

Madam Speaker, it is estimated that six out of ten Manitobans and Canadians will at some point in their life experience mental illness. That mental illness may be a mild case of depression caused perhaps by the

loss of a loved one or perhaps the failure to achieve in high school examinations, or it may become a very severe depression, or indeed it may be one of a variety of psychoses present in our society. What we perhaps do not realize is that one-quarter of all hospital beds in Canada are, in fact, used by patients suffering from a mental illness. We have seen in Canada a major decline in the use of psychiatric hospital beds in terms of institutionalized psychiatric beds, but an increase in those used in our general hospitals.

What we have seen, for example, is that in a single year, 1982-83, 4.2 million bed days, 4.2 million were used by people suffering from a mental disorder. That is greater, Madam Speaker, than any other single illness. It outstrips cancer by 1 million bed days a year.

Why do so many people end up in psychiatric beds? Well, quite simply, Madam Speaker, they end up in there because there is no alternative treatment available. We have, even in this province, moved in a direction of closing down major psychiatric centres. For example, in 1979, Brandon Mental Hospital had 574 beds. In 1986, that number had been decreased to 407. So we have an example in one institution alone of 167 fewer beds but, in that same time, Madam Speaker, we only added 100 community spaces to Manitoba, which means that even from that hospital alone we were 67 places short.

But, Madam Speaker, we are hundreds and hundreds of places short because we have not in any way picked up the slack for all the other institutions in Manitoba. So we have had, to some degree, deinstitutionalization, but we have not replaced that deinstitutionalization with community-based service. Perhaps what's even sadder in this legislation is that there is no mandate to create that community-based service.

We state in the legislation that it is the right of a mentally ill patient to be placed in the least restricted environment, but the least restrictive environment in Manitoba is in an institution or a psychiatric bed in one of our general hospitals. That is not the case in Saskatchewan, it's not the case in Ontario, it's not the case in Nova Scotia, and it's not the case in many of the states within the United States, but it is, unfortunately, the case in Manitoba.

Why do we lack the compassion in this province to put those in need of treatment within our community? Madam Speaker, the Minister of Health has said it's because communities were not ready for that type of change 25 years ago when Saskatchewan implemented that change, and he has further stated that he did not want those people to become bag ladies on the streets of Winnipeg or other communities. With that, we certainly can have no fault. But, Madam Speaker, it is not a choice of becoming a street person or someone who is institutionalized. The choice is that they can be frequently treated within their home setting, they can be treated within their community setting through group homes, but we must have the political will in order to institute such change.

The Mental Health Act that is before us is an act for doctors. It is not an act for patients. It is an act for doctors because it does indeed protect them. It lists very carefully what they can do and what they can't do, but there are very few rights for the patient therein. If, for example, a mental patient is admitted under the duty psychiatrist, that patient has no choice under this

legislation to choose a doctor of their own. There is no guarantee of an appeal procedure. There is no guarantee that patient can have accessibility to their own records.

So, there are no protections and no guarantees either for treatment in a community setting, nor are there any guarantees for the patient in terms of appeal. The Minister has said publicly that he will look at some of those changes within the committee stage, and I congratulate him on that decision because changes are necessary. But, Madam Speaker, there must also be a sincere commitment on the part of this government that this mental act is just a very small first step.

We have cleaned up the act as far as the Charter is concerned and that is good. We, hopefully, in the committee stage will add amendments which will give them even further rights and that is good. But, Madam Speaker, this act will do nothing to make sure that mentally ill people in our community are treated properly. There is nothing in this bill that will prevent a group home from trying to incarcerate in a jail a mentally ill patient. Fortunately, our police department showed much more common sense than our mental health workers in this particular case.

Madam Speaker, I hope that, when we pass this bill, the Minister will state in no uncertain terms that there will be a new bill in the next Session of the Legislature which will guarantee mentally ill patients in our province community care. I would suggest to him that he look no further than a recent report done in Winnipeg South by the Child and Family Services Agency which showed to my delight, and I think to the delight of many, that the community is willing to provide those homes, that they are willing to provide the support services. All that we require, Madam Speaker, is the will of the Minister of Health to take up the challenge and to provide community placements for the mentally ill within our Manitoba community.

MADAM SPEAKER: The Honourable Member for River East.

MRS. B. MITCHELSON: Thank you, Madam Speaker. I move, seconded by the Member for Gladstone, that debate be adjourned.

MOTION presented and carried.

BILL NO. 62 - THE INSURANCE ACT

MADAM SPEAKER: On the proposed motion of the Honourable Minister of Consumer and Corporate Affairs, Bill No. 62, standing in the name of the Honourable Member for St. Norbert.

MR. G. MERCIER: Madam Speaker, I adjourned this bill for the Honourable Member for Riel.

MADAM SPEAKER: The Honourable Member for Riel.

MR. G. DUCHARME: Thank you, Madam Speaker. I have reviewed this particular bill. I have several questions that the Minister can either - there are no other speakers - answer tonight or whenever we go to committee.

Usually, when reviewing a bill, I go back to the industry and get comments from them. In this particular case, I did do that, and I was amazed to find that the industry that's being affected by this particular bill had not been consulted by the administration or by the Superintendent of Insurance. I felt that - I know that the Insurance Agents Association of Manitoba were consulted finally in regard to the bill a couple of days after the bill had been presented to the House.

Just a comment, I feel that I'm not going after the Minister. I can feel that he would rely on people in his department and the superintendent in particular. I think what bothers me is I feel the superintendent's job of insurance is to handle the complaints and deal with the public but also be the go-between the industry and the public. I felt at this time that he should have probably been consulted, especially when you're dealing with appeal of insurance agents.

Madam Speaker, I agree with the first part of the bill, which deals with raising the insurance amounts, the figures on deposit, etc. I think it's long overdue that this has been done. I guess we've learned by the Northern Union disaster that occurred and probably by the Strathcona one down East and several other insurance companies coming to the problem of not having the assets to handle the claims and the refunds that were due to the clients.

One of my questions would be, maybe the Minister at the committee could tell us how they arrived at the \$3 million, the \$2 million and the \$1 million that's stated in 30(1), how they came to those figures, whether they used the guidance of other provinces that maybe I haven't got the information before me. I know they've gone up substantially and I, again, must emphasize I agree with that because they've gone up from a figure of \$3 million from the \$500,000 again, from the \$2 million from the \$500,000, and we go up from \$1 million from the \$100,000.00.

I would also like to ask whether the subsection 30(2) would now be the clause that would allow the Laurentian Insurance Company now to participate at a provincial level and not have to have a federal charter, as I had previously talked to the Minister on.

Going through the bill quickly, there is the appeal process that it emphasizes on the agents where we start to deal with the particular agents. The only comment I have to the Minister is that I am wondering, why create a new appeal body to deal with the appeals of the agents. I agree that the agents should be on an appeal so that they are not sitting there for an untimely amount, hearing where they're coming from based on the aspirations of the superintendent, especially when, out of 4,000 agents in Manitoba last year, there were three suspensions.

To set up an appeal board to deal with them, I felt that maybe some other consideration could be used to deal because it does mention in the act that there will be a paid board to deal with these and not some other type of securities commission board or someone else to deal with these particular appeal committees, especially at the time when the suspensions haven't been to the number to be handled by a five-man board or a five-person board.

I agree that there's also a problem that there is no time limit when the appeal will be heard. Maybe that will be stated by the Minister. The meeting could be

adjourned at the discretion of the superintendent and I feel that if you are going to have an appeal and the idea is that agents do not sit and wait for that, something be done about that. There should be maybe an automatic reprimand, not at the discretion of the superintendent on the suspension period.

One other question that I was wondering about going through this particular bill would be, I know that they have problems with the renewals. I imagine they are going to have them come up at different times of the year. I don't know whether maybe consideration could have been given to maybe having the life insurance at one time and the different agents licensed at different times of the year instead of having different expiry dates for one class of licence.

I notice in the bill also that they mention the word "broker." I know that the insurance industry has requested that in the years gone by to the superintendent and now an agent may be addressed as a broker, which is being done throughout Canada and now all brokers or insurance agents, as we know them today, will be able to advertise as brokers across Canada.

The other point that I really believe is new - and it is mentioned in the preamble of the Minister - is the restriction due to population, which is 371(6), and I know that he is trying to prevent or trying to allow people to operate as an insurance agent, plus another line of business in the populations that are around the 5,000 mark. The problem that I have with it is that it does say it will be at the discretion of the Lieutenant-Governor-in-Council to constitute the occupations of various classes of insurance agents, and also the other types of businesses that they will be able to operate in.

I know now, when you fill in a licence, it does ask you whether you are a full-time agent or not, and I was wondering also whether there is any concern of agents who have been operating as, say, travel agents in the province or real estate brokers, whether they would have any problem operating as an insurance agent, along with these occupations.

I was wondering whether also, on the life insurance part, which is 378(13) - and I agree with the clause in regard to cancelling a client's policy within that one year when money moves from one company to the other. I wasn't quite clear in the opening remarks of the Minister that if the client gives it in writing that he feels it will be a benefit to him to change from one type of policy to the other, I think that should be allowed as the client should have that flexibility of, maybe because of a change in his monetary aspects or changes in his needs, he could change those policies.

The other one, again I emphasize the appeal. Maybe it's just a way of having that in place. We do have large numbers of insurance agents coming forward in large numbers of suspensions, but I feel at this particular time some type of committee, other than the one set up there, I do not feel is necessary. - (Interjection) - The member says, "Is Al goofing up the legislation?" No, I can't agree with that. - (Interjection) - No, no, I am going to defend him on this one.

With due respect, on this particular legislation I know that there have been requests. Some agents have been hung out to dry for a period of time. I notice this year, on the renewals, there was one agent who really had

never been suspended, and it was remarked in the list of licences that came out this year, his name was on the list and he just had to sit around and wait to get approved by Cabinet.

I will have probably more questions, but the only thing I can emphasize again is that maybe consideration be given that this appeal may be held in suspension at some other time, and that he will take into consideration the recommendations that it be handled by somebody who is already handling some type of appeal process, because I really cannot see the idea or the necessity of having a special appeal board deal with, in this particular case this year, three suspensions.

Unless other members have anything to say in regard to this Bill 62, we have no problems at this time passing it on to committee.

MADAM SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

HON. A. MACKLING: Thank you, Madam Speaker.

I appreciate the comments of the Honourable Member for Riel. He certainly has gone over the bill, obviously, very thoroughly, and has recognized some areas of concern, and I certainly will endeavour at committee to deal more fully with them. Should the honourable member wish me to, I'll try and deal briefly with some of his specific concerns.

In respect to the increase in the dollar amounts that are required for the types of insurance company to embark in business, I am not certain, I can't recall exactly the formula, but certainly it did include looking at what other jurisdictions have for requirements, so that there is reasonable equity across Canada in these arrangements.

I believe the bill - I don't recall whether it was exactly the reference the honourable member made because we are not supposed to deal with the exact sections at Second Reading, but there is a provision in the bill under which Laurentian would qualify, and it may well be the particular reference the honourable member made.

In respect to the appeal process, I certainly sympathize with the concerns the honourable member has in the argument he makes that, for the relative infrequency of appeals, perhaps it's an unnecessary expense to set up another appeal mechanism because, if you look at government regulation in total, there is a very substantial proliferation of appeal mechanisms, and why do we need another one, a separate one? That question is a good one.

I confess that I put that question myself to the superintendent when we were discussing the amendments, and was persuaded that it's because of the relative infrequency of the appeals; that merely referring the appeals to an existing appeal tribunal such as the Securities Commission or of some like appeal body, an existing board, would mean that unless you had people on that tribunal who had some expertise and understanding of the industry, there may not be the same kind of fair adjudication that otherwise would be possible when you have an appeal tribunal that is conversant with the industry and really can relate as a peer group to the individual applicant or appellant in a given case.

And so I was persuaded that, even though there might be some additional expense involved to have a fair appeal mechanism, it would be necessary to have a separate tribunal. I think in future we'll have to look at ways in which we can provide for an appeal body that would be empowered to deal with a broader range of appeals, but I was persuaded in this instance that it was better to have the separate appeal mechanism.

The honourable member has alluded to other areas of concern in the bill but, for the sake of brevity, we can deal with those specific questions when the Superintendent of Insurance is present.

Therefore, I thank the honourable member for his contribution and commend the bill to all of our colleagues in the House.

QUESTION put, MOTION carried.

MADAM SPEAKER: On the proposed motion of the Honourable Minister of Municipal Affairs, Bill No. 65, standing in the name of the Honourable Member for Virden. (Stand)

BILL NO. 66 - THE ELECTORAL DIVISIONS ACT (2)

MADAM SPEAKER: On the proposed motion of the Honourable First Minister, Bill No. 66, standing in the name of the Honourable Member for Lakeside.

The Honourable Member for Emerson.

MR. A. DRIEDGER: Yes, Madam Speaker, I would like to speak to the bill.

Who took my notes?

MADAM SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Madam Speaker.

Madam Speaker, I just want to make a few comments about this bill. Table my notes.

Madam Speaker, I had the opportunity - I suppose I don't necessarily call it a privilege - of going through boundary changes prior to the '81 election. According to our legislation, we have to have the boundaries reviewed every 10 years. That's possibly not so bad. I don't have an argument with that, necessarily.

The main criteria, of course, every time that we change boundaries, is it's based on representation by population - rep. by pop. That's a very hard thing to argue against, because everybody should have the same rights in terms of being represented. However, Madam Speaker, that does not quite always apply in terms of the type of representation that you get. There are a few things that basically bother me a little bit

First of all, we have a population of a little over a million in the province. We have one major city which has over 600,000 people living in it - the majority of the population. And every time we have a change in the boundaries, we have a shifting - you know, with more people moving into the city all of the time - we have a shift that takes place and, as a result, we now have 30 seats in Winnipeg. Thirty? I believe it's 30, and 27 in the rural area. That is where my difficulty starts with this kind of scenario of representation by

population, because I view the city seats as seats which are a lot easier to be an elected representative for.

When you consider that in some of our downtown ridings, in Winnipeg for example, within half-an-hour you can walk across your constituency. For me, it takes me two hours to drive from one end to the other. I have lots of little hamlets to contend with and, yes, the Minister of Finance, I think, is aware of that. He's been through part of it, if not all of it.

A MEMBER: He wasn't that successful.

MR. A. DRIEDGER: But, Madam Speaker, what that does, it makes it harder for rural representatives to be able to represent their constituencies. It makes it harder for them than it does for the urban people. In fact, when I compare the responsibilities of some of my urban colleagues here, compared to the rural ones, I see many, Madam Speaker. And trying to do my job as best as I can, I have a heck of a time keeping up with just my responsibilities as an elected MLA.

My city colleagues have a relatively much easier touch in that respect. First of all, they don't have the travelling; they don't have to make long distant calls, many little things that make it a lot easier to be a city representative, plus the fact that we have the City Council, who are also elected who basically serve as the representatives. In fact, Madam Speaker, in looking at some of my city colleagues, I realize that they have very little problems that come to them. Most of them go to the City Council because they're related to that.

But, Madam Speaker, in a rural area, everything comes through the rural representative. Council problems, you have a whole variety of councils. You don't deal with one council; you deal with many different communities, different requirements. These are the things, when we look at changes in the boundaries again, based on rep. by pop., that I don't think it is quite fair.

We talk specifically that, within a certain quotient, this is how many people you should represent. But I feel, Madam Speaker, that I represent more people in my riding, not necessarily by population, but by involvement, than my city colleagues do. We're on this trend now where every 10 years we will revise the boundaries and, as a result of that, the city gets more representation all the time. When you consider this one little - not little centre, but not that big a centre - it has way over half of the people that are in this House, and the rest of us, Madam Speaker, are representing the rest of the outside province. Nobody can tell me that the difficulties that the city member has are as big the rural member's. I don't believe that.

Madam Speaker, I run through about one car every three years at this rate that I'm going.

A MEMBER: The way you drive.

MR. A. DRIEDGER: That was a bad shot. My city colleagues say they maybe do the same thing, they run through a car, but that's going to beaches and stuff like that, you know.

Madam Speaker, I think this is something that somewhere along the line should be addressed on a serious note that we have a bad trend developing.

Ultimately, if this continues, Madam Speaker, we'll have two-thirds of all the ridings in the city area, and I don't think that makes for good legislation. I don't think it makes for fair representation for the balance of the province.

The other area that I want to just touch briefly on, Madam Speaker, is the way the boundaries were established last time. Madam Speaker, I don't care what anybody says, I'm still convinced that the then-Deputy Clerk of the House, one Andy Anstett, had a major role to play in that at that time. I think there was jockeying done for political reasons to some degree. Madam Speaker, I want to give you an illustration. I mentioned this in the House before already.

When they cut up the Emerson constituency - that's been a traditional seat for as long as we've had the Legislature - they cut out the Town of Emerson. Then they tried to change the name, you know, the kind of things that went on. But, Madam Speaker, if you look geographically on the map, the constituency of Emerson, the boundary is on the American side on the south side, I have Ontario on the east side, I have the Red River on the west side, but then they've jumped across and taken one township out of that whole area and given that to Rhineland - you know, ludicrous, Madam Speaker, ludicrous. It is these kinds of things that bother me a little bit. I would hope, Madam Speaker, that when these things are being looked at, we can use a little bit more of a common-sense approach to it.

What happened last time was that the report came forward. Everybody wanted to make changes. As a result, very little changes were made and we passed it. I hope, prior to this report being tabled, that we can maybe address some of these concerns. I believe that the quotient figure in favour of the rural area should be considered to some degree and that a realistic line should be drawn in terms of the area that you represent.

Madam Speaker, I start just across the Floodway with my constituency, and it's a big L-shaped area - it's difficult. And I feel for the members that are representing the north. It is a difficult thing to get around and be a good representative up north.

A MEMBER: What about the member representing Brandon?

MR. A. DRIEDGER: Well, Brandon West, I consider that sort of an urban seat, you know. It's not bad - he can walk across his constituency - but that is the difference.

Madam Speaker, I just wanted to address some of these concerns and put them on the record, because for a rural representative to try and do his job, he's got a lot of pressure on him - the travelling, the different communities and stuff like that, the different ethnic lifestyles of people in each community. We talk of roads, we talk of care, all these things the city representatives don't have to worry to any degree about that. That is why I just wanted to put these things on the record and hope that we don't get too carried away with the numbers game, saying "rep. by pop., everybody should have the same," because I don't think it quite works out that way.

One other thing that I wanted to just allude to, Madam Speaker, is we tried to get a change on the board that

is basically dealing with the boundaries, and we were trying to get the president of the Union of Manitoba Municipalities to be on that board. I think that would have been reasonable, because right now we have three people basically from the city who are going to establish the rural seats to some degree. Madam Speaker, I think that is unrealistic.

I think the request that was made to try and have the president of the Union of Manitoba Municipalities be on that board was a very reasonable request. It probably, Madam Speaker, would have avoided the kind of thing that happened in my riding. I would hope that maybe that could be considered, or I certainly hope there's some input by people who have an understanding of what a rural riding is all about when the time comes to make these decisions.

Thank you, Madam Speaker.

MADAM SPEAKER: The bill will stand in the name of the Honourable Member for Lakeside.

On the proposed motion of the Honourable Minister of Energy and Mines, Bill No. 68. (Stand)

BILL NO. 69 - THE STATUTE LAW AMENDMENT ACT (1987)

MADAM SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 69, standing in the name of the Honourable Member for Emerson.

MR. A. DRIEDGER: Madam Speaker, I stand for the Member for St. Norbert.

MADAM SPEAKER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Yes, Madam Speaker.

We're prepared to allow this bill go to committee, but I would ask that the Minister, because there is a significant amendment contained in the act with respect to increases in Workers Compensation Board benefits, and they are, we appreciate, to widows and dependent children; at the same time, particularly in view of the difficulties of the Workers Compensation Board, we would expect that the Minister would provide some sort of cost implication statement to the committee when this bill is before the committee.

On that basis, Madam Speaker, we're prepared to pass the bill on to committee.

QUESTION put, MOTION carried.

COMMITTEE CHANGES

MADAM SPEAKER: The Honourable Member for Kildonan.

MR. M. DOLIN: Madam Speaker, I move, seconded by the Member for Elmwood, that the composition of the Standing Committee on Privileges and Elections be amended as follows: the Hon. J. Cowan for S. Ashton.

I would also like to make a correction in Municipal Affairs, to delete Hon. V. Schroeder for Hon. H. Harapiak.

Thursday, 9 July, 1987

MADAM SPEAKER: Is that agreed? (Agreed)

Is it the will of the House to call it 6:00 p.m.?

The hour being 6:00 p.m. then, the House is now adjourned and stands adjourned until 10:00 a.m. tomorrow. (Friday)