

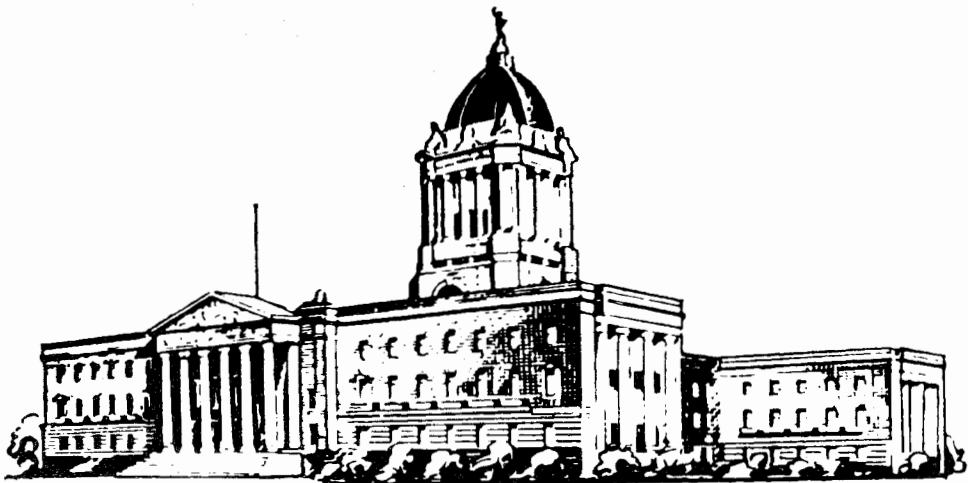


**First Session — Thirty-Fourth Legislature**  
of the  
**Legislative Assembly of Manitoba**

**DEBATES**  
and  
**PROCEEDINGS**  
**(HANSARD)**

37 Elizabeth II

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Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Fourth Legislature**

**Members, Constituencies and Political Affiliation**

NAME	CONSTITUENCY	PARTY
<b>ALCOCK, Reg</b>	Osborne	LIBERAL
<b>ANGUS, John</b>	St. Norbert	LIBERAL
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BURRELL, Parker</b>	Swan River	PC
<b>CARR, James</b>	Fort Rouge	LIBERAL
<b>CARSTAIRS, Sharon</b>	River Heights	LIBERAL
<b>CHARLES, Gwen</b>	Selkirk	LIBERAL
<b>CHEEMA, Gulzar</b>	Kildonan	LIBERAL
<b>CHORNOPYSKI, William</b>	Burrows	LIBERAL
<b>CONNERY, Edward Hon.</b>	Portage la Prairie	PC
<b>COWAN, Jay</b>	Churchill	NDP
<b>CUMMINGS, Glen, Hon.</b>	Ste. Rose du Lac	PC
<b>DERKACH, Leonard, Hon.</b>	Roblin-Russell	PC
<b>DOER, Gary</b>	Concordia	NDP
<b>DOWNEY, James Hon.</b>	Arthur	PC
<b>DRIEDGER, Albert, Hon.</b>	Emerson	PC
<b>DRIEDGER, Herold, L.</b>	Niakwa	LIBERAL
<b>DUCHARME, Gerald, Hon.</b>	Riel	PC
<b>EDWARDS, Paul</b>	St. James	LIBERAL
<b>ENNS, Harry</b>	Lakeside	PC
<b>ERNST, Jim, Hon.</b>	Charleswood	PC
<b>EVANS, Laurie</b>	Fort Garry	LIBERAL
<b>EVANS, Leonard</b>	Brandon East	NDP
<b>FILMON, Gary, Hon.</b>	Tuxedo	PC
<b>FINDLAY, Glen Hon.</b>	Virden	PC
<b>GAUDRY, Neil</b>	St. Boniface	LIBERAL
<b>GILLESHAMMER, Harold</b>	Minnedosa	PC
<b>GRAY, Avis</b>	Ellice	LIBERAL
<b>HAMMOND, Gerrie</b>	Kirkfield Park	PC
<b>HARAPIAK, Harry</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HELWER, Edward R.</b>	Gimli	PC
<b>HEMPHILL, Maureen</b>	Logan	NDP
<b>KOZAK, Richard, J.</b>	Transcona	LIBERAL
<b>LAMOUREUX, Kevin, M.</b>	Inkster	LIBERAL
<b>MALOWAY, Jim</b>	Elmwood	NDP
<b>MANDRAKE, Ed</b>	Assiniboia	LIBERAL
<b>MANNES, Clayton, Hon.</b>	Morris	PC
<b>McCRAE, James Hon.</b>	Brandon West	PC
<b>MINENKO, Mark</b>	Seven Oaks	LIBERAL
<b>MITCHELSON, Bonnie, Hon.</b>	River East	PC
<b>NEUFELD, Harold, Hon.</b>	Rossmere	PC
<b>OLESON, Charlotte Hon.</b>	Gladstone	PC
<b>ORCHARD, Donald Hon.</b>	Pembina	PC
<b>PANKRATZ, Helmut</b>	La Verendrye	PC
<b>PATTERSON, Allan</b>	Radisson	LIBERAL
<b>PENNER, Jack, Hon.</b>	Rhineland	PC
<b>PLOHMAN, John</b>	Dauphin	NDP
<b>PRAZNIK, Darren</b>	Lac du Bonnet	PC
<b>ROCAN, Denis, Hon.</b>	Turtle Mountain	PC
<b>ROCH, Gilles</b>	Springfield	LIBERAL
<b>ROSE, Bob</b>	St. Vital	LIBERAL
<b>STORIE, Jerry</b>	Flin Flon	NDP
<b>TAYLOR, Harold</b>	Wolseley	LIBERAL
<b>URUSKI, Bill</b>	Interlake	NDP
<b>WASYLYCIA-LEIS, Judy</b>	St. Johns	NDP
<b>YEO, Iva</b>	Sturgeon Creek	LIBERAL

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, October 19, 1988.

The House met at 1:30 p.m.

\* (1335)

### PRAYERS ROUTINE PROCEEDINGS MINISTERIAL STATEMENTS AND TABLING OF REPORTS

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I would like to table the Quarterly Financial Report for the Manitoba Public Insurance Corporation, for the period ending July 31, 1988.

**Hon. Leonard Derkach (Minister of Education):** Mr. Speaker, I would like to table the Annual Report of the University of Manitoba for the year ended March 31, 1988.

**Hon. Jim Ernst (Minister of Industry, Trade and Tourism):** I am pleased to table, Mr. Speaker, the Annual Report of the Manitoba Horse Racing Commission for 1987-88.

### INTRODUCTION OF GUESTS

**Mr. Speaker:** Prior to oral questions, may I direct the attention of Honourable Members to the Speaker's gallery, where we have with us today Mr. Gerbrand Van Borchorst, who is a member of the Utrecht International Law Study Association in Holland.

On behalf of all Honourable Members, I welcome you here this afternoon.

### ORAL QUESTION PERIOD

#### Health Care Easterville Funding

**Mrs. Sharon Carstairs (Leader of the Opposition):** My question is to the Minister of Northern and Native Affairs (Mr. Downey). Mr. Speaker, we have had communications from the people of Easterville who tell us that their health centre, which presently is in a dilapidated condition and serves as their nursing station, will not be built as originally planned. They did not even learn about this by formal notice. They learned about it by chance.

Can the Minister responsible for Native Affairs in the Province of Manitoba tell this House what actions he has taken to ensure that there is adequate health service to these people of this community?

**Hon. James Downey (Minister responsible for Native Affairs):** Let me, first of all, say that this Government is truly committed to the people of Easterville for health care, as we are for all the people of Manitoba. I can assure you, I will be discussing with the Minister of Health (Mr. Orchard) and take the specifics of her question as notice.

**Mrs. Carstairs:** A supplementary question to the same Minister, can the Minister inform the House if he has had any discussions with the people of Easterville with regard to their disintegrating health care conditions in that community?

**Mr. Downey:** Personally, no, I have not, but I can again take the question as notice for my colleague, the Minister of Health (Mr. Orchard) who, I am sure, is fully aware of what has been going on there, and I will be checking with my department as well.

### Aboriginal Peoples

**Mrs. Sharon Carstairs (Leader of the Opposition):** Can the Minister responsible for Native Affairs (Mr. Downey) tell this House if he has had any consultation with the Minister of Health (Mr. Orchard) with regard to the care of our aboriginal peoples? That is an area of his department. Has he had any consultation, and what future directions are planned by this Government to ensure better quality care than they are presently receiving?

**Hon. James Downey (Minister responsible for Native Affairs):** Not only have I, but my colleagues in the Government. The Premier (Mr. Filmon), Mr. Speaker, is very conscious and very aware and very prepared to deal with all the concerns of the Native people, unlike the way they have been treated by previous Governments in this province.

### Easterville Funding

**Mrs. Sharon Carstairs (Leader of the Opposition):** I am delighted to hear that they care and, therefore, I would ask if they would immediately reinstate the building that was planned to them under the previous Government, and whether they will reinstate the construction of that building in the capital year 1988-89?

**Hon. James Downey (Minister responsible for Native Affairs):** As I indicated, I will be discussing it with my colleague, the Minister of Health (Mr. Orchard), and when that information is available for the Member, it will be made available.

### Native Self-Government Health Services

**Mrs. Sharon Carstairs (Leader of the Opposition):** With a question to the Premier (Mr. Filmon), the Native people of Manitoba have indicated, as have many Native people throughout the country, their desire for self-government in a number of areas, including the critical area of health care. Can the First Minister tell this House,

what is the policy of his Government with regard to the transfer of self-government over health to the Native peoples of this province?

**Hon. Gary Filmon (Premier):** I have met with the Assembly of Chiefs, with various other representatives of Native groups, various Native band organizations. I have travelled in the North, even in the past few months, and visited a number of reserves and Native villages in Manitoba. We have discussed a whole host of issues surrounding their desire for transfer of responsibility of many of the services that Governments have provided for them over many years. Among the areas of discussion include jurisdiction over education, jurisdiction over child welfare services, jurisdiction over health care and many other areas.

We have indicated that we believe that through the continual devolution of authority that the Natives will eventually have more and more responsibility for the delivery of services in their area and the planning and jurisdiction over services that they depend upon. That is a matter of ongoing discussion amongst our Government, its Ministers and the Native peoples of Manitoba.

#### Government's Commitment

**Mrs. Sharon Carstairs (Leader of the Opposition):** With a supplementary question to the First Minister (Mr. Filmon), the federal Government has already given its commitment to the devolution of responsibility for health care to be taken from them and given to the Native people, but it needs the cooperation of the province. Is this province, under this administration, committed to that transference of power?

**Hon. Gary Filmon (Premier):** That is precisely why we are in discussion with the Native peoples of Manitoba and the federal jurisdiction, to ensure that such a devolution of authority, such a transference of responsibility can be done in a manner that is adequately resourced and supported in terms of the money which we must have to provide those services. Indeed, there is a federal responsibility there and we must be sure that, with the transference of responsibility, we also have transferred the financial resources so that we can provide the better services that our Native people must have.

**Mr. Gary Doer (Leader of the Second Opposition):** We are also aware of the same correspondence and I would urge the First Minister (Mr. Filmon) to ensure that the health care facility that we had an agreement on does not slip through the cracks of Government and is indeed funded as per the original agreement so that the valuable resource is not lost to the people of Easterville.

\* (1340)

#### Premier's Press Secretary Contract Length

**Mr. Gary Doer (Leader of the Second Opposition):** My question is to the First Minister (Mr. Filmon). The

hiring, pursuant to Order-in-Council 1164, of a press secretary to the Premier is rather unusual. It is not the usual Order-in-Council form in terms of having the salary and benefits for a communicator for the Premier. Usually, it comes and goes with the coming and going of Government, living by the O/C and dying by the O/C, Mr. Speaker. This O/C for the Premier's Office has a personal condition contract between the Government and the individual who the Premier has chosen to hire.

My question is to the Premier. Does this not set a very bad precedent in the Premier's Office? I can understand it in managing other departments, but in the Premier's Office? Secondly, can the Premier confirm that this contract is for three years?

**Hon. Gary Filmon (Premier):** Firstly, I cannot confirm that this contract is for three years. I do not have the details of it at my fingertips, the person who has been hired as a replacement for the position that was occupied by Cliff Scotton. I would say that we were looking at somebody in the same salary range and the same benefit range as Mr. Scotton received in the position, given circumstances as they are today in the marketplace.

I would say that a number of very serious precedents were set by the previous administration when they awarded to some senior people contracts that involved buy-out clauses or pay-out clauses of two years in some instances for senior staff that they were hiring in Crown corporations and allied positions. We are very mindful of the necessity not to set improper precedents. The matter is something that the Member has brought to my attention. I will review the terms and conditions and respond to the question that he has put forward.

**Mr. Doer:** If he will check the original O/C for our hiring in the Premier's Office, he will find no such contracts. If he will also check the document he signed on the same date, there was indeed a five-year contract signed in Municipal Affairs for an individual and the details were attached to the Order-in-Council that was signed by the Premier (Mr. Filmon). I do not have a problem with the person hired in Municipal Affairs and the quality of the person. So let us not be too pure in terms of this issue when the Premier has signed the same kind of Order-in-Council.

#### Management Consultant Fees

**Mr. Gary Doer (Leader of the Second Opposition):** My question to the Premier (Mr. Filmon) is, why did the Government hire the firm of Advance Communications and Advance Planning, which we all know is part of the Big Blue Machine of staff—the Hugh Segal, Dalton Camp, Norman Atkins group of people—the Toronto-based consulting Tory firm. Why did the Government hire that firm to make this appointment, and how much did the taxpayers of Manitoba have to pay for these Tory Toronto hacks in terms of these appointments?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I can recall the former administration. You talk about hypocrisy. The former NDP administration hired a firm from Montreal. I am trying to think of the name—it escapes

me at the moment—but they were basically advertising consultants. It was their responsibility to come up with a program as to how to package Limestone so that it could bring maximum credit and benefit to the Government, political credit and public benefit to the Government.

The NDP Government of Manitoba paid them \$50,000 just to do a kind of packaging, putting the right spin and the right image on the investment of almost \$2 billion of taxpayers' money so that they could get massive political credit for making that wrong-headed decision to advance the project two years ahead of time at a cost of hundreds of millions of dollars to the ratepayers of Manitoba. They had to hire somebody from Montreal to put the right public spin on it.

So, Mr. Speaker, he ought not to be talking about paying a fee to a firm of management consultants to go through the process of what is called "head-hunting" to find a person who is suitable for the position in Manitoba, and that is the fee that they charged and it was a heck of a lot less than all of the fees that have been paid to the previous Government.

\* (1345)

**Mr. Doer:** The Premier (Mr. Filmon) did not answer the first question. He did not answer the second question. My question is very simple. How much money is the Toronto Tory firm, as presided by Hugh Segal, and the principals, of course, and Camp associates are Norman Atkins, the Mulroney campaign chairperson, how much money are Manitoba taxpayers paying these Tory PAC firms for contracts the Premier is letting in terms of hiring—

**Mr. Speaker:** Order, please; order, please. The Honourable Member's question is repeating in substance a question which was previously asked, therefore, out of order.

**Mr. Doer:** On the same point of order, Mr. Speaker.

**Mr. Speaker:** It is not a point of order.

**Mr. Doer:** I asked him to table the contract of Mr. Parkins, which I did not ask the first time.

**Mr. Speaker:** I simply ask the Honourable Member to kindly rephrase his question.

**Mr. Doer:** My question to the Premier is, how much money are the taxpayers of Manitoba paying to the firm of Camp Associates and the other firm, their parallel firm of Advance Communications, and other similar-like firms that are now running the Mulroney election campaign?

**Mr. Filmon:** To my knowledge, we did not pay any money to Camp Associates for anything that they have done, because they have not done anything for our Government. We, in hiring senior staff, have used management consultants, human resource consultants, so-called head hunters just as the previous Government did. Every time they hired somebody like Mr. Bird for

the Telephone System, like they hired Mr. Beatty for the Hydro, they went out and used the firm of Human Resource Consultants to find suitable people to conduct the application process, the screening process, the review process, the hiring process, and the ultimate interview process that resulted in their hiring. The fees that would have been paid on behalf of the hiring of this senior officer would be in line with these that were paid on behalf of the hiring of any other senior officer that has been done previously by his administration.

**Mr. Doer:** I have no problem with the Government using Clarkson Gordon and Coopers and Lybrand and other firms for management hiring, but this is a completely different type of firm. This is a political firm, and he knows it and the people know it. I would ask the First Minister (Mr. Filmon) to come clean with Manitobans, to table the contract with Mr. Parkins and to table all the money the public will be spending on Hugh Segal's firm, the Advance Consulting firm. I would ask the Premier to agree to table those documents in this House.

**Mr. Filmon:** I would wish that the NDP had used the firm before they hired Andy Anstett. I would wish that they had used the firm before they hired Terry Sargeant. I would wish that they had used the firm before they hired Phil Eyler. But you know why they did not use the firm, a reputable firm? Because no reputable firm would have recommended those people to work for the Government in Manitoba.

### Seniors' Health Care Personal Care Beds

**Mr. Gulzar Cheema (Kildonan):** My question is for the Minister of Seniors (Mr. Neufeld). The point has been reached where the number of seniors waiting for personal care home beds is increasing. Today many seniors are occupying acute care beds in the hospital. One hospital in Winnipeg today has more than 56 patients waiting for replacement. Mr. Speaker, the list is growing daily and a few of these patients have been waiting for more than three years. My question is to the Minister of Seniors, what steps has the Minister taken to raise this matter with the Minister of Health?

**Hon. Harold Neufeld (Minister responsible for Seniors):** The Liberals seem to be intent on embarrassing the Minister for Seniors, and they have done a good job. The Minister for Seniors is not the Minister for Health. When the time comes that the Minister of Health (Mr. Orchard) makes proposals to the Cabinet, the Minister for Seniors is consulted and will be consulted. I fail to see why the Member for Kildonan (Mr. Cheema) continues to think that the Minister for Seniors is the Minister for Health. I think there are two different portfolios and he, above all, should recognize that.

\* (1350)

### Day Hospital Spaces

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, the Minister for Seniors (Mr. Neufeld) has indicated in the past his job is to advocate on behalf of seniors, and that was my question. I would like to know what his job description is then.

Mr. Speaker, my question is again to the Minister for Seniors. Day hospitals are an excellent example of service which improves the quality of life for the seniors. Can he tell us how many new day hospitals for seniors have been created and how many new spaces in the existing program have been created since the new Government took office?

**Hon. Harold Neufeld (Minister responsible for Seniors):** I suppose the Estimates for the Department of Health would give a better indication of that than I can. I do not have to be lectured about seniors by the Members of the Opposition. I was working with seniors long before they realized that media theatrics might gain them some political gain. I worked with seniors, not because I might get some political gain. I worked with seniors because I wanted to work with seniors. I am well aware of a lot of the things the seniors need. I am not aware of all of the things the seniors need, but I do know one thing. They want an open door in Government and they now have an open door. That has been communicated to me time and time again. They now have an open door.

I know one thing the seniors do not want. They do not want college graduates to come and tell them what they need. They want somebody who is responsible, somebody who knows what they are talking about to discuss with them what they need, and we are discussing with them.

I am sick and tired of the Opposition coming to think that they have all the answers for seniors. We will discuss with the seniors and we will, in time, come up with the programs that we think the seniors, and they think that they will require.

### Psychogeriatric Care Report Release

**Mr. Gulzar Cheema (Kildonan):** I would like to tell the Honourable Member, the Honourable Minister there, all the doctors are college graduates and I do not have to learn from him. It is my responsibility to bring the facts.

Mr. Speaker, my question is again for the Minister for Seniors (Mr. Neufeld). I raised the question about three weeks ago that, has he read the report on psychogeriatric delivery services in Manitoba? If he cannot read the report, how can he provide the services? How can he consult the Minister of Health (Mr. Orchard)? Can he tell us today, has he read the report or not?

**Hon. Harold Neufeld (Minister responsible for Seniors):** Mr. Speaker, I hesitate to say I have not read that report. It is not my responsibility to read that

report. It is the Minister of Health's (Mr. Orchard) responsibility to bring in programs for health. He knows it as well as I do, and if his intention is only to embarrass the Government and not to get answers—if he wants to get answers, get him to—

**Mr. Speaker:** Order, please.

### POINT OF ORDER

**Mr. Reg Alcock (Opposition House Leader):** Point of order, Mr. Speaker.

**Mr. Speaker:** The Honourable Opposition House Leader, on a point of order.

**Mr. Alcock:** I can understand the Minister responsible for Seniors' (Mr. Neufeld) embarrassment on this point. However, he should not answer the question by imputing the motives of our critic, and I would ask him to withdraw the imputation of motives.

**Mr. Speaker:** The Honourable Government House Leader, on the same point of order.

**Mr. James McCrae (Government House Leader):** Mr. Speaker, it seems that the only rule the Honourable Opposition House Leader (Mr. Alcock) knows is the one that you are not supposed to impute motives. If we were to listen to the Opposition House Leader every day raising points of order on that particular issue, there would not be very much question and answer going on in this House.

**Mr. Speaker:** Let me thank both Honourable Members. I can understand the Honourable Minister responsible for Seniors (Mr. Neufeld) got quite carried away in his comments, and I do believe the Honourable Opposition House Leader (Mr. Alcock) did make a very good point. I would ask the Honourable Minister responsible for Seniors to kindly withdraw any imputation of motives.

**Hon. Harold Neufeld (Minister responsible for Seniors):** I will withdraw whatever remarks you think I should withdraw.

**Mr. Speaker:** I would like to thank the Honourable Minister. Thank you, sir.

**Mr. Neufeld:** When it comes to imputation, Mr. Speaker, I think I have been wronged more than they have.

**Mr. Cheema:** Mr. Speaker, on a point of order.

**Mr. Speaker:** The Honourable Member for Kildonan, on a point of order.

**Mr. Cheema:** Mr. Speaker, my second question was for a special problem, and the Minister for Seniors (Mr. Neufeld) should know that it is his responsibility to advocate—

\* (1355)

**Mr. Speaker:** And the point of order is? What is your point of order? Order, please; order, please. I am

attempting to listen to the point the Honourable Member is trying to make.

**Mr. Cheema:** Mr. Speaker, my second question was related to the problems for the Seniors and, if the Minister for Seniors (Mr. Neufeld) does not want to answer the question . . .

**Mr. Speaker:** Order, please. The Honourable Member does not have a point of order. The Honourable Member may not demand an answer from a Minister.

### MPIC Rate Setting Process

**Mr. James Carr (Fort Rouge):** My question is for the Minister responsible for the Manitoba Public Insurance Corporation (Mr. Cummings). During the election campaign, the Progressive Conservative Party made a promise to the people of Manitoba, and that promise was that all rate increases of the MPIC would go to the Public Utilities Board. Since then, the Minister has changed his mind. Now he says that there is not time for the Public Utilities Board to have all the information required to make intelligent decisions. When in Opposition, that Member—and he was a pretty good critic, I must say, for the Manitoba Public Insurance Corporation—knew full well what the process was, Mr. Speaker. Nothing has changed since then, except the Minister's position.

My question is, will he consider changing his position once again and give real substance to the promise he made to the people of Manitoba and make sure that all Autopac rate increases go to the Public Utilities Board, like he promised?

**Hon. Glen Cummings (Minister responsible for Manitoba Public Insurance Corporation):** Mr. Speaker, rate increases will go before the Public Utilities Board and they will approve or disapprove them.

**Mr. Carr:** We all know that the Minister stated in remarks yesterday that they would go to the Public Utilities Board retroactively, and that is not quite the same thing. Last year when the MPIC prepared its cost estimates, there was a \$40 million gap between what its estimated costs would be and what its real costs were. My question to the Minister is, is he now satisfied that the corporation has sufficiently changed and altered its way of doing things that such a dramatic mistake can no longer happen?

**Mr. Cummings:** There are many initiatives that we have initiated over at the corporation which we hope will and fully expect will lead to an improvement in the rate-setting process. I want to make it very clear to the Member, the critic in the Opposition, and to the public, considering the response to the statement that I made yesterday, that I was talking in terms of 1989 where the corporation and the PUB will have a long and protracted review of the rates and the rate-setting process. That is my anticipation and, in the future, rate increases for the following years will be approved by the PUB.

### Rate Increases

**Mr. Speaker:** The Honourable Member for Fort Rouge (Mr. Carr), with a final supplementary question.

**Mr. James Carr (Fort Rouge):** The Minister said yesterday and was quoted as saying that rates will rise again for the 1989 year. I wonder whether or not he has yet received recommendations from the board of MPIC on rate increases or whether the Minister was making these statements just out of the air.

**Hon. Glen Cummings (Minister responsible for Manitoba Public Insurance Corporation):** First of all, the comments that the Member is referring to, the chairman of the board, Mr. Thompson, indicated that there may be some modest increase in order to meet the expected revenue costs for the corporation. I am not going to get into a speculative game. The board of MPIC will recommend to the Government, because that is how the legislation still sits, and they will, after they have had a chance to review the final quarter, bring forward their recommendations.

I think that it should be pointed out that in the tabling of the Third Quarter Report today that we have moved a fair pace forward in making sure the public is apprised as we go along in the situation that the corporation finds itself in, not only in the Autopac area but also in the General Insurance side. That is also a commitment that, now that we have the First Quarterly Report in place, that these will begin to flow on a regular, quarterly report as soon as they can be prepared by the Crown corporations involved, and the public will be kept up to date.

\* (1400)

### Natural Gas Target Price

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, my question is to the Minister of Energy and Mines (Mr. Neufeld). Manitobans learned yesterday that they will be saddled with natural gas prices for the next year at least that are 10 percent to 20 percent higher than they need to be. I asked the Minister responsible for Energy (Mr. Neufeld) in July of this year to involve himself in the negotiations between Western Gas Marketing and Inter-City Gas to ensure that Manitobans receive the benefits of gas deregulation and gas price decline, natural gas price decline, to the fullest extent possible.

My question is the Minister of Energy and Mines (Mr. Neufeld). Has the Minister been involved, was the Minister involved in the negotiations between Western Gas Marketing and ICG? Did the Minister instruct, on behalf of Manitobans, staff to establish a target price for gas coming into Manitoba? Did he instruct staff in any way to get involved in the negotiations? - (Interjection)-

**Mr. Speaker:** Order, please.

**Hon. Harold Neufeld (Minister of Energy and Mines):** Mr. Speaker, I do believe that the Member for Flin Flon

(Mr. Storie) well knows that there are producers in Alberta and Saskatchewan who produce the gas and they sell the gas. There is a collecting system, the Nova system in Alberta, that collects the gas. There is a TransCanada Pipeline where the western marketing company that buys the gas and the TransCanada Pipeline delivers it to Inter-City Gas. The Member for Flin Flon seems to think that we in Manitoba can dictate to the producers of Alberta the price that they should charge to the TransCanada Pipeline. I do not think that is possible, but I want to assure the Member that we have indeed been involved in the negotiations.

I have met with the Minister for Energy of Alberta to discuss with him where he is coming from or where his Government is coming from and the direction that they will take. I have discussed with the Minister of Energy of Ontario to see whether or not we could go in concert with them to get the best price for Manitobans. We have discussed with Inter-City Gas the way the negotiations are going. We have monitored the negotiations on an ongoing basis. We have engaged a consultant to work on our behalf with the negotiators, and we do believe that we are going to come up with the best price available to Manitobans when the contract is signed.

**Mr. Speaker:** The Honourable Member for Flin Flon, with a supplementary question.

**Mr. Storie:** Mr. Speaker, I am not sure whether the Minister is misunderstanding the facts. ICG has announced that it has established a price for 1988-89. I took the trouble, unlike the Minister of Energy (Mr. Neufeld), to contact—

**Mr. Speaker:** Order, please. Does the Honourable Member have a question?

**Mr. Storie:** Mr. Speaker, I do.

**Mr. Speaker:** The Honourable Member kindly put his question now.

**Mr. Storie:** Mr. Speaker, has the Minister contacted any of the producers of natural gas to establish in his own mind and for the benefit of Manitobans what price we can realistically expect Manitobans to pay? Has the Minister done any of that, as I have, and was told by the chairman of Northridge Petroleum this morning that ICG is charging Manitobans a premium of 30 cents to 35 cents, \$10 million or more for the—

**Mr. Speaker:** Order, please; order, please.

**Mr. Neufeld:** Mr. Speaker, the Member for Flin Flon (Mr. Storie) knows very well that he can buy all the gas at whatever price he wants as long as he cannot get it here. If you are going to get it here, you have to pay the price that the producers want. As long as I have a product that nobody wants, I can charge anything I want and nobody will buy it. Once I have a product that somebody wants, I can charge the going price.

The Member for Flin Flon (Mr. Storie) knows very well that unless the producer gets an export permit he

is not going to get the gas to market. We have to get the gas to market and we are working. While the Member indicated that a contract had been signed, it has not been signed. We have not yet come to a conclusion on the price that will be charged to Manitobans. The indicated price may well be the end price, but it is not necessarily the end price.

### Public Utilities Board

**Mr. Speaker:** The Honourable Member for Flin Flon, with a final supplementary question.

**Mr. Jerry Storie (Flin Flon):** It is obvious that the Minister does not take this seriously. My question is, given his indication today that there is in fact no final agreement, although there is a negotiated price, will the Minister now ask the Public Utilities Board, on behalf of the natural gas consumers in the province, on behalf of the house owners and small businesses, will he now ask the Public Utilities Board to get involved and do an assessment of what Manitobans should realistically be charged, so they will not be soaked by the tune of \$38 million as we were in the 1988 heating year?

**Hon. Harold Neufeld (Minister of Energy and Mines):** The Public Utilities Board has indeed and will be involved fully and completely in the final price, but we have to first of all get the gas to Manitoba. Once we can get it to Manitoba, we can set the price for Manitoba, but we cannot set their price. We can enter into negotiations, but we cannot at this point in time dictate to the Alberta producers what they can charge. I would like to put on record, Mr. Speaker, that Manitoba was not overcharged by \$38 million in 1986 as the Member suggests.

### Grant Avenue Speed Reduction

**Mr. Ed Mandrake (Assiniboia):** My question is to the Minister of Highways (Mr. Albert Driedger). On February 23, 1988, our Leader posed the question of speed limits on Grant Avenue to the previous Government and received no action. In a letter to Miss Longfield dated October 6, 1988, the secretary of the Highways Traffic Board stated: "The City of Winnipeg traffic engineer is being asked to investigate your concerns and file with this office a statistical report regarding traffic flow, speeds being travelled and accident data."

My question is, there are five schools on or near Grant Avenue. Would this Minister show some initiative and reduce the speed on Grant Avenue to 50 kilometres per hour?

**Hon. Albert Driedger (Minister of Highways and Transportation):** I am glad that I am still part of the question and answer team here, I thought I had been forgotten for awhile. I appreciate the question.

I would like to indicate to the Member for Assiniboia (Mr. Mandrake) that there is a Highway Traffic Board that has been established, that all applications for speed variations and many other things, including traffic as



well, have to be applied before you make an application to the Highway Traffic Board for the reduction of speed. They then conduct the hearing where all interested parties can take and make applications, bring forward their concerns, and that would be my suggestion that is the approach that should be taken.

I, as a Minister, certainly do not have the responsibility and should not have the responsibility of dictating what kind of speed limit should be on the highways. In the case of the Minister's position, I would also have to make application to the Highway Traffic Board. They would then deal with the question and make a decision on it based on the information that comes forward.

**Mr. Mandrake:** To the same Minister, under Section 101 of The Highway Traffic Act, the Minister has the authority to reduce the speed limits. Why? Why wait for another report regarding traffic flow, speeds being travelled and accident data? Will he exercise his authority today under Section 101 and reduce the speed limit on Grant Avenue to 50 kilometres per hour?

**Mr. Albert Driedger:** First of all, I would like to indicate that speed limits, especially where safety is involved, is a major concern to all people involved. I certainly do not take the concern very lightly in that respect. However, I would like to indicate to the Member that Section 101, that provision is there, but it has never been used by any Minister to my recollection. I think that is why we have the Highway Traffic Board there so that personal involvements or political involvements could not take place.

\* (1410)

I would also like to indicate to the Member that I am prepared to take and raise the concern with the Highway Traffic Board as well. I would appreciate if possibly the Member or the Leader of the Opposition (Mrs. Carstairs) could write myself as well, and I will take and forward the letter to the Highway Traffic Board to deal with.

**Mr. Mandrake:** Mr. Speaker, obviously report after report after report.- (Interjection)- That is all we are going to be getting from this Minister. The safety of our children is uppermost in our minds. We ask this Minister to take our children into consideration and lower that speed limit today.

**Mr. Speaker:** Order, please. The Honourable Member's question is repeating in substance a question which was previously asked and is, therefore, out of order. Will the Honourable Member kindly rephrase his question?

**Mr. Mandrake:** Mr. Speaker, Grant Avenue is Route 105, which is a portion of a provincial trunk highway. This Minister has the prerogative under Section 101 of The Highway Traffic Act to reduce the speed limit. Will he do so today?

**Mr. Speaker:** Order, please. The Honourable Member's question is still repeating in substance a question which was previously asked, therefore, out of order.

## Pay Equity Private Sector

**Ms. Judy Wasylycia-Leis (St. Johns):** Mr. Speaker, my question is to the Minister responsible for the Status of Women (Mrs. Oleson). Yesterday, on the most significant anniversary of the Person's Case, an important day for women in this province, this Government, this Minister chose to do something most trivial and superficial. They introduced yet another study. The frustrating reality of most women's lives is that this Government continues to announce studies about what women really want in this province. Yet, they are unwilling to make a commitment about what women really want, which is economic justice, which is equality in pay and equality in all aspects of society.

My question to the Minister responsible for the Status of Women (Mrs. Oleson) is, given that yesterday outside of the House -(Interjection)- Sorry, Mr. Speaker. The Premier (Mr. Filmon) apparently said something quite demeaning about women and women's equality that I did not catch, but I will let him put it on the record.

My question to the Minister responsible for the Status of Women (Mrs. Oleson) is that, given that she said yesterday outside of this House that this Government was prepared to move exactly in the same way as the previous NDP Government on pay equity, is this Minister prepared to stand up in this House today and commit this Government to moving immediately to the extension of pay equity in all aspects of the public sector, school boards, municipalities, and is she prepared to indicate that this Government has reversed its position on pay equity in the private sector?

**Hon. Charlotte Oleson (Minister responsible for the Status of Women):** Mr. Speaker, first of all, I really reject what the Member has said about the initiative that I announced yesterday as being trivial. The women of Manitoba do not consider it trivial. People who I have talked to think that it is a very ambitious approach on the part of the committee that is going to do the studies. The Member indicates that this is an identification of needs. This is not an identification of needs. We have been told what the needs are. This is a plan of action to consult with women to see if the needs are being met, to invite their response to the programs that Government has in place to see if they really are responding to the needs of women. It is an ambitious undertaking to go to many, many communities of this province to talk with the people in the real world who are part of those programs, who need those programs.

Now with regard to pay equity, what I said yesterday was that what had been in place before in the line of pay equity is still in place. The program that has been set down under the present legislation is going forward. Every line of the department reflects a commitment to pay equity. That is what I said yesterday.

### Day Care Reinstatement of Funds

**Mr. Speaker:** The Honourable Member for St. Johns, with a supplementary question.

**Ms. John Wasylycia-Leis (St. Johns):** The Minister should know that a study is a study is a study and she cannot deny the fact.- (Interjection)-

Mr. Speaker, given the fact that this Minister is prepared to say one thing outside of the House and another thing in this House, I would like to ask her a supplementary on another matter related to of clear importance to women's equality. That is, does she support and does her Government support the comments made by her colleague of this Monday, her colleague the Member for River East (Mrs. Mitchelson), when she said that women who are members of two-income families and are simply working for profit or for pin money should be denied access to non-profit day care? Does she support that assertion, and is she prepared to reinstate funds for the day care that she has cut out of the budget?

**Mrs. Charlotte Oleson (Minister of Community Services):** Mr. Speaker, I would like to indicate to the Member that the only policy change that has been made in day care is the policy to have affordable subsidies go with the child to whatever centre they wanted to go to. The policy of the other components of child care are still in place. There was an increase in the budget to child care this year, a very substantial increase, a very substantial commitment on the part of this Government. I have also indicated to the Member several times in Estimates that all of these matters of policy with day care will be undertaken and reviewed by the Task Force on Day Care.

**Mr. Speaker:** The Honourable Member for Lac du Bonnet, on a point of order.

**Mr. Darren Praznik (Lac du Bonnet):** Mr. Speaker, a point of order.

**Mr. Speaker:** The Member for Lac du Bonnet (Mr. Praznik), on a point of order.

**Mr. Praznik:** I believe the Honourable Member for St. Johns is not speaking from her seat.

**Mr. Speaker:** Order, please; order, please.

I would like to inform the Honourable Member that we had a couple of name changes on the Chairs.

The time for oral questions has expired.

### NON-POLITICAL STATEMENT

**Hon. Leonard Derkach (Minister of Education):** Mr. Speaker, may I have leave to make a non-political statement?

**Mr. Speaker:** Does the Honourable Minister of Education have leave to make a non-political statement? (Agreed)

**Mr. Derkach:** Mr. Speaker, the Canadian Federation of Students, in conjunction with our provincial students' organization, the Manitoba Alliance of University Students, has set Wednesday, October 19, today, as National Students' Day.

The purpose of this day is to recognize and to celebrate the direct and indirect contributions that university students make to our communities and our society. Students are our future. They are our hope for a better place, a better country and a better province in which to live.

Students across Canada today are planning a variety of events to commemorate this day such as speakers, panel discussions, concerts, dances, cake cutting, films, and many other events. In order that this day be an event of even greater celebration, we are requesting the public to support this. I am proclaiming today, October 19, as National Students' Day in Manitoba and do commend its thoughtful observance to all citizens of our province. Thank you very much.

### HOUSE BUSINESS

**Mr. Leonard Evans (Brandon East):** On a matter of House Business with regard to the Committee on Public Utilities and Natural Resources meeting that is scheduled in the Order Paper for Thursday, next at 10 a.m., I wonder whether the Minister can assure us that the Kopstein Report will be available to the Members of the Opposition before the next meeting which is now scheduled apparently for Thursday or will the meeting be postponed.

**Mr. Speaker:** The Honourable Government House Leader (Mr. McCrae), on House Business.

**Hon. James McCrae (Government House Leader):** My announcement in this regard was that the committee will examine the Annual Report of the Manitoba Public Insurance Commission, and that the committee will not adjourn or close its deliberations on the MPIC before its Members have in their hands a copy of the Kopstein Report so that they can be given an opportunity to review that as well.

So the committee hearings will not be over until the Members are satisfied that they have had a look at the Kopstein Report and they have raised any matters that they wish to raise. I understand the Kopstein Report will not be available for the committee's hearing tomorrow but that, after those deliberations are complete, the Members of the committee will not be denied the opportunity to raise matters relating to the Kopstein Report.

**Mr. Speaker:** I would like to thank the Honourable Government House Leader.

\* (1420)

### ORDERS OF THE DAY

**Hon. James McCrae (Government House Leader):** Mr. Speaker, I have given the Clerk of the House a

rundown on what Bills the Government would like to see called today. For your assistance, I would ask you if you would call Bills Nos. 4, 5, 10, 9, 15, 23, 8, 11, 27 and 30. Later on, Mr. Speaker, I will be proposing a course of action to be hopefully followed with respect to Bill No. 14, which has passed second reading and has been referred to a committee. I will raise that matter with the House later on.

### DEBATE ON THIRD READINGS

#### BILL NO. 4—THE RE-ENACTED STATUTES OF MANITOBA, 1988, ACT

**Mr. Speaker:** Debate on third readings, Bill No. 4, The Re-enacted Statutes of Manitoba, 1988, Act; Loi sur les Lois réadoptées du Manitoba de 1988, standing in the name of the Honourable Member for the Interlake (Mr. Uruski).

Is the House ready for the question? The question before the House is third reading of Bill No. 4, The Re-enacted Statutes of Manitoba, 1988, Act. The Honourable Member for Churchill.

**Mr. Jay Cowan (Churchill):** Mr. Speaker, we are prepared to pass this Bill for third reading and Bill No. 5, with the opportunity just to put a few comments on the record.

We wanted to make note that the New Democratic Party Opposition—I believe the Liberal Party Opposition is of the same mind with respect to this Bill—that we are passing the Bill through at this particular time because there is a requirement to have this Bill given Royal Assent by the end of this week or the beginning or next week in order to accommodate the needs of the printer to have this Bill printed in enough time to have it in effect and distributed, which is one of the requirements of the Supreme Court decision, by December 31 of this year.

So we want it noted, in doing that, that we are cooperating with the Government with respect to the passage of this Bill and that we are not following the pattern which was followed previously on these Bills when we were the Government and the Opposition had this Bill in hand, when we asked for speedy passage of the Bill, but the Opposition held onto this Bill until the last moments of the Legislature.

So I think that history does play a part in the way in which we are perceived as Governments and Opposition Parties. History also plays a part in shaping the future and I have to tell you that when the Government House Leader first came to me asking for cooperation on this Bill, my immediate response to him was we will respond exactly the way that your Party, your caucus, responded to us when they were the Conservative caucus and we were the New Democratic Party Government. We would respond in exactly the same way as they did when we asked them for cooperation in speedy passage and got none. We received no cooperation at all in that respect in the past.—(Interjection)— Well, I am sorry. I missed the comment from the Minister of Education (Mr. Derkach) from his seat, but I am certain he will have an

opportunity to stand and speak on this Bill later on if he so wishes. The fact is, Mr. Speaker, that cooperation was not forthcoming.

I want to reiterate and repeat in a very forceful way that comment because we have started to hear from the Government House Leader and from others on that side that they are concerned about how long this Session is taking because the Opposition is, in their mind, not cooperating to the extent that they should be with regard to the passage of Bills. This is a very clear example of why that particular misconception is not accurate. In fact, when asked for cooperation, our initial response was to treat them equitably, the way in which they treated us. When they came forward with a specific case that required earlier passage and required greater cooperation than they had shown us in the past on this Bill, we said, yes, that we will in fact cooperate with them. I think that the record should very clearly show that to be the case.

We are also going to be passing for second reading today, if the Liberal Opposition agree, the other Bill that we are certain should be passed today in order to get into committee for second reading so that it can then come back to the House for third reading at a later date and also receive expedited processing by the Opposition in a very cooperative fashion.—(Interjection)— The Minister of Highways and Transportation (Mr. Albert Driedger) asked which one is that. It is Bill No. 23.

We are not going to be passing today Bill No. 15, The Cooperative Promotion Trust Act, which is another one that is required under the re-enactment process because, in conversations with legislative counsel today, we have not been convinced that it is necessary to pass that one as quickly as it is to pass the others. We have a very strong concern about what is happening with the Department of Cooperative Development, and believe that this Bill is a way for us to focus that concern and fight the elimination of the Department of Cooperative Development through the legislative process. Unless we can be shown clearly that there is that same sort of time requirement for that Bill, we will be not passing it at this time.—(Interjection)— And the Member for St. Norbert (Mr. Angus) makes an excellent point. That is that because we are being cooperative, and the “we” in this instance is all inclusive, the Opposition, we expect that they will be cooperative as well on Private Member’s Bills. The very least they could do on the Private Member’s Bill, Mr. Speaker, is speak to them. That is the very least they could do, and that is not enough.

We have seen the spectacle of the Government House Leader (Mr. McCrae) standing or sitting, as the case may be, in his seat day after day after day when these Bills come forward, standing the Bills and not even having the courtesy to indicate how the Government perceives that legislation, whether they are in favour of the legislation, whether they are opposed to the legislation, whether they think the legislation might be made better by some changes or amendments. They do not even have the courtesy to do that. I am not weighing the passage of this Bill against the passage of those Bills. But what I am saying is that cooperation

should in fact breed cooperation. Because we are trying to expedite matters, they should at least try to deal reasonably with those matters that are brought forward by the Opposition.

So with those comments, Mr. Speaker, we are prepared to allow this Bill to proceed through to Royal Assent. I understand it will be given Royal Assent today so that it can then get into the printing process. We are doing that because we have been told and we accept the fact that the printing process on these particular Bills will take such a period of time that it is required to have them passed now so that they can be distributed by December 31, 1989. We are not of that opinion on The Cooperative Promotion Trust Act, so we will not be treating it in the same manner.

**QUESTION put, MOTION carried.**

### **BILL NO. 5—THE STATUTE RE-ENACTMENT ACT, 1988**

**Mr. Speaker:** Debate on third reading, Bill No. 5, The Statute Re-enactment Act, 1988; Loi de 1988 sur la réadoption de lois, standing in the name of the Honourable Member for the Interlake (Mr. Uruski), the Honourable Member for Churchill.

\* (1430)

**Mr. Jay Cowan (Churchill):** Mr. Speaker, we are prepared to pass this Bill in the same fashion due to the same need for a speedy printing of the Bill in order to allow for printing. The same remarks stand, only the cooperation is now twofold.

**QUESTION put, MOTION carried.**

### **DEBATE ON THIRD READING AMENDED BILL**

### **BILL NO. 10—THE COURT OF QUEEN'S BENCH ACT**

**Mr. Speaker:** Debate on third readings, amended Bills, Bill No. 10, The Court of Queen's Bench Act; Loi sur la Cour du Banc de la Reine, standing in the name of the Honourable Member for Rupertsland (Mr. Harper). (Stand)

### **DEBATE ON SECOND READINGS**

**Mr. Speaker:** Debate on second readings, on the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 8, The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine, standing in the name of the Honourable Member for Wolseley (Mr. Taylor), the Honourable Government House Leader.

**Hon. James McCrae (Government House Leader):** Mr. Speaker, the order that I gave you a little earlier, or asked you to call the Bills in a little earlier, would have you calling Bill 8 somewhat later on in the

afternoon. We have stood Bill 10, and I would be asking that you call Bills 9, 15, 23, 8, 11, 27 and 30. After we conclude Bill 9, Mr. Speaker, I will make a request respecting Bill 14 which has been read a second time and stands referred. I will be asking for the leave of Honourable Members to allow us to proceed to committee this afternoon in Committee of the Whole on these re-enactment Bills.

**Mr. Speaker:** I would like to thank the Honourable Government House Leader. I am sorry, that was my mistake.

### **BILL NO. 9—STATUTE LAW AMENDMENT (RE-ENACTED STATUTES) ACT**

**Mr. Speaker:** Debate on second readings, on the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 9, Statute Law Amendment (Re-enacted Statutes) Act; Loi modifiant diverses dispositions législatives (Lois réadoptées), standing in the name of the Honourable Member for Elmwood (Mr. Maloway), the Honourable Member for Elmwood.

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, I will try to keep my comments relatively brief today on this Bill. I did though want to make some comments to follow up what the Member for Churchill (Mr. Cowan) had to say just a bit earlier. That is that we should expect perhaps a little more cooperation on the part of the Government in dealing with our Private Members' Bills. They have largely stood these Bills. In fact, some of them have been standing since July 26 in the name of the Attorney-General (Mr. McCrae). I do not find any reason why the Attorney-General of the province would have to leave Bills standing that long without even speaking to them, Bills by the way that he claims he supports.

You sometimes wonder when you hear comments like that and then see a virtual stonewall from the Government. I do not think that the Government should be complaining overly about how long this Session is going to last when in fact they are showing this degree of uncooperativeness on these Bills.—(Interjection)— It is a fact. The Minister of Agriculture (Mr. Findlay) does not like what I am saying, but it is a fact. He should recognize it as such.

The Bill in question, Bill No. 9, is a Bill dealing with re-enacted statutes. It deals with a whole broad range of Bills, among them The Agricultural Credit Corporation Act, The Chartered Accountant Act, The Community Child Day Care Standards Act, and many others. I did want to deal with a couple of these Acts on the way through.

The Attorney-General (Mr. McCrae) in his comments when he introduced the Bill indicated that the legal counsel and the translators had spent an awful lot of time translating these laws and getting them ready for re-enactment. Of course, we all know why that process had to be embarked upon. Had the Legislature at the time followed our proposal, we would have gotten through this process and out of this process without going through this onerous and expensive translation process.

I wish I could talk to the Member for Springfield (Mr. Roch) about this particular subject because he certainly was one of the people who certainly campaigned—he was not here at the time of the Bills being dealt with in the Legislature. He certainly played a role, stoking the fires in the background. Now he has become someone else's problem, so I suppose the Government has one less problem to worry about.

There was a suggestion by one of the other Members, Mr. Speaker, that we had to look at the exact wordings of these Acts and that the exact wordings were very, very important, and not the broad intent because, in the final analysis when an interpretation was made, the exact wording would prevail and not the intent. I thought that was a very, very relevant and very, very important comment that Member made.

There is a long, long process that we have to go through, this whole re-enactment process. It has been a very, very difficult process. Once again the Attorney-General (Mr. McCrae) has certainly made it clear that his department has done a very, very good job in that area.

Now the Member for the Interlake (Mr. Uruski), our critic in this department, did point out in his address and ask a question—I do not know whether it has been answered yet by the Attorney-General—but asked a question regarding the non-translation of two sections of this particular Act. I am not certain when the Attorney-General will be getting back to us with the answers to that question. I think there were other questions that were asked at the time. We will be waiting for him to do that.

We do not feel that we should be sending Bills through that have errors in them. Certainly when you try to translate very large volumes of material in shorter periods of time, the chances of errors developing are much increased.

I had mentioned that legislative counsel is very, very overworked, that many millions of dollars have been spent on the translation process, a lot of it needless translation had the Conservative Opposition at the time not stonewalled the way they did on our proposal. These laws have to be re-enacted now, of course, to remain valid. But that does not mean that we should not have some sort of debate in this House on these Bills. Since 1890, Mr. Speaker, we have been passing unconstitutional Acts and the translations have to be completed by December 31, 1990, or they lose their validity.

As we have said, the Conservatives were the Party that put the province into this turmoil and even the Prime Minister was embarrassed with this group here and their actions in Manitoba. I think he is making us pay for what they did. He is making us pay on the federal scene.

Their credibility, I believe, has still to this day not achieved the level that it should or even close to, say, where the Saskatchewan Government's credibility is with the Prime Minister. So the Premier (Mr. Filmon) should not make great pronouncements about how he has so piped into the Prime Minister and has his direct

phone line and, when he talks, the Prime Minister is going to listen. I think the Prime Minister has a very long memory and he remembers the actions of these Members just those very few years ago, and he is exacting his repayment, his price for their intransigence now in ways that will become, I think, more apparent as this Government stays and governs.

Within a six-month period, they have not had enough time and the public has not had enough time to come to the conclusion that they do not have any power with the federal Government but, given a year, given a year and a half, if they last that long, the public will, I think, come to that conclusion, that they really do not have credibility with the federal Government. They will and the province will suffer because of that.

Now, Mr. Speaker, there was a question that has been raised about whether all the private Bills should be translated or whether just the non-profit organizations should have their charters translated. Of course, it seems to me that we have an obligation to certainly translate the non-profit Acts. That is a logical thing, but I question whether or not we should be translating all of the private Acts that have come into force.

\* (1440)

In fact, we are faced with these Acts, and I had one myself last year with one of the golf courses in town had come to us. I am sure that other Members have been approached or will be approached to bring in these private Acts. It is a costly little item to be translating a private Act and go through the legislative process. It has the same time frame and time involved as any other Bill does, when all these golf courses have to do or foundations have to do really is go out and pay a lawyer and get an incorporation done through the regular system. We might consider whether or not we should be holus-bolus translating the private Bills.

Now our House Leader (Mr. Cowan) has already mentioned that when he approached the Opposition, the then Opposition, the Conservatives, he got very little cooperation from them in terms of passing these very same Bills just six months ago. They were of the view that they would hold them off till the last possible minute and that they would—their method of dealing with things in those days was to hold off pretty well all the Bills till the last hour of the last day of the Session before letting these Bills come through. I think that we have come to the conclusion that is probably not the best way to conduct business in the House and I am glad to see that things are thawing somewhat and that perhaps we have shown a degree of cooperation to the Government, the Government will reciprocate and proceed to move along a little bit on some of our Bills that we have brought in. We think they are good Bills. The Liberals have a couple of Bills. We think that they should be passed on to committee and that amendments should be and can be made at that juncture.

I did mention that this particular Bill No. 9 deals with a whole range of different Bills. I listened with great intent to the Deputy Speaker. I am certainly going to

make some positive comments to him when he is in front of me next on his analysis of The Condominium Act, because I certainly learned a lot about The Condominium Act in the 40 minutes that he took to explain it to us that day.

There are some provisions of The Condominium Act that are relatively important and, as he pointed out in his address, a purchase of a house or one's living quarters are perhaps the most expensive purchase that people make in their lives. In many, many cases, not all that much more consideration is given to the purchase of that shelter, that home, that condominium than the purchase of a vacuum cleaner or renting a movie at the local video store. When you consider how much money is involved and how much the item costs the individual over the lifetime of a mortgage, it is roughly three times. In other words, if the mortgage is \$50,000, the eventual payout on that proposition for that house is going to be about \$150,000 alone in interest. Yet, people walk into these propositions every day of the week and usually, in a lot of cases, they simply buy it just to get it over with. They go out and see three or four houses and buy the fourth one, just to get the whole process over with.

The Deputy Speaker dealt with that area and did mention that a cooling-off period, which is dealt with in Section 8.1 where a prospective purchaser signs an agreement to buy a condominium, there would be a cooling-off period of 48 hours so that within a 48-hour period that a person decided that they did not wish to proceed with the purchase of this condominium that in fact they could simply call off the deal. They could do so by personally giving the vendor a written notice of the cancellation within 48 hours or by mailing to the vendor a notice of cancellation within the 48 hours by registered or certified mail. So this is a relevant procedure, and certainly a legal procedure and a proper procedure to be dealt with in the purchase of a condominium.

The Member also dealt with information that has to be received by the purchaser. The purchaser of course has to receive several documents. One of them is the most recent financial statements of the corporation and a budget statement for the current financial year. Of course, one can see why that would be important because, if you are buying into a condominium corporation that has a lot of financial problems—I am certainly aware of a couple in years past, one in particular out in Charleswood where a three-year-old condominium building had to be reroofed, had to have new plumbing put in this building. I mean this was a very, very shoddily constructed building. But from the outside, it looked fairly good. The people who I knew had gone in there and bought condominiums and now are faced with all these hidden costs, Mr. Speaker, that they did not anticipate when they first bought that building.

So the budget statement and the current financial year that a person has to get is to set out the common expenses of the condominium and the amount of each expense and, of course, the Member for Seven Oaks (Mr. Minenko) did go in some length to explain to us—and some of you will recall his explanation about the

different types of common expenses that there were, the corridors being a very important one and I know that he spent quite a bit of time dealing with the subject of corridors in the condominium development—the amount of these expenses, the monthly common expense contribution for each type of unit, the proportion of the common expenses to be paid into a reserve fund, because these condominium corporations set up a reserve fund similar to an insurance corporation or similar to any kind of a forward-looking organization that wants to reserve for the future and take into account any potential disasters that they might encounter.

**Mr. Harry Enns (Lakeside):** Anticipate the unanticipated.

**Mr. Maloway:** That is correct. The Honourable Member for Lakeside has mentioned "anticipate the unanticipated." And to put this money in reserves so that when and if there is a problem with new flooring required or new roof or any other problem that would not be covered by insurance, which would only cover things of an accidental nature, there would be money there to deal with these problems.

(The Acting Speaker, Mr. Edward Helwer, in the Chair.)

Another item that would be required is the amounts of all reserve funds at the start of the current financial year, and I guess that is important because for accounting purposes one would want to know the starting point where the reserves started.

Mr. Acting Speaker, there are many, many other pieces of relative information here and I think I will pass through some of them because, as I said, the Member for Seven Oaks has spent the better part of his 40-minute address on the condominium section and he dealt with it rather well, I thought. But I did want to reiterate some of the points that he made. Mind you, there are a couple more here that I think bear looking at that we could take a look at.

There is a requirement that a statement specifying that any parts of the common elements that the owner of the unit is not entitled to use—and I guess that is important too, that one would want to know when you buy a condominium what parts, if any, of the common elements that you would not be entitled to make use of. And also there is a requirement that a statement specifying the number and type of parking stalls that are included in the purchase price and whether there is to be any additional monthly charge for these items would be important. I think we would want to know that too. If you were going to buy a condominium, you would want to know what, if any, parking stalls are available to you and what the cost of those parking stalls might be.

\* (1450)

And then they end off with sort of an all-inclusive, No. (j) here: "Such additional information as may be prescribed by regulation." I think that is fair, I think the Member for Lakeside (Mr. Enns) would agree that is fair, stating that once you have gone through all of

these other requirements that, in fact, there is additional information that may be prescribed by regulation that too . . . .

**Mr. Enns:** Seems fair to me.

**Mr. Maloway:** It seems fair to the Member for Lakeside. It seems fair to the Member for Lakeside that too should be made available to the prospective purchaser.

Now there is a provision dealing with the computation of the 48-hour clause, and it states that the 48-hour clause shall be computed exclusive of Saturdays and Sundays and holidays, and we think in our caucus that is fair as well. And there is a provision here for the return of the deposit. Where the agreement to purchase is cancelled, the deposit has to be returned to the prospective purchaser or the agent, as the case may be. In terms of the ownership of common elements, the Act states that the owners are tenants-in-common of the common elements and that undivided interest in the common elements is appropriate, and there is provision here to deal with the use of the common elements.

Now as I indicated, I could spend quite a bit more time on The Condominium Act part, but that has been dealt with by the Member for Seven Oaks so I will go on. There are many, many other Acts that this Act deals with.

I did want to, just in passing, make a couple of comments about The Corporations Act, because The Corporations Act is a very, very large Act. I read it coming back on a plane a few months ago and it is about 160 pages long, and that is not the most exciting reading. For any of you who have ever read that Corporations Act, you will probably agree with me that is a fairly large Act but I think there may be more. The Member for Lakeside (Mr. Enns) might be aware of some Acts that are more than 160 pages long.- (Interjection)- Not too many, but this one certainly was large.

But in any event under The Corporations Act, we are making changes or suggesting amendments to The Corporations Act in this Session under Bill No. 3, where we clearly spell out that the regulation of local trade is a matter within the legislative jurisdiction of the province, and that is spelled out by none other than the Constitution of the country. I would expect that the Liberal Party, the Liberal caucus, would come to that conclusion at some point in the near future, but it has taken a while now to get them to draw that conclusion.

We have suggested that Section 191(1) expands the definition of carrying on a business or undertaking to include advertising or otherwise promoting the business or undertaking under the name. We have also suggested that under that Act that the judge be allowed to issue cease and desist orders, where right now all the judge can do is simply order the business to do what it should have been doing in the first place. So we have expanded that. The department, I do not think, is adverse to that. I mean I have had discussions with people in the department and they have indicated that they think that is a very reasonable suggestion.

There is all this talk about legal opinions and whatnot and one side says, well, I have a legal opinion that says this, and then another side says I have a legal opinion that says that. You all know that, when you have two doctors in a room, you have three opinions. When you have two lawyers in a room, you have three opinions. You have two lawyers in your caucus, you know that they do not always agree on things. It is our view and it has been expressed to us by legal counsel, a team of legal counsels over at the general counsels' office, that there is nothing improper, there is nothing unconstitutional about what we are attempting to do with the amendment to The Corporations Act. In fact, quoting from page 6 of a legal opinion that I have, they say that the federal trademarks legislation does not deal with trade names. I wish the Members opposite would recognize that, although trade name is defined in the federal statute and trade names are mentioned.

The federal statute grants registration of trademarks only and trademarks, as defined in the federal statute, refer to a mark that distinguishes a product or service, not a business. A trademark holder, one might argue in defence of Bill No. 2, cannot come into the province and use a trademark as a trade name and expect that, because trademarks are protected by federal legislation, the trademark holder is exempt from provincial laws relating to the use of the trade name. You have to draw that distinction between trademark and trade name. It is imperative that the distinction between trademarks and trade names is emphasized, and Bill No. 2 does not attempt to regulate trademarks, only the use of trade names.

The provincial law is based on provincial powers over local trade. The use of trade names for the carrying on of a business within the province is arguably a matter of local trade, and so within provincial powers. The fact that such an Act might impact upon federal trademarks is immaterial and is brought on by the failure of the federal government to properly administer its legislative program so as to avoid encroachment upon an area of exclusive provincial power, namely, the regulation of local trade, trade names used in the province.

I will not go on with that any further, but there are clearly more opinions on that Act, and lengthy as well, that are just as valid. It seems to us, on this side anyway, that when you are a provincial politician, all Acts that we are dealing here, any of the Acts in Bill No. 9, could at some point be ruled as unconstitutional under some circumstances. You take that chance with any Act you pass, so you are going to say we cannot do anything, we are not going to pass any Acts at all because they might be unconstitutional? Of course not.- (Interjection)- That is right.

You get your legal opinions and you obviously do not introduce something that is obviously unconstitutional, but you introduce something that has an opinion that is constitutional, but there is always the chance that someone will have a different opinion. These things happen. So as provincial politicians, the last thing we should be doing is abrogating our responsibility and just giving up holus-bolus and saying, well, it is a federal responsibility. That is not necessarily so. Local trade

is a provincial issue; it always has been and we hope it always will be.

I find that Conservatives are smart. They are sitting back and not saying anything. At least when they do say something, what they say will more than likely make sense, and I am sure that they as a provincial Government will defend provincial rights. I am sure they will; I could almost guarantee it. They may not like the Bill. They may not like what we are doing, but they are certainly going to stand up and defend provincial rights, because that is the role of provincial politicians.

That is why I just cannot understand how Members of the Official Opposition could stand up and say this is unconstitutional, that is unconstitutional. It is just beyond me. If they are trying to achieve a niche in provincial politics and they are asking for provincial support to simply go on out and give sections of responsibility away to the federal Government without a fight, it is just beyond comprehension.

In any event, I could certainly spend the rest of my 40 minutes dealing with this topic as well, so I feel that I should move on here and I did promise not to take up the whole time.

The Employment Standards Act is dealt with under this, The Energy Rate Stabilization Act, The Family Maintenance Act, The Farm Machinery and Equipment Act, Fisheries—actually, you see how it would be easy for anyone to spend 40 minutes discussing this Act—The Health Services Insurance Act, The Highway and Transportation Department Act, The Law Society Act, The Legislative Assembly Act, The Mental Health Act, The Natural Product Marketing Act, and there are a few more, but I did want to deal with—the Minister of Finance (Mr. Manness) just walked by. I could deal with The Revenue Act, I suppose, and The Retail Sales Tax Act, I might get his attention, and The Religious Societies Lands Act.

\* (1500)

I think we will light next on The Private Vocational Schools Act, because I dealt earlier this year with a situation that developed—if I could just find my notes here. If I cannot find them, we may not be able to deal with this today, but dealing with The Private Vocational Schools Act, when a few weeks ago I guess it was, we had a situation of a school, one of 44 schools under The Private Vocational Schools Act—there are 44 in this province—went into receivership, I believe around July 5, and a number of students lost their money.

Of course, at the time that I asked the Minister of Education (Mr. Derkach) for a report on this subject he had put me off at the time. I had asked him whether or not the department had called the bond or was planning to call the bond.

There is a problem with the bonding requirements for the private vocational schools in this province. Up until recently, the bonding requirement was only \$5,000.00. Under the previous Government, the bureaucracy and perhaps the politicians got to work with the view to changing these bonding requirements,

and I am not so sure they did a very good job on this. I hate to be critical of the previous Government. I do not think I should go overboard on that, because we are in mixed company here but in fact it may have been that they could not foresee this problem developing. We have a better handle on it now with this one bankruptcy.

They came up with a formula that was based on the number of students, and we used Success Angus. That is a big one, but we could use Herzing or other schools. But they take the number of students that the average enrollment that the school has, let us say, it is 200 students, and you divide that by 25 and, in this case, you come up with a figure of eight. You multiply by \$5,000 per segment, and you get bonding of about \$40,000.00.

I want to ask you, if a school like Success Angus or Herzing with 200 students went bankrupt, just went out of business tomorrow and you had 200 students, how far do you think \$40,000 would take you? That is what worries me about this because, in the case of the John Casablanca School, there was a \$5,000 bond posted and in fact the losses were over \$5,000.00. The new bonding requirements which do not take effect until next March, I believe, will bring their bond up to—July 1, 1989 is the date that the new bonding requirements have to take effect.

So under the new bonding requirements, this school would have to bond itself for \$10,000 and, so far as we know, up until around the 1st of August, the losses were already in excess of \$5,000 by far. In fact, it is possible that the \$10,000 will not be enough and this is before the bonding requirements even take effect. So what we have is a case where the new bonding requirements which take effect next July 1 have been exceeded already this July 1. So a year before the new ones are taken into effect, the new ones have been exceeded. So we suggested at that time to the Minister of Education (Mr. Derkach)—and we have not heard back from him yet—that he looked into this matter immediately because it is a serious matter, because it is a little difficult to roll back the date now. Once you have set the date, once you have notified the 44 schools that they have till next July 1, it is kind of hard to get in there now and tell them that you have moved the date up. I suppose that could be done. A responsible Government might consider that.

On the other hand, I think that just a letter or a phone call or whatever might do the trick because I know, if my business got a call from the Securities Commission or the Department of Insurance and said, we want everybody's bond to be increased from \$20,000 to \$50,000, we would pay attention. We would not just ignore the request of the regulatory authority in the province. Even though we might have the statutory right to hold off until for another six months or another year, I think that we would jump to the pump, so to speak, and ask our insurers to increase our bonds, and that would not be a very difficult problem for any of the 44 schools if they are financially solvent, if they are in good financial shape. If there is a problem for them to get their bonding increased under short notice, then perhaps we should be taking a little closer look at this



school in the first place because maybe, if it cannot get its bonding increased from \$10,000 to \$40,000, it is not a big deal. If it cannot do that, then perhaps there are other financial problems that this school is dealing with that we should be knowing about now.

So sometimes when you bring in new regulations, new rules, you weed out the few operators in the system who, for financial reasons or others, just cannot keep up with the new regulations. But in actual fact, in many cases, these operators may be just a disaster looking for a place to happen. You may in fact prevent, or you may have caught a problem in its infancy.

So while we applaud the increase in the bonding requirements, we think it was unfortunate, the timing was unfortunate, that this school had to go down before these people got their bonding. This has happened before. There have been about three instances in the past few years where there have been losses, but I am told that in all cases the losses have been recovered through the bonding process. So this is in fact the first time.

Mr. Acting Speaker, you seem to be on edge. I just wondered how much longer I have before my 40 minutes are up.

**The Acting Speaker (Mr. Helwer):** You have five minutes.

**Mr. Maloway:** Thank you. In any event, the bonding is a big problem, Mr. Acting Speaker. I think that it is unfortunate that the Government had to get into this situation, unfortunate for any Government, whether it would be the NDP or the Liberals or the Conservatives, would get into this situation of having a school close where bonding requirements were not sufficient, especially when just a few months earlier they passed new regulations, and in fact the new regulations that they passed are going to be inadequate in view of the losses already occurred.

So perhaps the Government should be taking another look at that. Perhaps the Minister of Education (Mr. Derkach) would take a look at that. He has promised that he would get back to me with any news that he has on this case and I have yet beyond the first time to hear back from him, so I assume that everything is in good hands, although maybe I should not be too quick about making that assessment. Maybe I should be asking him for a further update because a long time has gone by and we have not heard anything back from him in terms of what the final losses are, whether in fact the bond has even been called, or in fact whether these students have got their money back. So if no news is good news, then we are probably in okay shape, but I think I am now reminded that I should ask him when I see him next to give me a further update.

I think sometimes it pays to go through old files. I think the Member for Churchill (Mr. Cowan) would be the first to agree with me that there is a lot that is contained in old files that should be looked at. I mean he, if anyone, should perhaps be looking. Who has old files? This man has more old files, more junk lying around in his various offices. I just cannot get a handle

on this stuff. Not only that, but he creates it and he moves on to another office and creates even more mess.

Now, Mr. Acting Speaker, the Minister of Community Services (Mrs. Oleson) is concerned that I have sort of strayed a bit from the Bill, and I want to assure her it was certainly unintentional that I would stray from the Bill and, in fact, I am heading right back into it right now. We have just dealt with The Private Vocational Schools Act. I had mentioned that, of maybe 20 or 30 Acts in here, I have only had the opportunity to deal with two or three and so it would take an awfully long time. Once again, the Member for Seven Oaks (Mr. Minenko) spent 30 minutes out of his 40 minutes dealing with The Condominium Act and that shows you how much time one can spend on just one section—

(Mr. Speaker in the Chair.)

**An Honourable Member:** Of one Act.

**Mr. Maloway:** —of one Act, yes. So, Mr. Speaker, you are back. I think we can wind down now.

I just wanted to mention that the final Acts that are dealt with here, The Civil Service Superannuation Act, The Dower Act, The Income Tax Act—I will leave that to another speaker—The Motive Fuel Tax Act, The Municipal Act. There are many people in this House who could spend 40 minutes on The Municipal Act. I am certain many people on the Government side, and I guess we will be waiting with bated breath to hear the Attorney-General (Mr. McCrae), who is sporting a nice new tie today, stand up and spend 40 minutes on The Municipal Act. I will be looking forward to hearing him speak on any of these Acts, Mr. Speaker. And finally last but not least, The Securities Act, which is another one that is very important to me, I am very interested in that. Once again, I am sure I will have the opportunity at another time, another place perhaps, to deal with The Securities Act.

So thank you very much for your indulgence, and I hope that this Bill passes through.

\* (1510)

**Mr. Harry Harapiak (The Pas):** I move, seconded by the Honourable Member for Logan (Ms. Hemphill), that debate be adjourned.

**MOTION presented and carried.**

### **BILL NO. 15—THE COOPERATIVE PROMOTION TRUST ACT**

**Mr. Speaker:** On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 15, The Cooperative Promotion Trust Act; Loi sur le fonds en fiducie de promotion de la coopération, standing in the name of the Honourable Member for The Pas. The Honourable Member for The Pas has 24 minutes remaining.

**Mr. Harry Harapiak (The Pas):** Thank you, Mr. Speaker. I am pleased to be able to continue my comments on

Bill No. 15, The Cooperative Promotion Act. As was mentioned by several speakers previously, it is an Act that was dealing with a Cooperative Promotion Board established under the Wheat Board. It was an Act that has been in existence for many years and it needed to be updated in some of its language and that is the purpose of bringing it forward.

It was also mentioned earlier that it was exactly the same Bill that was brought forward under the previous administration when the Member for Churchill (Mr. Cowan) was the Minister responsible for the cooperatives Act, and it is the same Act that was brought forward here last year. So we certainly are going to be supporting Bill No. 15. I am sure the Member for Lakeside (Mr. Enns) is relieved knowing that—

**Mr. Harry Enns (Lakeside):** I could not sleep the other night worrying about it.

**Mr. Harapiak:** As he has mentioned, he was deeply concerned wondering whether we would be supporting this Act or not, but he can rest easy now.

**Mr. Enns:** Thank you.

**Mr. Harapiak:** One of the areas that I spoke to earlier, about the housing Acts is one of the areas we have paid particular attention to and it is an area that has really practised—the cooperative movement was practised quite strongly in the early pioneer days where people got together and built homes, used whatever skills they had and were able to establish housing for many of the early pioneers. It was based on that example that we, as an administration, moved into the Co-op Homesite Program. I think there have been many units established throughout Manitoba which will provide better housing for many people who are in need of housing. I think that we could be and should be particularly proud of the record that we had with the Co-op Homesite Program in Manitoba.

When I first moved into the City of Winnipeg, I tried to get into one of the housing co-ops and there was an extremely long waiting list. We were not able to get into the housing co-ops because at that time there was about a two-year waiting list. I am sure that now with some of the initiatives that we, as a Government, took that there will not be as long a waiting list as there was previously.

While I am speaking on the cooperative Acts, I would like to just speak briefly on the co-op gas bars that have been established throughout Manitoba. I know we received that report from Costas Nicolaou on that whole approach of selling gasoline in Manitoba, and there was some interest in establishing co-op gas bars in the City of Winnipeg to create some more competition. I know that the Member for Brandon East (Mr. Leonard Evans) had a meeting in Brandon at which there was a lot of interest in establishing a gas bar.

I just happened to be in the City of Brandon yesterday. I was driving through there to go to Estevan to witness what is developing in the Rafferty-Alameda. There was a presentation put on by the Souris Development Board on all the merits of the Rafferty-Alameda Dam. I guess

I was surprised to learn that the actual construction is proceeding. We were previously told only the cofferdams would be built this year but, in going there to see the site, we found that the actual construction was proceeding and they expect to be finished a year from now. They expect that the Rafferty Dam will be completed.

It is unfortunate that with all the people in Manitoba who are concerned about the quality of their water and quantity of water that will be affected for Manitobans that the Minister of the Environment (Mr. Connery) and the Minister of Natural Resources (Mr. Penner) do not call for public hearings so that people's fears may be allayed. I think that when you see all the information that was put forward in Saskatchewan dealing with this project, and we certainly are lacking for having the same type of information brought forward to the citizens of Manitoba.

Anyway I was driving through the City of Brandon and I stopped to gas up and I received unleaded gas at 32 cents a litre. I thought that was a pretty good price so I inquired as to why the prices were so low and he went on to tell me that there had been a gas war going on for several weeks in Brandon and they were expecting it to come to an end very shortly. I was pleased that I was able to gas up for that price and I am sure that, if there were gas bars established in the City of Brandon and the City of Winnipeg, there would be a reduction in some of the prices that the consumers have to pay now. If they can sell it at that price during a gas war, I am sure that there can be a big reduction in the price of gas that we have to pay.

\* (1520)

In the report by Costas Nicolaou dealing with the inquiry into gasoline prices in Manitoba, he points out in there that the wholesalers are not fully competitive in the Province of Manitoba. He felt that the reason for that is because of our small volumes in comparison with some of the other bigger areas is why the wholesalers were not competitive. I guess you can expect to see the results of that in northern Manitoba where the population is quite sparse and there is no competition whatsoever. Our prices are much higher for the consumer and quite often the public will blame the small retailers for the high price of gasoline. But when you do some inquiring into it, it is not the small retailers who are responsible for it, it is the wholesalers who have the different areas, that they have different prices for, and the retailers really have no control over that whatsoever.

I think the example has been pointed out of how successful the co-op gas bar was in Thompson where many of the members received—not only did they receive the lowest prices in the City of Thompson, but at the end of the year they were getting a dividend back of, in some cases, up to 10 cents a litre. So I think that shows you the example of how successful it can be. I know that in the community of Grand Rapids, they are now in the process of establishing a gas bar in that community.

I was just in The Pas last weekend and spoke to many of the members who are trying to establish a

gas bar in The Pas. They have already gone as far as getting a site to build a gas bar on, and so I am sure there will be a gas bar where people can purchase their gas at a much reduced rate in the Town of The Pas. I know that there is some interest being expressed about having a reciprocal arrangement between existing gas bars so that they can exercise their membership in the Grand Rapids gas bar or Thompson, or The Pas, or wherever they are travelling.

There is also some interest in building a gas bar co-op in the community of Swan River. The population of Swan River itself is not that large but there is a large trading area that comes into Swan River, so I hope that they are successful in starting up a gas bar there as well.

Some of the other areas that have been touched on as areas where co-ops could be utilized is the utility co-ops across the province. I guess the Member for Churchill (Mr. Cowan) has shared in some of the areas where the utilities co-ops were started and are functioning throughout the province.

One other area that there is a utilization of the co-op movement throughout northern Manitoba and in the South as well is in the area of fishermen's co-ops. I know that the Member for Lakeside (Mr. Enns) would be familiar with that, because there are fishermen in his constituency who receive the benefit of being members of a co-op movement. I know that the fishermen's co-op in Grand Rapids has played a very important role in helping fishermen establishing a line of equipment. They previously had to travel into the City of Winnipeg to buy all of their supplies. Now they are able to do it at a reduced rate because of the fact that the co-ops purchase in large volumes so the fishermen all get the benefit of having a co-op operating very efficiently in that community. They have also been successful in building fishing sheds where they can process their product to a point where they can ship it into Winnipeg where it is processed to a further degree.

I know that there are other interests for the co-op movement. I guess that is one of the areas that we as a Government used the co-op movement as an economic development tool. I know that although the Limestone development was not part of the co-op movement, Limestone was one example of where the economic development of this province was assisted to a great degree because of the initiative that the New Democrats took to have Limestone developed and also by utilizing a large percentage of Manitoba content in the construction process. I know that much of the purchasing that was done for the Limestone project was 85 percent Manitoba purchased. I know that would have a very big spinoff for the entire economic development of all of Manitoba, not only in the North but of many of the small suppliers in the South were beneficiaries of the Limestone going ahead. I know, because of Limestone going ahead, there was a lot of training supplied or put in place for many of the northern and Native people who, in previous hydro developments, they felt that they had played a very small part in the development of the Nelson River Hydro project because of the fact that they were not trained.

We went around and spoke to the people of northern Manitoba. They told us that it is fine to have a northern preference clause, but it is quite meaningless if they do not have the training to take advantage of the jobs that are available in those areas. So that is why we put in the Limestone training program, which made it possible for the Native people to receive the training that is so necessary for them to find employment in northern Manitoba. They were able to take advantage of the training.

There are some examples of people who are getting together now because of the training that they received at Limestone and they are talking about building their own homes. People who have taken the training, there are electricians and carpenters. I know that there are some who have acquired expertise for the area of plumbing. If these people would get together and form a housing co-op, I know that there a lot of materials available in northern Manitoba that they could build homes at a fraction of the cost that it is costing them to bring the homes in now. I know that the homes would be much more appropriate for the conditions that they are living in than the homes that were designed for living in southern Manitoba. I hope that some of this training that was given at Limestone, although it was given for the people to have an opportunity for employment, is going to have a spinoff effect and the people will become skilled enough to build their own homes. I am sure that will happen over the next few years.

There is one example of that happening in Cormorant where there was a sawmill brought into the community. Several homes have been built there, log homes, and I can tell you they are homes that I would be proud to live in, in the City of Winnipeg. They are really well built and I think that they are really serviceable as well. The people of Cormorant can be proud of the workmanship that they have put into their homes to supply homes for people who are in need of that type of facility.

Mr. Speaker, there is one other area of the co-op movement, the health care co-ops. I know that there is a great movement within the City of Winnipeg for walk-in clinics. I think that is one area where there could be a development of co-ops which would fulfill a need that exists out there in society. Just while I am speaking about the health care services in the City of Winnipeg, I would like to just talk briefly about some of the lack of services in northern Manitoba.

I was disappointed to learn that this Conservative administration has cancelled the building of a nursing clinic in the Community of Easterville. I know that the people of northern Manitoba do not receive anywhere near the health care that we receive in southern Manitoba and take very much for granted. In a community like Easterville, which is an isolated community, they are in dire need of health care, and they are having difficulty attracting doctors into the community because of the fact that they have facilities that are small, and they are not able to service their clients in a very appropriate way.

\* (1530)

Wednesday, October 19, 1988

It is unfortunate that this Government has chosen to cancel the building of that clinic. That was the only one that was scheduled to be built in northern Manitoba. I know that Governments have the right to reprioritize, but I think if they would look at some of the facilities that are in existence in the communities that are building extensions to the hospitals, if they would look at what they have for hospital facilities and health care needs compared to what Easterville has, I think they would rethink some of their priorities and put that facility into that community. I hope that the Minister of Finance (Mr. Manness) will have an opportunity to look at that and see if they can maybe rethink their priorities, and maybe have another look if that clinic could be built in the community of Easterville.

There was a lot of discussion earlier about worker co-ops and I know that there are examples of where worker co-ops have been very successful. I know in the steel mills of Wales when they were going through an economic crisis in Britain, they were going to close down the steel mills because they were not operating at a profit. Some of the union members got together and with strong leadership they were able to develop workers' co-ops. They went on to develop very successful profitable steel mills which went on for many years. From my understanding, they are still operating in Wales.

I think there are many examples of where that could be used in Canada as well. I know that the United States, although you would not think so, the United States has many more worker co-op facilities established than we have here in Canada. That kind of surprised me when I first read that because I thought that the Americans who are such free enterprisers would have been much less in the area of workers co-ops in the United States. In actual fact, they are further advanced than we are in Canada in this whole field.

I know that there is some discussion with selling Manfor. I would hope that the Minister responsible for the handling of this sale would move on it very quickly because there is some concern among the buyers who are purchasing the products for Manfor. They are afraid that they are not going to be receiving the product that is so necessary. So from what I understand they are looking at other areas of where they can receive their paper products. I think that would be a shame because under the previous administration we worked very hard to establish the markets. We assured them that these would be available to them on a continued basis. Now with the discussions carrying on about the sale of Manfor, the buyers are becoming nervous. I know that the community of The Pas is also becoming very nervous because there is no stability in the Town of The Pas because of the fact that the negotiations have been dragging on for such a long period.

I know that when the Member for Flin Flon (Mr. Storie) was in charge of Manfor that we were very close to finalizing the agreement. I know that if we had stayed in Government by this time the sale of Manfor would have been completed and I am sure that the construction of the new plant would be carried on at this time.

I know that there is some consideration being given that if the discussions go on for too long of a period,

that there is a possibility of a workers co-op being established in that area as well. I know that there has been some interest expressed by union members and what route they would go to establish a workers co-op. The previous Minister responsible for the cooperative Movement gave them the assistance of how they could go about starting a co-op. I guess it is unfortunate that they decided to make the decision to do away with the Department of Co-op Development because I think that at a time like this, when there are signs that there are more and more people becoming unemployed, the co-op movement could be used once again as an economic stimulant, as we used it when we were in Government.

I know that quite often it depends on the Minister who is responsible for that department and how aggressive the people will be in that area. The Member for Churchill (Mr. Cowan), when he was the Minister responsible for Co-op Development, did give a direction to the staff to be aggressive and they certainly were. That is why there were so many corporations under his leadership during our term in office. In the final year of his administration, there was 60 incorporations in Manitoba. So you can see what kind of an effect that would have as an economic stimulant in Manitoba.

There has been discussion earlier on how we should be talking about the principle of the Bills during the debate of second reading. I know that I have strayed from the topic of discussion.

**An Honourable Member:** More importantly, you have been enlightening and entertaining, Harry. So you are forgiven.

**Mr. Harapiak:** Mr. Speaker, there is a difference in the approach of how we approach the cooperative movement as an area that can make a contribution to the co-op movement in Manitoba. There has been some discussion earlier, who were the earliest discoverers of the co-op movement. The Member for Lac du Bonnet (Mr. Praznik) went through quite a story on how he felt that the Conservative Government have been very supportive of the cooperative movement in northern Manitoba.

So with those comments, Mr. Speaker, I would urge the Members to support Bill No. 15. The cooperative movement has been a very big part of the economic development in northern Manitoba and I would hope that this Legislature would pass this Bill and give it the support that is so necessary for the cooperative movement in Manitoba. Thank you, Mr. Speaker.

**Ms. Judy Wasylycia-Leis (St. Johns):** Mr. Speaker, I move, seconded by the Member for Logan (Ms. Hemphill), that debate be adjourned.

**MOTION presented and carried.**

## **BILL NO. 23—THE REGULATIONS VALIDATION STATUTES AMENDMENT ACT**

**Mr. Speaker:** On the proposed motion of the Honourable Attorney-General, Bill No. 23, The

Regulations Validation Statutes Amendment Act; Loi modifiant diverses dispositions législatives afin de valider certains règlements, standing in the name of the Honourable Member for St. James (Mr. Edwards).

**Mr. Jay Cowan (Churchill):** I wonder if there would be leave to allow me to speak to the Bill and leave it standing in the name of Honourable Member for St. James (Mr. Edwards).

**Mr. Speaker:** Does the Honourable Member have leave to speak on Bill No. 23 and we will leave it standing in the name of the Honourable Member for St. James (Mr. Edwards)? (Agreed)

**Mr. Cowan:** My comments are going to be very brief because, as I indicated earlier, we are prepared to allow this Bill to go to committee. What we do want from the Attorney-General—and I will put it on the record because he has given us a private assurance and I am certain he will not be displeased with me making it public—is that when we are in the committee reviewing this that staff be available to answer any detailed questions that might be brought forward with respect to the details of the Bill.

It is our understanding that this Bill is not just a straight translation but, in fact, it is a Bill that includes in it, in the translated regulations, significant changes or what one might consider to be significant changes in the regulations themselves. Because, when the regulations were being translated, they were also redrafted in certain instances to make them fit more in keeping with the demands of the day and perhaps some of the new concepts and new philosophical approaches that were developed since the time the regulations were first drafted.

\* (1540)

Of course, those regulations in the translated form, in a changed form, have to be passed by Cabinet, so they have an opportunity to go over the changes and determine exactly what the changes have been during their Cabinet meetings. But, because we are in fact allowing for those changes to be made by way of legislation, because of the requirements of the re-enactment decision, we should as well have an opportunity to determine exactly what those changes are. So we will be asking those sorts of questions at the committee.

However, in our cooperative mode, which we feel is something that should be shared and we feel in fact should encourage cooperation on a whole host of other matters on the part of the Government, we are prepared to let this Bill go to committee now so that those detailed questions can be asked.

**Hon. James McCrae (Attorney-General):** And a whole host of others.

**Mr. Cowan:** The Attorney-General says, "And a whole host of others." The Attorney-General knows that it is the Government that begins the Session and it is the Opposition that ends the Session. He knew that very

well when he was in Opposition and, Mr. Speaker, if I, without in any way reflecting upon you, I know that from the acknowledgement that I can perceive in your face that you know, as well, that is the way it works in this particular Legislature and every Legislature.

The fact is that we are doing things that the Government would not do when they were in Government. We are cooperating with them to the extent that they would not cooperate with us.—(Interjection)—Well, now I think that stone may just have hit some yelping Members on the side opposite. I did not want to get into a long debate on this or a long speech, but I think it is going to be required to go over some of the history which has been gone over time and time again in this House, but it does not appear to be accepted yet by Members opposite. It has been said that repetition can in fact work miracles. In this instance, one would hope that it could at least bring about a more complete understanding of the situation which confronts the Government with respect to these Bills, the running of this Session and this particular piece of legislation. So we will start with the beginning.

**Mr. Laurie Evans (Fort Garry):** That is a logical place to start.

**Mr. Cowan:** Well, the Liberal critic for Agriculture (Mr. Laurie Evans) says from his seat that is a logical place to start. I would have expected that comment from the Member for Fort Rouge (Mr. Carr) because I look at him from time to time to test my logic. I do not always agree with his analysis, but I still nonetheless do value his opinion and value the ability that he possesses to put in concise terms what he believes to be logical and illogical thought process from time to time.

This Bill was brought forward, for the Member for La Verendrye (Mr. Pankratz) who spoke from the seat and for the Minister of Agriculture (Mr. Findlay), this Bill was brought forward as part of the requirement to re-enact the statutes in their translated form. That was required because of a Supreme Court decision.

The Supreme Court decision provided for a date by which the Bills must be not only re-enacted, but must be printed and not only printed but must be distributed within the province. That date is December 31, 1989, for this particular Bill. During previous Sessions, where we were working under similar time lines and time constraints and requirements of the Supreme Court decision, as Government House Leader, I went to the Opposition and I said to the Opposition we would like to have this bill dealt with quickly in the House. The reason we asked for the Bill to be dealt with quickly in the House was because there was absolutely no change with respect to the legislation that was being translated—nothing. Not a comma, not a period, not the spelling of the English side of the translation. All that had been changed or all that had been added, in fact, was the French translation of the legislation which was being re-enacted, printed and distributed in the province.

So we thought that because nothing was changed and all this legislation had been thoroughly debated, discussed and reviewed and amended over the years

by Members of the Legislature that there would be absolutely no requirement for any debate other than to put on the record some of the principal concerns that the Opposition of the day, the Conservative Opposition, had with respect to the re-enactment process, and for the Government to put on the record some of the specific reasons for proceeding in the way in which they had proceeded.

We also thought, given the way that the Conservative Opposition had handled the whole French language debate, they would not want to embroil this Legislature in that debate any further, that they would want to comply with the requirements of the Supreme Court, that they would want to ensure that the decision was implemented in an expeditious manner.

So when we went to them. We thought we were being quite reasonable, quite logical and quite cooperative when we asked them to take the time to debate the principles and put on the record which they thought needed to be put on the record, but to debate the Bills in an expeditious manner, to debate them when they were called, not to stand them time after time after time, not to prolong the debate, not to delay the debate, but to get it into second reading, through second reading, through the committee and back into third reading.

So the Bills that were being re-enacted, which were exactly the same Bills that were brought into the House, would go out of the House exactly the same way and would not take up a lot of time of the Legislature firstly and, secondly, could be done in such a way as to allow for the printing to be accomplished in a reasonable fashion.

What did the Conservative Opposition of the day say when we asked for that cooperation? -(Interjection)- The Member for Fort Rouge (Mr. Carr) says sure, they said oh, uh, sorry, perhaps, oh, uh. The Liberal Whip (Mr. Lamoureux) says sure, we will help. That is what we would have expected them to say, and I am glad to see that if he were in their position, which he is now, he would have understood the situation and said there is nothing to be gained by prolonging the debate on these Bills. There are no changes in the legislation that exists. There is nothing to be -(Interjection)- The Member for Assiniboia (Mr. Mandrake) says, so why are we?

We are not prolonging the debate. As a matter of fact, had he listened carefully to my comments earlier in the day, we said we are expediting the debate, and we are. What I am doing with my comments now—and I had intended to be quite brief in them but was provoked to provide a bit more of an overview than I had anticipated because of the misunderstandings, the misconceptions, or perhaps just the mischievousness of some Members opposite in their interruptions to my earlier comments.

I think the record should be very clear. Any reasonable Party, given those sorts of circumstances, would have said okay, let us have things move through the Legislature in a way in which they should, but not the Conservative Opposition of the day. Well, the Member for La Verendrye (Mr. Pankratz) says o-o-oh, in a quite pained tone from his seat, Mr. Speaker.

**Mr. Laurie Evans:** You said any reasonable Party.

**Mr. Cowan:** Now, see, see. The Liberal Agriculture critic (Mr. Laurie Evans) says—but I had prefaced my remarks by saying that any reasonable Party would have acted in that way. His pained response, I think, demonstrates very clearly that either when he was sitting in the back benches in Opposition he did not understand what his caucus was doing or he supported what his caucus was doing in an unreasonable fashion, because what they did was unreasonable.

\* (1550)

I always thought the Member for La Verendrye (Mr. Pankratz) was for the most part reasonable, although I thought when he called the Cooperative Gas Bar Program the Titanic of co-op programs, he was overstating the case, even for a Conservative who sometimes wants to put comments like that sort on the record, but he was also quite wrong in being somewhat unreasonable. I do not think he was always reasonable, but I think in most instances he was reasonable.

(Mr. Deputy Speaker, Mark Minenko, in the Chair.)

He says to give him some credit, and I think I gave him just as much credit as he deserves. I said that in some instances I thought him to be reasonable.

**Hon. James McCrae (Attorney-General):** That is so very unlike you to be combative like this.

**Mr. Cowan:** Now the Attorney-General (Mr. McCrae) and the Minister responsible for these Bills, who should know better, from his seat says that it is very unlike me to be combative. Actually it is unlike me not to respond to comments which are put on the—or at least spoken from their seats and attempted to be put on the record that distort the facts of the day. I think, to use the word of the Member for Lakeside (Mr. Enns), they were a very truculent—he spoke that word from his seat just a moment ago—or a very obstinate or at the very least an extremely uncooperative Opposition when it came to these particular Bills.

I do not think the Attorney-General (Mr. McCrae) can dispute that with any sort of credibility whatsoever. Because the one thing about this House is that the records are usually very, very clear, and one can go back very easily and find out when a Bill was introduced, find out how many times a Bill was stood, who stood it, who spoke to it, what they said, and when the Bill was passed. Any quick perusal of the record of the Legislature during the years when they were Opposition and these Bills were being debated will show that they were quite uncooperative with respect to any speedy passage of the Bills. They took their time, they held the Bills, they stood the debate, they would not speak to them, and they would not allow the passage to take place.

I say all of that because I want to highlight the fact that this Opposition and the Liberal Opposition, to give them credit where credit is due, are not taking that same approach. We are taking an entirely different

approach, an approach that is diametrically opposed to the approach that the Conservative Party took when in Opposition. When given the same sort of opportunity to be cooperative, they chose not to.

You see, what this business is all about, Mr. Deputy Speaker, is choices.- (Interjection)- The Attorney-General (Mr. McCrae) is—I hope the word is not unparliamentary, I do not think it is—muttering from his seat. The reason I use “muttering” is that I cannot quite make out exactly what it is he is saying, so I would suggest that -(Interjection)- Now he said it louder. He is no longer muttering from his seat, but he is shouting from his seat. In his shouting from his seat, he has said get back on the topic of the Bill. The fact is, Mr. Deputy Speaker, I am on the topic of the Bill.

You cannot take a Bill and bring it into this House and ignore all the history that led up to the development of that Bill, even if that history is not one which you would want put on the record, which the Conservatives certainly do not want to put on the record. You cannot ignore what transpired in the past and how a Bill of almost exactly the same nature was dealt with when they were in Opposition and we were in Government without fully understanding the circumstances of that day. Those circumstances are important because, as I said before being interrupted first by the muttering and then by the shouting of the Government House Leader (Mr. McCrae), I make these points to highlight the different approach.

The reason for highlighting the different approach is there has been some suggestion by Conservative Members of this House that the reason that we are not getting through the business of the House within the time frame that they would like is because the Opposition—and when they say “Opposition,” I think in this instance they include both Opposition Parties—are delaying the progress of the House in not being cooperative. The fact is that this points out exactly the opposite case. It totally undercuts their argument that we are now not being cooperative in this House. It also illustrates how they, when they had the opportunity to do what they would like to have done now, were uncooperative. They did not respond in a like manner. It somewhat weakens their case when they come and ask us to be cooperative all the time and then try to lay the blame for their inability to move the business of the House to the time frame that they would like us on because they say we are holding these Bills back.

Nothing could be further from the truth. We are speaking to the Bills far more than they ever spoke to the Bills when they were in Opposition. We are not standing the Bills to the same extent that they stood the Bills when they were in Opposition, and that goes for both the Liberals and the NDP. We are trying to make them a better Government, because we all know they need all the help that they can get, by giving our opinion on the different Bills, by speaking on the different Bills, by providing insights and suggestions and constructive criticism that we might have, so that they can take that into account when reviewing their legislative package and reviewing their actions as a Government.- (Interjection)-

Well, it has been said by my friend to my right that they will not be here long, so we had best work on

them while we have the chance. I think there may be some truth in that reflection upon events that are yet to come to pass in the near, far, or not-so-near, or not-so-far future.

The fact is that if they continue on in the way in which they have, they are more than likely hastening the day when they will not be here and ensuring that when there comes an opportunity for the people to make a choice that they will not choose them as Government.

That is what this business is all about, choices, Mr. Deputy Speaker, and we have chosen in this particular instance to allow this Bill to go to second reading, even although it is significantly different from the other Bills which did not change one comma, one paragraph, one word, one clause in the legislation, because it does incorporate what I understand to be, in some instances, significant changes to the regulations. We are not just passing a Bill that is carte blanche to the Bill that was there previous to the translation, we are passing a Bill that actually incorporates changes in the legislation.

For example, it is my understanding that in this Bill the requirement for the Minister of Northern Affairs to approve by-laws is significantly altered from the previous regulations to the new regulations that are going to be translated. I am not going to say whether or not we agree with that alteration, because we want to get some more of the detail on that alteration before making that sort of a comment. That is why we indicated earlier that we wanted staff present at the committee where we could ask those detailed questions and, if we did have concerns, we would deal with those concerns during third reading of the Bill.

I am going to make the point that those changes are being brought forward and, if we pass this Bill for second reading and support the passage of this Bill for second reading, we are beginning a walk down a certain path that leads to those sorts of changes. The re-enactment process was not supposed to lead to change the legislation, it was supposed to lead to legislation that was translated so that it would be available in both French and English. We support that decision, and we support that requirement, and we support the process, but the Government has gone one step further in this particular instance.

To be fair to the Government, the previous administration was going to take that same step as well. We were going to change the regulations when they were being translated. There is a reason for doing that, and the reason for doing it is that when you change the legislation, you would then, if you did not change it before you translated it, you would have to translate the old regulation which you knew not to be the regulation that you wanted to end up with and then at that point in time, after that had been re-enacted, you would have to come back and translate the new regulations which is what you wanted to end up with in the first instance.

So it makes sense what they are doing. It is common sense; we are not opposed to it. But what we do have a duty to do as legislators is to ensure that when they have changed those regulations, they have not changed them in such a way that they would, in our opinion,

act to the detriment of those who fall under the purview of those regulations. In other words, we have to know what the changes are, why the changes were brought up, and then we have to make some value judgments as to whether or not they are good changes or bad changes. If they are good changes, we will support them and, if they are bad changes, we will speak out against them and, if necessary, if it is required, attempt to defeat them. I do not see that as being necessarily the case now, because we have not had the opportunity to review the regulations in detail.

What we could do if we wanted is hold this Bill until November; we could hold this Bill until mid-November; we could hold this Bill until December; we could hold this Bill until mid-December, and then let it pass in a flurry, so that they could still meet the requirement, and they could. It would just mean that it would cost them extra money, that it would upset their timetable, that it would be more difficult for them, but we in no way would be violating or causing to be violated the Supreme Court decision, because we know that they could do the necessary printing within the time frame required and the necessary distribution. We are not going to do that because we are cooperative.

\* (1600)

There is some short-term, very partisan political value to be gained if you can throw off the Government timetable, if you can cause them to work harder to do things than they normally would work. That is what they tried to do to us when they were in Opposition along these very same Bills. That was their tactic, but we believe the issue here is more important than the short-term benefits that one would gain from those sorts of tactics, so we are going to allow this Bill to proceed to committee. We are going to want staff to be present at the committee to be able to answer the questions, and we believe they will. It may take more than one committee meeting, if there are a number of questions that do have to be answered and the answers require more time than we have in one committee.

We have even offered, Mr. Deputy Speaker, to have that committee meet tomorrow instead of the MPIC Committee. We believe that the work of the MPIC Committee is better structured around the Kopstein Report. We know that the Kopstein Report is going to deal with the previous organization of MPIC and also provide some insights as to some recommended changes that will make that organization and that institution an even more effective and better operation. We do not see the necessity to go into committee a couple of times and to discuss the past without the Kopstein Report available to us, and then have the Kopstein Report come and have to do it all over again. We think that is a waste of our time as legislators. We think it is a waste of the Minister's time. We think it is a waste of the public's time. But the Government House Leader (Mr. McCrae) is the one who is responsible for the calling of committees.

When we were in Government we tried to, in every instance, make certain that there was a consensus for when a particular committee would be called. Obviously the Government House Leader of the Day does not

want to do that or does not have the skills necessary to do that. So we are stuck in a bind, either because of a lack of ability or because of a lack of desire. But we understand that, we understand the position we are in. We are prepared to let the Government waste its time and our time if that is what it wants to do. But when it is wasting its time and our time, let it not come back to us later and say that we are the ones who are holding up the progress of this Legislature, that we are the ones that are ensuring that they cannot do other things, that we are the ones who are making this Legislature go on longer than it normally would, because it is not us at all.

They waited quite some time to bring the committees forward. We do not know why that was, but it certainly does not show any sense on their part of urgency to get the committee work done. We are now suggesting that rather than have redundant committee meetings, let us have committee meetings where we can have the Bills dealt with, the Bills that they say are very important that they are dealt with by committee very quickly such as this Bill and Bill No. 14, which will be before the committee so we can get it back in on third reading on Friday and, if required, if there is nothing that comes out of the committee that requires further debate, we can pass it on Friday and have Royal Assent on Friday and work well within their time frame. No, they do not want to do that. So they are going to have to bear the consequences of their inability to cooperate, their inability to reach consensus, their inability to move the House along in an efficient way.

This Bill and the process by which this Bill is being brought in the House and brought out of the House and dealt with by the House, I think, very clearly demonstrates it. We have a Government that talks about cooperation but does not know to implement it when it has the opportunity. We have a Government that talks about the expeditious use of House time but, when they are given an opportunity to use the House time expeditiously, do not understand how to do it. We have a Government that, when in Opposition, was truculent, to use some of their own language, yet when in Government appears to be extremely critical of any informed debate on issues if that informed debate takes longer than they think it should take.

While we are satisfied with passing this Bill for second reading today, we are not in any respect satisfied with the way in which this House is being operated when it comes to this particular Bill, when it comes to the request for cooperation, when cooperation was not forthcoming previously. It appears as if cooperation is not forthcoming at present.

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

**Mr. Deputy Speaker:** Order, please; order, please. Is the House ready for the question?

### **BILL NO. 8—THE COURT OF QUEEN'S BENCH SMALL CLAIMS PRACTICES AMENDMENT ACT**

**Mr. Deputy Speaker:** On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 8,



Wednesday, October 19, 1988

The Court of Queen's Bench Small Claims Practices Amendment Act, standing in the name of the Honourable Member for Wolseley (Mr. Taylor). Is there leave to allow the Bill to continue standing in the name of the Member for Wolseley? (Agreed)

**Mr. Allan Patterson (Radisson):** Mr. Deputy Speaker, I might ask leave to make, and I use the expression "a few short comments," however we like to define short comments, on this Bill, and then leave it standing in the name of the Member for Wolseley (Mr. Taylor).

This Bill relates to The Court of Queen's Bench Small Claims Practices and I just might note that our whole court system is rather, or has been, I guess still is, a daunting one to the individual in the street, so to speak. I suppose it could be very frightening to those who, by nature or their education and upbringing, do not have much familiarity with it. It can also be very expensive due to the costs of hiring legal counsel and so on.

\* (1610)

It is a very good thing that we have a Small Claims Court where individuals or even small businesses who have what you might term a small claims can get them settled in a fair, expeditious and equitable manner, without being subjected to the sometimes horrendous legal costs of going through the court system. Let me say, Mr. Deputy Speaker, I do not want to be seen to be denigrating the legal profession. Indeed, we have several Honourable Members here who belong to that distinguished and honourable profession. In the past, we have had many lawyers who have had distinguished careers within this House and gone on to further distinction outside of it.

Nevertheless, the Small Claims Court does fill this very sometimes dire, but certainly an essential need of the populace in general. I know we talk about small claims. Part of the thrust of this is to remove some claimants from the burden of going to the higher court. The Small Claims Practices, by definition, has some upper bound beyond which we would consider it no longer to be small. This, of course, is a matter of judgment from time to time.

I note that the ceiling has been raised from \$3,000 to \$5,000, an increase of some 66.66 percent, which is probably needed. I have not researched the last time that this limit was raised, but I certainly assume that it is a reasonable one, up to \$5,000.00. If we just look at the increase in the Consumer Price Index over the years, the 1981 dollar is now inflated to \$1.38. This is as of 1987. It would be a few cents more even now. The 1971 dollar in 1987 inflated to \$3.27, and the 1961 dollar assimilated \$4.37. I assume that this increase is one that certainly is needed to take care of inflation and a figure that should be monitored and upgraded from time to time, not necessarily every year of course.

This Act then of increasing the limit from \$3,000 to \$5,000 will increase the number of cases that can go to the small claims process, thereby save a considerable amount of time and expenditure on the part of the individuals or corporations, partnerships or whatever that have these, what we call, small claims.

While we might make some suggestions for improvement in this without making any formal proposals for amendments to it, it is expensive to have a claim under the small claims practices sort of bumped up to the higher court. This then, as I said before, increases the time and the cost and sometimes this is used by defendants to more or less test out the will of the claimant and sometimes it has led to smaller settlements than might otherwise have been achieved.

One suggestion we might make is something on the lines of, let us say, to include claims in the range of \$5,000 up to, say, \$20,000, in cases where it would appear to warrant less formal pre-trial procedures. In cases such as this, the defendant could apply to a referee, that is in anything over \$5,000 but under the \$20,000, the defendant, let us say, could apply to a referee to bump the matter up to the Queen's Bench for this type of claim or, if the case merits, both parties might agree to bump it up. Without this particular necessity, we could have a higher ceiling of, let us say, \$20,000, it could be something else a little more or a little less but, nevertheless, give access of more individuals and partnerships and so on to the small claims process.

We might also suggest that small claims be heard by a judge rather than someone with no specific legal training such as the court clerks or the magistrates and so on who take care of small claims now. Let me be perfectly clear that this is not in any way denigrate these individuals who have been and are doing this, because they are doing a good job. It is merely the fact that they are not specifically trained for it. We certainly feel that legally trained persons should really decide these types of claims, because rough justice very often can lead to costly appeals.

We might also point out, Mr. Deputy Speaker, and it has often been said that the court system generally is available to the rich but not to the poor. Therefore, we might say that these more or less in quotations "poor" litigants who appear in the Small Claims Court should have access to a real judge in the same manner as those who go to higher courts have that access.

In general, we can support the thrust of this Bill. It is good. It is increasing the accessibility of the populace to the small claims process, and some of these suggestions that I have just been making, we might be accused of saying that this is going to spend too much money to implement them. On the other hand, it should be looked at as a matter of lowering the costs to the Queen's Bench and, thereby, there would be an overall reduction to the province and to the taxpayer in costs by implementing some of these suggestions that we have made.

Again, I would commend the Government on the general thrust and philosophy behind making these amendments, and suggest that there might be further improvements made that would be to the overall welfare of Manitobans. Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Bill No. 8 will remain standing in the name of the Honourable Member for Wolseley (Mr. Taylor). (Stand)

Wednesday, October 19, 1988

### **BILL NO. 11—THE CHILD CUSTODY ENFORCEMENT AMENDMENT ACT**

**Mr. Deputy Speaker:** On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 11, The Child Custody Enforcement Amendment Act, standing in the name of the Honourable Member for Fort Rouge (Mr. Carr). Is there leave to allow the Bill to continue standing in the name of the Honourable Member for Fort Rouge. (Stand)

### **BILL NO. 27—THE PRIVATE ACTS REPEAL ACT**

**Mr. Deputy Speaker:** On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 27, The Private Acts Repeal Act, standing in the name of the Honourable Member for Inkster (Mr. Lamoureux). (Stand)

\* (1620)

### **BILL NO. 30—THE STATUTE LAW AMENDMENT (TAXATION) ACT, 1988**

**Mr. Deputy Speaker:** On the proposed motion of the Honourable Minister of Finance (Mr. Manness), Bill No. 30, The Statute Law Amendment (Taxation) Act, 1988, standing in the name of the Honourable Member for Transcona (Mr. Kozak). (Stand)

(Mr. Speaker in the Chair.)

**Hon. Clayton Manness (Acting Government House Leader):** Mr. Speaker, I would ask the Acting House Leaders of the department whether negotiations had been made to go into Supply in the event that all the Bills had been either set aside or debated at this sitting.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, is it not possible that maybe we can adjourn the House till 4:45 p.m., and then allow the Lieutenant-Governor to come, or recess the House till 4:45 p.m.?

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, I think the Member for Inkster (Mr. Lamoureux) had an excellent idea. If the Lieutenant-Governor is expected at 4:45 p.m., it would not be fair to staff to have staff from the departments come down, and I am not sure that the Minister of Education (Mr. Derkach) is in fact ready to proceed today. Perhaps we could recess for the appropriate amount of time.

**Mr. Speaker:** Is that agreeable? (Agreed) Then I will call a short recess until 4:45 p.m., with the understanding that the Bells will not ring. We will just reconvene here at 4:45 p.m.

I would like to thank all Honourable Members.

**(RECESS)**

\* (1650)

**Mr. Speaker:** I am advised that His Honour, the Lieutenant-Governor, is about to enter to give Royal Assent to Bills Nos. 4 and No. 5.

### **ROYAL ASSENT**

**Deputy Sergeant-at-Arms, (Mr. A. Roy MacGillivray):** His Honour the Lieutenant-Governor.

His Honour, G. Johnson, Esquire, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the Throne, Mr. Speaker addressed His Honour the Lieutenant-Governor, in the following words:

**Mr. Speaker:** May it please Your Honour:

We, Her Majesty's most dutiful and faithful subjects, the Legislative Assembly of Manitoba in Session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and Government, and beg of Your Honour the acceptance of these Bills:

Bill No. 4—The Re-enacted Statutes of Manitoba, 1988, Act; Loi sur les Lois réadoptées du Manitoba de 1988; and

Bill No. 5—The Statute Re-enactment Act, 1988; Loi de 1988 sur la réadoption de lois.

**Mr. Clerk, William Remnant:** His Honour the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence, and assents to these bills in Her Majesty's name.

His Honour was then pleased to retire.

**Hon. James McCrae (Government House Leader):** Is it the will of the House to call it five o'clock?

**Mr. Speaker:** Is it the will of the House to call it five o'clock? (Agreed)

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

### **PRIVATE MEMBERS' BUSINESS**

#### **PROPOSED RESOLUTIONS**

#### **RES. NO. 20—SCHOOL DIVISION BOUNDARY REVIEW**

**Mr. Speaker:** Proposed resolution, the Honourable Member for Sturgeon Creek (Mrs. Yeo), Resolution No. 20, School Division Boundary Review.

**Mr. Iva Yeo (Sturgeon Creek):** I move, seconded by the Honourable Member for St. Norbert (Mr. Angus), that:

WHEREAS the appropriateness of City of Winnipeg Ward catchment areas being smaller than those for provincial constituencies has been questioned, and school division electoral divisions are much smaller still; and

WHEREAS patterns of urban development and population distribution have compelled some City of Winnipeg school divisions to close schools, while other divisions have embarked on new

school construction, resulting in city-wide anomalies respecting facility utilization; and

WHEREAS there exist a number of inequities for ratepayers between school divisions, particularly with respect to the scope of education services offered by school divisions compared to special levies paid by division residents; and

WHEREAS there are benefits to be gained in the development of amalgamated and shared services among school divisions; and

WHEREAS until reciprocity arrangements between school divisions meet with greater success than has hereto been experienced, especially with respect to student out-of-division registrations, it would be desirable to determine if present school division boundaries are optimally located; and

WHEREAS the Manitoba Association of School Trustees has discussed the issue of school division boundaries and has determined that a review of existing boundaries may be advantageous.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba call upon the Minister of Education to exercise his authority under Section 5(2) of The Public Schools Act and direct the Board of Reference to undertake a review of school division boundaries within the City of Winnipeg; and

BE IT FURTHER RESOLVED that this Assembly request the Minister of Education to instruct the Board of Reference to specifically review:

- (a) the continuing worth of maintaining small urban school divisions; and
- (b) the number of City of Winnipeg trustees consistent with good elector representation, economy and, if recommended, boundary adjustments; and
- (c) special levy and service equity on a city-wide basis; and

BE IT FURTHER RESOLVED that this Assembly also request the Minister of Education to instruct the Board of Reference to actively solicit public comment, as part of its required hearings, from interested citizens, the Manitoba Association of School Trustees, the Manitoba Teachers' Association, the Manitoba Association of School Business Officials, the Manitoba Association of School Superintendents, and individual school divisions.

Thank you, Mr. Speaker.

**MOTION presented.**

\* (1700)

**Mrs. Yeo:** -(Interjection)- I do not apologize for being new, Mr. Speaker.

The Government of Manitoba is currently proposing Council reduction from 29 councillors to 23 councillors.

It is my understanding that there were once 50 councillors and they now want 23. Yet the urban school divisions have currently grown to a number of 79 school trustees representing the same population that the Government wishes 23 city councillors to represent, serving the same number of people.

I have also read and heard several times that the Government has declared its desire for equity, for equitable service to our student public, whether the student public is a four-year-old child or whether the student public is an adult who is going back to school, as many of our adults are doing in this day and age. How can we provide this provincially with some school divisions growing, some school divisions expanding, whereas others are shrinking in numbers, where there is declining enrollment in several of our urban school divisions? Some school divisions are closing down. They are closing schools that are becoming more and more empty. Many school divisions are conducting hearings in certain areas wondering whether or not it is cost-effective to keep certain schools open. There are schools that are being amalgamated, leaving empty schools in some areas, and leaving school divisions, school boards with the dilemma of what to do with these empty buildings. There are city-wide anomalies.

People in Whyte Ridge, for instance, in the Fort Garry area, have contacted their MLA, the Member for Fort Garry (Mr. Laurie Evans), they have contacted me as the Liberal critic for Education. I am sure that the Minister for Education (Mr. Derkach) has also heard from these people, saying, why should we not have our own local school? We have buildings going up; we have housing areas; we want to have a school built. I understand that these people are being told, no, there are empty schools in the Fort Garry area. The students can be bussed. Some of them are on the bus for a long period of time, whereas the people in my area, in St. James, are closing schools. They are talking about building north of Saskatchewan and saying, okay, these groups of students who will move into the area in these hopefully new homes north of Saskatchewan will then be bussed to some of the empty schools in St. James-Assiniboia. I am not so sure that the people who would be purchasing the homes north of Saskatchewan would not say, as the people in Whyte Ridge are saying, we want, we demand our own neighbourhood school. I think some of the parents even in the Whyte Ridge are saying that we are going to sell our homes because we do not have a neighbourhood school. There are dilemmas in the urban area. I think there are certainly inequities, inequities despite attempts otherwise for the ratepayers. There are inequities with the scope of services provided, inequities in special levies paid by the local school division residents.

A Board of Reference could review these inequities. I think it is a very timely thing for a Board of Reference to do. They could look at the pros and the cons of amalgamation of the school divisions. I know that there might be benefits and there might also be major problems concerned with amalgamation. There are pros and cons both ways.

Cost effectiveness of sharing services could certainly be looked at. Perhaps schools divisions or individual

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schools might be encouraged to enhance the specialist aspect of providing courses and/or programs. We are living, I think, in more and more a world of specialist services where there are so many, there is a broad scope of programming. I think we are certainly encouraging people to become specialists, for gifted students. There are certainly international baccalaureate specialists. There are vocational experts in the school divisions, business ed experts. We may have to look at a more cost-effective way of providing these services in the urban area.

I believe it was around 1969, 1970 where a report known as the Smellie Study was done. I do not believe any of the recommendations were ever implemented. The report is sitting, as so many reports sit, gathering dust. There were certain recommendations made as far as the school divisions across the province with respect to the school divisions provincially. I do not think anything was ever actually implemented there.

I began my years as a school trustee in 1980 and very, very shortly thereafter, after the October election, we had a school for new trustees early in December. At that school for new trustees, there was a lot of discussion about the school division boundaries and how somebody who was a school trustee in Seven Oaks had X number of teachers and X number of students, whereas the new trustee in Winnipeg 1 had 33,000 students and however many thousand teachers. There were certainly inequities pointed out and there was some concern raised by the school trustees who were in attendance, the new and the not so new. There were concerns raised by some of the school superintendents who were there as well.

We in Manitoba, I think we in Canada, are known as being somewhat traditional. We are reluctant to change in many ways. This is a very sensitive, a very delicate issue and I am certainly aware of that. Should boundary changes be recommended, I am certainly aware that it would not meet with the approval of all individuals. Even since I began working on this particular resolution within our own caucus, and certainly from individuals in my own constituency plus in others, I have heard from these people and some of them have said, well you know we are fearful of anyone tampering with the boundaries.

Look at what is happening with the changes in the provincial boundaries for the MLAs. I think there is concern there as well and there have been modifications. However, I think that a review is long overdue.

I think the small school issues and discussions on how cost effective small schools are could be an important part of the review, Mr. Speaker. I have heard of and attended a few workshops, and I know there have been many, many workshops and seminars dealing with the small school issue. As to the support of the community for such a review, let me reiterate that in 1980 it was first brought to my attention by another school trustee in another division, another urban board who was concerned about the urban boundaries.

The members of the Manitoba Teachers' Society have been in discussion for some time and are supportive

of a review. One individual said to me it is long overdue, it should have happened ages ago. I have spoken with people from the Manitoba Association of School Trustees, some of the administrators, some of the officials of that particular organization, as well as some of the members, some of the school trustees themselves.

\* (1710)

I asked one administrator of a moderately-sized board in the city if he was not fearful of his particular position. I said you are sitting right there in a division that might well be amalgamated with two or three other divisions that are located in close proximity. He said I think you have to go beyond the concern of your own particular position. I think you really have to look at the services that we are providing to the students. There must be a better way than the people in St. Vital trying to set up programs, that people in St. Boniface, very close, by trying to set up very similar programs. I was impressed and told him I was quite surprised by his response.

The Manitoba Association of School Superintendents, this gentleman belonged to that particular organization. I attended a meeting in Portage la Prairie in 1984 or 1985, I cannot remember which, and at that three-day session, the members of MASS were discussing changes and the need for changes in the boundaries. Back three, four years ago they were saying, I wonder when there will be a call by the Minister of Education for the Board of Reference to me.

MASBO, the Manitoba Association of School Business Officials, I must admit I have only spoken with one individual who is a member of that organization, and he said his organization had talked about it but their thrust was not to request a review.

I found it very interesting. I was the chairman of the Ward Boundaries Review Committee when I was a school trustee in St. James-Assiniboia. The process was a fascinating one. We had organized public meetings to talk about the review of the three boundaries in that one particular school division. It opened up a lot of possibilities for that one school division. So I can certainly imagine that the process for the entire urban area would open up a lot of possibilities as well.

As a rookie MLA, one of my colleagues first discussed the inequity in the number of councillors providing services to the same number of individuals as the school trustees provide. He questioned the need for almost three times the number in the urban area and I question the need too. Because I did not feel I had enough information at my fingertips when I began preparing this resolution—I have not visited all the rural areas—I really felt that it would be unwise of me to try and encompass more than just the urban area, but perhaps the complete provincial review of school division boundaries might not be a bad idea.

I also wanted to go on record as stating that I am not in favour of merely one urban board, not at all. If the Board of Reference were to come to this conclusion and recommend this, I would need a lot of convincing.

Statements have been presented to me re the natural boundaries. The rivers might be considered for outlining some sort of boundaries. There are certainly specific concerns re certain locations, certain particular school divisions, certain areas. The inner city area is a unique spot. Some of the areas of the city, some of the urban boards entertain a more multicultural aspect than do others. I think probably all of these would have to be considered as well. Some areas perhaps have a greater need for day care considerations, although I think this is becoming a total urban concern as well.

So with that, Mr. Speaker, I thank you for giving me the opportunity to present this resolution and I hope it would be considered with favour. Thank you.

**Hon. Leonard Derkach (Minister of Education):** I am pleased to be able to respond to this resolution as it has been presented this afternoon. May I say at the outset that in general terms I think that this resolution does have merit and certainly is one that is long overdue in terms of the way that school boundaries have been addressed.

However, I would like to make my comments in a general nature in terms of school boundaries throughout the province rather than just confine them to the City of Winnipeg. I think that when we talk about school boundaries, we have to broaden our view of the problem. We have to take into account the problems that are being encountered by rural Manitoba. I think it would be very unfair to the rest of the province if we were to say that we were going to deal with boundary issues in the City of Winnipeg separately from the way that we deal with boundaries in the rest of Manitoba.

As a former school teacher and school trustee, I have taught in a rural division and also in a small city school and therefore had some experiences in both kinds of situations. I must say that when the school boundaries were first established back in 1959—

**An Honourable Member:** By a Progressive Government.

**Mr. Derkach:** —that is right, by a Progressive Government. At that time we had a more even distribution of population in the rural areas. We saw that school boundaries at that time seemed fitting. However, there were recommendations made at that time, from time to time, that there should be a review of division boundaries with a view to such revisions being made as are necessary with changing demographics and so forth.

Being a member of a school board I remember sitting as a member of the school board when this particular division had some 2,000 students in it. Since then, the enrollment in that school division has dropped to about 1,200 students. Certainly with that kind of a decrease in school population, we experience some very real problems in the way that we deliver educational programs.

Transportation probably is one of the biggest problems that you have when you start closing small schools down and transporting students to larger

schools. I can indicate that in a division just north of the area that I represent, or is part of the constituency I represent, Roblin, we have students getting on the bus every day and travelling to Dauphin. That is a distance of 60 miles that they travel every day. So certainly, problems in rural Manitoba with regard to school division boundaries are very evident.

One of the things that we have to keep in mind and foremost in our minds when we talk about school division boundaries is the needs of the students and the fact that we want to maintain local autonomy and parent input into what is happening in schools. The idea that has come across, I think, with regard to the city and amalgamating all the school divisions into one urban school division is certainly one that I do not think is very practical and does not lend itself to allowing parents to have adequate input into the educational needs of their children.

However, we have seen other suggestions with regard to how we can amalgamate some school divisions. I guess we should approach this matter not in view of amalgamating school divisions and making larger school divisions, but perhaps in changing school boundaries so that school boundaries are more reflective of the demographics of the areas and certainly probably more responsive to the community's needs in terms of educational needs for that area.

We know that there is some reluctance in school divisions sharing facilities right now. That is only natural when you have school divisions that are separated by the boundaries which separate today. The Member for Sturgeon Creek (Mrs. Yeo) alluded to the fact that there is a need for a school in Whyte Ridge, for example. And, yes, there is a population explosion, if you like, in that area in terms of a new development area and we recognize that there is going to be a need for a new school building. However, the Public Schools Finance Board does have criteria in place that they have to follow. If we did not have any rules or laws to play by, where would we be today. So, therefore, those guidelines have to be followed.

\* (1720)

The school construction program has got to be approached in a prudent way. We are not saying that Whyte Ridge will not have their school, but certainly we have to consider the kinds of spaces that are available in the surrounding schools right at the present time and the amount of time, of course, that students will spend on a school bus. When we talk about the amount of time spent on a school bus, I have some personal experiences in that regard because I used to ride on a school bus and right now we know that in some of the rural school divisions there are students getting on buses as early as 7:30 in the morning and not getting to school until 10 to 9. So we have got to take the problem into perspective.

However, I do say that I agree with people in Whyte Ridge when they say that there is a need for some consideration of school construction in that area, and I will be meeting with the people from that area very shortly to discuss the problem.

With regard to school division boundaries in rural areas, we have found that, yes, declining enrollments have given us an indication that there is a need. I remember when the Member for Logan (Ms. Hemphill) was Minister of Education, probably in her first few months of office, I had the opportunity to meet with her and I had asked about the possibility of her considering changes in boundaries in school divisions and she said, "Len, to tell you honestly, that is not on my plate right now." She said, "My plate is full and I am not going to consider it." Well, unfortunately, a lot of time has gone by and that still has not been considered, and I agree that we are getting to a point in time where we do have to, very seriously, consider this matter.

The recommendation in the resolution is made that the Board of Reference be sort of made responsible for this particular duty and I think that we have to be careful about this kind of a move. I think that we need to either appoint some kind of a task force or a commission which has total responsibility for taking a look at all school division boundaries within the province. I think, if we said that the present Board of Reference should undertake this responsibility, it is certainly a horrendous task to ask of them because the Board of Reference has other responsibilities as well. If we are going to undertake something of this nature, it has got to be done through an appropriate mechanism.

So, Mr. Speaker, I am not finding this resolution objectionable to a great extent. However, I do want to re-emphasize the fact that we have to keep in mind that it is the parents, the local residents who have to be consulted when we talk about making changes to school division boundaries. And, yes, of course it is important to consult with such organizations as the Manitoba Association of School Trustees, the Teachers' Society, MAST, superintendents, principals. All of those organizations have to be consulted with and their input is necessary if we are going to make this a meaningful exercise.

When you talk about some of the problems, again, Mr. Speaker, I think I can give you a few examples of what has happened in, for example, the city itself. If you take a look at the amount of funding, or operating funds that are available on a per-pupil basis, we find, for example, that in River East we have something like \$3,900 available, whereas in Norwood we require something like \$5,085—certainly a discrepancy in that way. We find that Winnipeg School Division has an operating expenditure of some \$4,900, which is considerably higher than those divisions around them.

When the boundaries were first made up, we found that the minimum number of students in school divisions was around 2,000. Today we are finding that enrollment varies from 1,300 up to something like 35,000. So certainly we see that there are discrepancies. It is difficult, it is very difficult to deal in an equitable way with situations of that nature and it is no wonder that we have funding differences that vary from less than 1 percent in St. James, as an example, to more than 14 percent. These are not acceptable anymore to school divisions and we find that situation also occurring more

frequently, especially in the rural areas. We are finding that there are indeed problems in rural divisions, in some of the low-cost spending divisions being able to offer the kinds of programs that are offered in the richer school divisions, so to speak, or in those school divisions that are getting more funding.

The end result is, of course, that you do not have the same quality of education being offered to students in those impoverished school divisions or remote or rural school divisions that is offered in some of the school divisions that have all the resources. It is only natural. It is not something that we can point a finger to the teachers at, because I think they are doing all they can with the resources that they have at hand.

I noted from some of the research that we did, Mr. Speaker, that St. James School Division at one time did raise an objection to arbitrary changes in school boundaries. As a matter of fact, they had written a letter which indicated that school division boundaries only be amalgamated at the request of school divisions. It would be interesting to note where the Honourable Member for Sturgeon Creek (Mrs. Yeo) was at in that particular situation, because it would also give us some indication of what her thinking was when she was a school board member.

However, that being what it may, I think that this resolution is credible. I do not think that we can vehemently argue that it is not time to undertake school division boundary reviews, but I do think that we have to proceed very carefully and ensure that we are not doing it to increase costs to local residents. We do not want to increase the amount of time the students spend on buses. We do not want to increase the cost of transportation. However, we want to keep in mind that we want to offer the best possible kind of education that we can, not only to urban students or students in suburban areas, but also to students in small schools, students in remote or rural areas.

That is going to be difficult, Mr. Speaker. We understand that. It does not mean that, if we change school division boundaries, we make them bigger. I think it only means that we make them more effective and more efficient and more responsive to the needs of people.

I go back to my own school division and it is a long, narrow school division. Right now, we have students at Elphinstone, which is near Lake Audy, not that far away from Clear Lake, getting on a bus at about 7:30 in the morning or 7:25 in the morning and arriving at the Rossburn Collegiate, which is a considerable distance away, I would say close to 50 miles away, arriving at the collegiate just at nine o'clock. This is an awful amount of time to be spending on a school bus right now. It is really not acceptable in this day and age.

We are finding another problem, too. Since school divisions and small towns have shrunk, we are finding that communities of common interest have shifted. I give the example again of the Elphinstone community. They do not shop in Rossburn, for example. The parents do not travel to Rossburn for their needs. They travel in other directions. They travel to Shoal Lake, they

travel to Strathclair. I think, when we look at school division boundaries, we have to keep those things in mind and ensure that communities of common interest be kept in mind when we make those changes to school boundaries.

In conclusion, yes, I agree that we need changes made. We have to approach this whole problem very carefully, because we know that it is a very sensitive issue both in the urban and the rural areas. We have to ensure that the people who we put on these boards or these commissions or these task forces are representative of the areas that they are going to be making decisions on.

I think the first boundary commission that was set up was certainly very effective. It took a long time to bring down the report, but I do not think we want to do it too expeditiously. I think we want to give that commission or that review committee or whatever it may be enough time to study the problem so that they come back with a report that is going to take all matters into consideration and hear all the views of people out there in both the rural and urban areas.

Thank you very much, Mr. Speaker, for the opportunity of being able to speak on this resolution and, as I said, we are not opposed to this resolution.

\* (1730)

**Ms. Maureen Hemphill (Logan):** I am pleased to put a few thoughts on the record regarding this resolution. I think a resolution was drafted fairly carefully and which I am able to support since it does not call for boundary changes, but calls for a review. I think it is very important that we recognize that we need a lot more information before we decide what boundaries, if any, will be changed and what the reasons for changing them will be.

The Minister of Education (Mr. Derkach) was referring to the time long ago when he was a school trustee and I was the Minister of Education and he wanted the boundaries reviewed and I said that it was very low on my list of priorities. At the time, we got lots of other things done. At the time, it was for a number of reasons. I think you will remember we were dealing with major issues like the Equalization Program which was brought in, and Education financed the Small Schools Program which has saved many small schools from closing across the province, the compensatory grant that came in for—

**An Honourable Member:** The best program.

**Ms. Hemphill:** The best program?

**An Honourable Member:** Your best.

**Ms. Hemphill:** My best program. Yes, it was one of my best programs. Thank you.

Mr. Speaker, probably a number of the Members in the Chamber will not be aware that there was a study done by the school trustees. A number of years ago, I happened to have the opportunity of chairing that committee that met for a year and it studied school

division boundaries. At the time, they did it as sort of a self-interest thing because they had amalgamated the City Councils and brought in one council. There was a lot of fear that they were going to turn around and bring in one big school division and they wanted information to be able to come back at should that become the recommendation of the day.

It was a very interesting study, because we looked at boundaries and we looked at sizes of school divisions both in Manitoba and out of Manitoba—provinces where there was diversity and areas or provinces where they were very large and all about the same size. The conclusions we came to were very interesting and we should keep them in mind, and that is there is no perfect size, there are no perfect geographical boundaries, there is no perfect structure or organization, and many school divisions that might seem to be administratively small, for administrative purposes, they are doing a very adequate job of educating their children.

Interestingly, the recommendation that they came up with was that they said a resounding “No” to one school board in the City of Winnipeg because the main reason for going to one school board would be to save money. We were able to show that the saving in administrative costs was not that significant and that in fact costs may not only not be saved but they may rise with the amalgamation of one large school division. In fact, costs always go to the top, do they not? It is one of the reasons we are worried about the universal tax levy that the federal Government is looking at instituting because we know that they will not all go down to the lowest sales tax rate. They will all go up to the highest and we will all be paying the increases.

So if there is a school division that has a per-pupil cost of \$3,000 and another one that has one of \$2,000, in amalgamation, is not the school division with \$2,000 going to say we want all the same services and all the same programs and everything that is being provided by the \$3,000 per-pupil cost?

What they recommended was very interesting. They recommended that the school division boundaries stay the way they were, that there was no particular problem with having differences of sizes of school divisions that range from 2,500 students to the 35,000. If school divisions were willing to cooperate, if they were willing to centralize where it was appropriate to centralize and stay the way they were where it was not appropriate, their recommendation was that we leave school division boundaries the way they were and set up a board of cooperative services. That board of cooperative services would not be mandated. It would not require cooperation where there was not an agreement from school divisions that they could benefit, but where they could get economies of scale by buying centrally.

Three or four school divisions or all the school divisions in the city, or all school divisions in the province could cooperate. They would set up contracts for the various jurisdictions or levels that they had decided to cooperate. If Heritage Language was being delivered and one school division had 10 kids and another school division 10 kids and neither one of them individually could provide a heritage language program, they could have an agreement together to cooperate and to

provide that program jointly with two school divisions, three school divisions, four school divisions. It left a lot of flexibility, but did not bring in this sort of perception that there is, if we could just get rid of the boundaries that exist.

I found as Minister of Education (Mr. Derkach) that a lot of people thought the solution to their problems would be changing the boundaries. It did not matter what the problems were, whether it was costs or special levy, or the programs that were provided, if we could just change those darned boundaries I am sure everything would be okay.- (Interjection)- Yes. Sometimes they realize their mistake only after they have tried something, and they realize what a serious mistake they have made after the fact. Then they correct it the next time around.

Mr. Speaker, I think the point I want to make is that there is a lot more at stake here than just efficiency, than just administrative tidiness or ease of administration, the whole question of parental involvement, of community involvement. We have put the Small Schools Program in to protect small schools because we knew that in the rural area, if a small school dies, often the community dies too very shortly after.

A lot of parents, when given the option of keeping a small school open that may not have all the options and all the equipment that the larger school had, said that the benefits of having their children close to home, the benefits of their parental involvement, the benefits of the children being in a small school where they had an identity and were known, instead of a huge school where they were just another number instead of a person, the benefits of extra-curricular activities and the benefits of having the school open to the community in off hours far outweighed what they considered to be the things that might be nice to have but were not absolutely necessary.

There is a balance there because the question of having a basic education program is very important. It may be there is a point at which the school division feels and it is clear that they are not able to offer the program to their students that most children in the province are getting. Then a serious decision may have to be made about closing the school or some sort of amalgamation.

I like the point that suggested the boundary review does not necessarily mention going bigger, that it does not suggest and should not be interpreted by anybody I think as meaning that we are looking at one big school division in the City of Winnipeg. If anything, we want to find a balance that gives us good administration and the ability to deliver programs, and the ability to control finances but with a scale, and the way to deliver that maintains all of those other things that are very, very important.

Mr. Speaker, I think if we can say that we are all in agreement, that perhaps the time has come to get more information, I think we should look at the study that was done by the school trustees before. They were only one body but we had representatives of the Superintendents Association. We presented it to all of the groups. It needs to be updated but let us not look

at information that has been gained before and do it all over again.

I would like to raise the question of the Boundaries Commission and the Minister sort of suggested this, that you have to look very closely at the representation and what the group is that is doing the study. I am not sure at this point that the Board of Reference is the best place to put the boundary review. Now it is true that they have a job in terms of reference that have them dealing with boundary issues, but they have always been on a very small scale. Should this boundary, should there be an amalgamation, should there be three trustees instead of four? Should you take in this little corner of this school division? They have really never dealt with a very, very sensitive and very important issue as the review of boundaries for the whole province.

I would like to say that, if we are going to undertake it, I do think that it should be a total boundary review. While there may be a feeling that the boundary review for the City of Winnipeg is important for a number of reasons, its size, delivery of programs, it is clear that there are differing problems out of the city. Some of them were referred by the Minister, two hours on the bus, we do not want to add to that. The question of the community life and the importance of the school related to that. So I do think if there is one it should be of the entire province.

\* (1740)

I think that we should look to see whether the Board of Reference is the most appropriate body. It may be that should be given consideration. If it is, they certainly need to be given more resources than they presently have to review boundaries. It would have to be recognized as a major, unique task and special support and resources would have to go to them. But when they were appointed, nobody was thinking in terms of representation of an examination of the entire province. So I think we need to look at that.

Then I think as long as we make sure that there are no preconceptions about what the outcome will be or what our intentions are, that if indeed they come up and say there are a number of problems but they can be solved other ways because a change of boundaries, it is a very drastic change and it causes a lot of problems and a lot of pressure on the system and the people in it. If we do it and it does not improve the problems that have been identified, then that would be the worst of all worlds. We do not want to make changes that are not going to improve the situations or the problems that are supposed to be helped by the boundary review. It is possible that the review might say there may be some minor boundary changes but some other changes in other areas. For instance, they may also decide that a cooperative approach between existing school divisions is a way that can be considered to solve some of the problems, and they do not all have to be done by boundaries.

So having put those few thoughts, I think, on the record, the other point I want to make is that we want to make sure—because when there is a boundary change, people tend to think about money and finances.



They tend to think that we are out to design a system, a structure and organization that is going to be financially efficient. It is going to be efficient and it is going to save money. I think the chances of boundary changes saving money are very remote. I think there is a possibility that we could come up with better programs, and a better sharing of resources and delivery of programs to the children of Manitoba. But we should not go into it thinking that it is going to be a cost-saving measure. We should make sure that the terms of reference build in all of those other things, such as the quality of education, the involvement, the parental involvement.

There should be public consultation on this matter. It should not be done by the educators or by the legislators alone, but should involve the public and see what they think about it. It should make sure that it covers all issues, finance, program, parental involvement, all of the issues that are just as important as saving money. Then I think with that, Mr. Speaker, that we could certainly support—with that kind of thought being given to who does it and the terms of reference, we could certainly support that this is the time to look at the question.

**Mr. Harold Gilleshammer (Minnedosa):** I am very pleased to be able to speak on this resolution today. Boundaries review of various kinds of course are of importance to me. I think that there is going to be a lot of discussion about boundaries review in the next little while as there has been throughout Manitoba in the past few months.

I think it is interesting to note that the various levels of Government, we talk about the board and the types of Governments that represent people. We always try and draw some equality into our arguments and discussions. Certainly as far as provincial boundaries are concerned, we often talk about the concept of one man, one vote. In school divisions, this is often far from the case.

In the school division that used to employ me, in which I have a leave of absence from at this time, there are 12 wards and 12 trustees representing something like 2,500 students. Whereas in Winnipeg 1, our largest school division with thousands and thousands of students, I believe they have a board of nine people. Even within my school division, the wards do not reflect numbers yet they reflect communities of interest. Certainly there is discussion in the rural areas in small school divisions whether the trustees that meet to decide the issues of the school division, whether they reflect equal numbers of students. I know in my school division, it does not. They tend to represent the regions within the school division and the communities of interest that have been historical.

This resolution, I think, is a well-thought-out one. I compliment the Member on the research that has gone into it. Certainly we can support it in principle. As a teacher and a former principal and as a parent, the workings of school divisions, I think, are important to me. I do have some understanding of them. I think it is timely that a review take place and that many of these boundaries were established in 1959 and there

has not been a fullfledged review of the school boundaries since that time. Certainly, one is long overdue.

I think it is important that we do not just focus on the urban school divisions within the City of Winnipeg but that we look at all of the school divisions across the province. It raises, of course, many questions. One that certainly comes to mind is the quality of education. I think that is something we have to focus our attention on. In some respects, the quality of education is related to educational finance and educational funding. We know that there are communities that have a difficult time raising money by this special levy and other school divisions with a very strong tax base that are much more affluent. This difference in funding leads to inequities in education and inequalities. These are very, very glaring. Certainly in the rural areas, there is quite a variety in the quality of education, the kind of education that is being offered. I think it could be something that is addressed if this resolution sort of had a broader base to it. These inequities do exist in rural education and I am sure to some extent within the City of Winnipeg as well. I think some of it can be addressed by funding, others are problems of a different kind that funding is not going to solve.

(The Acting Speaker, Mr. Reg Alcock, in the Chair.)

In looking at the boundaries within the city and within the province, I think that it is important that we take the time to consult all of the players in the game, that we get input from the Manitoba Association of School Trustees, that we talk to the Manitoba Teachers' Society, the Manitoba Association of Principals, and certainly to the school superintendents, to the public and to students and get input from all of these sources before decisions on boundaries and decisions on broader issues in education are taken. Those organizations certainly have researched many of the problems in education and I am sure would provide some very valuable input and advice in addressing this question.

I would like to just mention something that the Member for Logan (Ms. Hemphill) mentioned, and that is the small schools grants. I think this has been a very positive innovation in the Manitoba education scene and it is a recognition that small schools do exist in Manitoba and that they have special problems, but that they also provide a special service.

I would compliment previous Governments on recognizing the need for special funding for small schools, not only to allow them to remain in existence, but to try and provide a very minimal education in these rural areas. Certainly there are some advantages with small schools in teacher-pupil ratio, in the knowledge that the teachers would have of their students, in the relationship that exists between teachers and parents and the community feeling that exists in these small schools. Parents feel that the school is very close to them. It is not something that is distant and foreboding and some place that they fear to tread.

\* (1750)

I think the recognition that small schools provide valuable services is very important and I would like to

certainly see that continue. Certainly the small schools cannot offer all of the options. They do not have the facilities. There are many drawbacks but, if they are going to exist and if we are going to provide an education where students do not have to leave their homes and travel vast distances, then we have to give them this extra support.

I know when that program first came into existence, I was asked to serve on a committee of high school principals to study the issue and the principal from the Neepawa Area Collegiate and the principal from Hartney and myself served on that committee and we thought we represented small schools. We had 300 or 400 students.

As we delved into the problem and discovered that there were high schools out there with 30 students in them, and 20 students in them, it made us realize that we did not have things so bad and that there were schools and situations a lot worse than that.

We soon were removed from that committee and the real small schools people were brought into that committee and have helped to solve these problems, and certainly part of it was through extra funding, part of it is through in-service training, and part of it was the recognition that we must maintain those schools. I see this as part of a larger issue related with boundaries, that school divisions, if they are going to remain viable, must have that extra funding in order to keep these schools open.

(Mr. Speaker in the Chair.)

Changes, of course, often are not readily accepted, particularly where it means the transfer of students and the busing of students. I think we have to look at this very carefully, that if school divisions become larger there is a feeling that larger is better and there will be a tremendous amount of resistance to this type of change. At the same time, in my studies of education, something that has always jumped out at me is that local autonomy is so important, the local autonomy in decision-making, the local autonomy that I mentioned where parents feel free to join in parent councils at the local school, and where they feel close to the situation.

While we can streamline school divisions, while we can supposedly make them more efficient, we can change boundaries and so forth, we must not lose the sight of the importance of local autonomy and I dare say the public out there will not allow us to lose sight of that concept.

I would like to make a few comments about school construction. I think there is such an apparent need

to have such a close look at construction programming, and that they are planned for areas where obviously schools are going to be needed and built on sites that are appropriate. It is somewhat a source of embarrassment, I think, to boards that school buildings are closed when they are only 10 or 12 years old and they tend to bring on the charges of poor planning on the part of the school board, and I think it is something that we have to look very, very closely at. If, in the final analysis, existing buildings have to be closed, certainly we can look for alternate uses of them that meet with community wishes and standards so that they are not seen as white elephants and examples of poor planning by school divisions.

I think there is very close scrutiny of all levels of Government as to how education dollars are spent, and school divisions fall under that same category where people are very concerned that education dollars, tax dollars, whether they be raised provincially or locally, are spent wisely. One of the most glaring examples is school construction that seemed appropriate at one time is no longer appropriate and those schools are closed.

I think some of the problems in education could be solved by a sense of cooperation between school divisions. I realize that school boards and school administrations often jealously guard the services and the structures that they have in place. I think Government would be wise to give a lot of encouragement to school trustees and school superintendents to be more cooperative to allow the movement of students from one school division to another.

We certainly are aware of this in rural areas where at one time regional vocational schools were built and, if students outside of centres like Brandon and Dauphin and Swan River and Selkirk were going to avail themselves of vocational education, they would have to travel to these vocational schools. I think that there was a sense of cooperation that developed where these regional schools made it easier for students from some distance to come to their schools for those particular programs.

**Mr. Speaker:** When this matter is again before the House, the Honourable Member will have two minutes remaining.

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