



Second Session - Thirty-Fifth Legislature  
of the  
**Legislative Assembly of Manitoba**

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**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

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40 Elizabeth II

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Fifth Legislature**

**Members, Constituencies and Political Affiliation**

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARR, James	Crescentwood	Liberal
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHEEMA, Gulzar	The Maples	Liberal
CHOMIAK, Dave	Kildonan	NDP
CONNERY, Edward	Portage la Prairie	PC
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Clif	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Liberal
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
HARPER, Elijah	Rupertsland	NDP
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	NDP
MANNESSE, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold, Hon.	Rossmere	PC
ORCHARD, Donald, Hon.	Pembina	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, March 20, 1991

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### MINISTERIAL STATEMENTS

**Hon. Harold Gillehammer (Minister of Family Services):** Mr. Speaker, I have a statement for the House.

Mr. Speaker, I rise today to advise the House of my extremely serious concerns about the intention of the federal government to abrogate its long-standing responsibility for social services and social assistance for status Indians in our province.

Mr. Speaker, earlier this week I received a letter from the federal Minister of Indian Affairs and Northern Development threatening to discontinue federal support for social services provided to status Indians who live outside the boundaries of their reserves.

The federal government's heavy-handed approach to this issue is inexcusable. The new policy is to begin in the next fiscal year, and yet there has been no consultation on this major offloading by the federal government.

In the past six months since I have assumed this portfolio, we have been attempting to deal with a number of issues relating to social services for Natives. These are complex issues that must be dealt with by all parties in good faith. The latest move by the federal government, however, brings into question their commitment to dealing with these issues for the benefit of all Manitobans.

Mr. Speaker, the continued attempts at offloading by the federal government onto the backs of provincial governments and provincial taxpayers is unacceptable. Their continued cap on equalization payments alone seriously limits our ability to provide needed service to all Manitobans. It is estimated that this latest attempt at offloading responsibility will mean a loss of close to \$20 million a year to my department and our province alone.

There are hints that some of these funds may be redirected to on reserve services. In a sense the

federal government seems to be offering a carrot, but my guess is that at best it is only half a carrot or less. I believe the Native leadership in this province will be quite skeptical about Mr. Siddon's plans, as well they should be. Provincial Native Affairs staff have already been in touch with the Assembly of Manitoba Chiefs, and I hope to be able to meet with their leaders to seek their views on this vital matter in the near future.

Mr. Speaker, the federal government has an historic obligation for all Native people regardless where they choose to live in this province. They are now reneging on a key part of that responsibility with two weeks notice. Our government will be aggressively challenging this unprecedented offloading of responsibility to ensure the federal government lives up to its historic obligation to Natives throughout this province. I have written Mr. Siddon today to advise him that I believe that an immediate face-to-face meeting is imperative.

Mr. Speaker, negotiation would be our first preference for resolving this issue; however, in the event that this approach fails, I have requested our Constitutional Law branch to provide us with a review of our options.

Mr. Speaker, I would like to table a copy of Mr. Siddon's letter and my response.

\* (1335)

**Ms. Becky Barrett (Wellington):** Mr. Speaker, I also, on behalf of the New Democratic Party Caucus, would like to respond to this ministerial statement.

It would appear, from what the minister has put before us today, that what the federal government is attempting to do is morally wrong and, as well, is illegal. We believe that the aboriginal rights to social services have been included in treaties that have been negotiated over the centuries with the aboriginal peoples, and it is a federal obligation under the Indian Act. This behaviour on the part of the federal government is not to be condoned in any way, shape or form.

It is another example of offloading that we have, in this House, talked about on this side, both from

the federal level and the provincial level. It is an extremely serious situation not only for aboriginal peoples, but for all members of our society, that the federal government feels that it has the right and the ability to do this kind of behaviour.

The government can rest assured that members of the New Democratic Party will do all in our powers and our efforts to work with them in this very serious situation, to see that all levels of government take on and fulfill the mandates and the responsibilities that they have been elected to fulfill. Thank you.

**Mr. Reg Alcock (Osborne):** Mr. Speaker, I am not surprised at the news, frankly. I think in this province, if my memory serves me right, it was in 1979 under the Lyon government, when negotiations first began with the federal government and the various Indian organizations in this province to see if they could not take responsibility for services that I think everybody recognized were being poorly offered by non-Native organizations.

It was under the member for Brandon East (Mr. Leonard Evans), when he was Minister of Community Services, that some very important agreements were negotiated and arrived at between this province, Native organizations in this province, and the federal government. A key part of those agreements was the federal government's recognition of its responsibilities to Native people in this province, as well as the rest of Canada, and their willingness to provide the support to see that a high quality service could be built to serve Native people in this province, not simply a band-aid short-term emergency response, but a series of services that attempted to provide supports to families, attempted to build appropriate foster and other kinds of care that prevented the breakdown of Native families and this continued inflow of Native children into care. I think it is a disgraceful action on the part of the federal government.

I can tell the minister that I personally—I know my caucus will support him absolutely in his attempts to force our federal government to live up to their responsibilities. They have destroyed, or are in the process of destroying, the health care system in this country. They have badly hurt post-secondary education, and now they are attacking the Native people. I think Mr. Mulroney and that gang of crooks that he heads should be brought to heel.

Thank you very much.

\* (1340)

## TABLING OF REPORTS

**Hon. Gary Filmon (Premier):** Mr. Speaker, I would like to table the first interim report of the all-party Manitoba Constitutional Task Force, which I have received from the Chairman, Professor Fox-Decent.

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I would like to table Volume 3, the Summary Financial Statements for the Public Accounts, fiscal year 1988-89, and I would also like to table for '89-90, Volumes 1, 2 and 3 of the Public Accounts. I think members have been provided previously with Volumes 1 and 2.

## INTRODUCTION OF BILLS

### Bill 6—The Mines and Minerals and Consequential Amendments Act

**Hon. Harold Neufeld (Minister of Energy and Mines):** Mr. Speaker, I move, seconded by the Minister of Government Services (Mr. Ducharme), that Bill 6, The Mines and Minerals and Consequential Amendments Act; Loi sur les mines et les minéraux et modifiant diverses dispositions législatives, be introduced and that the same be now received and read a first time. (Recommended by His Honour the Lieutenant-Governor.)

Mr. Speaker, I also table the message from the Lieutenant-Governor.

**Motion agreed to.**

### Bill 17—The Consumer Protection Amendment Act

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, I move, seconded by the member for Flin Flon (Mr. Storie), that Bill 17, The Consumer Protection Amendment Act; Loi modifiant la Loi sur la protection du consommateur, be introduced and that the same be now received and read a first time.

**Motion presented.**

**Mr. Maloway:** Mr. Speaker, Bill 17, the amendment to The Consumer Protection Act will in fact require car dealers in Manitoba to keep the manufacturers' suggested retail price stickers on their cars until the cars are sold. This is currently the law in Ontario, but in the Manitoba situation the dealers in fact remove the stickers when the cars come into Manitoba and they replace them with stickers of their own making, which are typically \$2,000 higher.

We feel that requiring stickers to stay on the windshields will provide a referral price for buyers to consider when they are bargaining for a new car. The legislation has been supported by consumer groups, and even Mr. Haddad from the Manitoba Motor Dealers' Association reluctantly has agreed to support this legislation. I recommend the bill to the House.

**Motion agreed to.**

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, may I direct the attention of honourable members to the gallery, where we have with us this afternoon from the Killarney School, thirty-five Grade 9 students, and they are under the direction of Mr. John Ross. This school is located in the constituency of the honourable member for Turtle Mountain (Mr. Rose).

Also, this afternoon from Westwood Collegiate, we have thirty Grade 9 students, and they are under the direction of Mr. McDowell and Mrs. Young. This school is located in the constituency of the honourable Minister of Industry, Trade and Tourism (Mr. Stefanson).

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

### MATTERS OF PRIVILEGE

**Mr. Steve Ashton (Opposition House Leader):** Just moments ago a number of us who attended a demonstration that is being organized by students from across the province, particularly from our universities and community colleges, learned that a number of students who had obtained passes to the gallery have been told they will not be admitted to the gallery. In fact, students wishing to observe the sitting after the demonstration have been told they will not be admitted to the Legislature.

It is a very serious matter, one in which I have a particular interest in having been a former president of the University of Manitoba Students' Union, remembering the day when the then Premier Sterling Lyon at least spoke to the students—something the current Premier chose not to do—when we were, without any restriction, able to attend the sitting of the House afterwards to observe Question Period and see the concerns that we had raised as students about a then very regressive

Conservative government raised at that particular point in time.

I feel like it is back to the future here, except this government is afraid to face the students. The bottom line—

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

### Point of Order

**Hon. Clayton Manness (Government House Leader):** Just for a moment, I know we are moving into a sensitive area, but we are dealing with members' privileges and rights and before the member moves too far off that, I would hope he would get to his point because hopefully it is germane to the point he is going to try to make.

**Mr. Speaker:** The honourable minister does not have a point of order.

\* \* \*

\* (1345)

**Mr. Ashton:** Mr. Speaker, I will be following my comments by a motion, as is part of our rules in matters of privilege.

The essential question here is whether the provincial government can restrict access to members of the public unilaterally as it is doing currently, and as it has done in other cases.

I want to cite Beauchesne to make it very clear that this House as a part of parliamentary tradition should have jurisdiction over the Legislature. Citation 33 indicates that one of the most fundamental privileges of the House as a whole is to establish rules of procedure for itself and to enforce them. Further, in terms of the Chamber, there are various citations, in terms of particular 130 referring to the House of Commons, which indicate very clearly that the practice under the parliamentary tradition is that, while the government may have jurisdiction outside of the parliamentary precincts, it does not have jurisdiction within the parliamentary precincts to unilaterally make decisions and, in this case, do what it is doing and restrict access to members of the public.

I am talking here about people who obtain passes. We obtained passes from our caucus at their requests. They had legitimate passes. Those passes were changed. I am talking about other individual members of the public who are currently

outside the Legislature and who are being told they cannot attend the sitting of the Legislature when, as you can see, it is not a question of lack of space. It is a question of this government denying access to those students.

Mr. Speaker, this is a very serious denial of the rights of members of this Legislature to ensure—and members of the public as a whole—full and open debate, to ensure open access to the legislative Chamber.

That is why I move, seconded by the member for Kildonan (Mr. Chomiak), that members of the public not be denied access to the Legislative Building and that the restriction of access by the government be referred to the Standing Committee on Privileges and Elections.

**Mr. Manness:** Mr. Speaker, I hope when you are determining your ruling that you might reflect on how it is the member's rights somehow have been abused, because I think that is what our rules of privilege call for, that indeed our rights as parliamentarians have to somehow be affected by some action that has been taken or some word that has been spoken. I think firstly that the member's motion there falls considerably short.

On this issue, Mr. Speaker, certainly this is an area of jurisdiction. I know there are different sides to this argument as to when you, as the chief custodian of the Legislature—where your rights begin and end, as compared to the government, in this case the Minister of Government Services.

Obviously, when there are legitimate concerns, as there are from time to time, as to who and how many people can come into the building and/or be part of the gallery somebody has to make that decision. So maybe there should be greater discourse as to where this jurisdictional defined area might be.

I say, Mr. Speaker, certainly at this point in time the member's rights have not been affected, and certainly he has no privilege—matter of privilege, I might add.

**Mr. Kevin Lamoureux (Second Opposition House Leader):** Mr. Speaker, I do want to address this particular issue, because it is a very sensitive one. If we look at any protest, you will find a number of those individuals are likely from each and every one of our own constituencies.

As a member of the Legislative Assembly, we have a right to have them witness what our

responsibilities are. Part of that responsibility is to question the government of the day on some of the decisions they are taking that are going to have a severe impact on those students.

I can understand and I can appreciate the concern of security ever since the Quebec National Assembly and the unfortunate incident that happened there, but after all this is a public building. This is where the public have an opportunity to see our democratic process.

Mr. Speaker, I do not believe the students that were in front of this Legislature pose any threat to any of these members and that in fact they should have been allowed to come into the public gallery.

\* (1350)

You, Mr. Speaker, in Beauchesne's Rule 40, it stipulates that, "Under Standing Order 14, both the Speaker and the Chairman have the right to order the galleries cleared without a motion or decision of the House. It is customary to use this power when significant disorder occurs in the galleries."

Mr. Speaker, you have been denied to be able to use that particular rule. I believe that the students should have been allowed to come into the public galleries, and you, and you alone, should have been the one to decide on whether or not they should be disposed of.

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, on the same matter.

**Mr. Speaker:** Order, please. As I have traditionally done in the past, I have heard from the three House leaders that represent each of the parties, and I believe the Chair has heard enough on this matter to be able to come back with a ruling to the House. As some of the members have indicated, the Chair has some responsibility in this matter, and the Chair is quite aware of what did happen. So I will return to the House with a ruling on this matter.

\* \* \*

**Mr. John Plohan (Dauphin):** Mr. Speaker, I rise on a matter of privilege regarding statements made by the Minister of Agriculture (Mr. Findlay) in the House yesterday in response to questions that I posed to the Premier. I will follow my remarks with the required substantive motion.

In raising this matter of privilege, it is my contention that I am doing so at the earliest

opportunity since that is the first sitting at this particular time after receiving a copy of Hansard. My motion of privilege will make the case that the minister deliberately misled the House by providing information and making statements contrary to the facts that he has in his possession and offending thereby my privileges as a member in this House.

Yesterday, during Question Period, I stated, and I quote from Hansard, ". . . the Natural Products Marketing Council has audited the actions and the work of the Hog Marketing Board and determined that, at their request, in fact they are operating in a fair and equitable manner, and it is recommended that they should retain their buyer on the board, . . ."

The Minister of Agriculture responded, "It is rather reprehensible that the member for Dauphin continues to put misinformation on the record. Indeed he just did it again." He went on to say, and I quote, ". . . but they did not 'recommend,' as the word he used, that the buyer remain on the board." Further, he went on to say, ". . . but I will remind all members of the House that the Natural Products Marketing Council did not recommend, as the member said, that the buyer stay on."

Mr. Speaker, I say that this is more than a dispute over the facts, since the minister not only cast aspersions on myself by chastising me for having incorrect information, he deliberately, intentionally provided false information to the members to make his case.

I table for your information and assistance, Mr. Speaker, page 30 from the report by the Natural Products Marketing Council entitled, "Manitoba Agriculture Review of Manitoba Pork Est. Dutch Clock Auction System," which I understand was released in February 1990. This audit and review was requested by this minister and conducted by Messrs. Vielgut and MacKenzie from the minister's staff.

This is the same report referred to by the minister yesterday. Recommendation 2 on page 30 reads as follows: That based on the findings of this review as to the processors' concerns with the role and activities of the board's buyer, it is recommended that the board's buyer continue to purchase hogs on the Dutch clock auction system under the same conditions as the processors. It is recommended that the board's buyer continue.

It states that as a recommendation in that on page 30 in that report.

Mr. Speaker, this recommendation made in this review, commissioned by the minister, recommends specifically that the board's buyer stay on. This same minister yesterday said specifically in this House that the review made no such recommendation. That is a direct contradiction. That is prima facie evidence that this minister deliberately misled this House and levelled unwarranted criticism at me, thereby offending my privileges in this House.

To support my position, Mr. Speaker, I respectfully refer you to your own references on your ruling of March 14, 1990. At that time you referred to May (20th edition), page 149: "The House may treat the making of a deliberately misleading statement as a contempt. In 1963 the House resolved that in making a personal statement which he later admitted not to be true a former Member had been guilty of a grave contempt."

\* (1355)

You went on to reference Maingot, page 205: "To allege that a Member has misled the House is a matter of order rather than privilege and is not unparliamentary whether or not it is qualified by the adjective 'unintentionally' or 'inadvertently.' To allege that a Member has deliberately misled the House is also a matter of order, and is indeed unparliamentary. However, deliberately misleading statements may be treated as a contempt."

It is my assertion that the minister was indeed aware of the contents of the report that he commissioned and did deliberately mislead the House and in doing so cast aspersions on myself and is therefore guilty of contempt of this Legislature.

I therefore move, Mr. Speaker, seconded by the member for Brandon East (Mr. Leonard Evans), that this House do censure the Minister of Agriculture (Mr. Findlay) for intentionally misleading the members of this House.

**Mr. Manness:** Mr. Speaker, this is a serious matter. The member for Dauphin contends that the Minister of Agriculture deliberately misled the House.

In talking to the Minister of Agriculture, there is no doubt he would very much like to give a much greater expansion to a very complex

matter—extremely complex. No doubt, hopefully in Question Period he will be afforded that opportunity.

Mr. Speaker, before you rule, hearing only one side, I think it is very important to point out that under Section 31.(1) of *Beauchesne* you are given very clear direction on this. It says: "A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege."

I would suggest, Mr. Speaker, that is exactly what we have in this situation. The member for Dauphin (Mr. Plohman) yesterday asked a question. It delves into a very complex area. It is one that in some respects has arithmetic response, requirements and criteria around it. I would think the Minister of Agriculture (Mr. Findlay), once he is given an opportunity to provide a very full response, will make the record quite clear.

Mr. Speaker, I sense, and it is my view at least, that certainly the member has no matter of privilege.

**Mr. Lamoureux:** Mr. Speaker, it is a very fine line between, as we point out, a dispute over facts and deliberately misleading the House. The member for Dauphin (Mr. Plohman) put forward yesterday a very easy straightforward question, and it would appear by the answer in the response and the way the minister went out of his way to undermine the question that in fact the minister did deliberately do what it is that he did.

\* (1400)

I would quote Citation 97 in which, "The Speaker has stated: 'While it is correct to say that the government is not required by our rules to answer written or oral questions, it would be bold to suggest that no circumstances could ever exist for a prima facie question of privilege to be made where there was a deliberate attempt to deny answers to an Hon. Member, if it could be shown that such action amounted to improper interference with the Hon. Member's parliamentary work.'"

I would suggest to you, Mr. Speaker, that is in fact what happened.

**Mr. Ashton:** Mr. Speaker, I would submit to the government House leader that this is more than a dispute over the facts. It is consistent with the very definition of privilege itself, whether it be in *Beauchesne* or *Maingot*, which says quite clearly that a deliberate misleading of the House is treated

as a contempt and is therefore considered as a breach of privilege.

I would point, Mr. Speaker, to a number of citations from our own Speaker's rulings, a number of which I consulted with this morning in conjunction with the member for Dauphin (Mr. Plohman) from 1982 and 1983, and even a recent ruling from yourself in 1989. It is clearly established that deliberately misleading the House is a matter of privilege.

When I read yesterday, Mr. Speaker, the comments made by the minister, I can come to no other conclusion than there was a deliberate attempt to mislead the House. If there was not, there is a very simple way for the minister to resolve this matter now, to stand in his place, withdraw the statement he made yesterday and apologize for misleading the House.

I think that would indicate that there was not any intent at that time. Without such indication that there was no intent to mislead the House, without an apology to the House for the inaccurate information and the comments made to the member for Dauphin who was totally accurate, who was living within his responsibilities as a member of this Legislature, assuring that he had the facts before he came to the House, without that, I believe there is no other conclusion other than the fact that it was a deliberate attempt to mislead the House, there was a contempt of this House and therefore was a prima facie case of privilege that we as members of the Legislature should be allowed to decide.

**Hon. Glen Findlay (Minister of Agriculture):** Mr. Speaker, as my House leader has indicated, this is a fairly complex question, and I want to make the House very clear as to why I answered the way I did.

There are two questions about the buyer being on the Dutch Clock Auction. He can do one of two things: he can buy for hogs that are sold out of province, or he can buy to keep the price up. The question asked in this report that was tabled February, 1990, the one the member for Dauphin (Mr. Plohman) refers to, the *Manitoba Agriculture Review of the Manitoba Pork Est. Dutch Clock Auction System*. The question asked, and I want to read the question asked by the report, on page 8 of the report: Is it necessary for the board to purchase hogs for out-of-province sales on the daily auction? Is it necessary for the board to purchase hogs for the out-of-province sales on Dutch Clock Auction?



On that they recommended that the buyer stay on the board, but, Mr. Speaker, what is really happening, and I have the figures here, out of 40,017 hogs sold, 796 were sold out-of-province and 39,229 were resold to the other buyers. So 98 percent were resold, and only 2 percent were sold outside of the province. The recommendations pertain only to the 2 percent. It does not pertain to the 98 percent which are resold. So the question that was addressed in the report is what the recommendation is based on and is quite a different issue.

There are two separate issues here. I apologize if in any way, responding on that question, did not indicate what the real question was. The member, when he asked the question, did not understand what the question was being addressed by the recommendations. I will acknowledge the recommendation states that the buyer should stay on there but only for purchase for his hogs sold out-of-province, which represents 2 percent of the actions; 98 percent of the actions are hogs bought off the board and resold to the other buyers. That is the issue that is being addressed, Mr. Speaker. It is an issue of many meetings between the board and the processors, which they have an agreement that they are discussing right now to resolve the issue.

If there is any misleading, I apologize for it, but the major question was for sales out-of-province, which represents 2 percent of the actual action.

**Mr. Speaker:** I believe the honourable Minister of Agriculture has apologized for any misleading remarks that he might have put on the record. The Chair is satisfied; that does conclude the matter.

### ORAL QUESTION PERIOD

**Mr. Dave Chomiak (Kildonan):** Mr. Speaker, my question is directed to the Premier (Mr. Filmon).

Mr. Speaker, I could understand why the Premier would not want to face the students on the steps of the Legislature, but the damage done by the government's refusal to allow the public into this Chamber goes far beyond partisan politics. Will the Premier do the right thing—

**Mr. Speaker:** Order, please. I would like to remind the honourable member for Kildonan that I have already taken that matter under advisement and that I would report back to the House.

I will recognize the honourable member for Kildonan, with a new question.

### Legislative Building Access Policy

**Mr. Dave Chomiak (Kildonan):** Mr. Speaker, I wonder if the Premier will indicate to me if it is government policy to unilaterally make decisions to limit people's access to the Chamber.

### Point of Order

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, on a point of order, -(interjection)- you can rise after me. Mr. Speaker, you have ruled, you have asked members in the House to take into account that a matter of privilege is before you for your ruling, and I would suggest that any questions dealing with government policy with respect to that issue, either closely or distantly related, is out of order.

**Mr. Steve Ashton (Opposition House Leader):** Mr. Speaker, the matter of privilege related to the fact that we as members of the Legislature, in this Legislature, have been denied the ability to have members of the public in this gallery. The question of the member was as to the government policy to restrict access, Mr. Speaker. It is in order for the member to ask in regard to the government policy, not the matter of privilege. I believe that is what he was attempting to do. I think we would all like to know why this government is hiding from the people of Manitoba.

**Mr. Speaker:** Order, please. The honourable government House leader did not have a point of order. The initial question put by the honourable member for Kildonan (Mr. Chomiak) was out of order. The honourable member rephrased his question in such a way that it was acceptable to the Chair.

\* \* \*

**Mr. Chomiak:** Mr. Speaker, I would like to ask the Premier what the government policy is with respect to public access to this Chamber.

**Hon. Gary Filmon (Premier):** Mr. Speaker, the member would not be aware, because he is a relative newcomer to the Chamber and to the Legislature, but there have been many times in which there have been concerns for the orderly conduct of business in the Legislature or, indeed,

for safety of the public and all sorts of other things. Under those circumstances, there are rules and regulations with respect to access to this Legislature. That is why there are security officers. That is why permits have to be obtained. That is why entry permits have to be obtained to be in the Chamber, and all those sorts of things. Those are—  
 -(interjection)- The members do not want to hear the response, so that is fine.

### Universities Funding

**Mr. Dave Chomlak (Kildonan):** Mr. Speaker, my supplementary is to the First Minister, as well.

I would like the Premier to indicate whether or not his government will live up to the Premier's promise in 1988 to fund universities at or better than the rate of inflation.

**Hon. Gary Filmon (Premier):** Mr. Speaker, the fact of the matter is that question was asked yesterday, but I will repeat that announcements with respect to funding for universities will be the subject of the Estimates and the budget which will be tabled in this House in approximately a month's time.

\* (1410)

**Mr. Chomlak:** Mr. Speaker, my final supplementary is to the Premier.

The government makes much of not increasing taxes. Does this Premier not admit that the tuition fees are a direct tax on the students of Manitoba and that this is another example of GFT, another example of government tax increases on the students and those less able to pay?

**Mr. Filmon:** Now we really have the twisted mentality of the New Democratic Party and the member for Kildonan. When they can turn a fee for service, a fee for a service that is not necessarily being accessed by every single person in this province, but is restricted to only those who can have the opportunity to go to university, and suggest that is now a tax on all people, Mr. Speaker, it is quite the reverse. It is the taxes that are paid by all Manitobans so that some may go to the universities. That is, indeed, a tax that we have to be concerned about.

Mr. Speaker, is he suggesting that the fees that people pay to go to a rock concert or to go to a movie theatre are a tax on all Manitobans or a tax on people? No, it is a choice in a free society and,

indeed, we still pay 87 percent of the costs of people attending university through the public purse. Only 13 percent is paid by tuition fees.

We still have the third lowest tuition fees in the country in this province. We are very proud of that, and we will continue to do that and keep that sense of balance and proportion and not, in fact, condemn the people who are out there—the university students—to forever paying for services that are, indeed, being consumed today. We do not want to mortgage their future. We must, indeed, keep a hold on all of our expenditure increases, rather than do what the member for Kildonan recommends which is to indeed mortgage the future of all Manitobans. That is wrong.

### Environmental Innovations Fund Recycling Programs

**Ms. Jean Friesen (Wolseley):** My question is for the Minister of Environment. The minister is aware that the Resource Recovery Institute has been forced to close its operations at the end of this month. Mr. Speaker, this has been an innovative, minimally funded, experimental program which has achieved a very high participation rate and has received tremendous community support in my constituency.

My question is, is the Minister still prepared to support such community-based projects, or will he continue to inappropriately use his Innovations Fund for backdoor funding of other government programs?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, the Innovations Fund is there to be accessed by groups such as RRI. As a matter of fact, they were funded in a manner that is somewhat exceptional in terms of the approach that is taken under the Environmental Innovations Fund inasmuch as I believe they were able to access the fund twice and the fund normally is a one-time grant in order to provide some impetus and some start-up opportunity for ideas and approaches that will be useful to the environment.

### Accountability

**Ms. Jean Friesen (Wolseley):** Given that the Minister received a clear warning in October of '89 from the secretary to the Treasury Board that, I quote, there is a general discomfort respecting the absence of accountability controls in the application

and disposal of revenues from this fund, what steps has the Minister taken to ease this discomfort and will he table in the House the regulations he has to ensure the accountability of this fund now and in the future?

**Hon. Glen Cummings (Minister of Environment):** Yes, Mr. Speaker, and I believe that I referenced the guidelines for the EIF and, if I am not mistaken, they were tabled during my last Estimates, but certainly there is a clearly delineated set of guidelines for approaching the EIF and I will make sure that the member has them.

### Untendered Contracts

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, will the Minister table in the House as well, a list of all untendered contracts from the Innovations Fund, with their amounts and purposes, in order that honourable members may place the patronage offered to Mr. Moore in an appropriate context?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, all untendered contracts are filed and reported on a monthly basis. -(interjection)- They are in my office.

I would like to reference a somewhat misleading information that the member put on the record regarding what were the draft guidelines for the Environmental Innovations Fund. Those are the guidelines that obviously were subject to some continuing change and revision, and that is exactly what happened.

### Universities Tuition Fee Increases

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, my question is to the Premier.

Mr. Speaker, there are many hundreds, maybe thousands of young people on the steps of the Legislature this afternoon, and they are there because they are concerned about their education. They are concerned about its quality, they are concerned about its cost, and they are concerned about its accessibility. They had been led to believe that tuition fees at their universities will be set over the next couple of weeks and they may include increases of between 15 percent and 20 percent.

Can the Premier tell the House today what information he has given to the universities so their

Boards of Governors will know that they are setting fees in good faith knowing what percentage increase they can expect from the Province of Manitoba?

**Hon. Gary Filmon (Premier):** Mr. Speaker, as far as I know, the information that has been put out, which I do not think is accurate at all, has been put out on speculation. The government has given no official notice to the universities of what funding they may expect, and as far as I am aware, they will not set their fees until they know what their income is, that would only be responsible for them to know.

We will endeavour as quickly as we can complete—and I referenced yesterday in my remarks the fact that Treasury Board has sat over 100 hours over the past few weeks going through, in painstaking detail, the difficult decisions that we have to make in coming to decisions for the Estimates of expenditure of each and every department, and until we are in a position to let the university know, they are not in a position to set their fees.

Now, I do not want to cast aspersions on motives, Mr. Speaker, but the fact of the matter is that, like a number of the issues that we have seen, such as, in the ESL where no comment whatsoever was made from this government with respect to withdrawal of funding—because the New Democrats wanted to create an issue, they encouraged Winnipeg School Division No. 1 to go out and suggest that layoff notices ought to hit. That is irresponsible. That creates fear in people's minds, and it is the wrong way to go. I do not think that anybody should cast judgment upon tuition fees or funding for the universities until we make the information public.

### Quality of Education

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, indeed the Board of Governors must set tuition fees, because they must inform new students what those fees will be.

On November 16, 1990, just several months ago, the Minister of Education (Mr. Derkach) said in this House, and I quote, I would have to indicate that not one of the presidents of the institutions has ever raised the issue of quality of education at the university level. Mr. Speaker, I have received documents from all of the university presidents in this province. Every one of them has documented evidence that they have raised over and over again

with this minister and with the Universities Grants Commission issues of quality of education.

Can the Premier tell the House today if the funding level for our universities will be maintained at the level of inflation so that there is no further deterioration of the quality of education being offered to our young people?

**Hon. Gary Filmon (Premier):** Mr. Speaker, all of that information will be made public as we get all of the final decisions made in preparation for the Estimates and budget.

### Post-Secondary Education Access

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, will the Premier tell the House today if his government believes that a reduced commitment to our universities from this government, combined with an increase in tuition fees, will increase access to post-secondary education in the province of Manitoba—a critical issue in that we are 10 out of 10 in sending young people in this province on to post-secondary educational institutions?

**Hon. Gary Filmon (Premier):** Mr. Speaker, this government in its previous two budgets, in which it made commitments to the universities, made increases in funding of greater than inflation. All of us are facing very, very difficult times. Everybody throughout society, perhaps not the Liberal Leader, understands that we are in the midst of a national recession, indeed, an international recession. These are difficult times.

Our revenues are increasing at zero percent this year, Mr. Speaker, and under those circumstances it is very, very difficult for us to just hang on and pass along funding increases that we can find savings for in other areas of government, but it is not a bottomless pit. Under those circumstances we have to do our very, very best to try and have a balanced approach to all of the services government must fund.

If the member wants to tell us that she would prefer us to close down hospital beds, that she would prefer us to cut out nurses in this provinces, if she wants to tell us that these are the choices that she would prefer to the ones that we are having to make, she will have that opportunity to put them on the table when our Estimates and our budget is tabled.

\* (1420)

### Manitoba Hog Producers Marketing Board Government Policy - Clarification

**Mr. John Plohman (Dauphin):** Mr. Speaker, in view of the public statements made by Mr. Don McEwan, a Director of the Manitoba Hog Marketing Board, and Mr. Weldon Newton, Chairperson of the Hog Board, would the Premier like to clarify his position and statements with regard to the board having its buyer at the auction on the auction clock, particularly in light of his statements in this House yesterday where he dismissed out of hand that there were any foundations to allegations that he applied pressure to the board to remove their buyer?

**Hon. Gary Filmon (Premier):** Mr. Speaker, approximately three or four weeks ago at the request of the Manitoba Hog Producers Marketing Board about a half dozen cabinet ministers, including myself, were invited to meet with them, to receive their brief and discuss issues with them. It was a meeting that I believe lasted close to two hours. I was there for approximately 25 minutes of that meeting, and we went through the list of issues that they had put forward by way of a brief to us.

During the course of that discussion, I at no time placed any demand, I at no time ordered the Manitoba Hog Producers Marketing Board to do anything, and I totally reject the comments that were made by the member for Dauphin and anyone else who he likes to quote. I have a half dozen ministers who were with me who can absolutely substantiate that—no demand, no orders made, because unlike the New Democratic Party, Mr. Speaker, we understand the role of the Hog Producers Marketing Board. We understand that those decisions are within their jurisdiction, and we know that those decisions within their jurisdiction they will make. We will not make them for them.

They entered into a dialogue with us. They presented their comments and their concerns, we presented comments and concerns, and the net result was that the Hog Producers Marketing Board will still go back and make their decisions based on their best judgment.

**Mr. Plohman:** Well, Mr. Speaker, the Premier has still not given his biases and position on this very important issue.

### **Manitoba Hog Producers Marketing Board Government Policy - Clarification**

**Mr. John Plohman (Dauphin):** To the Minister of Agriculture, could the minister clarify today why he has suggested to the Hog Marketing Board, and to its Chairman Weldon Newton on numerous occasions, that having the board's buyer on the Dutch Clock Auction was unfair, and that they should remove the buyer from the auction system?

How can he justify this kind of position in light of the report that he has received even from his own department?

**Hon. Glen Findlay (Minister of Agriculture):** Mr. Speaker, as I mentioned earlier this afternoon, the question asked on page 8, the question addressed in the study, is it necessary for the board to purchase hogs for out-of-province sales on the daily auction? What the buyer is doing, he is buying for that purpose, which is 2 percent of their purchases. The other 98 percent of the purchases, they turn around and resell to the buyers who are already on the auction ring. That is deemed by those purchasers to be somewhat unfair.

If that is the situation, the board has the responsibility to be sure that their buyers are satisfied and that their producers, who are the sellers, are satisfied, too. They are walking a significant tightrope to be sure that the buyers are satisfied that they are getting a fair opportunity to buy the hogs at a reasonable price determined by the auction and the sellers are getting a fair price for their hogs. It has been an ongoing dispute for a long time.

My department has got the two sides together to try to analyze the pros and cons of the issue, sort it out so that there is some satisfaction on both sides of the issue. That is a process they have been going through for many months. They now have a proposal on the table that they are working with, finalizing as to whether they can run the auction without the buyer and have a safety valve for the seller that, if the price falls to a certain level, certain automatic things kick in, but that is a process that has been ongoing for some time between the two groups, and it is their responsibility to resolve them.

**Mr. Plohman:** Well, Mr. Speaker, mediators do not take sides.

### **Manitoba Hog Producers Marketing Board Government Policy - Clarification**

**Mr. John Plohman (Dauphin):** This is to the Premier (Mr. Filmon). Is it not a fact that the Premier has personally taken the position that having the buyer on the auction is unfair, because he has been lobbied by Mr. Arthur Child of Burns, who have contributed some \$27,000 to the PC fund over the last 10 years in this province?

**Hon. Gary Filmon (Premier):** Mr. Speaker, my bottom line in this province is to try and keep as many people working and working productively in our province. As a result of policies initiated and fostered by the NDP government during the period of the 1980s, the packing house industry was decimated, absolutely decimated and destroyed.

Mr. Speaker, not only hundreds but thousands of jobs were destroyed by NDP policies in the packing house industry. I have indicated publicly and I have indicated—see, now the member for -(interjection)-

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

**Mr. Filmon:** The member for Dauphin (Mr. Plohman) and the member for Flin Flon (Mr. Storie) are so nervous about this, they are so embarrassed about the thousands of jobs in the packing house industry that they destroyed, that they do not want to debate this issue. They do not want to debate this issue, because they are responsible.

I have said all along, Mr. Speaker, that we have to have a balanced and a fair system, fair to the producers so that they have a variety of options for selling their product and fair to the industry so that we maintain jobs in this province, jobs for people. It was the New Democrats who screamed when Burns in Brandon was closed down. I just do not want to see other packing plants in this province close down because of measures that can be avoided. My friends are the working people of this province whose jobs I want to maintain—farmers, producers and working people and their jobs. That is what I want to do.

### **Municipal Funding Reductions**

**Ms. Rosann Wowchuk (Swan River):** Mr. Speaker, my question is to the Minister of Finance or the Minister of Rural Development (Mr. Downey).

Municipalities are presently facing great difficulties as they prepare their budgets because of

offloading of this government in education funding and policing costs. Yesterday, the city of Brandon received the shocking news that their municipal support grant would be cut by 13.4 percent.

Can the minister tell this House whether the same cuts are going to go to all municipalities and towns in Manitoba?

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, there is some incumbency upon members when they ask questions to bring the facts with them. The municipal support grant is something that the NDP instituted when they brought in the payroll tax, and the municipal support grant was the offset against the payroll tax. So the member is completely dead wrong and, as a matter of fact, the support under that grant to the large municipal corporations is going up significantly. I believe in the case of the City of Winnipeg, it is 6.1 percent.

**Ms. Wowchuk:** Mr. Speaker, if the wording is wrong, it is perhaps a provincial-municipal tax sharing program that is being cut by 13.4 percent, and municipalities have also been told that they may not have the payroll tax. Can the minister tell this House whether the provincial-municipal sharing program is being cut to all municipalities this year by 13.4 percent?

\* (1430)

**Mr. Manness:** Mr. Speaker, the provincial-municipal tax sharing agreement has not changed one bit. The reflection of what is happening, with respect to revenues flowing in, in the income tax side and the personal tax side, is a 13.4 percent reduction to the province. That very same proportion is being reflected to the municipalities, as has been the case for every year, other than in 1988 when the NDP tried to cap that increase. When we came into government, the very first decision that we made was to remove that cap and to allow the increase to flow.

Now Ottawa informs the provincial government that there is a fall in that area. We have been saying to members opposite that there are problems with respect to corporate income tax. That was the basis of the announcement that I made to members opposite on January 21 when I called them to Room 254, and indeed the straight proportion of that reduction is reflected in the 13.4 percent reduction to all municipalities.

**Ms. Wowchuk:** Mr. Speaker, I have a letter here signed by the Minister of Finance informing municipalities that they will be getting less money. -(interjection)- You will, so do not say it is -(interjection)- reduced by 13 percent.

**Mr. Speaker:** Order, please; order, please. The honourable member for Swan River, kindly put your question, please.

**Ms. Wowchuk:** Can the Minister tell the House whether the education support tax that is now 2.3 percent of the payroll that municipalities pay will be in place for this budget, because a municipality has been told not to count on getting that money, that 2.3 percent of the payroll tax?

**Mr. Manness:** Mr. Speaker, a municipality that pays the payroll tax will have an offset of 2.35 percent. It is called the General Support Grant. If they do not pay the payroll tax, no, they will not be getting an offset because they have not paid the payroll tax.

**Mr. Speaker:** Order, please. -(interjection)- Our records indicate the honourable member indeed did put three questions.

### Environmental Innovations Fund Funding Cap

**Mr. Paul Edwards (St. James):** Mr. Speaker, my question is to the Minister of Environment—more evidence today of this minister's double standard when it comes to his portfolio.

For the Minister of Environment, on December 3, a scant three and a half months ago, this minister stood in the House and told us during the Estimates process that we have set an arbitrary limit, figure, ceiling, of \$40,000 as a ceiling amount to any one organization with respect to the Environmental Innovations Fund. I questioned him on that ceiling.

Today we learn that ceiling obviously does not apply if the applicant happens to be a government department. In fact, the Department of Natural Resources has received 12 times the ceiling amount, and the minister's own department has received \$6,000 more than the ceiling amount.

Will this minister please tell us today why government departments, including his, are not held to the same rules as groups like the Resource Recovery Institute, the Manitoba Eco-Network and the Thompson Environmental Council, just to name a few?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, this fund is some \$1.3 million, not a large amount of money when you look at large capital projects.

These funds were not intended to be grants that would be large capital corporate style replacement grants or loans. These were to assist projects that would directly benefit the environment. Whether it is tree planting, whether it is recycling, whether it is depots, all of those projects have their benefits to the environment.

Now the member references whether or not there have been some large grants that have come out of the fund, and there have. However, he should look at the full menu of grants that have been issued and he will quickly realize that most of them were well below the \$40,000 ceiling.

### Funding Recipients

**Mr. Paul Edwards (St. James):** We know which ones are below, and we know which ones are above.

When the minister was asked on December 3, again three and a half months ago, for a list of payments out of the fund, his response was, this is the list of those organizations that have received funds. He then cited 22 payments. What he did not cite was a government department like the Department of Natural Resources, Mr. Speaker.

Why did this minister hide the fact that virtually half of the fund had gone to his cabinet colleagues when he answered that question? What game exactly is he playing with the members of this House?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, as far as I know that grant had not been issued at that time. There certainly is no intent by my part to make a differential in that respect, and if he thinks you can plant very many trees for \$10,000 he should take a look.

### Funding Justification

**Mr. Paul Edwards (St. James):** Mr. Speaker, you should try running a Resource Recovery Institute for \$30,000.

How does this minister justify spending over a third of the \$1.1 million, as it was in December—he says it is now \$1.3 million—of the Environmental Innovations Fund on existing government programs when in his own fact sheet of November

1989, which I am sure he will remember, he heralded the establishment of this fund—and I quote—to allow specific funding of community and business innovations? Clearly this fund is a cash cow for his own cabinet colleagues.

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, I wonder if he thinks that Earth Day is a cash cow. Does he think the community outreach program has been a cash cow? Does he think that the Eco-Network for \$29,000 was a mistake? The list is complete and up-to-date and is available to him or anyone else.

There was a considerable amount of money lapsed out of this program a year ago, because we indicated that there were no projects that were coming forward that fell within guidelines that were suitable for funds out of this program. I am not going to be spending money out of this program simply because we think we have dollars that we want to get rid of.

### Motor Vehicle Safety Manitoba Motor Dealers' Position

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, my question is to the Minister of Highways and Transportation.

Over the past month the Consumers' Association and the Manitoba Motor Dealers' have been running full-page \$6,000 ads in the news media claiming that 15 Manitobans were killed by mechanically unsound vehicles in 1989.

Mr. D. F. Coyle, who is your assistant deputy minister and registrar of motor vehicles, in a letter dated February 27 to the Motor Dealers', Herman Unger called this statistic completely incorrect and he questioned the source of the information. He claims the actual figure was one fatal accident resulting in two fatal victims. He concludes that the ad is, quote: incorrect and should be withdrawn. If the ad is to be run again—

**Mr. Speaker:** Order, please. Does the honourable member have a question? Kindly put your question, please.

**Mr. Maloway:** My question is, Mr. Speaker, today, 21 days later—

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

**Mr. Speaker:** Order, please. The honourable member for Elmwood, kindly put your question now, please.

**Mr. Maloway:** My question to the Minister of Highways and Transportation is: Does the minister condone such misrepresentation?

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

**Mr. Speaker:** Order, please. The honourable member's question is out of order. It seeks an opinion.

The honourable member kindly rephrase his question, please.

**Mr. Maloway:** Mr. Speaker, then why has the minister not stepped in personally to ask these groups to get their facts straight?

**Hon. Albert Driedger (Minister of Highways and Transportation):** Mr. Speaker, they have been informed by the Registrar.

### Random Testing

**Mr. Jim Maloway (Elmwood):** My question is also to the Minister of Highways and Transportation.

If the arguments were wrong then why would he support the Motor Dealers' and support the privatization of the random testing program?

**Hon. Albert Driedger (Minister of Highways and Transportation):** Mr. Speaker, I am not aware that I have made a statement to that effect.

### Legislative Building Access Policy

**Mr. Steve Ashton (Thompson):** Mr. Speaker, earlier in Question Period the member for Kildonan (Mr. Chomiak) asked the government for its policy in regard to access to this building. What we have seen as a result of its policy is many people being denied access today.

What I would like to ask the Premier is: Will he now recognize the fact that the students, the young people of this province, are not a threat to security? Many students outside who were issued passes, Mr. Speaker, should be allowed—

\* (1440)

**Mr. Speaker:** Order, please; order, please. I would ask the honourable member for Thompson (Mr. Ashton) to put his question now, please. The honourable member with his question.

**Mr. Ashton:** I asked, Mr. Speaker, if the Premier (Mr. Filmon) will rescind their policy restricting the access of members of the public and immediately

allow full access to this building. Take the chains off the door.

**Mr. Speaker:** Order, please; order, please. The question has been put. The honourable First Minister.

**Hon. Gary Filmon (Premier):** Mr. Speaker, the member knows full well that the Legislature has always been accessible to people, that there have been—orderly access is one thing; demonstrations are another, and there are rules and procedures with respect to demonstrations.

Mr. Speaker, we are doing this in the interest of safety and security of the people. A pushing, shoving mob leads to accidents and people being hurt. We cannot have people running around being in danger of being harmed and being hurt in this building. We have to keep the best interest of the people, of all the people. We have to keep them safe and secure, and that is all we are doing.

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

**Mr. Speaker:** Order, please; order. The honourable member for Thompson, kindly put your question, please.

**Mr. Ashton:** Mr. Speaker, why was it that the Schreyer government, the Lyon government, the Pawley government never denied access, whether it be the students or other Manitobans? Why is the Filmon government denying access to the students, to the public of Manitoba?

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

**Mr. Filmon:** Mr. Speaker, there are dozens of students in the Legislative Assembly Chamber today. There is no denial of access.

**Mr. Ashton:** Had the Premier taken the time to talk to the many students on the steps, he would have found—

**Mr. Speaker:** Order, please; order, please. The honourable member for Thompson, put your question please.

**Mr. Ashton:** My final question, Mr. Speaker, is, will the Premier, given the fact we have now moved a matter of privilege to try again to get some control over this matter from the Legislature, now remove the restrictions that were brought in by his government that are restricting the access—

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



**Mr. Filmon:** Mr. Speaker, there are approximately 380 seats in the gallery. It is irresponsible for the Leader of the New Democratic Party (Mr. Doer) or his House leader to foment a crowd of 1,000 people and invite and encourage them to come storming in here and harm themselves.

### Point of Order

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, I think we should really seriously look at the safety implications of this issue and, rather than the Premier (Mr. Filmon) imputing motives, the whole issue and the principle of this Legislative Building is owned by all Manitobans, for all Manitobans, not by an individual government. That is the issue.

**Mr. Speaker:** Order, please. The honourable member does not have a point of order. Order, please. Order. The honourable First Minister, to finish his response.

\* \* \*

**Mr. Filmon:** The purpose of having a policy is for the safety and security of the people, to protect them from being placed in a pushing and shoving scene in which people will be hurt, Mr. Speaker, in staircases and throughout, on marble floors. We want to protect people from being harmed. No matter what the New Democrats want to do for their own political purposes, we want to protect the safety and security of the people.

### Point of Order

**Mr. Ashton:** Mr. Speaker, in his comments, the Premier accused myself of fomenting a demonstration on the steps of the Legislature. I wish to indicate that in no way did I or any member of the New Democratic Party caucus do anything other than go and speak to the students, something the Premier would not do. All we are asking for is that there be safe access to the building for all Manitobans, not at the dictates of this government.

**Mr. Speaker:** Order, please. The honourable member did not have a point of order.

\* \* \*

**Mr. Filmon:** Mr. Speaker, that is precisely the point. We cannot provide and assure safe access when

there are 1,000 or more people, pushing and shoving, being encouraged by the New Democrats.

**Mr. Speaker:** Order, please. Time for Oral Questions has expired.

### Point of Order

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I clearly heard the House leader for the opposition party, the NDP (Mr. Ashton), shout across the floor, a Saddam Hussein style of government.

Mr. Speaker, I find that shameful to the extreme. I find it at the height of disrespect for government and for the First Minister of this province. I call upon that member to withdraw that terrible statement. It is beyond the lowest form of statement that an honourable member can make in this House.

**Mr. Speaker:** Order, please. Order. The honourable member for Thompson, on the same point of order.

**Mr. Steve Ashton (Opposition House Leader):** Mr. Speaker, if the member has difficulty with the term raised, I withdraw it. I wish to indicate—I also indicated from my seat—that this is the first time in Manitoba history under this government that there have ever been chains on the door of the Legislature to keep the public out.

**Mr. Speaker:** Order, please; order, please.. The honourable member has withdrawn.

### MATTER OF URGENT PUBLIC IMPORTANCE

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, I move, seconded by the member for Osborne (Mr. Alcock), that under Rule 27, the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely the threat to post-secondary education, especially at the university level, posed by the government's failure to allocate adequate financial resources for the maintenance of high quality education.

**Mr. Jerry Storle (Flin Flon):** I would like to raise a matter of privilege.

**Mr. Speaker:** Order, please. We are presently dealing with a matter of urgent public importance. I have already recognized the honourable member for River Heights (Mrs. Carstairs). We will deal with that matter first.

Before determining whether the motion meets the requirements of our Rule 27, the honourable member for River Heights will have five minutes to state her case for urgency of debate on this matter. A spokesperson for each of the other parties will also have five minutes to address the position of their parties respecting the urgency of the matter.

**Mrs. Carstairs:** Mr. Speaker, despite what we heard earlier from the Premier of this province, the Boards of Governors of our universities are meeting now to establish tuition fee increases for universities in this province. They will be deciding whether those university tuition fees will go up 10 percent as they have over the past few years or, because of their fear that there will be a decrease in the funding from the provincial government, whether they will have to set fees at 15 percent to 20 percent.

Mr. Speaker, the reason for the urgency of this debate at this particular point in time—

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

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

**Mrs. Carstairs:** Thank you, Mr. Speaker. The problem and the need for urgency is that we have indeed completed the Throne Speech Debate, and the Minister of Finance (Mr. Manness) has yet to tell this House when we can participate in a Budget Debate; therefore, there is no opportunity to place before the government of this province the urgency of establishing very clearly the need of the young people of this province.

\* (1450)

The need of the young people is threefold. First and foremost, they have to be ensured a quality education, and as I indicated in Question Period, all of the university presidents, despite what the minister has told me in this House in Estimates, have raised with him their very grave concerns about the disintegrating quality of education open to our young people at our universities.

Secondly, Mr. Speaker, we all know that when tuition fees are increased, those tuition fees impact most severely upon young people whose parents lack sufficient dollars to give them support to go on to post-secondary educational institutions. It is not the parents frequently who make middle-class or upper middle-class incomes whose children have that problem. It is often people whose parents are low-income earners. It is often people who are members of our visible minorities, more specifically,

our aboriginal community. It is often women, particularly when they find themselves unable to support children and are failing to get that support from their spouses, so the accessibility factor is urgent for them. If tuition fees become too high, then the tuition fees will restrict their access to our educational institutions.

Mr. Speaker, if the Boards of Governors of the province do not learn soon, very quickly, what is this government's intention with respect to the funding of our universities, then our Boards of Governors are going to reluctantly set higher-increase tuition fees. There is no question of that. They have already done it the last two years, at fee increases substantially above the cost of inflation. So the students have a very urgent matter to put before the House today. The urgency is very simple. There is no other time afforded to us to have this breadth of debate on post-secondary education funding.

Secondly, Mr. Speaker, we tried very hard to persuade this government that their funding to public schools was inadequate. The minister had made the announcement; he was not going to change that announcement. The announcement has not yet been made by the Minister of Education (Mr. Derkach) with respect to our universities.

It is our hope that we can persuade the Minister of Education, and much more importantly all of those colleagues around the table, because he and he alone does not set the budget—all the colleagues around the table—that in order for accessibility, in order for quality, we must have increases of a substantive nature to our universities in the province of Manitoba.

I ask you, Mr. Speaker, to carefully consider those arguments in making your decision.

**Mr. Dave Chomiak (Kildonan):** Mr. Speaker, I rise in support of the member's motion. I can indicate that we in the New Democratic Party also believe that the matter is of urgent importance. In fact, to that end, I remind members in this House that we proposed on the very first day of the session an emergency debate on education and public education in this province, to illustrate and to try to deal with the crisis in our education system of which the university funding is clearly a part of that. I remind members of this House that unfortunately we were ruled out of order at that time.

Mr. Speaker, there are other reasons of a more philosophical and perhaps pressing nature as to

why a debate is required in this regard. I can only reflect on the situation that has developed outside of the Legislature today. We all meet in this Chamber to discuss and to deal with matters of importance and to deal with matters that affect all the citizens of Manitoba. When you cut off access to that debate, when you cut off access to this building, the potential is—the consequences of that, the consequences of effectively not allowing students in the building can be far-reaching and can result perhaps in further ramifications out on the lawns of the Legislature, out on the streets.

That is really, really something that I think is deplorable in this particular circumstance. It would have been one thing had students had an opportunity to witness the debate and to see the rationale, the reasons, although we did not get it from the government, as to why funding has been what it is, Mr. Speaker. That has been disallowed and consequently we have anger, and that generates, perhaps that degenerates—and I am quite sorry about that.

Mr. Speaker, one of the major difficulties, of course, facing—and one of the reasons that debate is urgent is the fact that the federal government has recently introduced the budget, which has resulted in capping of post-secondary education over the next five years, the result being \$155 million loss to universities and to post-secondary education in this province. It is something that we on this side of the House find deplorable, and something, of course, that all boards of governors of the institutions in our province are obviously taking into consideration as they consider at this moment their budget allocations, and as they consider the potential tuition fee increase that may result as a result of these recent federal cutbacks and as a result of the fact that recently the inflation rate in this city, for example, of 6.8 percent the effect on university students, and all of us, is quite dramatic. As a consequence, university institutions are forced to look at that factor in terms of their budget.

When the government does provide its ultimate funding, their budgets will already be set, and it might be too late to deal with that particular matter. In fact statistics indicate that the federal government capping over the next five years will result in a \$1,000 increase to -(interjection)-

**Mr. Speaker:** Order, please. I have listened quite carefully to the remarks of the honourable member

for Kildonan (Mr. Chomiak). I would remind the honourable member to address the urgency of the matter, not the issue, the urgency of.

**Mr. Chomiak:** Thank you, Mr. Speaker. -(interjection)- Pardon me, I missed the comment. I am sorry, would the member like to put that on the record? I am sorry, I cannot hear your comments.

Mr. Speaker, traditionally in this province, the universities have taken, as a sign of the grants that they are going to receive from the government, direction from the grant that is given to the public schools. Recently the government made its announcements to the public schools and in fact they gave the announcement which was zero to 2 percent.

Consequently the Board of Governors who are meeting, I suspect, probably at this very moment, are considering tuition increases. Some direction must come from the provincial government to allow the boards to adequately plan for the tuition rate increases and for their budget in the upcoming year.

The other factor that must be considered, Mr. Speaker, is those 1,000 or so students out there who have to determine their own savings, their own opportunity next year in terms of summer jobs, in terms of employment, in terms of housing, in terms of rent. All of those decisions must be made based on tuition fees. Many of them may not be able to afford to attend university as a result of tuition fee increases which is another reason for this government to give us some indication, some sign as to what the funding will be for these students next year.

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, let me say I have never seen a more pathetic attempt by opposition parties in tandem to try and convince you that we should set aside the ordinary business of the day to debate education funding.

Mr. Speaker, I listened to the Leader of the Liberal Party and she talks about fears. She tries to conjure up the fact that government is somehow going to make significant reductions in funding that would, therefore, warrant an emergency debate.

Let me tell you first of all with respect to urgency that the government is in the process of making final decisions with respect to its budget. We are not out of sync with respect to the notification of funding to the University Grants Commission. As a matter of

fact, members would know this, but they would choose probably not to offer publicly, last year the University Grants Commission was notified in the middle of May as to funding that could be expected from the provincial government.

Mr. Speaker, the members say that there is no budget imminent. Well, they know that is wrong. I have been on the record on several occasions indicating that there will be a budget brought down in the month of April.

\* (1500)

Mr. Speaker, the members say that quality education is being compromised. I want to indicate that the Minister of Education (Mr. Derkach) in the budget deliberations has made all of the points, all of the points that the Leader of the Liberal Party (Mrs. Carstairs) has made, indeed the Education critic for the NDP (Mr. Chomiak). I would indicate to you and to all citizens of this province, that is why Education will continue to be maintained in a priority sense and will receive levels of funding far beyond virtually every other department of government.

Mr. Speaker, I do not have to remind you that if the budget is coming down, as it is in the month of April, members have opportunities within the Estimates of the Department of Education. Indeed, they have grievance time once we move into consideration of those Estimates; there are possibly opportunities in private members' hour to address this issue; there is the debate on concurrence.

Mr. Speaker, Interim Supply, I propose to bring forward today—if not today, tomorrow—which will again afford every member of this House to ask certain questions and certainly to provide their comments and their views on this important issue.

Mr. Speaker, I cannot imagine—other than just before or during the throne speech—as to when there is greater opportunity available to all members of this House to debate this issue. I feel a little bit sorry for the members in one respect because, obviously, they sensed that there would be large numbers of people wanting to hear their protestations today, but I say to them that their performance, in my view, should be wasted and that you should rule against their request. Thank you.

### Speaker's Ruling

**Mr. Speaker:** Order, please; order, please. I would like to thank all honourable members for their

comments in offering advice on whether the motion proposed by the honourable Leader of the Second Opposition party (Mrs. Carstairs) is in order.

There are two conditions to be satisfied for this matter to proceed. First, the honourable member, in accordance with subrule 27.(1), did provide the required notice of this matter of urgent public importance. The second condition required in order for the matter of urgent public importance to be debated today, as I and many other Speakers have ruled in the past, is that there must be evidence that the ordinary opportunities for debate will not allow the matter in question to be considered soon enough, and the matter raised must be so pressing that the public interest will suffer if the issue is not debated this day. These requirements are reinforced by Citations 389 and 390 of the 6th Edition of Beauchesne's.

I am not satisfied that the public interest will suffer if the issue is not debated today. In my opinion, the honourable member does have other opportunities available to her to debate the matter. We have just had eight days of debate on the throne speech, and this particular issue could have been raised during that time.

The Minister of Finance (Mr. Manness) has informed us that he will be bringing in Interim Supply today or tomorrow, which also provides an opportunity to debate this issue.

Soon the House will be debating the budget, and again the honourable members will have opportunity to debate questions related to the adequacy of financial resources for post-secondary education.

I must rule the motion of the honourable Leader of the Second Opposition party (Mrs. Carstairs) out of order, because there are other opportunities for debate and because the public interest will not, in my opinion, suffer if the issue is not debated today.

**Mr. Kevin Lamoureux (Second Opposition House Leader):** Mr. Speaker, with respect, I have to challenge your ruling.

**Mr. Speaker:** The ruling of the Chair has been challenged.

All those in support of the Chair will please say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed will please say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion the Yeas have it.

**Mr. Lamoureux:** Mr. Speaker, call in the members. I request a recorded vote—Yeas and Nays.

**Mr. Speaker:** Call in the members.

**A STANDING VOTE** was taken, the result being as follows:

**Yeas**

Connery, Cummings, Dacquay, Derkach, Downey, Driedger, Ducharme, Enns, Ernst, Filmon, Findlay, Gilleshammer, Helwer, Laurendeau, Manness, McAlpine, McCrae, McIntosh, Mitchelson, Neufeld, Orchard, Penner, Praznik, Reimer, Render, Rose, Stefanson, Sveinson, Vodrey.

**Nays**

Alcock, Ashton, Carr, Carstairs, Cheema, Chomiak, Dewar, Doer, Edwards, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Harper, Hickes, Lamoureux, Maloway, Martindale, Plohman, Reid, Santos, Storie, Wasylycia-Leis, Wowchuk.

**Mr. Clerk (William Remnant):** Yeas 29, Nays 24.

**Mr. Speaker:** The rule of the Chair has been sustained.

\* \* \*

**Mr. Steve Ashton (Opposition House Leader):** Mr. Speaker, I move, seconded by the member for St. Johns (Ms. Wasylycia-Leis), that the House do now adjourn.

**Mr. Speaker:** Order, please. The honourable member for Thompson's motion is out of order, because the honourable member did not have possession of the floor during debate. There is actually no motion before the House.

**ORDERS OF THE DAY**

**PROPOSED RESOLUTION**

**Hon. Gary Filmon (Premier):** Mr. Speaker, I move, seconded by the honourable Minister of Rural Development (Mr. Downey) that

WHEREAS the position of Chief Electoral Officer of Manitoba has been filled on an acting basis by Richard Daniel Balasko since April 24, 1989; and

WHEREAS on March 6, 1991, in accordance with the provisions of The Elections Act, the said Richard Daniel Balasko was appointed Chief Electoral Officer of Manitoba by order of the Lieutenant-Governor in Council; and

WHEREAS, because of the role of the Chief Electoral Officer under The Elections Act, it is appropriate for the Assembly to be asked to endorse an appointment to that position.

THEREFORE BE IT RESOLVED that this Legislative Assembly endorse the appointment of Richard Daniel Balasko as Chief Electoral Officer of Manitoba.

**Motion presented.**

**Mr. Filmon:** Mr. Speaker, I am pleased to present this motion today confirming the appointment of Richard D. Balasko as Chief Electoral Officer for the Province of Manitoba.

I would be remiss, Mr. Speaker, if I did not take this opportunity to pay tribute to the former Chief Electoral Officer, the late Richard Willis. Throughout his tenure as a servant of this Assembly and as Manitoba's first full-time Chief Electoral Officer, Mr. Willis fulfilled his duties and obligations with honour and integrity. In fact, it was the leadership of Richard Willis which provided a good example for our new Chief Electoral Officer.

\* (1610)

Mr. Balasko began his career with the provincial electoral office in 1980 as Deputy Chief Electoral Officer. From 1986 to 1988, Mr. Balasko had the privilege of serving in Ottawa as Executive Assistant to the Chief Electoral Officer of Canada on a secondment through Interchange Canada before returning to Manitoba to assume his duties as Deputy Chief Electoral Officer.

In 1989, Mr. Balasko was appointed Acting Chief Electoral Officer. Mr. Balasko brings to this position a sound academic background in having obtained his Bachelor and Master of Arts degrees from the University of Manitoba, and is currently working on a doctorate in Canadian politics in international relations at Queen's University in Kingston, Ontario.

I can honestly say to all members of the House that the government believes Mr. Balasko is well qualified for the position of Chief Electoral Officer. His sound academic background combined with his practical experience has provided and will continue to provide Manitobans with an efficient,

impartial and effective electoral process of which we can all be proud.

It is notable that we were able to choose a Manitoban to fulfill this important role of serving the Legislature and indeed the people of this province. On a personal note, many members will know that his late father was an employee of the Manitoba government in the Department of Government Services and in fact the supervisor of this building.

Mr. Speaker, as the Chief Electoral Officer reports to this Assembly, my government decided that it was only fitting that the government bring forward a motion before this Assembly asking the Assembly to endorse the appointment by the government. His ascension and selection have been treated as a nonpartisan appointment, and I strongly believe that he should be confirmed as such.

While a new procedure here in Manitoba, this process of endorsement of the Chief Electoral Officer is one which is respected and observed in other provincial Legislatures and the House of Commons in Ottawa.

Mr. Speaker, the appointment of a Chief Electoral Officer and the endorsement of that appointment by members of an elected Legislative Assembly is a practical and meaningful demonstration of our commitment to the democratic principles we embrace. We are truly fortunate in this province and in this country to enjoy rights and freedoms, including the right to vote for the candidate of our choice in elections without fear of coercion or threat, a right and a privilege that is not enjoyed, regrettably, in many other areas of the world. We have only to read the papers daily to obtain examples that contrast so starkly with our province.

Mr. Speaker, this is an opportunity to remind ourselves that we must not take for granted the democratic freedoms we enjoy and the processes we have in place to protect and serve us. The motion today is more than a motion of endorsement of an appointment; it is an endorsement of our collective commitment to free democratic elections.

With that, I will conclude my remarks, Mr. Speaker, and I certainly hope that all members of the House will be able to endorse this appointment and adopt this motion today. Thank you.

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, I, too, would like to join in supporting the resolution before the Chamber in terms of the

appointment of Mr. Balasko as the Chief Electoral Officer of the Province of Manitoba.

I also would like to pay tribute to Mr. Willis who deceased a few years ago and, of course, pay our condolences to his family on his untimely death, because I think all of us in this House had a great deal of respect for his abilities and the work he did in the boundaries review that took place in the last number of years.

I, too, believe that the model that we have in Manitoba is the best model in Canada in terms of electoral boundaries. We certainly do not agree, from time to time, about the exact way the map is shaped, and we had a great deal of concern in this House recently with the last map that decreased the representation in the north, decreased the representation of rural Manitoba and in fact, by definition, redistributed seats to the city of Winnipeg.

Having said that, though, it was done by an independent body, and it was done by an independent body without any partisan ties to any political party. I think Manitobans can be proud of the record that we have had a nongerrymandered system, a system that is independent of the politicians. When we see court cases in Saskatchewan now, British Columbia previously and potentially in other provinces based on rulings that are taking place, Manitobans can be secure in the knowledge that we do have an independent process and that we do have an attempt in this Chamber and, through this resolution, a manifestation of that attempt to come to a consensus among all the parties on who will be the independent electoral officer in this province.

I, too, want to say that we have a great deal of respect for the integrity, for the abilities and skills of Mr. Balasko. Yes, his father also was a person many of us remember, his late father, a person who was, I think, the building manager of this Chamber and I think gave us probably better political advice than anywhere else in terms of what was really going on in this province. I, too, want to pass on our condolences to the Balasko family.

Mr. Balasko, of course, on his own merit, has been an excellent official of the Independent Boundaries Commission in Manitoba. He has worked in that capacity over the years; it gives him the knowledge and skill. I believe that he will be an excellent person for that position, and he will maintain the integrity, he will maintain the

independence, he will maintain that expertise that has been so crucial in Manitoba to give us what I consider to be the best electoral system in the country. Therefore, we support the resolution of the Premier (Mr. Filmon).

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** I rise on behalf of the Liberal Party to also endorse the appointment of Richard Balasko as Chief Electoral Officer of the Province of Manitoba. We tend to bandy around the word "democracy" quite lightly on occasion. Some people would have you believe that it is just majority rule, but those of us in this Chamber know, of course, always that democracy is majority rule with respect to minority rights.

We also tend to, on occasion, not treat the democratic process, in terms of elections, as seriously in our society as perhaps we should, and that is exactly the kind of reason why we need to make sure that people who work for Elections Manitoba, particularly the chief of Elections Manitoba, must be above any form of partisanship. The appointment must have the approval of all members of this Chamber, because in that way, when we face the electorate, and eventually it comes for us all yet once again, we know that the person representing us at that table does not have any political affiliations, does not have any axes to grind, does not have any vendettas to perhaps achieve or direct the process, we know that people will be enumerated on the basis of the qualifications set forward in our legislation, that people will be allowed to vote on the basis of which that voting pattern has been established.

That is why we need someone like Mr. Balasko, with his qualifications, with experience, having learned in the tradition of Richard Willis that this is the way in which elections should be conducted in the province of Manitoba. I wish him well in his new endeavour, although we know he has been ongoing for some time now, but now we have the opportunity to make it official. Let him know that every single member of this Chamber, no matter what our political affiliation, respects him as an individual, we respect the office which he holds, and that we will always look to him for guidance and support to make sure that democracy functions well in the province of Manitoba.

**Mr. Speaker:** Is it the will of the House to adopt the resolution?

**Some Honourable Members:** Agreed.

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

### MATTER OF PRIVILEGE

**Mr. Jerry Storle (Flin Flon):** Mr. Speaker, I had asked you earlier when it would be appropriate to bring up a matter of privilege, and I am wondering if I could use this opportunity.

**Mr. Speaker:** The honourable member for Flin Flon, on a matter of privilege.

**Mr. Storle:** I intend to move a matter of privilege, and I will be following my remarks by a substantive motion. A matter of privilege is a serious matter, and today a number of people have raised some concerns about the individual rights of MLAs when it comes to access to the building, when it comes to access to people and their views which are required for us to fulfill our duties as MLAs. This afternoon, I believe that my rights as an MLA have been infringed upon unduly, and my privileges as a member have been infringed upon. I want to lay before the House what I believe is a prima facie case for raising this matter of privilege.

One of the duties of any member of this Assembly, one of the rights of any member, is to be able to meet with individuals, groups of individuals as we see fit to perform our legitimate duties as critics, as members of Her Majesty's Loyal Opposition.

\* (1620)

Mr. Speaker, this afternoon I was prevented from fulfilling those duties and those obligations. At approximately two o'clock this afternoon, after I had exited the building, I encountered a group of students at the east door of this building who were part certainly of the demonstration which was occurring at the front of the building. I invited approximately 10 students to come with me to my office, not to the legislative Chamber, not to the gallery. I invited 10 students to come to my office in the Legislative Building to discuss educational matters with me as a member, as deputy Education critic, as a former Minister of Education, as a concerned citizen, as an MLA.

We were issued cards by Government Services that were supposed to guarantee members access to this building. To fulfill my obligations, I have a right. It is a matter of privilege that I can invite and discuss with individual members of the public any

matter which I believe is of concern to Manitobans. That is my right.

Mr. Speaker, this government and the Minister of Government Services (Mr. Ducharme) has in effect usurped your responsibility, Sir. He has usurped your responsibility to determine what is acceptable behaviour and what will be allowed in this Chamber and this gallery by denying access to students, to this group of individual Manitobans to this building.

Now, Mr. Speaker, he is denying my privileges as a member to have access to this building when I deem it appropriate. He is denying my privileges as a member to discuss with individual members of the public, or small groups of individuals in my office, matters of concern to the public of Manitoba. That is a breach of my privileges.

I hope we have not lost control, and you, Mr. Speaker, have not lost control of this process. This is still a democratic society. If the public of Manitoba are not allowed to this building, how can democracy function? Who is going to decide—on that side—who is allowed into the building? Who can express their opinions in a matter of a demonstration? Who is going to decide who will be coming to the Chamber? Who is going to decide how large a delegation has to show up on the front steps before they are denied access to the building? Who is going to decide how passes will be given out and on what basis? Who is going to decide what views can be expressed by having people come to this Chamber and sit in the gallery and listen to questions being asked and views being expressed?

Mr. Speaker, this is an extremely serious matter. The government seems to be heading to a system where they decide what views are legitimate and what views are not legitimate, where they decide who will have access to MLAs and who will not. They decide who will be allowed to have discussions with individual MLAs and who will not.

This card that we were given by Government Services has no purpose. The Minister of Government Services and the security guards will determine who has access to me as an individual MLA.

Mr. Speaker, I do not pretend that my history in this Chamber is very long, but I have been here a decade. That privilege has never previously been breached; that privilege has never been breached. I have argued against all of the barring of the doors and the unnecessary restraining of people to come

into this Chamber, to come into the gallery, to listen to the views that we are expressing as MLAs.

Now, Mr. Speaker, my rights as an individual member are being infringed upon unnecessarily. This must stop. Therefore, I move, seconded by the member for Thompson (Mr. Ashton), that this government immediately unbar the doors to this Legislature and allow members of the public access to this, the most important public building in our democratic society, and that the government immediately acknowledge the right and the inherent right of members of this Assembly to have access to the public in their meetings at a time of their choosing to discuss issues of their choice.

**Hon. Clayton Manness (Government House Leader):** The government takes the matter of privilege seriously. Let me, for the purpose of the House, indicate some of the other events of the day.

Mr. Speaker, I know, for instance, that the Minister of Housing and Urban Affairs (Mr. Ernst) was denied access, not by a guard, not having 10 or maybe 20 people in tow, but a very few. He was denied access to the building by three students. He could not get into the building at one of the—let us say, not at the front door.

Let me also indicate to the House, Mr. Speaker, that one demonstrator jumped through the window into my office, to the secretarial office. Some person over six feet in height came right through the window without any regard for the fear and the panic that he instilled in my secretary and my executive assistant. I would think members opposite would not condone that type of behaviour.

Mr. Speaker, I am also mindful that the member for Flin Flon (Mr. Storie), as is his right, left the Question Period in the middle portion and was not denied access to the building, politely by the guard asked to bring in two or three—not the near 20 people—that he sensed, he felt, should have a right to—no, it was a number much greater than 10. We know fully the number of people.

The guard, under the circumstances, politely indicated to the member. Naturally, he had full access as is his right to this building, but it is nobody's right, no member of this House's right, to any way put in jeopardy the security of this building. So that is what is at issue here. The member's card works, and the member's opportunity to enter the building by way of the card was not denied.



Mr. Speaker, I had occasion—

**An Honourable Member:** Who decides?

**Mr. Manness:** Well, this is a good question. The member says, who decides? Mr. Speaker, I had the occasion to be in London about a year and a half ago, and I could not obtain entry into Westminster, the mother of Parliaments. Even though I presented my credentials, I could not obtain entry into the mother of Parliaments.

\* (1630)

Mr. Speaker, no way do I want to suggest that there was potential today for significant problems, but I have also been in attendance, as you have, Sir, to the Quebec House, the Quebec Parliament, and no doubt have had an opportunity to see all the bullet holes from the past. So let us be very cautious when we are talking about security, bearing in mind, the reality of large numbers of people. Now, what is at question here is the member's right to access the House and having in tow large numbers of people, given when there is a demonstration. That is what is at question here asking you to rule.

**Point of Order**

**Mr. Storie:** Mr. Speaker, the member for Morris (Mr. Manness) continues to use "in tow." When I requested that those 10 students who were originally with me come to my office, they were not in tow—

**Mr. Speaker:** Order, please; order, please. The honourable member does not have a point of order—a dispute over the facts.

\* \* \*

**Mr. Manness:** Mr. Speaker, I almost should not even respond, but I wonder when this meeting was developed between the 20 students and the former Minister of Education. Was it yesterday? Was it a week ago, or indeed was it at exactly two o'clock this afternoon?

Mr. Speaker, let me also say the last time certain students came into the building, many of them stood on the outside of the balconies, three floors above the marble floor. Who would take responsibility in the event that there was an injury?

**Point of Order**

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, I am deeply disturbed about the activity of this Chamber, and I am disturbed because I believe that—

**An Honourable Member:** Is this a point of order?

**Mrs. Carstairs:** Yes, it is a point of order, because a matter of privilege is the most serious thing that is raised, and if we cannot treat it with respect and if we cannot listen to each other with respect, then we are in fact casting aspersions on the whole process. I think the Minister of Finance (Mr. Manness) deserves our attention. I think the member for Flin Flon (Mr. Storie) deserves our attention, but it is not a moment to debate between them.

**Mr. Speaker:** I would like to thank the honourable Leader of the Second Opposition party, and I would remind all honourable members that this is indeed a very serious matter.

\* \* \*

**Mr. Speaker:** The honourable government House leader has the floor.

**Mr. Manness:** Mr. Speaker, I will end my remarks by saying that the member does not have a matter of privilege. He may be disturbed with the fact that members of the public today were denied access to the building, but he does not have a matter of privilege. He and his access, his codified card which gives him access to the building—he was not denied access. Furthermore, Mr. Speaker, two or three people who were in his accompaniment were also invited into the building, so that the meeting that he wished to host in his office dealing with serious educational matters could be conducted.

Mr. Speaker, his privileges have not been denied.

**Mr. Kevin Lamoureux (Second Opposition House Leader):** Mr. Speaker, as pointed out, this is a very serious issue. Who is to be allowed into the building, and what number of people are allowed into the building is a very sincere question that the member for Flin Flon (Mr. Storie) has put forward to this Chamber.

If, for example, I as a member want to have a press conference of sorts and invite 15 people through the east, south, whatever door, will that be denied to me in the future? It is something that really does need to be addressed. LAMC in the past has addressed

the whole question of security. That is in part the reason why we have the doors that we do on the south, east and west side of us.

Mr. Speaker, I believe what we need to do is to put the whole issue back in your most capable hands and ask all three political parties to come onside and try and resolve this matter, so that none of the members in this Chamber, whether it is a minister, a member of the opposition or, in fact, a Conservative backbencher are denied what we value so much and that is, of course, our privileges that we gain by having electoral success.

**Mr. Steve Ashton (Opposition House Leader):** Mr. Speaker, the government House leader referred to the Parliament. I would like to read to him the procedures established by the House of Commons of Canada as outlined in Beauchesne's 131 in regard to members of the public. It relates directly to the matter of privilege raised by the member for Flin Flon (Mr. Storie). "Strangers, or to use a more customary term, the public, are permitted to go to the offices of Members on invitation, to have access to the general galleries, and may take guided tours of both parliamentary chambers, the Memorial Chamber, the Peace Tower, and the Parliamentary Library."

Mr. Speaker, earlier today we raised the matter of privilege in regard to the fact that members of the public were denied access to this Chamber, once again, a matter of privilege. This relates to another matter. Not only is this government now, through its procedures, denying members of the public access to this Chamber, but also access on invitation to offices of members of the Legislature, something that despite all the security measures that the House of Commons has—and I have been in the House of Commons, and I have seen the security measures they have—something the House of Commons has never, ever done.

Mr. Speaker, I want to reiterate that this Chamber has a role. Members of the Legislature have a role in determining the rules and operations of this building. This building is not an extension of the executive branch of government. It is a building that is very much at the heart of the parliamentary tradition; that is, a building that is a public building, has always been by tradition in Manitoba a public building and has always been open to members of the public who wish to do nothing more than meet

with their members of the Legislature and see the process of the Legislature.

What we are seeing, Mr. Speaker, is a government policy that has been superimposed by the current government on top of hundreds of years of parliamentary tradition. Just as the parliamentary system developed out of Parliament expressing its views vis-a-vis the monarchy in developing what we have today which is a constitutional monarchy in which the role of the monarch was going back to Runnymede, the Magna Carta was restricted as part of a constitutional process.

We have had hundreds of years of parliamentary tradition whereby the role of the executive branch has been recognized, but it is a role that does not supersede the role of members of the Legislature. That is the issue at heart. There cannot be a more fundamental principle of privilege, Mr. Speaker, than the roots of the very parliamentary system. It is at the very heart of what privilege is all about.

A matter of privilege is a very serious matter, and it relates to our rights as individual members of this Legislature, as a Legislature generally and by the actions of this government in restricting access, whether it be to this gallery or whether it be to the member for Flin Flon (Mr. Storie) and invited individuals or to any member of this House is absolutely unacceptable and flies in the face of hundreds of years of parliamentary tradition.

That is why this matter is urgent; it is important. We need, Mr. Speaker, and I plead with you, we need from yourself, as the representative of the parliamentary system in this province, a clear statement that there are limits to what a government, a majority government, can do, because there are rights not only of the minority in this Chamber but the public of Manitoba to full and complete access.

**Mr. Speaker:** I would like to thank all honourable members for their advice. I have heard from the three parties—(interjection)—Order, please. As I have done in the past, I have heard from the three House leaders representing the three different parties. I believe the Chair has heard enough of the argument to make a case and come back with a ruling. Therefore, I will take this matter under advisement.

\* (1640)

### Point of Order

**Mr. Ashton:** Mr. Speaker, I realize on many occasions that may indeed be the case, but a matter of privilege does relate to all members of the Legislature. I would ask that the member for Broadway (Mr. Santos) be allowed to express his views on this, because any violation of privilege, it is not a question of parties, it is a question of individual members.

The other day, the Attorney General (Mr. McCrae) rose on a matter of privilege and spoke. It has been the tradition in this House. While it may be the normal practice, and I am not questioning that, Mr. Speaker, I would ask that the member be now heard.

**Mr. Speaker:** The honourable government House leader, on the same point of order.

**Mr. Manness:** Mr. Speaker, that is why we are asking you to rule on this. If you rule in favour, then, of course, every member will be asked to present their views. I mean, we have presented our cases as to whether or not there is a matter here of privilege that should be debated by this House. If that member stands up in his place and is allowed, then every member of this House should have the same right, and then you have the debate. That is not what you have been asked to do.

**Mr. Speaker:** I would like to thank the honourable government House leader.

As I have indicated previously, I have heard from the three government House leaders representing the three parties, and I believe there is enough information now that the Chair will take this matter under advisement. As indicated also, if the matter happens to come back to the House, if it will be debated in the Chamber, the honourable member for Broadway (Mr. Santos) will have an opportunity at that time to put his remarks on the record.

\* \* \*

**Mr. Manness:** Mr. Speaker, it is my intention to enter now into the Interim Supply procedure. Unfortunately, given the lateness of the hour, whereas we had originally planned to move Condolence Motions, the Premier (Mr. Filmon) is unable to be with us for the remainder of the afternoon, therefore, I would like to indicate to you that I have a message from His Honour the Lieutenant-Governor.

**Mr. Speaker:** All stand.

### Messages

#### The Interim Appropriation Act, 1991

**Mr. Speaker:** To the Speaker of the Legislative Assembly:

I have been informed of a proposed Bill 21 which will provide interim authority to make expenditures from the Consolidated Fund effective April 1, 1991, pending approval of The Appropriation Act, 1991.

Bill 21 will also provide a portion of commitment authority and borrowing authority required for the 1991-92 fiscal year.

I recommend Bill 21 to the Legislative Assembly.

Dated at Winnipeg, this 20th day of March, 1991.

Signed by His Honour the Lieutenant-Governor, Dr. George Johnson.

**Mr. Manness:** Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that the said message be referred to the Committee of Supply.

**Motion agreed to.**

\* \* \*

**Mr. Manness:** Mr. Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that this House will, at this sitting, resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

**Motion presented.**

**Mr. Ashton:** I would like to ask which step we are on, Mr. Speaker, in terms of the process, I believe, in terms of—this is debate on motion.

**Mr. Speaker:** That was No. 6. It is a debatable motion, but it is not normally debated.

**Mr. Ashton:** Mr. Speaker, a lot of things that have been happening today are not commonly done in this Legislature, but I would like to rise on this particular matter.

I recognize and said this is rather an usual procedure here to be debating Interim Supply in this particular stage, but I wanted to indicate today that what essentially has happened is absolutely unprecedented.

I do not believe that we should simply pass into routine business, we should pass into Interim

Supply, without recognizing what a sad day this day has been really for the democratic process in Manitoba.

I say that as someone, Mr. Speaker, who has been a member of this Legislature for 10 years. I say that as someone who has been an active citizen of Manitoba. I have been on both sides. I have been in demonstrations; I have been on the receiving end of demonstrations, but I have never, until this government came to office, seen members of the public excluded in the way this government has done today.

I could not believe today when I went down fully one, two hours after Question Period and saw the front doors of this Legislature still chained. The doors of this Legislature still chained.

Mr. Speaker, what have we come to in this province? What do we have to fear from members of the public expressing their views as is their democratic right? I ask that question because the Schreyer government did not fear demonstrations. I remember—there will be some members of this House, I am sure, who will remember the Autopac controversy in which hundreds, if not thousands, of insurance agents packed this building on a daily basis. For the Minister of Finance (Mr. Manness), who is perhaps not aware of it, he should talk to some members of the Legislature from that period of time. It went on for days and yet the Schreyer government did not, by government feat, exclude members of the public from this Legislature.

Mr. Speaker, the Lyon government—I heard members across the way today make comments about rent a crowds. Certainly we know their attitude in terms of members of the public who protest, as is their democratic right, but I remember. I was part of a protest very similar to this one, but there was a big difference. The then Premier Sterling Lyon came out and met with the students on the front steps of the Legislature. He spoke to them. He invited us back into his office afterwards. We presented a petition of 10,000 names against the Conservative government, and to quote Yogi Berra, I have a sense of *deja vu* all over again.

It was a newly elected majority Conservative government that was increasing tuition fees and cutting back on grants to universities, but Sterling Lyon met with those students. Not only that, Mr. Speaker, but some of us, and I was the president-elect of the University of Manitoba

Students' Union at the time, we came and we sat in the gallery afterwards and heard the issues discussed and debated by the members of the Legislature at that time. No one—no one from the government attempted to restrict our access to the building.

What happened, Mr. Speaker? Were we a threat to the security of the building? No, we were not. We came in. We behaved with decorum. We listened to the Question Period and we left. I believe that would have happened today, if this government had not barred the doors and chained the doors, if this government, the Premier, had the common courtesy to go out and speak to the students who were here today.

He was here. He was in the building. He was sitting safely in his seat behind the chained doors. He sent the member for Lakeside (Mr. Enns) out. I do not envy the task of the member for Lakeside, but I remember a day when Premiers did not cower behind chains on the front doors of the Legislature. Even Sterling Lyon had the guts to go out and face the students and listen to their concerns and did not try and restrict their access to the building. Well, Mr. Speaker, that was Sterling Lyon.

Let us take the Howard Pawley government and look at what happened. Can anyone forget the French language controversy? How many people were in this building during that particular point of time, invited in by the Conservatives? Can anyone forget what happened? Where were the concerns then? Did the Pawley government of the day chain the doors? Did the Pawley government of the day say that only a certain number of people could be allowed in or a certain type of people could be allowed in? No. The Pawley government took its responsibilities seriously and allowed members of the public into this building, into the gallery, and they were not restricted in terms of access.

There were other controversial issues of the day, The Human Rights Act in which there were people on various different sides of that particular Act who were in this building by the 10s, by the 20s, by the 30s, by the hundreds, Mr. Speaker, but the Pawley government did not back down in terms of its position of ensuring full access.

Then there was a watermark. In 1988, a government was elected that threw away more than a century of Manitoba tradition, Mr. Speaker, of openness to members of the public. They

unilaterally, by government fiat, by decision of Executive Council, drew up proposals in regard to the security of this building that have restricted the access of members of the public. We have seen some other incidents of this in the past, although today was probably the most blatant case.

\* (1650)

There was an incident just a few weeks ago. A committee of the Legislature was sitting. There were a number of high school students who were outside on the steps of the Legislature protesting against the war in the Persian Gulf, and you know, Mr. Speaker, because security had been instructed not to let in people who had been involved in any sort of demonstration, they were denied access, but we raised this in the Legislative committee. I raised it; a number of members raised it. What did that committee decide, Mr. Speaker? That committee decided that those students, those young people who meant no harm to anyone, should be allowed to come in and observe the functioning of the committee if they so wished, and they did. They did not disrupt the proceedings of the committee. They came; they acted with decorum. They stayed; they listened. They watched the democratic process in place.

(Mr. Jack Reimer, Acting Speaker, in the Chair)

Why did the government not do that today? What does it have to fear from students protesting on the steps of the Legislature? If the Sterling Lyon government was not afraid, why is this government? If there was no—

**An Honourable Member:** Great government.

**Mr. Ashton:** Well, Mr. Acting Speaker, to the Member for Lakeside (Mr. Enns), I would not exactly describe it as a great government, but at least, on this particular issue, I will give Sterling Lyon credit. He came; he spoke to the students. He met with the students afterwards, and he acted in the democratic tradition, something this current Premier (Mr. Filmon) has completely and utterly failed to do.

I ask you, Mr. Acting Speaker, where do we proceed from here? We bar our students. Who else do we bar, other members of the public who are protesting against this government?

**An Honourable Member:** Who decides?

**Mr. Ashton:** Who decides indeed, as the Leader of the Opposition (Mr. Doer) says? Who decides who is going to be barred from the Legislature? What I

found, Mr. Acting Speaker, particularly frustrating about what happened is, when people are not denied access, they act with decorum. We have not had major problems in this House with members of the public disrupting the Legislature. We have not had problems, yet this government is now, by government fiat, saying who can attend the sitting of the Legislature in the gallery, who can be invited into this Chamber by members of the Legislature. That is indeed big brother in action, George Orwell's big brother.

That is unacceptable in terms of the parliamentary tradition. That is why, if this government feels that it can now just wash its hands of this, if it now feels that it can turn away from what has happened, the seriousness, they are wrong, because there will be other demonstrations. With this government and its policies, there will be many more angry Manitobans who will be on the steps of the Legislature, who will be denied access by this government.

I ask you, Mr. Acting Speaker—I know as a new member of this Legislature, you perhaps have not seen some of the developments before—but is that the type of Legislature that you sought election to, a Legislature that has to bar the doors to keep students, to keep young people out of this building, because it is so afraid of those students, those young people coming into this building? Is that the kind of Legislature you ran to be elected to? It was not the type of Legislature I sought election to.

Did you want to be part—and I say this to all the government members—of a government that is afraid to go and face the people of this province, that wants to cower behind chained doors in the safety of a Legislature from which they exclude those who do not agree with their policies? Is that the type of government you wish to be a part of?

When the Premier (Mr. Filmon), on election night, said, a Tory is a Tory is a Tory and a majority is a majority is a majority, is that what he meant? Is that—

**Hon. Harry Enns (Minister of Natural Resources):** Right.

**Mr. Ashton:** Well, the member for Lakeside (Mr. Enns) says, right. So if this government, Mr. Acting Speaker, has a majority, it will only listen to those it wants to listen to; it will bar everybody else from the Chamber.

I am wondering if they are going to issue a new security system now. We have these plastic cards

that we were issued which apparently can be overridden. I am wondering if they are going to require a certain type of political membership card before you can get in the building, because I have seen the snide comments they made about the students who came from all walks of life, all political persuasions to protest against this government.

They did the same in 1977. I remember in those days, Mr. Acting Speaker, they were saying how everybody on the steps of the Legislature had to be an NDPer. Well, I had news for them then. A lot of them were not politically oriented at the time, in 1977. I know many who were Conservatives at the time, but the actions of that government certainly changed them. It was something of a self-fulfilling prophecy. They see demonstrations. They see either the NDP or the Liberals orchestrating those.

The Premier (Mr. Filmon) was talking about fomenting demonstrations. Mr. Acting Speaker, the bottom line is those students were there for the same reason they were there in 1977, because when you get a majority Tory government you get cutbacks in education. You get increases in tuition fees. They were there to protest against this government.

(Mr. Speaker in the Chair)

It is not a question of their politics or anyone fomenting them. If the Premier had taken the time to go out there and talk to them, he would have seen they did not need to be fomented. They did not need to be told what they were going to do. They knew what they were going to do, Mr. Speaker. They were going to let the government know, no way, absolutely no way, were they going to accept their policies. That is democracy.

I say, particularly to the member for Lakeside (Mr. Enns)—and I do give him credit for having gone outside today on behalf of the Premier, who was cowering in this building, was cowering in his office, who was afraid to face the same type of demonstration that Sterling Lyon faced in 1977—(interjection)—The member for Lakeside was out.

Need I remind the dean of the House of the development of parliamentary tradition. Mr. Speaker, it took hundreds of years of Members of Parliament—the parliamentarians—seeking to clearly establish that we have a constitutional monarchy. I am talking developments that go right back to the Magna Carta. Do I need to go through the history at times when sovereigns thought that

they could simply arrest Members of Parliament that they did not agree with and how the whole basis of parliamentary tradition was based on the sovereign rights of parliament?

You know, Mr. Speaker, there is another item that we are dealing with here, another fundamental issue. Yes, governments are elected to govern, but they are not elected to impose their will on this Legislature.

The executive branch of government is a temporary—any executive branch of government is temporary, and those words, I have mentioned before, were used by Sterling Lyon. They do not have the right to dictate who will attend in this Chamber to view its proceedings. They do not have the right to say who can attend in this building, who can meet with members of the Legislature. They do not, Mr. Speaker, have the right to impose the tyranny of the majority of these members of the Legislature on the minority of this House. More fundamental than that, Mr. Speaker, they do not have the right to impose the tyranny of a temporary majority government on the public of Manitoba.

If indeed our privileges—we raised this earlier—were violated, the real privilege that was violated today, Mr. Speaker, was the privilege of the public of Manitoba to come to a democratic institution and watch it, something that even the House of Commons, with its strict security measures, does not do.

\* (1700)

If this government feels that it can now somehow resume interim business without this day being marked as a sad day for democracy in Manitoba, they are wrong, Mr. Speaker, because this opposition is not going to let them trample over our rights as individual members of the Legislature or the rights of the members of this public. They are going to hear continuously on matters such as this throughout this Session, that this government cannot ever throw away more than 100 years of parliamentary tradition in this Legislature by its dictated policies as a government.

**Mr. Speaker:** The hour being 5 p.m., it is time for private members' hour.

### House Business

**Mr. Manness:** Mr. Speaker, I am wondering, first of all, if there is a willingness to dispose of private

members' hour today. If there is not, I am wondering also if I might be able to read in a request for the Standing Committee on Public Accounts, give greater clarity to something I announced the other day.

**Mr. Speaker:** Is there a will to waive private members' hour?

**An Honourable Member:** No.

**Mr. Speaker:** No, okay.

**Mr. Manness:** Mr. Speaker, today, I tabled Volume 3 of 1988-89 Public Accounts and Volumes 1, 2 and 3 of 1989-90 Public Accounts. I am wondering if there would be leave to—or let me announce that I am referring them to the Standing Committee of Public Accounts to deal with them at the determined meeting time, April 4 at 10 a.m.

**Mr. Speaker:** I would like to thank the honourable government House leader.

### Committee Changes

**Mr. Lamoureux:** I would like to make a committee change. I move, seconded by the member for Crescentwood (Mr. Carr), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Crescentwood for St. James (Mr. Edwards).

**Mr. Speaker:** I would like to thank the honourable member for Inkster. Agreed? Agreed.

**Mr. George Hickes (Point Douglas):** Moved by the member for Point Douglas, seconded by the member for Flin Flon (Mr. Storie), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: The member for Elmwood (Mr. Maloway) for the member for Selkirk (Mr. Dewar); the member for Brandon East (Mr. Leonard Evans) for the member for Interlake (Mr. Clif Evans).

**Mr. Speaker:** I would like to thank the honourable member for Point Douglas. Agreed? Agreed and so ordered.

## PRIVATE MEMBERS' BUSINESS

### PROPOSED RESOLUTIONS

#### Res. 1—Energy Conservation

**Mr. James Carr (Crescentwood):** I move, seconded by the member for River Heights (Mrs. Carstairs),

WHEREAS Canada has one of the highest per capita energy consumption rates in the world; and

WHEREAS Manitoba Hydro is constructing the Conawapa hydro-electric dam to meet future Manitoba demands for electricity; and

WHEREAS Manitoba Hydro has set a construction goal of 1,300 megawatts, costing \$5.7 billion, for a unit cost of \$4.38 million per MW produced and a conservation goal of 100 MW with cost undetermined; and

WHEREAS Ontario Hydro has initiated the Power Saver program with a goal of 2,000 megawatts and a budget of \$3 billion for a unit cost of \$1.5 million per MW conserved; and

WHEREAS it is cheaper to produce power through conservation than through constructing new sources; and

WHEREAS the spin-off economic and employment benefits for money spent on conservation surpasses the benefits produced from an equal spending on hydro construction; and

WHEREAS British Columbia Hydro has initiated the Power Smart program with a goal of conserving 2,800 gigawatt hours of electricity, representing enough power to operate the city of Victoria for one year; and

WHEREAS Power Smart programs saved B.C. Hydro 68 gigawatt hours, or enough to power 6,800 homes for one year, in its first year of operation; and

WHEREAS both Power Smart and Power Saver utilize incentives to promote energy conservation; and

WHEREAS co-generation is another option being utilized by many North American utilities to minimize capital costs and keep consumer rates low.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba recommend to the government that it consider instructing Manitoba Hydro to set a conservation target in line with the percentage reduction Ontario Hydro has been mandated to achieve; and

BE IT FURTHER RESOLVED that this Assembly recommend to the government that it consider instructing Manitoba Hydro to compile a list of energy efficient brands of consumer and industrial products utilizing electricity and publish that list so the Manitoba consumers will know the most energy efficient products to purchase; and

BE IT FURTHER RESOLVED that this Assembly recommend to the government that it consider purchasing only items from the energy efficient list; and

BE IT FURTHER RESOLVED that this Assembly recommend to the government that it consider expanding efforts to develop co-generation opportunities.

**Motion presented.**

**Mr. Carr:** Mr. Speaker, it is under our system by the luck of the draw that this resolution is first up, and I am glad it is. I wish, though, that it would have happened on a day when there was a better feeling in this Chamber, because I think we have a resolution here that could well be supported by all three parties.

If I can remember back to a committee studying Manitoba Hydro, there certainly was a willingness among all three parties to do better than we have done in the past. Mr. Speaker, that is not difficult to do, because our performance in the whole field of energy conservation has been abysmal, one of the worst in the entire country.

While we were listening to members of the New Democratic Party talk about energy conservation during the Hydro committee, we realized while listening to those arguments, that between 1981 and 1988, when the New Democrats were in power, the energy targets for Manitoba Hydro were zero, not 1 percent, not 2 percent, not 6 percent that we have in utilities across the country, but a big fat zero.

At the same time, other jurisdictions in Ontario, and particularly in British Columbia, there was a rekindled awareness that we have to break out of this mold of building, building, with the effects that construction has on the environment, the expense of those construction projects to taxpayers. Rather, there is a whole new understanding that energy conservation makes sense and also the search for alternate sources of energy, and this is something that should not come as a surprise to us.

Why were we ignoring the cries for conservation in the early 1970s? Why is it that it has taken 17, 18 years for Manitobans to understand that this is a problem that is not going to go away? It is a problem that is really only going to increase over time. As I say, our record has not been very good either in the search for alternate sources of energy or in conserving the energy that we have.

Let us look for a moment at what is done elsewhere, taking B.C. Power Smart program for an example. Mr. Speaker, before the B.C. Power Smart program was introduced, 12 percent of all refrigerators that were sold in that province were high efficiency. Two years later—

**Hon. Donald Orchard (Minister of Health):** How many?

**Mr. Carr:** The Minister of Health (Mr. Orchard) is curious and wants to know and is welcome to come into the debate to give us some of his wisdom. After the B.C. Smart program was introduced, 80 percent of all new refrigerators were of high efficiency. That is because the B.C. hydro utility took it as a major priority to advertise widely through the province the benefits of conserving hydro-electric power.

They did so with corporate leaders, with union leaders, with members of government. There was truly a sense in that province that it was in everybody's interests to do what they could to conserve electricity. What have we done here? Very little. What use have we made of Canadian produced high-efficiency light bulbs, for example? Almost nothing.

**Mr. Orchard:** Twenty bucks a pop.

**Mr. Carr:** Well, the Minister of Health says, 20 bucks a pop. Does he know that some utilities are even giving away high-efficiency light bulbs in order to conserve energy which is going to save the taxpayer in the long run in California with Pacific Gas and Electric, to be specific to the Minister of Health.

There are lots of positive ways this can happen. We like to sit and criticize, and it is easy in opposition to do that, but what we would like to do through this resolution, Mr. Speaker, is to provide ways for all members of this Chamber—not only through their individual action, but through the political will of all three parties in the Chamber—to save the taxpayer money in the long run and to save on the environmental cost.

Do you know, Mr. Speaker, that incandescent bulbs use about 12 times the hydro-electric energy as the high-efficiency bulbs use? Yet we are not expanding the program; we are not encouraging this kind of use. Why are we not? Instead we have the mentality of build, build, build. Now we are building a \$5.7 billion project called Conawapa in northern Manitoba. When the Public Utilities Board and others reviewed the reason for the construction



and what Manitoba's energy needs were going to be in the year 2000 and beyond, they gave no credit to Manitoba Hydro for conserving energy because they had no track record.

All that the Public Utilities Board could say was to throw up its hands and say, well, yeah, I guess we will have to build another power dam because we are not very good at conserving energy, are we? There was no track record that gave the Public Utilities Board or any other observer any confidence that we could actually achieve our energy needs through any other way except to build, build, build.

What are the costs of building, Mr. Speaker, beyond the \$5.7 billion? Let us look at the track record of Manitoba Hydro over the last 25 or 30 years. How about when the Grand Rapids station was built? What did Manitoba Hydro anticipate the cost would be to pay those people who were dislocated or whose lands were flooded or whose way of life was changed? How about the Lake Winnipeg regulation and the Northern Flood committee's demands now in Manitoba Hydro? How much did Manitoba Hydro expect to pay out to northern native bands as a result of flooding? A very few million of dollars in the case of the Northern Flood committee and zero—the goose egg is back again in the case of Grand Rapids.

Yet we hear—and the Minister of Native Affairs (Mr. Downey) is boastful when he speaks of the settlements—that now the Grand Rapids' settlement is upwards of \$22 million, \$23 million, and by the time all is said and done, the Northern Flood committee payouts will be in the hundreds of millions of dollars, none of which was foreseen by Manitoba Hydro when the original plans were in place. We ask the question, and rightly so, what will the costs be of this Conawapa project? What will the costs be to the environment? What will the costs be to those whose lands are dislocated?

\* (1710)

(Mrs. Louise Dacquay, Deputy Speaker, in the Chair)

We know that there is not as much of a flooding problem with Conawapa as there was with other dams that proceeded it, but we are going into virgin territory on the eastside of the lakes. We are building Bipole III that is going to extend right from northern Manitoba to the south and then east to the Ontario border. Do we have any idea what the effects will be on wildlife, on habitat, on migration patterns, and on

the environment itself? No, we do not, but what do we do, Madam Deputy Speaker?

In spite of the fact that we have no clear idea of what the costs are going to be, we are already spending somewhere between \$100 million and \$150 million before we get the environmental review process completed. The contract itself with Ontario Hydro dating back to January 1, 1991, has a schedule of penalties in it which by the end of the year could be \$100 million if for any reason we have to back out of the project. Have we not learned our lessons from the court judgments in Saskatchewan over Rafferty-Alameda where the judge said well, we have spent so much money already how can we possibly back out now.

Why is it that we cannot come to terms with the past and learn from the past in order to better advance the cause for all of Manitobans in the future? Well, it has been pretty difficult, and there is the social impact as well to the construction of these dams. It involves the flooding of trapping lands, the destruction of local fisheries, which is one of the major if not the major food source for northern peoples, the creation of feast and famine scenarios, large number of construction jobs that come and go.

We are looking backwards, Madam Deputy Speaker, we are not looking forwards. It is time that we began to learn the lessons. The first lesson is to try to make it known to Manitobans that we are encouraging the use of energy efficient electric motors, of energy efficient appliances, of energy efficient electric generators. If the government, not only through the promotion of the wisdom of these ideas, but through its own use, gives preferential treatment in its own buying practices through the Minister of Government Services (Mr. Ducharme) so that it can say to the people of Manitoba not only are we asking you to do something, but we are leading through example. The example can be proven through the use of these high efficiency motors, generators, appliances, et cetera. The government has a key role to play because the government has within its authority the ability to persuade and to lead Manitobans through individual action. We hope that the Minister of Energy (Mr. Neufeld) will follow that good advice.

How about the search for alternate sources of energy to reduce our reliance on fossil fuels and on hydro electric power? I can remember very well

during the Estimates process, I asked the Minister of Energy if he would not mind telling us what his department is doing in the search for alternate sources of energy. Well, the response, I am afraid, was not very encouraging. He was slipped notes by his officials and reading right from the notes, and yes, we are involved in this, and we are involved in that. There was no sense that the minister had as his priority, as minister of the department, any sense of where he wanted to go.

How about the whole question of co-generation? How about the issue of solar power in the province that has as much sunshine as any other place in the country? How about the issue of searching for alternate sources of energy as part of a global strategy announced by this minister and this government that looks towards the future and not back to the darkness of the past?

This is the kind of resolution—and there are not very many admittedly, Madam Deputy Speaker, that can easily have the support of all three parties. I think that the logic, you should be persuasive, for members of all sides of the House, that enough excuses, it is time to act together as legislators in the interests of taxpayers and the users of energy, that the time to deny the good sense of the search for alternate sources of energy and conserving the energy that we have has come, and the time is now, and I encourage all members of the House to support this resolution.

Thank you, Madam Deputy Speaker.

**Mr. Orchard:** Madam Deputy Speaker, I always like to participate in a debate that is initiated by my honourable friend, the deputy leader of the second opposition party.

You know we have had this debate in the recent hydro committee meetings where we got into discussions about, what is government's legitimate role in terms of promoting energy conservation. I guess when you are maybe of the political philosophy of my honourable friend government is the only source of initiative, because no other source of initiative was mentioned by my honourable friend. His whole initiative here was how government ought to take leadership through the Crown corporation and through themselves to make people save money on their electric bill, which is an interesting concept.

I guess when you have a vision that government has all the answers—not an uncommon vision that

my honourable friend, the deputy leader of the second opposition party, shares in common with members of the official opposition party, because they likewise believe all solutions that are worthy must come from government, and that is an interesting philosophy. I do not share it. I believe that individual choice of consumers will do a lot more to stop the waste of energy that my honourable friend alludes to, that will bring to bear the kind of forces on government and decision makers, if governments are the decision makers in energy supply, to make governments more responsible in their decisions.

One of the key ingredients to individual decision making is the exercise of the marketplace. My honourable friend never, never, never once—because I guess it is foreign to current Liberal philosophy to talk about the effect of the marketplace. I remind him that 20 years ago—well, nearly 20 years ago. It was about 18 years ago when we went through a rather significant price increase in oil, not because there was a shortage of oil in the world but rather because there was price collusion between major producing countries, and within five to seven short years, the amount of energy we consumed as fossil fuel, gasoline, diesel fuel, CNG compressed natural gas or propane changed very, very significantly. We dropped our energy consumption not because we did not like driving our big old gas guzzlers, possibly, as North Americans or anybody else or Europeans, but because we could not afford to. The exercise of the marketplace made us choose vehicles and automobiles which were more fuel efficient. The marketplace will always help make those decisions and probably be the greatest driving factor to conservation decisions.

\* (1720)

My honourable friend, of course, did not acknowledge that, and I do not know why. He talked about these energy-efficient light bulbs. Well, I want to tell you, in my operation of the farm and my home I have reduced very, very significantly both my consumption of fossil fuels and my consumption of electricity. I have been driven by economics in both instances.

I have approached minimum till farming practices to save fossil fuel energy because I cannot afford in today's agricultural environment to farm like I did 10 short years ago. That has conserved energy and dollars in my operating budget on the farm. I have

used wood as my major source of heat energy for the last 17 years at home not because I particularly enjoy burning wood, but because the economics of purchasing—

**An Honourable Member:** You are not a very good tree cutter either.

**Mr. Orchard:** Well, I need practise in that, yes, but because the price of energy under the development plans that my honourable friend alluded to under the previous Schreyer administration drove the price of electricity through the roof, and I could not afford to buy it in the projections that were given to me in 1973, and I switched to wood as a source of energy.

I am very price conscious. I try to contain my costs of energy consumption at every step of the way. I drive a clunky diesel car which is a significantly more fuel-efficient vehicle than the same year gasoline engine.

Now, my honourable friend mentions energy-efficient light bulbs. Interesting concept, and I am intrigued that California utilities provide them gratis free to their customers, because I saw those in one of the supermarkets in the city of Winnipeg just about three weeks ago. I cannot remember the price, but it was equivalent to a 40-watt light output, and it was either \$20 or \$30 per bulb. They were guaranteed a 10,000 life. They were going to consume the amount of electricity, I believe, of a 10-watt incandescent and create 40 watts of illumination.

I did the quick little calculation and with about 35 light bulbs in the house, I had to come up with a \$1000 to save maybe \$5 a month on my electric bill, and the economics did not work out. My honourable friend says what about the marketplace from his seat, not from his remarks, and I agree. The moment that those energy efficient light bulbs—and maybe they are tariff protected in Canada. I do not know what is driving the price up. No one can afford them right now. Let us be very, very honest, they will not become part of the average Manitoban's purchase group of goods until the price comes down on them. If the price does not come down on them they will not be used, because there will not be an economic relationship to the price of the bulb purchase versus the electricity saved.

Again, I get down to point out to my honourable friend that the marketplace is the greatest rationer of energy that has ever been devised—not

government by mandate and dictate, not even government by example.

My honourable friend made one interesting comment and it reminded me of this, in his remarks, about the record of the previous administration, the newly found green party under the leadership of the member for Concordia (Mr. Doer). My honourable friend, the member for Portage la Prairie (Mr. Connery), is rather observant, and he has come to the conclusion, with action speaking louder than words with the new found green party movement within the NDP—that green is probably the colour of algae in the polluted lakes we inherited from them. That is the only green they believe in.

Records would show—and I do not have the time to research it, but should one take the time to go through the Schreyer years of direction in hydro-electric development in the province of Manitoba from 1969 to 1977, and, worse yet, to take the record of many of the current members of the New Democratic Party here that sat with the Pawley administration and examine their directives, their initiatives in the development that they mandated through Manitoba Hydro, you would find in fact that they curtailed by deliberate policy of the cabinet efforts of energy conservation. They advanced construction for job creation, not to meet market needs for electricity, simply to create economic development to force-feed economic activity in the province of Manitoba and not to serve any market goal, only the narrowed electoral goals of having a temporarily buoyed provincial economy resulting from the construction of such initiatives as the Limestone hydro Generating Station.

Should one have the time, it would make an interesting exercise to go through some of the minutes of the energy authority, in Manitoba Hydro, and some of the directives emanating from Ministers of Energy in the Pawley administration, and prior to that in the Schreyer administration, to find out how they in fact discouraged any efforts at conservation as government policy. Their goal was to create as much demand for electricity as they could so they could continue to build hydro dams on the Nelson River to try and win elections with that kind of a development process.

I simply say to you that the only time a reasoned decision on that development course was made by the New Democratic government of Edward Schreyer was, I believe, in the latter part of August

1977, wherein the Manitoba Hydro Board under the direction of the then Schreyer government in the midst of an election campaign, unannounced to the people of Manitoba, halted construction on the Limestone Generating Station after investment of \$100 million in the cofferdams.

What my honourable friends then did in the opposition from 1977 to 1981 is persist in misleading the people of Manitoba that the hydro project, Limestone, had been stopped by the incoming government. That was the typical dishonest approach that we saw from '77 to '81 from the New Democrats. The same dishonest approach that my honourable friends used today in discussion of MTX. It is all in the minutes of the Crown corporations, but yet you could go and research statements by the member for Flin Flon (Mr. Storie) and others which would say that the Conservative government of Sterling Lyon cancelled the Limestone Generating Station.

Yet another misleading and false, narrowed, politically opportunistic statement by New Democrats, who do not have any policy for the future, any hope for the future, any constructive alternative to good government policy, only the manipulation of information, the misrepresentation of fact and the despicable abuse of privilege in this Chamber when they come with incorrect, inaccurate and unsubstantiated information and pose it as fact.

I have often said to my honourable friend, the Leader of the New Democratic Party, the member for Concordia (Mr. Doer), that he ought to try from time to time a little bit of honesty when he comes to this session and to this House and to this Chamber with information. I do not know how many times in the last six months alone that he has made a glib 30-second television-tailored clip which has given him, I will fully admit, his desired effect of being on television, posing to have the answers or his headline in one of the newspapers, only to apologize that same afternoon or the next day for not having his facts straight.

It is a perennial problem that we have with him. I have cautioned him that that will not get him to be the Premier of the Province of Manitoba. That is where I found the whole debate around energy conservation at last year's Manitoba Hydro Annual Report debate to be so hypocritical. To have the New Democratic Party—and I will admit they did set up a new member to do it unfortunately—but to be

so hypocritical to come here, to come to that committee meeting with this mandated agenda, new found approach of green environmentally friendly policy, and say that Manitoba Hydro ought to establish, without any background information, research analysis as to whether the goal is achievable, but to mandate from opposition so many megawatts of energy conservation savings by the year 2000 when their record in government was to do exactly the opposite.

That is the kind of hypocrisy that we are going to see from the New Democratic Party daily, if not hourly, in this Chamber as we approach different issues. Always from opposition, the answer that they never brought forward when they had the opportunity in government, narrow opportunism, really incredibly dishonest public policy pronouncements and typical of the style of the Leader of the New Democratic Party, the member for Concordia. Designed only to get the 30-second television clip, or voice clip on radio or the headline in the newspaper, but not designed to help Manitobans achieve anything positive and for their own good. An entire 180-degree approach from what they did in government to what they propose in opposition.

\* (1730)

My honourable friend, and I have some respect for my MLA when I live in the city, the member for Broadway (Mr. Santos), because from time to time he does stand up and urge honesty and integrity in this House. I wish he would only attend caucus and give the same message to his leader, who so seldom takes that advice in his public pronouncements and what he says to the people of Manitoba and some of the information he presents in backgrounding his questions. Because my honourable friend, the member for Broadway I think genuinely believes that when we are elected here we ought to be consistent, we ought to be honest, and we ought to be direct with the people of Manitoba, and not try to be something that we are not—

**Madam Deputy Speaker:** I would like to draw to the attention of the honourable Minister of Health (Mr. Orchard) that his time has expired.

**Mr. Orchard:** If I had leave, Madam Deputy Speaker.

**Madam Deputy Speaker:** Does the honourable Minister of Health have leave? Leave has been denied.

**Mr. Jerry Storie (Flin Flon):** Madam Deputy Speaker, it is always a pleasure to listen my colleague from Pembina, because when the member speaks of hypocrisy, he knows what of he speaks, because the member for Pembina, and I had to chuckle a little bit talking about the dishonesty of the loyal opposition from 1977 to 1981 he was talking about the suggestion that the Sterling Lyon Conservative government had stopped the Limestone construction, which we all know they did. What was more interesting was when I raised the issue of MTX, the Minister of Health did not acknowledge that in 1981 he had written a letter to the federal government urging—

#### Point of Order

**Hon. Harry Enns (Minister of Natural Resources):** Madam Deputy Speaker, when a member deliberately puts a falsehood on the record, which this member just did, after having been apprised of the history, and when the documents exist in the minute form of the energy authority of the then Manitoba Hydro Board meetings that clearly establish that Limestone, after about \$100 million of start-up construction was indeed stopped on or about August 27, 1977, by the then Schreyer administration, I object to the honourable member at this late date still perpetuating that myth that they so successfully perpetuated during the Lyon administration. He ought not to be able to do that, and let the record show that there are at least some in this House who still remember what in fact occurred in August of '77.

**Madam Deputy Speaker:** Order, please. The honourable Minister of Natural Resources (Mr. Enns) did not have a point of order. It was a dispute over fact. I would caution all honourable members in this House to use some discretion in the words that they enter on record. Some unparliamentary language was used.

**Mr. Storie:** Madam Deputy Speaker, the Minister of Natural Resources (Mr. Enns) knows that it is unparliamentary to talk about deliberately misleading or falsifying the record and I would recommend that he not do that.

**Madam Deputy Speaker:** Order, please. I would caution the honourable Member for Flin Flon (Mr. Storie) to also use discretion in putting unparliamentary words on the record.

**Mr. Storie:** I will certainly follow your good advice.

\* \* \*

**Mr. Storie:** Madam Deputy Speaker, I have to say I admire the speech from the member for Pembina (Mr. Orchard), although I disagreed with virtually everything he said. The fact is that the member for Pembina, in his remarks, I think, misses very much the point of this resolution, misses very much the point of energy conservation strategies, whether it is with respect to Manitoba Hydro or an individual's energy conservation strategy.

The minister suggests somehow that only the marketplace should determine what the government or Crown corporations should do with respect to energy conservation. If there is anything that is more naive and more reminiscent of old thinking, I cannot think of anything he could have said that would have led me to believe that he is out of date more specifically.

The fact of the matter is that governments generally, Crown corporations specifically, have an obligation and certainly an opportunity to do a lot more when it comes to energy conservation. To simply suggest that we have to wait until the consumer is ready, whether it is the consumer of Manitoba Hydro products or the consumer of Westinghouse product or any other product, that we have to wait until the consumer and market forces determine what should or should not happen, is one of the reasons the world is in such a mess right now.

The fact is that the ozone layer is being depleted right now, as we speak, because market forces do not dictate that people quit using products which are depleting the ozone layer.

Governments have an obligation to ensure that that kind of environmental protection is part of our legislative agenda. That is the fact of the matter, and this government has no further to look than its own legislative agenda to know that there is hypocrisy throughout the Department of Environment and this government's environmental agenda.

The member for Pembina (Mr. Orchard) should know that this government passed, in 1989, a piece of legislation called the WRAP legislation which gives the government authority to adjust the marketplace so that products that are environmentally harmful, environmentally damaging, difficult to dispose of would become less attractive in the marketplace. They have a very legitimate role to play in determining market forces.

They can do that by regulation and by legislation. They, in their pronouncements, when this legislation was introduced, said they were prepared to do that.

I challenged the Minister responsible for the Environment when he introduced that piece of legislation. I said, they do not have the guts. It is quite apparent now, from listening to the Minister of Health (Mr. Orchard), that they do not have the intellectual ability to understand the issue. The Member for Pembina (Mr. Orchard) continues to want to talk about market forces, seemingly neglecting the fact that the government can very easily determine what is affordable, what is deemed more appropriate in the marketplace, by adjusting its regulation, its legislation, to make that a fact. The government has an obligation to play a leadership role in energy conservation and in many other environmental areas.

Madam Deputy Speaker, I also want to correct the record when it comes to the activities, I guess, of the previous government, and if I sound a bit defensive, it is perhaps because I am. First, I would be willing to acknowledge that, when it came to enforcing an energy conservation strategy on Manitoba Hydro, we fell far short of a mark that I think was set in the 1980s, that we should have done more, but let us not forget that, during our tenure in government, we were involved in energy conservation programs in the home, in the business place and in the community facilities across the province. There were energy audits available at no charge to businesses, community facilities and hospitals.

There were millions and millions of dollars of provincial and federal grants offered to groups and facilities throughout the province to save energy, so it would be misleading for the Minister of Health (Mr. Orchard) to say that, in fact, the government did nothing. If he wants to argue that we did not do enough, that our strategy was not farsighted enough, then he has a legitimate point to make. I would be the first to acknowledge that, and certainly when I became Minister responsible for Manitoba, one of the first things I did was meet with the Manitoba Hydro Board and ask them about an energy conservation strategy and when we would move in for the 1980s and develop such a strategy.

\* (1740)

Madam Deputy Speaker, I think it is important, but I want to now talk about this resolution, the resolution presented by the member for

Crescentwood (Mr. Carr). The member for Crescentwood and I have had differences of opinion on a number of topics, and I want to commend him, first of all, for introducing this resolution, because I think it has significant merit. I want to say that the BE IT RESOLVED portion, the actual meat of this resolution, deserves some consideration by the Legislature. The member knows that, when Manitoba Hydro appeared before the standing committee some months ago now, our party did propose a resolution which would have given Manitoba Hydro a more specific target in which it could, I guess, evaluate whether it was meeting a realistic energy conservation objective, a realistic one, but that in and of itself is not the entire answer.

The member for Pembina (Mr. Orchard) has a point when he talks about, an energy conservation strategy will only work to the extent that (a) it is sustainable, (b) the marketplace in some sense can stand or can accept the initiative, and finally, whether it makes any sense to the utility. Clearly, that is one of the things that Manitoba Hydro has not come to grips with, an ability to evaluate what, in effect, a least-cost alternative really means to their bottom line. They have simply not come to grips with, I guess, the new reality that in fact energy conservation can be a legitimate strategy for minimizing costs over the long run. When we are talking about costs, we are also talking about capital costs of the construction of major projects.

Madam Deputy Speaker, what I want to suggest is that it is important that we separate the issue of conservation from the issue of hydro development because the two are not necessarily linked. The fact is that energy conservation—including our recommendation that Manitoba Hydro attempt to achieve a 6 percent conservation objective—is, in and of itself, a separate policy that Manitoba Hydro can pursue. A six percent conservation simply means that at the end of a fixed period of time, if we can achieve sustained energy conservation, Manitoba Hydro will have at its disposal an extra 500 megawatts of power that it can then turn into profit for Manitoba Hydro by exporting it.

I say it is imperative that we achieve sustained energy conservation levels, because that is the only way you can actually turn that power into a profitable export for Manitoba Hydro. Otherwise, you have to export it as a spot power on the spot-power market or on the interruptible power market which is not as profitable—in fact, is not profitable at all in Manitoba

Hydro's terms at the present time—as firm power sale. Conservation can be pursued as an independent policy.

The second question of the construction of another hydro project, in this case, Conawapa, deserves to be considered on its own merits. Those merits include: (a) Will it in fact be profitable for the Province of Manitoba? (b) Can it be done in a profitable way whereby we still meet our environmental responsibilities? Can it be done in an environmentally responsible way, and can it be done in such a way that the questions of mitigation and compensation for individuals who might be affected are also covered?

They are two separate, independent questions. If the answer to the question of whether it can be done responsibly, environmentally and otherwise—then we have to proceed on that basis. I remind members of this Chamber and members of the Liberal Party in particular that the effective and responsible use of our resources, including our water resources and our potential to generate hydro-electric power, is one of the only sources that the government of Manitoba and the people of Manitoba have at their disposal to create additional wealth for the province of Manitoba.

(Mr. Speaker in the Chair)

We stand in this Chamber all the time and argue and beg sometimes for additional support to health and education and so forth. If we turn down an opportunity to develop hydro-electricity which can be profitable and environmentally responsible, then we are missing an opportunity to create wealth for the province to do the things that we said we wanted to do.

Many people in this province over the last several generations have believed that our water resources and particularly our hydro-generating capacity can be a source of wealth, that it can be Manitoba's oil, if you will, the only difference being that it is a renewable resource. If it can be developed—and I still use the conditional words, if it can be developed—in a responsible way, an environmentally responsible way, in a way that protects the interests of those who have pre-existing rights—and I acknowledge that is the case—then I say we should also consider that separately and independently from the question of whether we should be pursuing a conservation strategy.

There is nothing, absolutely nothing, in either of those questions that makes them dependent upon each other, nothing. They are mutually exclusive questions, and they should be considered in that way.

Now, Mr. Speaker, the particular resolution before us, I think, asks us to do some quite responsible things. I would be the first to acknowledge that, to date, the present government and the direction that they have given Manitoba Hydro is not clear enough and, to this point, would not achieve these objectives. I believe we should be giving Manitoba Hydro clearer instructions. They should be implementing a more conservationally responsible program, and we have already suggested to Manitoba Hydro that they do that.

I do not believe that this resolution need or should involve the question of hydro development in discussing an energy conservation strategy. Thank you, Mr. Speaker.

**Hon. Harold Neufeld (Minister of Energy and Mines):** Mr. Speaker, I will deal first with some of the comments made by the member for Flin Flon (Mr. Storie). He speaks loud and long about the strategy of the present Conservative government of Manitoba and their strategy for energy conservation.

Manitoba Hydro has budgeted \$115 million for the next 10 years on hydro conservation. Manitoba Hydro is negotiating with the B.C. Hydro at the present time to buy into their Power Smart program, as has been suggested by the member for Crescentwood (Mr. Carr) in his resolution.

Mr. Speaker, conservation has to be paid for, and it can only be paid for by the present consumers of Manitoba Hydro. With Limestone finished, we will have approximately 5,000 megawatts of power to sell in Manitoba. If the entire 5,000 megawatts is sold and we conserve 500 megawatts, that means the existing customers will have to pay more.

It has been said that Manitoba Hydro should subsidize the purchase of energy-efficient light bulbs. It has been said that Manitoba Hydro should subsidize the energy-efficient appliances purchased by Manitoba Hydro consumers. They should subsidize the motors that are more energy efficient. I have been told that the cost of the programs that have been put forward by the conservationists will come to somewhere between \$2 billion and \$3 billion, at the end of which we still

have 5,000 megawatts of power to sell, so those 5,000 megawatts of power have to be sold for the present price plus \$2 billion to \$3 billion.

\* (1750)

We have to consider the cost of conservation. My colleague, the Minister of Health (Mr. Orchard), has indicated that the only real conservationist tactic is price, and I believe that. We did not concern ourselves with the cost of gasoline until the cost of gasoline went up. We purchased and operated gas-guzzling vehicles in North America until the cost of gasoline went up.

I do believe that this is the same thing that is going to happen in hydro-electric power. When the cost becomes prohibitive, people will look toward energy-saving appliances, toward energy-saving light bulbs and toward energy-saving motors.

Mr. Speaker, that is not to say that Manitoba Hydro should not now acquaint the consumers of electricity in Manitoba of ways in which they might conserve. It is in this area that I think they must direct their attention, direct their energies and direct their costs.

They must research and they must advise the consumers of Manitoba Hydro of the areas in which they might conserve. They must advise their customers of appliances they might buy that are energy efficient. I was in the United States very recently. There were markers on the refrigerators in the stores that indicated the amount of energy consumed by those appliances, and I do believe that may be a direction in which we might go. Indeed Manitoba Hydro is suggesting that we should do that.

Mr. Speaker, the member for Flin Flon (Mr. Storie) spoke about the Limestone Generating Station which was initiated by the Schreyer government, stopped by the Schreyer government and brought back into production by the Schreyer government. They told us incidentally that it was being built, and it would earn income for the Manitoba consumers or for the Manitoba government, and we would have our own Heritage Fund from the profits of the sale to Northern States Power.

They signed an agreement with Northern States Power to sell electricity to that company for 80 percent of their avoided costs. I cannot imagine, Mr. Speaker, what person, what industry, what company could sell or would enter into an

agreement to sell its product for the avoided costs of its customer. You must sell your product at your cost of production plus a margin of profit or else you are not going to be in business very long.

Furthermore, today in Limestone there are three generators that are operating. The sale will not start until 1993. By the time all the generators are working in Limestone, we will still have at least a year or maybe 15 months before any sale is made to Northern States Power at a fixed rate that is somewhat less than what it should be.

In the meantime, all sales are at spot prices or interruptible prices that are somewhat less than the average Manitoba residential consumer pays. Indeed it is approximately the same amount as the Manitoba industrial consumer pays. So if you consider the interest on \$1.6 billion being the cost of Limestone for approximately 15 months and the amortization of the capital costs that Hydro will have to absorb on the cost of \$1.6 million for approximately 15 months, you can see the cost that Hydro will have to take into its statements in the next year or two. Mr. Speaker, the PUB—

**Mr. Speaker:** Order, please. The honourable member for Flin Flon (Mr. Storie), and the honourable Minister of Health (Mr. Orchard) have already had an opportunity to put their remarks on the record. At this time the honourable Minister of Energy and Mines has the floor.

**Mr. Neufeld:** Mr. Speaker, Manitoba Hydro applied to the Public Utilities Board for a rate increase of 4.5 percent in each of the next three years including this year. The Public Utilities Board today came down with a decision of a 3.5 percent increase for one year. This means that there will not be the sufficient amount of monies, if any, that will be transferred to Manitoba Hydro's reserve and Manitoba Hydro's reserve is precious slow right now. It is not near enough to finance the construction and maintenance of its present power stations.

Mr. Speaker, Manitoba Hydro's debt to equity ratio is approximately—it is under 5 to 95. In contrast, Quebec Hydro is somewhere around 70-30. You can see that with the additional interest that Manitoba Hydro customers have to absorb, there is precious little room for spending on anything else except the generation of electricity.

Manitoba Hydro is conscious of its role in energy conservation. Manitoba Hydro, as I have said, has budgeted \$115 million for the next 10 years in order



to enter into a program. They got into it late, that is right, that is true, but they got into it late because of the former government not having the foresight that conservation is as necessary as the construction of new generating stations. That is no longer the case, Mr. Speaker. We have to be realistic.

If we enter into a conservation program and instruct Manitoba Hydro not to enter into a construction program that means that we must, by the year 2000, conserve enough energy to enable us to keep the lights on without a new generating station. Mr. Speaker, if in the year 2000 you turn on your light switch and nothing happens you are going to complain to government, and you are going to complain to Manitoba Hydro. We have to make certain that in the year 2000 there will be electricity for the consumers and customers of Manitoba Hydro, and we will have that if we build the generation station at Conawapa.

It is important that Manitoba Hydro lives up to its mandate of providing the cheapest and securest possible electricity for the consumers of Manitoba. That is its mandate and they will live with that. They will produce the electricity necessary for the consumers of Manitoba.

Mr. Speaker, the member for Flin Flon (Mr. Storie) spoke at length about the Manitoba government's role in the environment. He spoke about the

damage to the environment caused by Hydro construction. I should remind him that in the Churchill River Diversion the flooding caused by the Churchill River Diversion was the size of Lake Manitoba. The flooding that will be caused by the Conawapa construction will be approximately two square miles, probably the most benign project, from an environmental point of view, that will be and may ever be in Manitoba.

Mr. Speaker, I will close by saying that Manitoba Hydro will meet its mandate not only to provide electricity for the consumers of Manitoba; they will meet its mandate in conserving and entering into a program for conservation of electricity in Manitoba.

If, by the year 2000, they have managed to conserve more than the 100 megawatts that they have been mandated to, that is a plus. If, by the year 2000, they can see themselves conserving additional amounts of energy, it may postpone the next generation, but it will not postpone the generation of Conawapa. Thank you.

**Mr. Speaker:** Has the honourable minister concluded his remarks? No? Okay, this matter will remain open.

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

# Legislative Assembly of Manitoba

Wednesday, March 20, 1991

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