



Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
BLAKE, David R. (Dave)	Minnedosa	PC
BROWN, Arnold	Rhineland	PC
BUCKLASCHUK, John M.	Gimli	NDP
CARROLL, Q.C., Henry N.	Brandon West	IND
CORRIN, Brian	Ellice	NDP
COWAN, Hon. Jay	Churchill	NDP
DESJARDINS, Hon. Laurent	St. Boniface	NDP
DODICK, Doreen	Riel	NDP
DOERN, Russell	Elmwood	NDP
DOLIN, Mary Beth	Kildonan	NDP
DOWNEY, James E.	Arthur	PC
DRIEDGER, Albert	Emerson	PC
ENNS, Harry	Lakeside	PC
EVANS, Hon. Leonard S.	Brandon East	NDP
EYLER, Phil	River East	NDP
FILMON, Gary	Tuxedo	PC
FOX, Peter	Concordia	NDP
GOURLAY, D.M. (Doug)	Swan River	PC
GRAHAM, Harry	Virden	PC
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry M.	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HEMPHILL, Hon. Maureen	Logan	NDP
HYDE, Lloyd	Portage la Prairie	PC
JOHNSTON, J. Frank	Sturgeon Creek	PC
KOSTYRA, Hon. Eugene	Seven Oaks	NDP
KOVNATS, Abe	Niakwa	PC
LECUYER, Gérard	Radisson	NDP
LYON, Q.C., Hon. Sterling	Charleswood	PC
MACKLING, Q.C., Hon. Al	St. James	NDP
MALINOWSKI, Donald M.	St. Johns	NDP
MANNES, Clayton	Morris	PC
McKENZIE, J. Wally	Roblin-Russell	PC
MERCIER, Q.C., G.W.J. (Gerry)	St. Norbert	PC
NORDMAN, Rurik (Ric)	Assiniboia	PC
OLESON, Charlotte	Gladstone	PC
ORCHARD, Donald	Pembina	PC
PAWLEY, Q.C., Hon. Howard R.	Selkirk	NDP
PARASIUK, Hon. Wilson	Transcona	NDP
PENNER, Q.C., Hon. Roland	Fort Rouge	NDP
PHILLIPS, Myrna A.	Wolseley	NDP
PLOHMAN, John	Dauphin	NDP
RANSOM, A. Brian	Turtle Mountain	PC
SANTOS, Conrad	Burrows	NDP
SCHROEDER, Hon. Vic	Rossmere	NDP
SCOTT, Don	Inkster	NDP
SHERMAN, L.R. (Bud)	Fort Garry	PC
SMITH, Hon. Muriel	Osborne	NDP
STEEN, Warren	River Heights	PC
STORIE, Jerry T.	Flin Flon	NDP
URUSKI, Hon. Bill	Interlake	NDP
USKIW, Hon. Samuel	Lac du Bonnet	NDP
WALDING, Hon. D. James	St. Vital	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 27 April, 1983.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting Petitions
. . . Reading and Receiving Petitions . . .

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the Member for St. Johns, that the report of the Committee be received.

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Cultural Affairs.

HON. E. KOSTYRA: Thank you, Mr. Speaker. I am pleased to table the Annual Report of the Department of Cultural Affairs and Historic Resources for the year ending March, 1982.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr Speaker, I have a further Spring Run-off Condition and Prospect Report. It is relatively unchanged or very little change from the other day and I'll just leave copies with you.

Assiniboine River - the river is peaking at Brandon today and is forecast to peak at Portage la Prairie on April 30th. Peak stages on the Assiniboine River between Miniota and Brandon occurred in the past two days at stages somewhat lower than predicted. The river remained just below bank-full in the more flood prone Virden-Griswold area. Water levels are rising slowly downstream of Brandon, but no flooding problems are anticipated.

Souris River - river levels continue to decline slowly. Run-off from Saskatchewan has been less than anticipated. With normal weather conditions, flooding from the U.S. boundary to Hartney is expected to cease late in May.

Westlake-Dauphin-Swan River Areas - all streams in the area have receded to within their banks. Recent precipitation in the area has been quite light and is having no significant effect on the run-off situation. Flood damages are being assessed.

Weather - some snow is still falling, particularly in areas north of Dauphin. Precipitation from the present

storm system is having no significant effect on the flood situation. The next storm system may produce some rain on the weekend in the Red River watershed south of Winnipeg. The cool temperatures will continue.

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

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we reach Oral Questions, may I direct the attention of honourable members to the gallery where we are pleased to have His Excellency, The High Commissioner of Sri Lanka, Mr. Rodney Vandergert.

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

Before Oral Questions, the Honourable Member for Brandon West.

MR. H. CARROLL: Mr. Speaker, I would like permission to make a non-political statement, if I may.

MR. SPEAKER: Does the honourable member have leave? (Agreed)

The Honourable Member for Brandon West.

NON-POLITICAL STATEMENT

MR. H. CARROLL: Any of the members that have ever attended a dog show know that the most exciting event is the scent hurdle race, and this event is becoming very very popular throughout Canada. I'm very proud to tell this House that the Crocus Obedience and Kennel Club of Brandon won the Manitoba Championship earlier this year. I am further very proud to add that earlier this month the Crocus Connection, which is the name of the team, won the Canadian Championship in Edmonton.

Mr. Speaker, I would like to congratulate the members of the team and, as is only proper, I will name the dog before the handler, if I may.

We have Pippin, a Shetland sheepdog owned by Cindy Taylor; Kara, a Doberman pinscher owned by Deacon Smith; O.B., a German short-haired pointer owned by Kathy McKinnon; Dusty, a German short-haired pointer owned by Tony Butt.

HON. R. PENNER: Does it obey orders?

MR. H. CARROLL: Certainly. R.J., a Golden retriever, owned by Mike O'Neal; Petey, a Miniature Schnauzer owned by Brenda McKague; Mandy, a Doberman pinscher owned by Janet Smith; and last but not least, Suntar, a Siberian husky owned by Gail Carroll. I would like to also congratulate Inge Horvath who is the Steward of the team.

I am very proud of this group and I'm sure that this whole House joins with me in congratulating them.

MR. SPEAKER: The Honourable Member for Turtle Mountain on a point of order.

MR. B. RANSOM: On a point of order, Mr. Speaker. I realize the longstanding tradition in the House of making non-political statements, by leave, I think traditionally we have been accepting such requests of statements to come after the question period. I would like to point out that, as far as we're concerned, that's the proper place for these statements to be made and, in the future, we would grant leave for statements to be made after question period.

MR. SPEAKER: I thank the Honourable Member for Turtle Mountain.

ORAL QUESTIONS

Deer Lodge Hospital - takeover

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, my question is to the Honourable Minister of Labour. I would ask her how many grievances have been filed, up to this point in time, in connection with the staffing pattern change-over at Deer Lodge Hospital?

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Thank you, Mr. Speaker. My understanding is that the grievances are prepared for filing, but that the change-over from one union to another is what is in process.

MR. L. SHERMAN: Mr. Speaker, can the Minister of Labour indicate to the House how many grievances have been filed? In other words, reports indicate that 20 have been filed. Can she confirm that? The First Minister indicated the other day that, to his knowledge, none had been filed. I'm asking the Minister of Labour if she can confirm that 20 had been filed or is it 30, and at what rate are they coming in? How many increases in that number are occurring each day?

HON. M.B. DOLIN: Yes, Mr. Speaker, I will be glad to investigate that further since there seems to be a difference of opinion about what information is actually available. But I would like to point out that the Manitoba Labour Board has before it a certification request that they will be dealing with, and that certification request has to do with the employees at Deer Lodge Hospital who have requested a different union to represent them since they are now under a different jurisdiction. All of this takes time and the notification has gone out, of this request for certification.

The grievances and the exact timing of their filing also depend on the certification, so it's a more complex issue than just indicating how many grievances actually have been filed. Anyway, they wouldn't be filed with the Minister of Labour, of course, they would be filed with the Manitoba Labour Board. I will investigate it further though and be able to give a progress report on this situation.

I would also like to add that we are working with the employees and the employers to develop a rational and reasonable approach to the entire situation at Deer Lodge.

MR. L. SHERMAN: Mr. Speaker, I thank the Honourable Minister of Labour for that last assurance, but I would ask her if she is consequently saying to the House that, unlike the assurance given the House by the First Minister the other day, the same union is in fact not now representing the workers at Deer Lodge, that the representation of the staff personnel at Deer Lodge Hospital is changing?

HON. M.B. DOLIN: Until there's an actual certification change, the former union is representing the employees. I have met with representatives of both unions at the same time. They came together to speak to me about this process that they are going through, so I understand that is exactly what I had explained before, that they are in the process of changing from one union to another and they have requested the certification under the new union.

The question of grievances, the information that I have is that there will be grievances filed. It is the intent of some employees to file grievances, but whether or not those have actually been filed or how many have actually been filed, I will have to ascertain that and bring the information back to the honourable member.

MR. L. SHERMAN: Mr. Speaker, once again, I thank the Minister of Labour for that information, I'll look forward to an expansion on that information as soon as she has it available; and I would direct a question on the same subject to the Honourable First Minister and ask him whether he can confirm that those grievances that are, indeed, being filed, either in process or as reported in various sectors of the media, already filed, have to do with the approach being taken to the application of the merit criterion? In other words, the grievances have to do with the application of the merit criterion and the possible manipulation of the merit criterion and that if, indeed, it was being applied as soundly and as justly as the First Minister has indicated, in prior answers in this House, there would not be such dissatisfaction and there would not be any grievances in process.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: I didn't indicate there would be no dissatisfaction. In fact, I indicated, Mr. Speaker, that there would be obvious problems pertaining to the transition. What I did, indeed, indicate is that there was an agreement involving the former union and management, i.e., the Federal Government, in connection with the process. In regard to the specific question, Mr. Speaker, I would have to take that question as one for notice.

MR. L. SHERMAN: Thank you, Mr. Speaker, a final supplementary, might I just then add, in question, to the First Minister my request that he investigate the way in which the Provincial Government, since its takeover of Deer Lodge, is assigning the merit points

and determining them. It is not a question of putting merit over seniority, it's a question of the way in which the Provincial Government is assigning and determining those merit points; will the First Minister undertake to have that exercise investigated?

HON. H. PAWLEY: As I indicated the other day to the Honourable Member for Fort Garry that, regardless of what agreement existed pertaining to the management and the then union, in fact, the union which still presently represents the employees, until such time as there is a change permitted through applications to the Labour Board; despite that, we would be asking and having the Minister of Labour look at the process to ensure that the process be a fair process, that although it might be correct in a technical sense that we would ensure that equity would prevail.

Custom harvesting - U.S. border regulations

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Mr. Speaker, my question is to the First Minister. We understand that the day before yesterday the restriction on Canadian custom harvesters going to the U.S. was lifted up in intervention by Jake Epp, the M.P. for Provencher, and others in Ottawa.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. A. DRIEDGER: Can the First Minister indicate whether they will encourage the Federal Government to pursue the negotiations with the USA to make the extension a long-term one so that the operators can plan on future operations?

HON. H. PAWLEY: Mr. Speaker, that question ought to be properly directed towards my colleague, the Minister of Agriculture.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, I can advise the honourable member that we have been in contact with the Canadian Department of Immigration people and the Department of Agriculture pursuing this very issue to try and determine whether our regulations are, and to what degree, more severe than those south of the border, and to encourage that very matter to happen to be able to allow Canadian custom combiners to fulfill their contracts and continue their agreements with their American counterparts.

MR. A. DRIEDGER: Mr. Speaker, to the Minister of Agriculture then, can the Minister indicate with whom is he communicating among the Manitoba operators in terms of getting their involvement and their views so he can present them properly?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, we did receive calls from Manitoba operators. I have not personally been involved in discussions with anyone in particular, but our staff have. We have followed up on those calls and are following up on them with Canadian Immigration officials to see what can be done in the long term, even though the short-term situation has gone by, but to make sure that there is ample opportunity in the long term.

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Thank you, Mr. Speaker. Further to this question, can the Minister tell us specifically what guidelines the harvesters will have to conduct the harvesting operations? We are told there is an 80-day limit, but specifically how enforced is that requirement going to be? Are they going to go down there with the knowledge that in 80 days they're going to have to vacate that country, or what leeway is there? Can the Minister tell us that?

HON. B. URUSKI: Mr. Speaker, this question of course, as the honourable member well knows, is beyond the purview of my jurisdiction although we have attempted to help. I can attempt, seeing as the honourable members did not get all the information that they wanted, we will attempt to get that advice, and that's the purpose of our follow-up and discussions with the federal officials to look at the long term besides and in addition to those questions that he has raised.

MACC - Board of Directors meeting

MR. SPEAKER: The Honourable Member for Roblin-Russell.

MR. W. McKENZIE: Thank you, Mr. Speaker. Mr. Speaker, one of the headlines in today's Winnipeg paper, "Manitoba farmers expected to begin seeding next week," can I ask the Minister of Agriculture, did he meet with MACC today or when did he have his last meeting with the Board of Directors?

HON. B. URUSKI: Mr. Speaker, we meet with the Boards of the Directors of Crown agencies on a fairly regular basis. To tell the honourable member when I met with the Board of Directors of MACC - I know I was in communication with MACC as early as today.

MR. W. McKENZIE: Mr. Speaker, what a nice answer to get from the Minister of Agriculture today when we're dealing with all these serious problems.

MACC loan guarantee program

MR. W. McKENZIE: Mr. Speaker, can I ask the Minister of Agriculture if he can advise this House today whether he or MACC can guarantee Manitoba farmers, regarding his Loan Program, that all banks, all credit unions, and all lending institutions in the province are participating in the program? I could give him an example, there are three farmers up here today in the gallery, and the press are prepared to go and deal with these customers who find that they don't qualify under that program.

A MEMBER: Not everybody qualifies.

HON. B. URUSKI: Mr. Speaker, I can tell the honourable member that the program, if he's talking about the Loan Guarantee Program, that the Manitoba Agricultural Credit Corporation is but one of many lenders in the field of providing operating credit. The honourable member well knows the credit needs of farmers in this province are somewhere beyond half a billion dollars every year. This \$100 million is to try and assist farmers who are in more difficult circumstances. I have never and we have never pretended that this program will be able to assist every farmer who is not in the position of receiving operating credit.

There have been guidelines that were developed in negotiation and consultation with the financial institutions. Mr. Speaker, all financial institutions have signed agreements with MACC and we are led to believe that they are participating in the program, Sir, and the applications are being forwarded in. In fact, I could tell the honourable member that my memory indicates that there are approximately 35 to 40 applications that have been sent in already to MACC.

MR. W. MCKENZIE: I thank the Honourable Minister for that statement, Mr. Speaker. But the problem, as the Minister should know, is what the banks are saying and what the CCSM is saying and the lending institutions are saying is not happening out in the field. Can I ask the Minister if he can advise the House today and the farm community if the Department of Agriculture and MACC are prepared to remove the 20 percent equity to zero percent so that the farmers who are sitting up in the gallery this afternoon, who are renting land and renting machinery, can qualify under the program and seed their crops?

HON. B. URUSKI: Mr. Speaker, farmers who are at zero percent equity, I don't believe that any institution would have a very difficult time in providing that kind of a guarantee program but if the honourable member is indicating that we should now be guaranteeing farmers who have no equity in their operations, that's a different question and we can take that under advisement. But, Mr. Speaker, those farmers who are within that 20 percentile range, I have said to the honourable member that if there are many applications coming in that are being declined by financial institutions because of that lack of equity we will review that . . .

MR. D. ORCHARD: But why? They don't get to apply unless they've got 20 percent, Bill, you can't be refused if you can't apply.

MR. SPEAKER: Order please.

HON. B. URUSKI: Mr. Speaker, the honourable member from his seat, if he wants to ask a question I will answer it but he indicated from his seat that people are not allowed to apply. Mr. Speaker, there is no way of finding out what the equity position of a farmer is to his financial institution unless an application is taken in and then he or she are declined by that financial institution.

A MEMBER: You think the farmer doesn't know?

HON. B. URUSKI: Well, Mr. Speaker, obviously the Member for Pembina doesn't realize that that is the case here.

MR. D. ORCHARD: Billie, you don't know what you're doing.

MR. SPEAKER: The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Thank you, Mr. Speaker. The Minister's reply pretty well tells us how the problem is jelling and the problem is quite simple. There is . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. W. MCKENZIE: . . . Mr. Speaker, does the Honourable House Leader want me to refuse these young farmers up in the gallery today, the right to be heard?

MR. SPEAKER: Order please.

The Honourable Government House Leader on a point of order.

HON. R. PENNER: First of all, the member should know the impropriety of involving members in the gallery in the discussion of the House. That is improper, he can do it if he wants but it is improper and playing to the gallery is not what question period is about.

Question period is in order to obtain information. Secondly, as you have ruled when you're into supplementaries, if there's any preamble at all it's a short preamble. A lecture to the members of the gallery is a misuse of the privileges of the House.

MR. SPEAKER: Order please.

The Honourable Member for Roblin-Russell to the same point of order.

MR. W. MCKENZIE: It's unfortunate these three young farmers up there are not elected members of this House and can't speak for themselves. I'm speaking on behalf of them today and I regret the attitude of this Government House Leader who is refusing me the right to speak.

A MEMBER: Resign, resign!

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please. I'm sure that if the member asks his question without unnecessary preamble either before or after the question that the question will be answered by the Honourable Minister. The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Thank you, Mr. Speaker. It's quite evident that the MACC Program and what the Minister is telling us today is not working in this province and it's also quite evident, Mr. Speaker . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. W. MCKENZIE: . . . if I can ask the Minister of Agriculture . . .

MR. SPEAKER: Order please.

The Honourable Government House Leader on a point of order.

Order please.

HON. R. PENNER: Mr. Speaker, I will rise on a point of order whenever I feel it necessary to rise on a point of order and no shouts from the opposition side telling me to sit down should be countenanced in a House of this kind. You are the one, Sir, who presides over this House and if you tell me to sit down I will sit down every time you tell me that but not on shouts from the opposite side.

Again, the member, and I'm rising on this particular point of order, just after you have ruled on the point that I have raised, stands in his place and apparently defying what you have said, again proceeds to read a lecture to the House. If he wants to ask a question let him ask a question I have no intention of interfering with anybody's right to ask a question.

MR. SPEAKER: The Member for Turtle Mountain on the same point of order.

MR. B. RANSOM: Yes, to the same point of order, Mr. Speaker, the Government House Leader says that he will not countenance shouts to sit down from this side of the House, that those should be directed through you, Sir. This is the same Government House Leader who threatened one of our members with a motion to have him thrown out of the House last week rather than allow the Speaker to rule on a request to withdraw a remark. We don't need to be lectured by Government House Leaders of that nature.

MR. SPEAKER: Order please. The House is prepared to continue.

The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Mr. Speaker, I well recognize how tender the House Leader of this Government is on this subject matter because they've done basically nothing.

My question is quite simple. Will the House Leader and the Premier and the Minister of Agriculture meet with those three farmers who are up there in the gallery this afternoon and help them seed their 1983 crop? Simple easy question.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, I wouldn't mind going out and spending some time on the farm but I think the honourable member's question is whether or not the program of loan guarantees is one which farmers can qualify for.

Mr. Speaker, if the honourable member and those farmers have a specific case and I'm not sure who he's referring to, if they're the same farmers who were in my office earlier today, that whole matter was referred to MACC and they have been encouraged to go to MACC to see why their institutions have not, in fact, taken those applications and have forwarded them on. That is always open to, if the member has specific cases, bring to our attention to make sure that MACC

would, in fact, take a look at the specifics of every case but to make a blanket charge as the honourable member has been making, I don't accept those kind of charges.

On the individual circumstances we will want to review every situation that is brought to our attention. If the honourable member hopes to negotiate a loan on the floor of this Legislature, Mr. Speaker, that's up to him. I don't accept that way of doing business in this House.

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker, my question is for the Minister of Agriculture. In view of the fact that he has had some 35 to 40 applications before MACC on the \$100 million loan guarantee, can the Minister of Agriculture tell me how many farmers have been refused access to the \$100 million loan guarantees because their equity did not reach the 20 percent requirement that he has placed on the program?

HON. B. URUSKI: Mr. Speaker, I'll take that question as notice to try and get him the information as to how many farmers have been refused by either their lending institutions or MACC dealing with the specifics of his question.

MR. D. ORCHARD: Mr. Speaker, therein lies the problem with this Minister. — (Interjection) — Mr. Speaker, my question . . . Mr. Speaker, would you mind asking Boss Daily from Brandon-East to close his . . .

MR. SPEAKER: Order please. Order please. I'm having some difficulty in hearing the honourable member's question.

The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker. In view of the fact that, not three answers ago, the Minister of Agriculture indicated that he was monitoring the \$100 million Loan Guarantee Program to see if the criterion need to be changed and the equity requirement lowered from the 20 percent that he has imposed, why is it that today he cannot tell us how many farmers have been refused because of their equity? If he is monitoring the program, Mr. Speaker, he should have that information, otherwise, he is not telling us the truth about monitoring the program. My simple question for the simple Attorney-General is, when will the Minister of Agriculture provide us with that information; will it be this afternoon?

HON. B. URUSKI: Mr. Speaker, as I've indicated, there have only been 35, or thereabout, applications put into MACC for approval, Sir, so the program is just moving ahead.

Interest Rate Relief Program - number enrolled

HON. B. URUSKI: I recall, Mr. Speaker, the same kinds of accusations coming from the Honourable Member for Pembina on our Interest Rate Relief Program where he indicated we couldn't find one farmer in the Province of Manitoba who would qualify under that program.

Sir, we have assisted almost 800 farmers under the Interest Rate Relief Program and more are being recommended, recognizing the seriousness of the situation, but to indicate, after the financial institutions have just started having their application forms forwarded into MACC, to now say, immediately just after they've started coming in to say we have to change because we don't know what is going on, Mr. Speaker, would be premature. If, in fact, there is a large number of applicants who may be turned down precisely because of the difference of equity of 10 percent, as between the previous program of 90 and the present one of 80 percent equity, and there is a large number; that will be reviewed and the decision will be made at that time. To say that one will be made after 35 applications, Mr. Speaker, would be premature.

MR. D. ORCHARD: Thank you, Mr. Speaker. In view of the fact that the Minister has just indicated that his \$100 million Interest Rate Relief Program is just getting under way, could the Minister tell the House when he announced that program?

HON. B. URUSKI: Mr. Speaker, the honourable member was in the House when the program was announced. He knows the date, Sir, and I can tell the honourable member that the same kinds, and he should remember, the same kinds of accusations were hurled at us under the Interest Rate Relief Program. Had there been in place, Mr. Speaker, a number of Income Stabilization Programs, in this province over the last number of years, Sir . . .

MR. SPEAKER: The Honourable Member for Pembina on a point of order.

MR. D. ORCHARD: Mr. Speaker, I don't recall asking the Minister about Interest Rate Relief Program. I simply want to know what date he announced the \$100 million Loan Guarantee Program. If the Minister does not have the answer I certainly don't want to endure the House to anymore baffle-gab from the Minister.

MR. SPEAKER: Order please. It was not a point of order. The honourable member knows that he cannot dictate the answer that he expects from any Minister. The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, as I was indicating, had there been long-term Income Stabilization Programs in this province for a number of years, and in fact, some of which were torn apart by the previous administration, many of our farmers would not have been in the dire straits that they are now. It has taken, and it will take, a long-term stability to make sure that agriculture prospers; and we have put such programs into place.

Jobs Fund - Advisory Board

MR. SPEAKER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, my question is to the First Minister, as the Chairman of the Jobs Fund Committee of Cabinet.

On March 4th, the Minister of Labour issued a press release in which she said that the government would establish an Advisory Board comprised of employee and employer representatives to advise the government as to the usage of the special funds under the Jobs Fund. My question to the First Minister, has such a board been appointed?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, we are in the process of appointing that board.

MR. G. MERCIER: Mr. Speaker, could the First Minister advise as to the total amount of the allocation of funds to specific projects from the Jobs Fund to date?

HON. H. PAWLEY: Mr. Speaker, I'll take that question as notice.

MR. G. MERCIER: Mr. Speaker, in view of the fact that the Minister of Finance, on February 24th, announced in his Budget that the Jobs Fund is, "our response to the crisis of unemployment in Manitoba;" and the First Minister made a statement to this House the following day, on February 25, 1983, that, "legislation for the Jobs Fund is being drafted now so it can be introduced and debated at the earliest opportunity," and we have yet to see any legislation over two months later; we have yet to see any indication that the Advisory Board has been appointed. There are over 54,000 unemployed people; one out of four young people in the Province of Manitoba are going to be unemployed this summer; when can we expect some action from the government?

HON. H. PAWLEY: Mr. Speaker, if the honourable member had, indeed, been listening he would know that there have already been a number of announcements that have been made over the past six weeks. In fact, last night I made an announcement in the constituency of the Member for Rhineland pertaining to added infrastructure insofar as the Town of Altona is concerned.

Mr. Speaker, there have been a number of announcements that have been made by myself and by other Ministers in the last six weeks pertaining to the Jobs Fund. Mr. Speaker, I cannot help it if honourable members are not carefully monitoring, themselves, the announcements that are made. There will be a considerable number of announcements that will be made in the next reasonable period of time, as well. Insofar as the bill is concerned, Mr. Speaker, that bill will be distributed in the House tomorrow.

MR. G. MERCIER: Mr. Speaker, in view of the fact that the First Minister has announced that this government has a war on unemployment, two months ago this Fund was announced, and he stands up in the House today and he can't tell us the total amount of funds that have been allocated to Jobs Fund projects. Mr. Speaker, will the First Minister give us a commitment to distribute this bill in the House tomorrow, when it was announced well over two months ago; and when can the young people of Manitoba expect some action from the government?

HON. H. PAWLEY: Mr. Speaker, I don't understand whether or not the honourable member is able to hear, whether he has a problem with the equipment in the House; I just indicated that the bill will be distributed tomorrow.

Cottage lot increases in Provincial Parks

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Thank you, Mr. Speaker. Several years ago, when the NDP members opposite were in opposition, they strongly protested any cottage lot or Provincial Park fees. My question to the Minister of Natural Resources in charge of Parks is, Mr. Speaker, can the Minister confirm that the Government of Manitoba has increased the rent on cottages in provincial parks from \$220 on some lakefront lots? These lakefront lots will end up costing the owner in a couple of years, after it's all been phased in, some \$550, in other words, a jump from \$220 to over \$500 in one particular area.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. S. LYON: Another promise down the drain.

HON. A. MACKLING: Mr. Speaker, I am quite happy to confirm that this government is moving to establish a reasonable formula for the charging of reasonable rental rents for public property. It is a matter of public record that our rates in Manitoba have been considerably less than those rates charged in other jurisdictions. In a letter that went . . .

HON. S. LYON: That's not what you said when you were in opposition.

HON. A. MACKLING: . . . to all cottagers, we pointed out that we are striving for is a rental rate that will approximate 2 percent of the market value of the land. In other jurisdictions, Mr. Speaker, for example in Saskatchewan, the fee that is charged in Saskatchewan - and we have to look at what is reasonable throughout the country - is approximately 4 percent of market value. — (Interjection) — That's twice as much, that's right. The fees in Riding Mountain National Park are set at 4 percent. In Ontario, the fees are set at 6 percent. That is three times what we are striving as an equitable rate here.

I might point out that in contrast, cottagers for example, at Winnipeg Beach, who own their own land are presently paying taxes, in 1982 were paying taxes of approximately \$400.00.

Mr. Speaker, I admit and we admit as a government that the increase is significant. The maximum increase this year will be \$60.00. There are a number of cottage owners whose rental fees have been reduced by virtue of the new formula, a number that have been reduced, Mr. Speaker. We could have arbitrarily increased the fees to the 2 percent in one step. We thought that was unfair. We have phased it. It was \$100 last year; it is only \$60 this year. The margin will reduce as we get closer to the 2 percent of appraised value.

MR. R. BANMAN: A supplementary question to the same Minister, it is a matter of public record, Mr. Speaker, that those members opposite when in opposition, opposed any rate increases in parks or provincial fees. Mr. Speaker, I want to know if this is an attempt by this particular government to have these cottage lots increased to over \$500 per lot, an attempt by this government to confiscate the cottages from the average individuals so that they can have some larger wilderness areas which the Minister seems so bent on.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, that is the kind of question that is designed to mislead and to cloud what is a reasonable, administrative program. To suggest that charging a reasonable rate for the use of public property is some way designed to take over land is terribly misleading. Mr. Speaker . . .

MR. SPEAKER: Order please.

HON. A. MACKLING: . . . Mr. Speaker, it appears that any time that this government has any dealings with land, there is a threat to the private ownership of land. It's red-baiting, Mr. Speaker, and people in this province have come to expect that from the opposition, and it is with regret that we have to answer that kind of question. But I say to you, Mr. Speaker, the people of Manitoba own the Crown land and they're entitled to get a reasonably fair rent from it. We would be subject to criticism if we didn't charge somewhat close to the rates that other jurisdictions are obtaining for their Crown land.

MR. R. BANMAN: A further supplementary question to the same Minister, Mr. Speaker, the Minister talks about clouding the issue. What is very evident here, Mr. Speaker, is that we are seeing a fairly substantial increase, some 115 percent, and the question that I have for the Minister is, how can he as a Minister of the Crown when knowing full well what the members opposite said when they were in opposition, how can he now, after reading those statements, increase the rentals by some 115 percent after they are elected? Is this one of these NDP ploys to say anything when you are in opposition and then when you get elected you do anything you want because you're elected?

HON. A. MACKLING: Mr. Speaker, I think that members of the opposition have exhibited exactly what the honourable member has been talking about. We've heard in this House requests that we reduce our spending, you know, cut, go back to restraint. That's on one day. The next day we hear, spend more. They ask us to be good administrators but, when we want to charge what is approaching a reasonable rent, then we're subjected to criticism. Mr. Speaker, they are so idiosyncratic on these things that the people in Manitoba can understand that we have a problem dealing with that kind of question.

Hydrochloric acid spill - Waskada

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. My question is to the Honourable . . .

MR. SPEAKER: Order please.

MR. G. FILMON: My question is to the Honourable Minister responsible for the Environment. It is on behalf of my colleague, the Member for Arthur. It has to do with a report of a spill of approximately 2,700 gallons of hydrochloric acid, as I understand, last evening in Waskada. I wonder if the Minister has a report on this incident.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: For the Member for Tuxedo and, of course through him for the Member for Arthur, in fact there was a spill of approximately 12,000 litres of hydrochloric acid, as the member indicated, last night. The Emergency Response Team personnel left Winnipeg this morning at 5:00 a.m. to inspect the area and ensure the neutralization of the spill area and to oversee the disposal of accumulated material in order that it be done properly. They have been on-site; they have reviewed the operation; of course, there were those in the area last night who had been on-site immediately after the spill who were undertaking activities of that sort as well.

I am awaiting a further report on that, but it is my understanding that the hydrochloric acid is being pumped into storage at this point; that the area has been diked and the spill has been contained; and that lime is being spread on the area where the spill occurred to neutralize the effect. Of course, I will be glad to provide further information once a more comprehensive report is available.

MR. G. FILMON: Mr. Speaker, in view of the fact, as I understand it from the report, the spill took place directly across from a public school, can the Minister indicate whether there was ever any danger to the citizens of Waskada as a result of this unfortunate incident?

HON. J. COWAN: Well, of course in a spill of this type one would be concerned about fumes and the travelling of fumes. That was one of the first areas that was reviewed upon receipt of the information that a spill had taken place. The spill had taken place in the late evening and it is my understanding that there were no citizens that were put in immediate danger as a result of the spill. It was monitored during the course of the evening, and it is my understanding that that situation prevailed. However, once I have more detailed information, I will be able to provide a further report to the member, but as of yet there has been no indication given to me that there were any individuals hurt in respect to the spill, nor were there any individuals in immediate danger of the spill, but one would want to wait for a comprehensive report to be able to provide the type of detail which is required.

MR. SPEAKER: Order please. Time for Oral Questions has expired.

ORDERS OF THE DAY

COMMITTEE CHANGES

MR. SPEAKER: The Honourable Member for Riel.

MRS. D. DODICK: I have a committee change, Mr. Speaker, from Public Utilities and Natural Resources. The Member for Concordia will substitute for the Minister of Corrections and Community Services.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the adjourned debate on second reading on Bills 3, 18, 16, 50, 12 and 14, in that order?

**ADJOURNED DEBATES
ON SECOND READING - GOVERNMENT
BILLS**

**BILL 3 - THE FARM LANDS OWNERSHIP
ACT**

MR. SPEAKER: The Honourable Member for Rhineland.

MR. A. BROWN: Thank you, Mr. Speaker. I am glad to have his opportunity to speak on Bill No. 3, The Farm Lands Ownership Act. I have been waiting for some time to make my comments on this particular bill and I am glad to see that the Minister is here today, so that he can listen to what we have to say and what are concerns are about this particular bill.

I would just like to say that this bill is causing more concerns than the Crow rate amongst the Manitoba farmers. They're really concerned as to the implications in this particular bill. It's very difficult to understand, Mr. Speaker. I am sure that from listening to what the members opposite have said when they were speaking on this bill, I am sure that they really do not understand this bill and all the implications that are within this bill that goes far beyond what is required. That is to eliminate foreign speculation and indeed any speculation. It's a nightmare for all farmers, farm corporations, there are forms to fill out, documents to forward, declarations of holdings which are really none of the Department of Agriculture's business.

The bill certainly infringes upon the freedom of Manitoba farmers and comes dangerously close, if not indeed contrary to the Canadian Charter of Rights. Where, Mr. Speaker, is the necessity for this bill at this time, other than to prevent offshore people with offshore money from purchasing farm land in Manitoba. Offshore people have access to money at different interest rates and this could result in unfair competition in the farm community. This, however, could easily be overcome by imposing a special tax on profits earned by people from other countries and that would be one very effective way of controlling it without going to all the restrictions that we are going to be placing upon the farming community in this bill.

Manitoba farmers are not afraid of competition from anyone who is subject to the same tax laws as what

Manitobans are. The Minister bases the need for this bill on false information he has received regarding foreign ownership of land. His information puts foreigners or aliens as they are now sometimes called, without a province, farm land owners and non-resident owners. He lumps all of these people into one basket, Mr. Speaker. Now, Mr. Speaker, there is a big distinction. This is where he is getting all of his information from.

I happen to be a non-resident landowner in the R.M. of Stanley, in which my farm land is located. On the voter's list I appear as a non-resident because I live in a different municipality. I resent very much, Mr. Speaker, being dumped into the same basket as foreigners, as aliens, out-of-province or whatever, just because I happen to live in a different municipality.

A MEMBER: How about if you lived in Yorkton, Saskatchewan? You wouldn't even be able to own it or sell it.

MR. A. BROWN: The Minister and members opposite say, that we need this bill because he thinks the price of farm land is too high. Well, Mr. Speaker, the price of farm land has been fairly high but that is what has kept a lot of people in farming. That was the way that they could operate. But, what has the price of farm land done in the last three years? I would say that from 1980 to now the price of farm land really is down by 30 percent.

A MEMBER: How much?

MR. A. BROWN: Thirty percent. That's in my area, I don't know what it is in your area. But generally I would say south of No. 1 . . .

A MEMBER: His area is not worth 30 percent.

MR. A. BROWN: . . . farm land is down by at least 30 percent. The banks are becoming very concerned. There are going to be a lot of foreclosures happening if there is going to be any further devaluation. The last thing that the farmer needs right now is a further devaluation.

Mr. Speaker, this is where the difficulty comes in. The Minister, by imposing this bill upon Manitoba farmers has absolutely no idea what effect that is going to have on the price of farm land.

A MEMBER: Right on.

MR. A. BROWN: He doesn't know whether it's going to go down 10, 15, 20, 30, 40 or 50 percent. He has no idea.

MR. W. MCKENZIE: None of his statistics have been right hardly up to now; they're all wrong.

HON. B. URUSKI: It's already happened without the bill.

MR. A. BROWN: That's right. The Minister says says this has already happened without the bill and it has happened. But there is going to be further devaluation. If this bill is implemented on the farmers there is going

to be further devaluation. There is no doubt about that. The Minister is going to be causing many many bankruptcies because the banking community is very uneasy. They are very uneasy about the movement that's going on right now to save the farm land from bankruptcy. This is making them very uneasy. They are very uneasy about the devaluation that already has occurred. They are very uneasy about Bill No. 3 which is going to further devalue the price of farm land.

A MEMBER: Two bills we can do without, Bill 3 and Bill Uruski.

MR. A. BROWN: I was speaking with a lawyer last night who is very much involved with the farming community and he says that there is no doubt about it, that some farmers have been refused operating loans this year because the banks are becoming uneasy of lending more money to farmers. The Minister certainly is not helping this situation along at all. The bill certainly is taking away many freedoms, Mr. Speaker, from the Manitoba farmer, and it is most discriminating.

Everyone else in this province, the homeowner, businessman or woman, manufacturer, professionals, they can sell their business or their expertise to the highest bidder, but what does the farmer have to do? He is restricted, in almost every sense, in selling his lifetime investment. Mr. Speaker, the farm community resents that.

MR. W. MCKENZIE: He's locked in on the price of his goods; he's locked in on his tax; and he's locked in by this Minister; he's locked in everywhere he turns.

MR. A. BROWN: Mr. Speaker, I am concerned about the definition of a farmer, as this bill puts the definition. The bill states that a farmer is "a resident who receives a significant portion of his income, either directly or indirectly, from his occupation of farming; and who spends a significant portion of his time actively engaged in farming."

Mr. Speaker, I don't think that we should ever have, in any bill should we have a term "significant." We do not know, when we are speaking on this bill, whether he's talking about 10 percent of the time, 10 percent of his income, 20 percent, 50 percent, we have no idea what "significant" is going to mean. It's very, very difficult for us to determine just exactly what the effect is, and the Minister has no idea what the effect is going to be of this bill because of the "significant" terminology that's used.

Many young people, many teachers, many people who are working at different occupations, other than farming, in order to pay for their farm that they have purchased, now will these people be forced to sell their farms, because there's no doubt about it their income is going to be significantly higher from teaching, from implement dealer, for instance, who is purchasing land, or whatever, it is going to be significantly higher.

Let's take the example of a teacher, because I know that there are many teachers who are saving their money, who have made a down payment on the farm and hoping that when they retire from teaching that they will be able to spend a couple of years farming. There are many, many of these and the Minister knows

this. Now will those people be forced to sell their farms, because I would say that their income is more than "significant" higher than what their income is from the farm?

Mr. Speaker, all of these issues are going to be dependent on what a five-man board is going to decide. Now, who is that five-man board going to be? We know the past record of this government. We're going to have a housewife from north Winnipeg, there's no doubt about that, we always have it; whenever a board is appointed we have a housewife from the northern part of Winnipeg, so we'll have one of those. We are going to have a professor from the University of Manitoba who is leaning very far to the left; we always had one of those. We're going to have a member from the Manitoba Farmers Union, representing the smallest farm organization in all of Manitoba; we are going to have a representative from them who is probably farming among sticks and stones someplace up North and needs a few extra bucks to sit on a board. We're going to have a lawyer who will be sitting on this board. Then, Mr. Speaker, as chairman of this board, we are going to have some defeated political hack that is going to sit as Chairman. Now that's going to be your board; they are going to decide who will be farming in this province. These are the concerns that we have.

MR. D. ORCHARD: It will probably be you after the next election, Andy.

MR. A. ANSTETT: Jake Epp will be looking for a job.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. A. BROWN: One of the objectives that the Minister certainly has, that the Manitoba Farmers Union has, is that they think that no land should be up for rent; that people should be owning their own land. Now that's good, I like people to own their own land but, Mr. Speaker, they should realize that at least 90 percent of the farmers in Manitoba got their start in farming by renting land, first of all, and then gradually working their way into the system. If you are going to do away with land rentals, which is the objective, then you are going to have a lot of old farmers because the young people will not be able to afford to go into farming.

Again, Mr. Speaker, this five-man board that I was speaking of, they're going to make all these decisions as to who should own land - whether you should be allowed to rent out your land; whether that person will be allowed to rent the land - this five-man board is going to decide all that.

We're going to have a lot of problems with inheritance and, again, the five-man board is going to decide whether the children, who are possibly living out of the province, are going to be allowed to inherit the farm. There may be two children living in Manitoba, there may be three living in B.C., or wherever. Again, this five-man board is going to be deciding whether that inheritance is going to be allowed. I hope that members on that side are going to study that bill carefully and really see what the implications are.

Now the bill also refers to rules regarding debt obligation. For instance, when a farmer goes into bankruptcy, again, it's going to be this five-member

board that are going to be sitting in there, they'll be making rules and regulations. There is no expertise guaranteed, and I would say that this board is going to be the busiest board that there ever was in Manitoba. They are going to have a backlog dating back 20 years the way that situation is going right now. There is no way that a five-man board can deal with all the problems that they are going to be confronted with.

Let's see what is going to happen under this bill if a farmer does go into bankruptcy, and there have been a number of instances now where the bank has, after they've confiscated the farmer's property, then they will rent that land back to the farmer . . .

A MEMBER: Some are foreclosed, Arnold.

MR. A. BROWN: . . . Okay, foreclose, pardon me. After the bank has foreclosed on a piece of property, in quite a few instances, they've rented that land back to the farmer and that farmer is out there working, trying to make the best of it, hoping that some time, when the price of farm commodities gets a little better, that he is going to find himself in the position where he can buy back that land and again get title to the land that he formerly owned.

This bill is going to prevent that type of situation from happening, because the bank will have to get rid of their property within three years; they will have to put that property up for sale. Again, Mr. Speaker, that's going to put many, many acres, many thousands of acres, up for sale which is going to drive down the price of land; there is no doubt about that. But then that five-man board is going to look at all these things, they're going to make all these decisions.

Mr. Speaker, I think maybe we should take a look at some of the powers that five-man board has. They will have the power to carry out surveys, research programs and obtain statistics for the purposes of the board, of course. They will require any person taking, acquiring, receiving or holding interest in farm land or proposing to do so, to submit to it, at such time and from time to time as it may require such information in such form as it may require, requiring any person taking, acquiring, receiving or holding an interest in farm land to submit to submit to it annually. You'll be doing a document of all your holdings, all your earnings, from whatever source they are, because this five-man board is going to be requesting that type of information.

Upon application made to it, furnished to the applicant, a ruling by way of order, as to whether or not a proposed or existing interest in farm land would be or is taken, acquired, received or held contrary to this Act, so they're going to make their decisions based on the information which they will be gathering which is absolutely none of their business. A lot of this information that this board is going to be asking, only the income tax is privy to that type of information.

The board may, by order, determine that an interest in farm land has been or is taken, acquired, received or held in contravention of this Act. The board may review, rescind, change, alter or vary any decision or order made by it. In investigations they will demand the production of and inspect all of any of the books, documents, papers, correspondence, records or things of a person in respect of whom the investigation is

being made or of any person representing or acting behalf of or as the agent for such person that are relevant to the subject matter of the investigation.

Mr. Speaker, there is going to be a lot of information over there that is absolutely none of their business. So those are some of the concerns that we have, Mr. Speaker. They are big concerns because the powers of this board is just unbelievable. They have the same type of powers that any income tax investigator has . . .

MR. W. MCKENZIE: And we don't know who the board's going to be, that's the problem.

MR. A. BROWN: . . . and if they happen to misplace or lose your documents or whatever, they are not personally liable for any loss or damage suffered by any person by reason of anything in good faith done, caused and permitted. They have absolutely no liability, Mr. Speaker. In other words, you cannot get after them; you cannot take them to court. If they lose your documents, which you require, there is absolutely nothing that you can do about it because it says right here that they are not liable.

MR. W. MCKENZIE: So like the Co-op Board of Directors, they're responsible for their losses, but not these guys.

MR. A. BROWN: Now, if anybody fails, refuses or neglects to comply with an order or decision of the board, then that particular person is liable, on summary conviction, to a fine not exceeding \$50,000 and to such costs as may be awarded by the court.

Then we have another section in here that says that any person is guilty of an offence and is liable to summary conviction to the penalties set forward under the previous clause, \$50,000, that advises another person as to how to deal with that situation.

In other words, if you're going to get a lawyer to represent your case if you feel that you're being dealt with unkindly and the lawyer tells you that no way should you be subject to this particular bill, he is liable to a fine. Now, when have we ever had legislation such as that before?

MR. W. MCKENZIE: . . . the Schreyer days, they were known for the snooper clauses. There were a lot of snooper clauses when Schreyer was government.

MR. A. BROWN: So, Mr. Speaker, those are some of the concerns that we have about that particular bill and I wonder sometimes how consistent the NDP Party really is. During the Constitutional Debate, many of us, certainly all of Western Canada, wanted the right to own property put into the Constitution. Where is the right to own property in this particular bill? The Minister says this enhances the right. It takes away the right of many many Manitobans who now have the right to own property. It's going to restrict them; it's going to take it away.

Every major farm organization has made presentations to the Minister opposing this bill. I'm sure that the Minister is aware of this. The Farm Bureau certainly has sent letter after letter to the Minister

expressing their concern about that particular bill - and I know that the Minister is smiling - but the Farm Bureau represents most farmers. It's the largest farm organization that we have in Manitoba; it represents most farmers and they are very much concerned. — (Interjection) — They do.

The Farm Bureau, I would say, is speaking for the Manitoba farmer when they're saying really that Canadians should not be restricted to own farm land. I think that all of us could live with this particular bill if it would go only so far as where foreign ownership is concerned, but we certainly cannot go along restricting other Canadians from owning farm land in Manitoba or from the type of harassment that's going to go on trying to decide who is going to qualify. Does this person have other holdings other than the farm land holdings that he has? We're going to look into this and see whether his income is significant, whatever that means, in order for him to retain his farm land ownership and he's going to be particularly watching farm corporations. I don't know if the Minister really knows why we have so many farm corporations. To him, the word "corporation" is a bad word. Automatically, if it's a corporation it's a bad word.

Many family farms were told to incorporate five years ago by any accountant, lawyer or anybody that was an adviser to the farming community in order to make sure that the farm could remain as a family entity and that is the reason why we have so many corporations at the present time. The Minister told me the other day that he had received some representation in favour of this bill and he says he received some from my constituency, this is awhile back. I thought, well, this seemed rather strange but I thought I would investigate, and I did investigate and I found out what was happening out there, that there is a number of people with some money, young farmers whose parents had some money, who could see that they could take advantage of a situation such as this, with further devaluation of farm land, and we're talking about 50 percent now and possibly lower than what the farm land was valued at in 1980. These farmers see themselves buying that land at that devaluated cost and they say that we have advised the Minister to do it, because I talked to one of these persons. What's going to happen, he says, when you fellows get in power you're going to throw out this bill and farm land again is going to have its normal escalation the way that we've traditionally been used to, and then we're going to sell that land and we're going to make ourselves a lot of money.

Now, that is one of the reasons why the Minister has been receiving some of the support on that bill and the Minister had better be very careful that he doesn't get sucked in by some of these sharpies that are out there not for the purpose of farming really but that, I would say, is plain speculation, and that is exactly the type of thing the Minister wants to prevent, yet he is going to create that kind of situation; he's going to create a speculative situation.

Mr. Speaker, I think that the only consoling thing that we have about this bill is that it's going to be self-destructing for this government; certainly it's going to be self-destructing for that Minister. We are not going to see that Minister in this House after the next election, there is absolutely no doubt about that, and we're not

going to see that government on that side if they continue on with this bill, because there is only so much freedom that Manitobans will have taken away from them.

Resentment is, not only in the farming community, it is also out there in the business community, and anybody who really knows how restrictive this particular bill is. So, I hope that the Minister, and I hope that the members on the backbench over there, are going to take note of some of comments that have been made and study this bill because, from what I've heard so far, when you've talked about the bill you haven't even read the bill, and if you have you don't understand it.

MR. W. MCKENZIE: There's no farmers over there, Arnie, that's the problem.

MR. SPEAKER: Are you ready for the question?
The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Mr. Speaker, I move, seconded by the Honourable Member for Swan River, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: On the proposed resolution of the Honourable Attorney-General Bill No. 18 standing in the name of the Honourable Member for Fort Garry.

BILL NO. 18 - THE LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL CONFLICT OF INTEREST ACT

MR. L. SHERMAN: Thank you, Mr. Speaker, I welcome this opportunity to offer some comments on Bill 18 and wish to advise you, and members of the House, at the outset, Sir, that my comments are of a somewhat critical nature and will take a somewhat critical vein while, at the same time, hopefully making the point that I recognize, and my colleagues recognize, the desirability of conflict of interest legislation, where public service is concerned, provided that legislation meets the challenges and needs and requirements of protection against conflict of interest in the best sense of the word and the term.

I think in addressing a measure of proposed legislation such as this having to do with conflict of interest, Sir, that the logical point at which to start is the point at which one asks oneself the question; what is the definition of a conflict of interest? Many of us approaching this legislation and studying it, and proceeding on course of developing our comments with respect to it, have looked inside ourselves, and among ourselves, for answers to that question and have attempted to satisfy ourselves as to what the precise definition of a conflict of interest is. I think that I can say, Sir, that those with whom I've held discussions on this subject, and I agree that a conflict of interest exists when a person in public life puts himself or herself in a position where his personal interests may, or may appear, to conflict with his public duty. So, I start from that definition, Sir, and then look at the legislation, and I find that there are aspects of the legislation that

concern me and which, I think, require to be put on the record at this stage of study of this bill.

I repeat, and I will make the point again before I conclude my remarks, that, in general, I approach the concept of conflict of interest legislation, and I think my colleagues would agree with me on this point and, therefore, I think I speak for them at this juncture on this point. We approach the concept of it as an acceptable and a desirable course of action; no one can argue with conflict of interest legislation that is aimed at guaranteeing honesty in public life; no one can argue with conflict of interest legislation that is aimed at protecting the public interest. It is only in the precise and literal presentation of that legislation, and the application of that legislation, and the ramifications of it that one can have some argument and that one can find oneself encouraged to enter into debate.

Where this legislation is concerned, the possibility of that argument distinctly arises and the encouragement to enter into debate is there, at least, for my part it is there, because I think that the language literally used in this proposed legislation takes on a heavy-handed cast and a heavy-handed nature which defeats the purpose of the principle of the bill.

Sir, if we proceed from the definition that I offered, with respect to a conflict of interest, and explore the subject and the thought that has gone into the whole question of conflict of interest and conflict of interest legislation in other jurisdictions, and in Manitoba to be sure in the past, we find that there are two basic approaches that have been taken to this conflict situation. When you ask yourself the question of what is to be done about conflict of interest, and how is the public to be protected against it, you find that there are two basic approaches that have been taken to that subject in the past.

But first, not necessarily the principle or primary, but the first approach taken has said that a person with a possible conflict of interest cannot seek public office or cannot continue in or function in public office.

The second approach has said that where there is a possible conflict of interest there should be disclosure. I think that our traditions in this country generally have repudiated the first approach, the first historical approach that I have mentioned. That is to say, I don't know very many situations, circumstances in Canada where governments and public institutions have taken the attitude that if a person has a possible conflict of interest, he or she should not seek public office to begin with.

I cite that argument as one that has existed among scholars and public service commentators who have studied the conflict of interest question in the past. It has been one approach that has been suggested. Basically, however, the approach that's been taken in Canada has been the second one to which I referred, namely that if there is possible conflict of interest there should be disclosure. I proceed from the conviction, Sir, that's the way most members of this Chamber feel.

We are not saying that the possibility of conflict of interest should by any stretch of the imagination preclude anyone seeking public office. What we would agree on, I think is that in order to protect the public interest, there should be disclosure where such a possible conflict exists. So, I base my position with respect to this legislation on that approach, that philosophy, and that conviction, Sir.

Then if we look at the matter of disclosure and the acceptability of disclosure as an institution, as a way to proceed in this area of argument, we find that again there have been two approaches taken historically. The first approach, with respect to disclosure has said that man or woman in public service, who feels that he or she may be confronted with a conflict of interest, should stand up and disclose it, make the oral disclosure.

The second approach has said that there should be a written declaration and that those persons seeking to function in the arena of public service or already functioning therein should declare in written form as to all of their holdings and their possessions and their experiences of ownership so as to ensure that there shall be no conflict of interest with respect to their duties and their decisions. That second approach, i.e., the written declaration approach, is not as well accepted historically and jurisdictionally, Mr. Speaker, as the approach that says oral disclosure is desirable and really all that is necessary. But that second approach, that written declaration approach is precisely what is contained in the legislation that we have in front of us, Bill 18. That, Sir, is where I find that I have my difficulties with Bill 18.

In other words, if Bill 18 took the first of the two approaches with respect to disclosure that I have mentioned, the oral disclosure of a conflict or a possible conflict, I would have little or no difficulty in the main with the contents of Bill 18. But it takes the second of the two approaches, the two historical approaches to disclosure, the approach that says there should be a written declaration laying out all those things which that person holds or has a proprietary interest in or of which a relative of that person holds or has a proprietary interest in and goes into the whole realm of personal possessions and personal and intimate and private life to the extent that it becomes unsavory in its ramifications for me and many persons with whom I have discussed this legislation.

Because of that, I cannot accept Bill 18 as being positively and constructively drafted in its present form, Sir. As I said, if one looks at the issue in its historical context, one finds that the written declaration approach to disclosure is not as well accepted as the oral disclosure approach.

Going back again for a moment, Sir, to the definition that I offered at the beginning of my remarks, the definition of a conflict of interest, I suggest to the Legislature that the general public disclosure provision which is contained in Bill 18, the written declaration approach does not fit that definition. I repeat the definition that I offered, Sir, and that is that, "When a person in public life puts himself or herself in a position where his or her personal interest may or may appear to conflict with his public duty, then you have a conflict of interest or possible conflict of interest situation." If you look at the written declaration approach to disclosure, this general public disclosure provision that is contained in Bill 18, I suggest that the latter does not fit the definition. It goes way beyond what the definition is calling for. It goes much too far.

When I speak of the general public disclosure provision in Bill 18, I am referring to what, for many of us, is the key section of the bill, Mr. Speaker. That is Section 16 dealing with assets and interests which must be disclosed. Sections 15 and 16 of Bill 18 really provide the nub of the matter.

There are many other provisions in Bill 18 that I think are generally acceptable. Certainly they're generally acceptable to me. I haven't heard too much difficulty raised by my colleagues or others with whom I have discussed the legislation, where much of the contents of Bill 18 are concerned. But I have heard considerable difficulty and anxiety raised with respect to sections 15 and 16 and those, Sir, comprise the heart of the matter because those are the disclosure provisions.

As I have said, I am attempting to make the point that they go beyond the sensible, reasonable disclosure provision that is contained in subject matter on conflict of interest legislation and conflict of interest experience generally and become very heavy-handed and very severe in their implications and their ramifications.

Let me just take a minute or two to cite for you, Mr. Speaker, and members of the House, some of the severe aspects of this disclosure provision, some of the strictures that are going to be imposed on members and prospective members of the Legislature of Manitoba if the bill is passed in its present form and these disclosure provisions remain unchanged.

The bill states that "Within 15 days after the beginning of each session of the Legislature, every member and Minister shall file a statement disclosing assets and interests in accordance with Section 16." And Section 16 then goes on to say the following, Mr. Speaker. It says, among other things, that "each member and Minister shall disclose all land in the province or in respect of which the member or Minister or any of his dependants has any estate or interest, including any leasehold estate and any mortgage, licence, or interest under a sale or option agreement, but excluding principal residence property and any personal recreational property." It calls for disclosure, Sir, of "all land in the province in respect or in respect of which the member or Minister or any of his dependants has any estate or interest . . . " outside of the " . . . principal residence and any personal recreational property." I cite that, Sir, as an unnecessary invasion of privacy and private affairs which lends nothing to the objective of the legislation, which is to assure that the public interest is preserved and assure the public of honesty and trust in the legislative process.

The bill calls for disclosure of "the name of every corporation, and every subsidiary of every corporation, in which the member or Minister or any of his dependants holds a beneficial interest in 5 percent or more of the value of the issued capital stock, or holds a share warrant or purchase option in respect of 5 percent or more of the value of the issued capital stock."

Mr. Speaker, the bill calls for the disclosure of "the name of every person, corporation, subsidiary of a corporation, partnership, or organization which financially remunerates the member or Minister or any of his dependants for services performed as an officer, director, manager, proprietor, partner or employee."

I submit to you, Sir, that those kinds of requirements would make it highly unsavory for citizens of Manitoba to seek office in the Legislature and, if this kind of conflict of interest legislation provision is extended to other areas of public service in the province, it would make service in those other areas of the public arena highly unsavory.

The bill calls for, indeed demands, disclosure of "bonds and debentures held by a member or Minister

or any of his dependants . . . " It calls for disclosure of "holdings of the member or Minister or any of his dependants in investment funds, mutual funds, investment trusts, or similar securities, excluding Retirement Savings Plans . . . " and the like, Sir.

It calls for disclosure of "any interest in property in the province to which the member or Minister or any of his dependants is entitled in expectancy under any trust . . . " or with respect to which they are functioning through " . . . a general power of appointment as executor of a will, administrator of an estate, or trustee under a deed of trust."

Sir, it demands disclosure of "gifts given to the member or Minister or any of his dependants at any time after the coming into force of this Act, excluding gifts from a family member and gifts disclosed in any previous statement filed under Section 15."

Those, Mr. Speaker, are the major requirements of the disclosure provision. I suggest to you, Sir, that they, in seeking to ensure that the public interest is being protected and that there is no advantage or influence being wielded or enjoyed and that there is nothing unethical transpiring with respect to the public affairs of the people of Manitoba, those provisions go far beyond what is really the desirable aim of this legislation and a desirable aim to which I and, I believe, a great many of us could subscribe. Those provisions go far beyond the definition of conflict of interest that I cited in the beginning of my remarks. Those provisions go far beyond the historical approach to disclosure which is the approach which simply requires that the individual stand up and disclose his or her conflict or possible conflict when a situation of the like arises.

I would suggest, Sir, that the provisions and requirements of the disclosure sections of this bill, Sections 15 and 16, are at the very least heavy-handed. It might be an exaggeration to call them draconian, but I believe there would be persons in our province who would call them draconian. Certainly they are, at the very least, heavy-handed. They will have a very severe effect in terms of participation in public life if they are passed in their, present form.

In an arena such as this, in a city the size of Winnipeg, perhaps disclosure requirements of that nature are not quite as serious as they would be in smaller communities. They are serious and they will discourage many people from wanting to enter public life, but they are perhaps not quite as serious as they would prove to be in smaller communities. But I suggest to you, Mr. Speaker, that in small communities, disclosure provisions of that kind will have a devastating effect on the public service participation situation.

I suggest to you that they will discourage men and women of good intent, good character, good will and good purpose; men and women of high ethics and high standings; men and women of dedication in the community from entering public service, because of the invasion of private affairs and private lives that those disclosure requirements represent.

In a larger centre, as I say, it may not be quite as serious because one enjoys more anonymity with respect to his or her colleagues, neighbours and the general public, but in smaller centres where there is not that anonymity, where there is a much more intimate personal relationship among people and a much broader and a much more profound social relationship

and inter-relationship of persons in terms of a social network throughout the community, there is not the natural wall of privacy that is afforded in larger centres. I think it would be an extreme discouragement to people to enter public service if they had to reveal the private matters, private affairs of their own family lives that are stipulated in Section 16 of Bill 18.

Further to that, Sir, I don't see that public interest would be served by disclosure of such private matters. I don't believe that a person's wealth or his lack of wealth should generally be a public concern, I don't believe that a person's material holdings or lack of same should be generally of public concern and certainly the wealth and holdings or lack of same where his or her relatives are concerned is of the nature of information that should not be in the public domain. I see no justification for subjecting the families and relatives of Members of the Legislature to the kinds of disclosure requirements contained here. Why is of any public concern, why should it be of any public concern and why, indeed, is it of the public's business in any way, shape or form, what the material wealth or holdings or interests of your relatives may be.

If you have a possible conflict of interest situation confronting you with respect to any matter in front of the Legislature you, Sir, and I and all Members of the Legislature have a responsibility to stand up and declare it orally and to absent ourselves from participation in the decision making process on that matter but to go beyond that and insist that the personal interests and holdings of one's family and one's relatives should be available to public scrutiny and should be made known to the public generally is, in my view, Sir, hostile to the best interests to the public itself not to say the individual legislator in his or her family. In my view it undermines at least one of the basic principles of our society and that is the individual right to privacy that all of us enjoy.

I believe that in Section 16 of Bill 18, Sir, the government is essentially getting-at some of these matters of privacy to which I've referred and I think those matters of privacy deserve security, deserve to be protected and in the interests of the province should be protected. Oral disclosure of conflict of interest should be good enough. Some may question the guarantee of honesty, the guarantee of forthrightness that exists simply at the oral disclosure level but I don't think that you can legislate honesty no matter what kind of wording and what kind of language we put into the legislations, Sir, we can't guarantee that people are going to be absolutely and precisely honest in their approach to life, no matter how we frame and draft our legislation. What this legislation as currently drafted suggests to me, or implies to me, is that there is a basic suspicion in the minds of the government that legislators and persons coming into the legislative process may not be honest. I don't like that kind of an inference, I believe that, by and large, almost universally, men and women elected to public office in this province, at least the overwhelming majority of those with whom I've come in contact, are essentially honest and ethical persons offering their best to their province, and if they see a possible conflict of interest arising they will do the honourable thing; they will stand up and make the disclosure; they will absent themselves from the decision-making process where that question is concerned.

BILL NO. 16 - THE OIL AND NATURAL GAS ACT

If a person is going to be dishonest they're going to be dishonest whether Bill 18 has Section 16 in it or not, and one can be just as dishonest, with respect to a written declaration of holdings and interests, as one can be with respect to an oral declaration so I see no justification for the disclosure provisions in Bill 18 if they're there on the grounds of guaranteeing honesty, Mr. Speaker.

The overwhelming difficulty that I have with Bill 18 is that what it is asking for is disclosure of virtually everything. Disclosure of a conflict of interest, Mr. Speaker, is absolutely essential and necessary; also disclosure of a potential conflict of interest is essential and necessary, and this aspect of the legislation is highly laudable. No one argues with it, least of all, me; but disclosure of everything is not a good course to follow and that's what this legislation represents. It goes beyond disclosure of conflict of interest, Sir, to disclosure of everything in the way of material possessions and wealth and, in my view, is highly extreme in its application and its ramifications.

I would hope that the Attorney-General and his colleagues will reconsider some of the language contained herein as the bill is debated and before it proceeds too far in the legislative process. Manitobans will not be well served, Sir, if it discourages dedicated men and women from coming into the field of public service, or drives those who are in public service out of that arena. The purpose here is to serve the public interest. We can serve the public interest by recognizing and respecting the general desirability of conflict of interest disclosure through measures such as I referred to earlier in my remarks that have stood the test of time in historical study and in other jurisdictions, namely, calling upon all of us to make oral disclosure, to meet our responsibilities through oral disclosure, where that potential conflict of interest arises. To go beyond that defeats the purpose of the legislation and, at this juncture, Sir, I wish to place those reservations on the record, assure the Attorney-General that I hold those reservations strongly, and that I will be watching with keen interest the further progress of this bill through this stage of the legislative process in the hope that he, and his colleagues, will reconsider Sections 15 and 16, reconsider the language that lies there at the heart of the bill, and make it a more palatable piece of legislation.

I know what he's seeking to achieve here and the principle is certainly a supportable one. I think he's going so far in his language that he is undermining and jettisoning that principle. I don't think that's his hope or ambition and because of that, Sir, I hope he will be amenable to revising the language which is at the heart of the bill. I frankly would like to see a conflict of interest bill that had the sections on disclosure completely rewritten to specify the requirement only of oral disclosure. I would hope that he will find it possible to proceed that far, as we go through this process.

Thank you.

MR. DEPUTY SPEAKER, P. Eyler: The Member for Morris.

MR. C. MANNES: Mr. Deputy Speaker, I move, seconded by the Member for Tuxedo, that debate be adjourned.

MOTION presented and carried.

MR. DEPUTY SPEAKER: Bill No. 16, on the proposed motion of the Honourable Minister of Mines and Energy, standing in the name of the Member for Pembina.

The Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Deputy Speaker. I want to finish off my remarks on this bill with a couple of, I think, quite candid observations from our side of the House on the N.D. Party's position on this bill and what this has done to the consistency of their position now that they're in government, compared to the consistency with which they dealt with similar issues while they were in opposition.

We have indeed, Sir, heard over the last little while and have seen demonstrated over the last few months a number of extreme reversals by the N.D. Party from positions they took when they were in opposition and could afford the luxury of baffleleg and rhetoric compared to their positions now that they take on those similar issues now that they have the responsibility of government.

On the debate on this bill, I want to comment that it is often what is not said that is more important than indeed what is said, and it is what is not said by some of the radicals in the backbench of the New Democratic Party on this bill that is really quite interesting. Mr. Deputy Speaker, we have heard the MLA for Inkster just get up and spout rhetoric about giveaways and private sector and all of the horrid things that happen in the private sector and how he wants to destroy them all and build his new, broad, beautiful Utopia.

Well, in this one, the Member for Inkster, one of the new left in the N.D. Party says nothing and I think wisely. I think wisely, and I congratulate the Minister of Energy and Mines on this. He has put the whip on the Member for Inkster and other similarly thought-processed members of the backbench on this bill, because I also give the Minister of Energy, Mines and Resources, and I don't give him too many compliments, but I want to compliment him on this, that he has seen the wisdom of our taxation change that we made while we were government. He has seen the kind of activity that it has brought to the southwest corner of Manitoba and the Minister of Energy and Mines wisely wants that activity to commence. In this particular instance, he has told his radicals in the backbench that this bill goes through, we don't want to hear any of your rhetoric, any of your damning statements against the private sector and resource giveaways, we want silence from the backbench. The Member for Inkster, for what he doesn't say, is probably giving us more insight on the value of this bill.

The Member for Inkster has the whip put on him; he's not going to talk on this bill because he would have to speak against the Treasury Bench if he were to deliver his true thoughts. My colleague behind me says that he may duck the vote and that is going to be the beautiful part of this bill, of watching the counted vote on this bill and we're going to find out where the new radicals in the New Democratic backbenches are going to be when this vote comes up. We're going to find out because the Minister is saying he knows that

on this side of the House we're going to vote for the bill; we're going to vote with the Minister on this one, so he knows he's got 20 some votes over here, so he has the luxury of allowing his radicals on the backbench to duck this vote, knowing the bill's going to go through.

I won't mention another radical of the backbench that's near and dear to us all and happens to sit right behind me, for very obvious reasons right now, Mr. Deputy Speaker, but we're all going to watch the vote on this bill with a great deal of levity and we are going to see the New Democratic Party members eat crow. We have heard the Minister of Agriculture talking about eating crow. We're going to see the New Democratic Party eat crow on this one, and it is going to be wonderful to see them eat crow.

I have to give a couple of more members over there a little bit of credit in the front bench. Now, the Minister of Energy and Mines has retracted from the election rhetoric wherein we heard about resource giveaways and we heard about the terrible things these Tories were going to do to Manitoba if they were re-elected. The Minister of Energy and Mines has backed off that position and I give him credit; he's wise to do so. The Minister of Finance the other night, in his Estimates, backed off the very silly, shallow and badly researched position that they put on the record when they were in opposition that outside auditors were wrong, wasteful of tax dollars, etc.

The Minister of Finance backed off that position. Now that he's government, he sees the wisdom, he sees the effectiveness and he sees the benefit of outside auditors. But read some of the Hansard of the speeches that members out there used to say on that policy when they were in opposition. They said it was bad policy and the real one is going to come up. This is going to be beautiful, when we go on a little further and we get into the Hydro Committee tomorrow morning and if we get to it, it's also going to be wonderful to see the Minister of Natural Resources swallow his pride once again and table documents and discuss documents on the power grid and the power grid negotiations, because the Minister of Natural Resources, when he was in opposition, was talking resource giveaway on the Manitoba Hydro development cost. — (Interjection) — What did I say? Oh, I apologize to my honourable friend for St. James. The Minister of Energy and Mines, when he was over here with his colleagues, they were fretting about the giveaways in Manitoba Hydro. It was the resource giveaway election campaign that he engineered because I understand he had a lot to do with some of the brochures that came out, and he, Sir, talked about resource giveaways and Hydro was one of them.

The Minister of Energy and Mines is going to eat no small amount of crow during Hydro Estimates because we're going to find that his position, in the final offer to Alberta, was almost line, word and paragraph as the original one that they were left with. Their rhetoric lost us a major economic thrust in Manitoba but the Minister, I have to admit, is once burned, twice shy. He lost the Power Grid because he believed the resource giveaway argument, but he is not taking a chance on the oil industry in southwest Manitoba and that's why we have got Bill No. 16 before us now. I commend the Minister for recognizing that.

Now it's going to be interesting, Mr. Speaker, with this bill coming in confirming the taxation regime that

we brought in place and confirming it until 1987. It is going to be interesting to listen to what drum the New Democratic Party will beat come the next election because to no small extent, Mr. Speaker, the New Democratic Party won the last provincial election beating the drum of resource giveaway. Now that's turned out to be an empty drum, an empty drum. — (Interjection) — Oh ho, Mr. Speaker, I just heard the MLA for Springfield say that we lost it because of incompetence.

If the MLA for Springfield could persuade his First Minister to call an election today, we would see who would get defeated because of an incompetent government, and it would be the Pawley administration of only 16 months. The most demonstrable incompetence ever inflicted on any provincial administration has been done by the Pawley Government in 16 months. That is the incompetent administration. The only competent thing they have done is leave the MLA for Springfield in the backbench and not put him in Cabinet. That's the only competent thing they've done.

Mr. Speaker, the election platform of the resource giveaway is not going to be able to be used next election by the New Democratic Party, because this bill and other actions of this government will clearly demonstrate that they misled the people of Manitoba with their resource giveaway campaign. Remember the cake? Remember the Manitoba cake with all those people, with cigars and vests in there, gouging the resources of Manitoba and gulping it up? — (Interjection) — The Minister of Energy and Mines is finally taking credit for some of his election thoughts. But that was the resource giveaway, big lie campaign, that the New Democratic Party used last election.

I have to admit it was extremely successful but as we proceed through the four-year term of the Pawley administration, the people of Manitoba are going to fully recognize, Mr. Speaker . . .

MR. SPEAKER, Hon. J. Walding: Order please. The honourable member should refer to other honourable members by their constituency or by their title and not by their names.

The Honourable Member for Pembina.

MR. D. ORCHARD: Mr. Speaker, I take it, it is incorrect to refer to this government as the Pawley administration?

MR. SPEAKER: Order please. If the honourable member is not familiar with the particular citation, I will get the number and see that he gets the citation.

MR. D. ORCHARD: I will change that from the Pawley administration to the lack of administration, because there is no administration in this government under the First Minister.

Now they've lost their election issue that they used successfully in 1981 because the resource giveaways - and this bill demonstrates there weren't any because this party is reaffirming our direction - they won't have that issue next time, so what drum are they going to beat next election?

They can't go, as the MLA for Springfield jokingly interjected, that it will be won on the competence of

the government because this government is incompetent. We know that. The people of Manitoba know that. We know that this government breaks their promises. They haven't kept any of the promises that they said, not one, and they are trying to keep one desperately by bringing in The Manitoba Oil and Gas Corporation Act. That will really do Manitobans a lot of good, that one. That will really do a lot of people good in Manitoba.

So, Mr. Speaker, I simply want to close my contribution to Bill No. 16 by congratulating the Minister of Energy and Mines for recognizing the wisdom of the taxation changes made by the Lyon administration from 1977-81, which led to the development of an oil industry in southwest Manitoba, which is the only economic bright light that this government can refer to. I want to congratulate him, secondly, for silencing the radicals of the left in his backbench from speaking on this bill, because it is a pleasure to have this kind of a bill without the usual contribution from the likes of the Member for Inkster and others in the backbench.

I find it very very rewarding also, Mr. Speaker, to know that when we go on the election trail, the campaign election trail next time around, that we can point out to the electorate that the false campaign promises and the false statements made by the New Democratic Party during the election campaign of 1981 and their term of opposition leading up to that election campaign, misled the people of Manitoba. I am going to take pleasure in pointing out that when they make foolish and silly statements in the next election campaign, pointing out by asking the simple question to the voter of Manitoba, can these people be trusted with what they say?

The answer, Mr. Speaker, will obviously be no, they can't be trusted, because they reverse their positions from opposition to government; there is no resource giveaway; there was no resource giveaway during the Lyon administration. There was sound administration, Mr. Speaker. I look forward to taking this to the people of Manitoba at the earliest opportunity the First Minister will avail to this side of the House.

Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Thank you, Mr. Speaker. I would like to offer a few comments on Bill 16, if I may.

I would like to support many of the comments made by my colleague, the Member for Pembina. As the member previous to me just indicated, there were many items that the NDP, while in opposition, said they could improve. Since in office, of course, they have had to accept the fact that there was sound legislation and that there was a sound outlook of many of the areas of government that was offered by the previous administration and certainly Bill 16 endorses that concept.

Of course, there are a litany of items, Mr. Speaker, that the members opposite and the government have come now to the conclusion that the feeling, the attitudes and the legislation that was brought forward by the previous Progressive Conservative Government were in fact good in themselves and I would just like to list a few.

I know my Leader the other day while in the Estimates of the Minister of Finance questioned him at length as to this government wishing to audit more of the Crown corporations by way of the Provincial Auditor and, since that time, having come to the realization that is that outside auditors were required. Of course, we had reference by my colleague to the Power Grid negotiations and I think much more will be said of that in the days to come.

Then we had the argument on ManOil, and I really believe that we've impressed some of the members opposite, that indeed if it would not have been an election promise, that they would realize now the folly of bringing forward that type of legislation into this province.

Then we had the belief by the members opposite brought forward in Bill 3 that there was a need for major new land-ownership restriction. I think now they realize and although we wonder when they will back down from Bill 3 - we know they will - but we also are beginning to believe that they're becoming convinced that the problem that Bill 3 was trying to address is not as serious a problem as they deemed it to be two or three years ago.

Then, of course, we could talk into that whole Crow issue. That Crow issue which the members were prepared here, indeed in Saskatchewan, and of course federally, to fight any election over. I think the members opposite have just realized, coming through the Crow rate hearings that they too were out of tune with the general feeling of the farmers.

Well, Mr. Speaker, Bill 16 is an admission on the government's part that indeed there was good legislation offered by the previous government, and indeed that there were some sound views here at the time.

So, it is encouraging, Mr. Speaker, to see that the area of oil taxation and royalties will be left unaltered. I suppose Bill 16, although it is really only a half a page in length, supports many arguments. I think it also can be shown as supporting the argument against ManOil and of course again begs the question, who really needs it? It supports the argument, I think against 75 percent oil pricing of which the members opposite have wished to speak. I think we'll hear more and more as time goes by, that they'll support that.

I would like to refer, Mr. Speaker, to the document put out by the Alberta Government that's gone to - again addressing the policy of 75 percent oil pricing to world prices. I am wondering if the members realized the impact of proceeding with this. I am wondering if they realize - I read something the other day in the Independent Petroleum Association of Canada, April 5th edition, and it talks about the impact of dropping oil price to 75 percent. Just to read one of the final paragraphs here. It says "With the internal price, international price now coming into focus at U.S., \$29 a barrel as opposed to U.S. \$34," used in the particular study which they conducted, "the revenue shortfall is that much worse." It goes on to say, "Assuming a 75 percent price ceiling with no rollback of conventional old oil prices, upstream revenues over the mid '83-86 time period would decline from \$108 billion at the time of the September 1/81 agreement, to 73.7 billion".

Of course, it begs the question I think, where do the members opposite expect all these large transfer

payments, 40 percent of which make up our provincial revenue? Where do they expect them to come from? I think it's in this whole area that again we're encouraged to see Bill 16 come forward and leave some stability within that industry. — (Interjection) — Well it supports a number of other things, this Bill 16. I think it supports the argument that the industry needs stability. As we've known for sometime, the cost of Petro-Canada, and again it makes reference here, No. 4, is .7 cents a litre. I think it makes each and everyone of us worry because an instance has come to light here, I believe in the Member for Rhineland's constituency just this past couple of days.

By some strange set of circumstances, Petro-Canada is leading a diesel fuel war in that particular constituency, by some 20 cents a gallon over the nearest competitor. Of course the question is, why? I think the answer is quite obvious, Mr. Speaker, indeed, to corner a larger share of the market, because indeed they had a very small share. Of course the only way you can do it in the competitive world is to offer a better deal. But the question is, who is taking the loss? Who is taking the loss on that undervalued product? Well of course it's you and I, the taxpayer. I suppose that's what we found so disturbing in the introduction of the ManOil concept. That's what we find so encouraging in Bill 16, that indeed it leaves in place a tax regime that is fully understandable and more importantly is stable. So, again that's one of the supporting factors to the bill.

Well, Mr. Speaker, it also supports that the industry can survive under fair taxation and that it is stable under stable government action. I suppose what says it more than anything was the Oil Activity Review, the publication put out by the Minister here just two weeks ago. I refer to the first forward page. It is titled, The Summary of 1982 Highlights within the industry and, Sir, I can tell you that there are a number of points put down here, but three of them speak volumes as to the success of the present royalty and taxation structure.

I'll just for the members' interest read three of them. It says a 195 wells were drilled in Manitoba during 1982 surpassing all drilling activity for the past 25 years. That's the first one. The second one is the value of oil exceeded \$100 million, a 50 percent increase over '81, due mainly to higher oil prices and increased production. The third, provincial revenues collected from the oil industry increased to 16.25 million during '82, representing a 13 percent increase over '81.

I think that the highlights presented on that page, plus some of the supporting evidence that follows again speaks volumes as to the success of the original Act that came in. Therefore I am proud to be associated with the group of people that brought it forward and also to support Bill 16.

Thank you.

MR. SPEAKER: Are you ready for the question? The Honourable Minister will be closing debate.

The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Mr. Speaker, in the interests of brevity, I won't speak that long although I felt for one minute that the Member for Pembina was attempting, in his best manner, to prolong debate for the next two

or three months, but this is something that I think everyone would like to get passed. It's passing an action that basically was taken before Christmas to establish a regime that extends from January 1, 1983, to December 31, 1986.

It is a new Act that is brought forward by this government. I did acknowledge that we did not change the provisions that existed, but expired as of December 31, 1982. We did that because, I think, it's important, especially at this time in our economic cycle, to try and maintain some stability and predictability if one wants to get long-term development. We acknowledge that, there could have been changes for cosmetic purpose, but we are far more interested in trying to achieve a stable long-term development and we are doing that, as we indicated, as part of a threefold package that I'll get to right away, but I can't help but make a passing reference to the fact that the opposition, 16 months after the election, keeps wanting to fight that election over and over again, somehow thinking that it was the election campaign itself that lost them the election.

A MEMBER: Is this on the bill?

HON. W. PARASIUK: No, I saw the debate, it certainly is on the debate on the bill. I really do want to follow the course of debate because the whole question of resources played heavily in that debate and, obviously, still weighs heavily on the minds of the members of the opposition.

What they keep thinking is that it was the campaign itself that determined the election when, in fact, from someone who, indeed, was involved with federal campaigns in 1979 and 1980, and someone who was closely involved in the 1981 campaign, you lost the election some year-and-a-half after you took office. By that stage the people of Manitoba had reached the conclusion that they wanted to kick you out of office. That was very clear in the 1979 federal campaign when we gained . . .

A MEMBER: When they cost Joe Clark the government.

HON. W. PARASIUK: . . . where it was the performance of the Manitoba Conservative Government that cost Joe Clark the majority government. Where, if the Conservatives wanted to somehow blame the NDP for that, in the 1980 federal election the people of Manitoba didn't believe it because we went from five M.P.'s in 1979 to seven M.P.'s in 1980. That should have told you something, and I think it did, because I noticed after that the former Minister of Health, the present Member for Fort Garry, then, at that stage, decided that there should be some increases in the Health budget, and after having applied acute protracted restraint for two years, going onto three years, the Conservative Government of the Day then tried to flood the situation, but by that stage they had lost credibility completely with the people of Manitoba, and that was illustrated very graphically in 1981.

Indeed, I was surprised that you called the election in the fall of 1981, I knew in the summer of 1981 that you were going to lose, I couldn't understand why you called it in the fall. You should reflect back yourselves on why you called it then, your strategists must have

been way off. I gather your strategists were the people who were involved in the finance portfolio, you should ask your former Finance Minister, ask the previous Finance Minister, because they knew that the Conservative Government of the Day was leading Manitoba into substantially increased deficits which they, themselves, could not explain to the people of Manitoba. That was the major reason why they called the election. I want you to reflect back on your own past.

Now, I don't really want to spend much time on this but just set the records straight as to where the election was won and lost and whether, in fact, the people were believing or not believing the people. We said that we could put forward an approach, with respect to resource development, which would lead to the long-term betterment of Manitobans. That's the position that we took in the campaign and we were told, by the Conservative Party at the time, that if you elect a New Democratic Party Government business will lose confidence in Manitoba, things will come to a complete standstill.

Well, despite the fact that we've had the most serious recession in North America since the 1930s, Manitoba has been a bright light in the context of the entire North American situation, and that really hurts the opposition. That really hurts them because they realize that their scare campaigns - remember their scare campaigns - if you elect the New Democrats big labour will run this province. We, in fact, are a pluralistic party, we believe in a pluralistic society, that pluralism has been exercised, we have had the most participatory democracy over the last 16 months that this country has ever seen. The people believe in that, they recognize that, and it's not been difficult for this government to interact with the various sectors of the economy, including business, and that's one of the reasons why they were so embarrassed by the good will generated by the Economic Summit in Portage la Prairie. It was an embarrassment to them, they would like to undermine that process, but they can't.

I'm prepared to say that there are important developments that are taking place in oil and gas, we want to continue those developments. I think that the new oil reference pricing had a lot to do with that; I must say that that's something that I negotiated soon after becoming the Minister because it had been left outstanding by the previous government. That gave some confidence and certainty to the oil industry as to what the pricing level for new oil prices, and I did that within a month, Mr. Speaker, because that had to be changed by December 31, 1981, and it was left outstanding by the previous administration. It was dealt with quickly, expeditiously by ourselves; I think that contributed a lot to the oil development.

We indicated quite clearly to the public that we would move with respect to Manitoba Oil and Gas Corporation; we said we would do that after consultation. We were told, and the opposition tried to tell Manitoba, that this would bring Manitoba to a standstill. Mr. Speaker, there are a number of people there who are looking forward to that, they see that as part of a rational reasoned approach to resource development.

The last item that I brought forward, Mr. Speaker, was the Surface Rights Legislation, and I must admit that the Nugent Commission had been commissioned

by the previous government, but the problem raised very graphically before them in 1977, as soon as they took office, and they stumbled around with that process for about three years before they appointed the Nugent Commission. I, in fact, acted quite quickly because I thought it was important to establish the pillars for stability, for long-term development, in the oil industry, and that's what we, indeed, are doing. We are doing that, Mr. Speaker, so this is part of a threefold thrust. It is, I think, a good thrust on the part of this government, I think it'll ensure continued long-term stable development in the oil industry and, I believe, then that this is an Act, Mr. Speaker, that should, indeed, at this stage receive the unanimous approval of everyone in the House.

QUESTION put; MOTION carried.

MR. SPEAKER: Order please. On the proposed motion of the Honourable Minister of Cultural Affairs, Bill No. 50, standing in the name of the Honourable Member for Kirkfield Park. Stand?

The Honourable Member for Thompson.

MR. S. ASHTON: Yes, Mr. Speaker, I'd like to speak on this bill.

MR. SPEAKER: One moment please.

The Honourable Minister of Natural Resources on a point of order.

HON. A. MACKLING: Yes, Mr. Speaker, I can appreciate that you consider there could be a problem in the speaking order if this bill is called now. I think if it is agreeable then, we could allow it to stand and call Bill No. 12.

MR. SPEAKER: Is that agreed?

Does the Honourable Member for Roblin-Russell wish to speak to the same point of order?

MR. W. MCKENZIE: No. 12, gladly.

BILL NO. 12 - THE WATER RIGHTS ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Natural Resources, Bill No. 12, standing in the name of the Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: I thank you, Mr. Speaker. It's most confusing to sit around here and wait and see the bills juggle all over the place. Why can't we call them in order so we can go back to our office and carry on our research and work then?

Mr. Speaker, very briefly, this is a good bill that I have no problem supporting. I dare say that of the years that I have been in this Legislature and many others have joined me in the need for this type of legislation to look after one of the God-given resources we've got which is plentiful in this province, and it's water. I only have to put into the record again today the many times that I have been on my feet in this Chamber over the years that I have represented the old Roblin constituency and then when Ethelbert was

added, and now the Birtle-Russell constituency, that I am exposed to the drainage systems of the Riding Mountain National Park and the Duck Mountain at some length, and recognize the many many problems that we have been exposed to over the years in trying to deal with the people that live out there.

Drains, the various types of drains, the people that saw fit to change the course of water and flood their neighbour, and those problems are still going on out in that country, Mr. Speaker. The problems of the Valley River which, I'm sure, the Minister doesn't have to have me explain to him - a friend, Mr. Gourlay, who is in here about once a week, and has been for many years - the problems that my Honourable Member for Swan River is exposed to today, the South Duck River and the North Duck River, the many waters and drains in this province. It is a resource that is very very important to the future of our province. I'm glad to see this bill before us which I am sure has been in the works for many a time.

I am also glad to see that we are addressing the problems of the flows of water that comes into this province as a result of the great divide. The waters flow from west to east and, naturally, a lot of the major drainage systems across our great country go across this province. That has been a longstanding problem in the municipalities that lie along the boundary between our province and Saskatchewan.

There are certain things in the bill that I hope that we can address ourselves to in committee or later on, and I am concerned somewhat that maybe the need for maybe some more municipal input that we see at the present time, Mr. Speaker.

The basic subject matter of the whole problem, I think, has been addressed to in the bill very well. I am not going to tie up the committee much longer, Mr. Speaker, just to hope that when we get to committee, I'll add my support, and I'm sure a lot of members of our caucus, for this bill, and hope they can move it on and get it into committee, let the public come in and help us make good legislation out of it.

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNESS: Mr. Speaker, I move, seconded by the Member for Portage la Prairie, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: Order please. The time being 4:30, Private Members' Hour.

PRIVATE MEMBERS' HOUR

RES. NO. 2 - AMENDMENT TO THE NATURAL RESOURCES TRANSFER AGREEMENT

MR. SPEAKER: Proposed resolutions. Resolution No. 2, the amendment proposed by the Honourable Member for Radisson, standing in the name of the Honourable Member for Sturgeon Creek who has 14 minutes remaining.

MR. F. JOHNSTON: Thank you, Mr. Speaker. When I sat down the last time I felt that I had finished my

remarks, but I was very pleased to see that I had another 14 minutes because I've had quite a while to have some other thoughts regarding this amendment.

Mr. Speaker, as I said, I don't fish and I don't hunt. I curl and play golf and I think I said the last time that I enjoy knocking the devil out of NDP coloured golf balls, but I did say that I am opposed to nightlighting. I did say to the honourable members of the House, I don't think there is anybody here that wants to have nightlighting. I don't care who it is in this province, nightlighting should not be allowed. That's the whole crux of this resolution, Mr. Speaker. If I were to call up the Minister of Resources and I have to keep referring to him because that's what he happens to be, the Minister of Resources . . .

A MEMBER: Painful as it is.

MR. F. JOHNSTON: . . . and I were to say to him, let's go hunting tonight with lights, he wouldn't go. I know the Member for Ste. Rose would not go. I know that many of the lady members or all of the lady members of that side of the House and this side of the House would not go.

MR. R. DOERN: They don't trust you, Frank.

MR. F. JOHNSTON: I don't know why anybody would then amend a resolution which basically says that we don't want to have nightlighting in this province. Can anybody stand up and say that they agree with nightlighting? Do they agree with that type of hunting? Then, Mr. Speaker, we have an amendment from the Honourable Member for Radisson and I would say to the Minister of Resources if he's going to have a discussion on this subject, are you really going to have a meeting and put on the agenda whether we will allow nightlighting in Manitoba or not? Are you really going to sit down and have a discussion as to whether nightlighting should be allowed in Manitoba or not?

The honourable members on the other side will have to make that decision that they have an amendment that says, we've got to discuss it. Here we have a situation in this Legislature where everybody believes it's a deplorable way of hunting no matter how it's done. No matter how it's done, no matter who does it, it's a deplorable way of hunting. As a matter of fact, if anybody walked in this House - if I said I invite them to nightlight, they wouldn't go. If they walked in this House and said, I've just been out all evening shooting deer with lights, he would be condemned by everybody in this House. So, Mr. Speaker, why do we have an amendment that says we're going to discuss it?

Mr. Speaker, on this particular amendment, on this particular resolution with the amendment that has been put in, it is absolute proof, it is absolute proof that the government side of the House has decided not to pass any resolution brought forward by this side of the House. — (Interjection) — Mr. Speaker, there is no - I heard from the Member for Inkster, the firefly from Inkster, the guy that flits around, who's this great humanitarian and what-have-you, saying, it's not true. But, Mr. Speaker, I would tell you this, if this resolution is not passed, it is the greatest proof we've ever had that that side of the House refuses to pass any resolution

that is brought forward by the opposition. — (Interjection) — Mr. Speaker, I can fully expect one of the honourable members over there to get up and say that he believes in nightlighting, he believes that they should have meeting and on the agenda discuss whether they should allow nightlighting in Manitoba or not. I would expect one of the members to get up over there and say that is what they want to do.

So, Mr. Speaker, the proof is in the pudding, the proof is going to be in this House when we have a group of members on the other side who absolutely believe that nightlighting is a deplorable way to hunt, something that should not be allowed, yet they amend it to have a discussion, to have on an agenda to decide whether we will nightlight or whether we won't. They are actually going to support that type of amendment and maybe vote against this resolution.

Mr. Speaker, let's have some fortitude over there. Let's have some people get up and say that there is no more reason for discussion on this subject because nobody in this House believes in it and let's just defeat the amendment and pass the resolution, Mr. Speaker.

MR. SPEAKER: Are you ready for the question?

The Honourable Member for Rupertsland.

MR. E. HARPER: Thank you very much, Mr. Speaker. I am very glad to make a few comments on this resolution on this proposed amendment. Hopefully, the opposition will support it, and I will speak the reasons why.

First of all, I must say what the Indian people are concerned about are very similar things to what members opposite are concerned about, which is the preservation of wildlife. I have explained before in this House what that means to the Indian people. It has been part of our culture, part of our traditions and part of the negotiations that took place between the Government of Canada and also the Indian people. That's where I would like to focus my points on those Treaties because Canada has an obligation and also a responsibility to fill those Treaty obligations, including the Government of Manitoba. I might as well say too, including the citizens of this country because through their governments, various governments across this country, they have a responsibility to Indian people.

One of those Treaty rights is the right to hunt. I would feel that the members opposite, and also members on this side would honour those Treaties that were made between my ancestors and their ancestors.

Dealing with The Natural Resources Transfer Act in Section 13 doesn't create those rights, it only reaffirms the Treaties that were made between the country of Canada and also the Indian people. The Indian people have the right to hunt for food at any time of the year and this has been proven and decisions been made by courts that Indian people do have that right. Indian people can hunt where they have access to land, including land where private owners may give permission to Indians to hunt under private land.

As you know, agreement was made between the prairie provinces to include an obligation I guess in terms of Canada to ensure that these rights are protected. As you know, recently we've had discussions in Ottawa concerning the rights of Indian people, the

aboriginal people of this country. One of them I can quote from the Constitution. Section 35 says here, "The existing of aboriginal and Treaty rights of the aboriginal Peoples of Canada are hereby recognized and affirmed," and that is the Constitution of Canada and also including the Province of Manitoba. What is yet has to be resolved as a definition of those rights and identification which still has to be debated in the upcoming years.

I said before Treaties are held very solemnly by Indian people and I don't think the Canadian citizens would want Indian people to renege on the Treaties that were made by Indian people. I said before one of those Treaties is the right to hunt and one of the problems has been is the general public to understand what those Treaty obligations are, what those Treaties entailed. I can maybe give you an example.

I have a copy of a letter dated March 15, 1983 and it's a letter from the Rural Municipality of Rosburn and it says here: "Dear Fellow Councillors, enclosed herewith is a sample form of a petition entitled, 'One law for all people' which is, I believe, very self-explanatory. With today's welfare system there is no need for any group of people to have special hunting and fishing privileges. If you concur with me please have a number of these petitions signed and forwarded with a resolution to your district meetings." It's signed, "Ernie Antonow, Secretary-Treasurer." Also it has a stamp here of the Town of Stonewall.

I think it says for the kind of understanding that people have generally that these are not privileges, they are rights that have been negotiated with the Indian people. For the Municipality of Rosburn to write this kind of letter and say with today's welfare system there is no need for people to have special hunting privileges, I think that approach the Indian people have experienced over 100 years with the Federal Department of Indian Affairs, that only brings poverty, it perpetuates the social conditions that exist in those communities including my community. The mentality of governments to approach for solving problems would not help Indian people get ahead. Just because welfare systems exist for Indian people doesn't mean that Indian people wouldn't practise their rights.

This is the kind of attitude that I like to stress on and also the understanding to people of Manitoba that the Treaties are honoured by Indian people and for many years we've been pursuing and also trying to get the Federal Government to honour some of these Treaty obligations. That's why I stress very importantly what Treaties are and I hope the members opposite would understand what I mean by Treaties. They are not necessarily just privileges. They are, hopefully, that both parties, the Indian people and the Government of Canada, could honour.

I realize the intent of the resolution is to preserve wildlife and more importantly to deal with the night hunting issue. There have been prosecutions in relation to that on the hunting issue and I can quote some of the recommendations in the five-year report to the Legislature on wildlife.

The No. 1 imperative is, and I quote, "Big game populations, particularly moose and elk, are in jeopardy largely due to their harvest by Treaty Indians and to illegal kill by poachers. This has reduced the capability of these species to meet the current demands.

Legislative changes to assist in the conservation of these big game species may be required. Should other initiatives fail, in addition, greater enforcement emphasis on poaching is required."

I think that recommendation has to be followed up and one of the things that the resolution calls for is for Indian people to get involved because it involves the Treaty rights and it has an effect under Treaty rights. Indian people, I said before in this House, have never been actually involved in this democracy, it's only been recently within the last 20 years. In terms of trying to protect their interests, they have been denied because they haven't been involved in such a democracy as we know it today.

The way the resolution was presented by the Member for Turtle Mountain is to request Manitoba and the Government of Canada to renegotiate the actual Resources Transfer Agreement. I think Indian people should have a say in that because it is about time Indian people become involved in the decision-making of this country.

I want to emphasize that Indian people want to become part of Canada. If that suggests only two parties should become involved, that has been tried before and will never work if you isolate Indian people in decision-making. We want to be involved in the decision-making and also be involved in the conservation management decisions that affect our lives in the community. I see this problem more of a regional problem more in the south where there is more population of people.

As I quote from the Annual Report 1981 in terms of wildlife occurrences that took place last year, I think there was over 75 percent of the occurrences occurred in the southeast, southwest, Interlake and western regions. There were over 4,000 wildlife occurrences and most of them were in that region. Also, I guess in terms of the land, I mean because of the people that are involved in this area, mostly populated, that it causes some social tension between groups. That's why I said, in terms of when I talked about Treaty rights, that people don't really understand what that means or what they are.

In terms of the prosecutions last year, in 1981-1982, there were 897 prosecutions. Of that, 287 were Treaty Indians, 32 percent of the total prosecutions represented Treaty Indians. Might I add that 226 were due to nightlighting, 158 were Treaty Indians and 68 were non-Indian. Of that total, 226 were totally charged under The Wildlife Act.

However, in the other areas of hunting there were other people charged but more non-Indian people were charged with other offences, loaded firearms in the vehicle and possession of illegal game, abandoned or waste edible animal. I think you would see that there were none of the Indian people charged under that category.

But to put it maybe in a current perspective, the night light hunting issue is still the same. However, in terms of Indian people charged on the other offences, dangerous hunting was decreased 100 percent. These are some of the figures that I have in the 1982-83 fiscal year although I don't think I have seen the reports that have been tabled, but this was a letter that was sent to one of the officials in the Enforcement Branch and these are the figures that I have. Hunting in a closed

season is down 81 percent - these are in relation to Treaty Indians - hunting on private land without permission, down 79 percent and loaded firearms in vehicle dropped 79 percent. So those are some of the figures that I can quote.

I see the problem being one that has to be approached by the Government of Manitoba, by the Federal Government, and also the Indian people. I think there has to be an education program or some sort of Information Services available to promote that this problem exists not only with the Indian people but the general public, a greater awareness of the problem. Also, I must emphasize that Indian people must be involved in the participation, in the management discussions and also decisions. There has to be a greater dialogue among Indian leaders.

Like I said before, we are just beginning to be part of this country and hopefully we can make decisions together that will benefit the people of Manitoba, and such actions by governments just to isolate Indian people from this sort of, I guess, cultural issue between the Indian people with respect to their rights and also the wildlife preservation of animals, wildlife, that they have a greater say.

So in conclusion I would like to say that the members opposite will support this resolution because of the important issue in terms of wildlife preservation and also with respect to our Treaty rights, which I said before, is very important and also one that is held solemnly by Indian people in the Province of Manitoba.

Thank you, Mr. Speaker.

MR. SPEAKER: Are you ready for the question?

The Honourable Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Speaker. I just want to add one or two comments. I wanted to maybe ask the former speaker . . .

MR. SPEAKER: Perhaps the honourable member will excuse me while I just check further to see whether he has, in fact, spoken to this amendment.

MR. D. BLAKE: Certainly.

MR. SPEAKER: Order please. The Honourable Member for Minnedosa spoke to the amendment on March 22nd.

The Honourable Member for Minnedosa on a point of order.

MR. D. BLAKE: No, I would just like to ask the former speaker a question, if he would submit to it.

MR. SPEAKER: Will the honourable member accept a question?

MR. E. HARPER: Yes.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Speaker. I would just like to ask the Member for Rupertsland if he is in favour of nightlighting wild game.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. E. HARPER: I don't think, in terms of Indian people I talked to, that they are not in favour of nightlighting. There are other issues attached, I think, with respect to Treaty rights which I have mentioned, and that's the reason why I suggest there be more discussions.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: Thank you, Mr. Speaker. It is indeed difficult to follow the Member for Rupertsland in his address to this resolution, in that he has so concisely and eloquently put the question to all of us in respect to, where do we go on this very complex and difficult question?

When this resolution was first introduced at that time, Mr. Speaker, the introduction by the Member for Turtle Mountain seemed to be very clear in the intent of the resolution, in what was hoped to be accomplished by it. In fact at that time it seemed quite apparent.

MR. A. ANSTETT: Is that the issue? Why don't you get up and put it on the record, if that's the issue?

HON. J. COWAN: It appeared that he was calling upon the present government to enter into negotiations with the Federal Government for the express purpose of amending The Natural Resources Transfer Act. That amendment would allow for the Government of Manitoba to apply specific laws to hunting methods and equipment to Indian people in this province and the members opposite indeed are indicating, or at least some of them are indicating, that that is a fact. If that was the case, and I believe that was the case, I believe the interpretation is sound, then the obvious question that one first has to address is why wasn't that done when the Member for Turtle Mountain had an opportunity to do so when he was a member of the previous government? Why didn't that same member into those very same negotiations when he had that chance?

After all, one would logically expect that if it was such a simple matter, and we have been told by the comments of those opposite, that it would be a simple matter, in fact, we were told by the Member for Turtle Mountain in his opening remarks, to use his words, "that it was a simple matter," then one would have expected that it would have been accomplished previous to now, but it wasn't. It wasn't accomplished and for some reason unknown to us, at that time, they chose not to undertake that action and instead they chose to request this government to undertake that which it appears he was unwilling to do when he had both the opportunity and the responsibility to do so.

Perhaps when he has an opportunity to speak to the amendment, he will answer that question, because I believe that, in fact, is one that should be addressed.

I believe the amendment to this resolution offers a much more realistic and workable approach to the difficult problems which he has justifiably outlined and laid before us for discussion. I believe the amendment provides for a more realistic approach to the conservation of wildlife in this province than does, what I would suggest, was a limited alternative that was first suggested by the members opposite. The amendment,

while it addresses the same basic issue, does in fact approach it from a somewhat different perspective. Firstly and importantly, it does not isolate any one specific group as a cause of what we all acknowledge is a serious and comprehensive problem.

One could only conjecture as to why the original resolution so clearly identified one group and yet, when members opposite spoke to that resolution, they were quite fairhanded in their comments in respecting the abuses which exist by all parties in regard to difficulties that are being experienced in regard to conservation in the province.

One would have to ask the question of them as to why they would be so specific in the criticism towards Indian hunters and their hunting habits when they have so freely acknowledged that, in fact, not only is dangerous hunting illegal for all parties, whether it be Treaty or non-Treaty people, but they have also acknowledged that there are hunting practices which need to be addressed throughout the wildlife conservation system in this province.

So I would suggest that they were fair in their comments in the speeches. They indicated firstly that they understood that if it is a dangerous hunting practice, it is illegal to any individual whether that individual be Treaty or non-Treaty. In fact the Member for Rupertsland read into the record just previously, statistics that clearly outlined prosecutions that were taken against Treaty Indian people for those practices when they were felt to be dangerous practices, so the record is clear in that regard.

The record is also clear, and I think both sides of the House have addressed this specific part of the problem in their comments, that in fact there is a problem, that wildlife herds are being diminished for a number of reasons, and we have talked about the different methods by which we can address that problem. One is to sit down and discuss with the parties that are most involved, their ideas and solutions as to how to deal with this problem. No. 1 is to address the issue of wildlife conservation and management and we have talked in that regard about the difficulties with certain hunting practices, the problems that are perceived in regard to certain hunting practices, as well as the opportunities which should exist to us in regard to increasing wildlife habitat and providing for better management of the existing herds.

Those indeed are the very real concerns that are shared by all persons who respect the balance of nature and wish to see it preserved for generations that will follow in our footsteps. I believe that, by our amendment to the resolution, and by the change in thrust that that applies to the original resolution, we have voiced that concern in a positive way rather than singling out a particular group and suggesting, even in an inadvertent way, that their practices are the major problem and therefore, if we prevent those practices, we will in fact have prevented the problem. We have said that it is a much more comprehensive problem than that.

Anyone who reviews the matter of depleting game herds in a rational way will soon have to agree that the problem is, in fact, a multi-faceted one and one that is not prone to easy solutions and before I ask the question as to why it is now that we are addressing this issue by way of resolution from the Member for Turtle Mountain in the first instance, I believe that is

part of the reason, that he recognized then and he recognizes now that it is not one that is prone to easy solutions, that there are things that can be done to conserve the wildlife in this province but it is a multi-faceted approach that must be affected if it is to be successful.

So one has to soon agree that the problem is not one of Indian hunters using nightlights or four-wheel drive vehicles. It is a problem of the proper management of existing resources. It is one of ensuring a continuing supply of habitat; it is one of control of predators; it is one of appropriate responses to natural problems, such as difficult winters that are experienced from time to time or outbreaks of disease; and I would think that the members opposite believe that. They have indicated that in their speeches when they have spoken to this issue.

So if those in fact, Sir, are the aspects of the problem with which we must deal, then I believe the amendment which we have proposed, provides for a more comprehensive solution to those particular problems.

There is a reason why this resolution is necessary and the Member for Turtle Mountain should be commended for bringing the issue to discussions in these Chambers. I will not commend the way in which it was phrased but I believe, by our amendment, we have in fact acknowledged that the problem which he has laid before us is a very real one indeed.

I would also believe that by way of our amendment, we have indicated that we are prepared to work with others in order to resolve the problem in the most efficient and effective way. We've all been told - and I mentioned it just previously - that the reason the game herds are being depleted is because of a number of factors; lack of habitat, disease, predators, hunting.

MR. B. RANSOM: They don't nightlight the game birds.

HON. J. COWAN: Well, the Member for Turtle Mountain has indicated that they don't nightlight the game birds. That, I think, is an area of wildlife management that can be addressed by our amendment as effectively as it can be addressed by the original resolution. I don't believe that there should be any doubt in that regard.

As a matter of fact, I believe the problem in wildlife conservation can be best addressed by our amendment, because let's look at what our amendment says. Our amendment says, in fact, that there is a serious problem, that it is a problem of concern to all of us. Our amendment suggests that there are not easy solutions to this problem. Our amendment acknowledges that there is no quick fix to this problem because indeed, if there was a quick fix, we would have seen that in place already. — (Interjection) — They would have done it indeed when they had the opportunity and the responsibility. — (Interjection) — Our amendment says that we must begin as a government and as an opposition and as people who are interested in this problem to discuss this in a comprehensive way.

What we are saying is that there are matters that should be discussed. What we are saying is that we are not afraid of those discussions, but in fact we welcome those discussions and we encourage them. Now, that is not to say that there have not already been discussions of that sort in the past. That is not

to say that there has not already been discussions of a similar sort ongoing for a long time and still ongoing. A matter of fact, the Member for Turtle Mountain should be, of all the members in this House, most aware of the discussions that centred around the management of the caribou herds. I think the Member for Turtle Mountain should take some great pride in his involvement in that particular problem and his involvement in what hopefully will lead us to the solution of that problem.

Perhaps, a bit of explanation would clarify those remarks. As the member opposite knows, there were considerable concerns about depletion of the caribou herds. It wasn't known really why those caribou herds were being depleted. The bank of evidence was not sufficient enough to enable one to make a definitive statement in regard to why they were being depleted, but in fact there were serious concerns about that depletion. The Member for Turtle Mountain, when he was in government, acted in what I believe was a rational and positive way to deal with that. What did he do?

Well, he sat down with those groups that would be most affected by any program and he discussed it with them. Now, he wasn't the first one to do that, I understand. I understand that particular agreement had been discussed previously, but he was the one that was the Minister responsible when that agreement was reached and for that reason should take some pride in that approach and should take some pride in the fact that it appears to have worked. He sat down with those individuals and he said we have a problem.

Now, part of the problem might be increased access to the herds. Use of four-wheel drive vehicles, well, probably not; but use of snowmobiles, certainly; use of airplanes, certainly. With that increased access to the herds, there were greater demands on the herds, greater hunting pressure on the herds, and it was felt that pressure might in fact be affecting the herds. So how do you resolve it?

Did he at that time go and ask for an Act, whether it be in this Legislature or in Parliament, suggesting that those individuals who had traditionally exercised those rights to access to those herds would be denied that access? No, he didn't do that; instead, he continued on with the discussions and brought them through to fruition in respect to developing a program that was acceptable to all of the parties. He sat down with them. He said we have a problem, how do we resolve it? And they came up with an agreement.

As a matter of fact, the agreement seems to be working. I was in Lac Brochet just recently; I had an opportunity to discuss this with individuals in the community and they are quite proud of that agreement. They are quite proud and pleased that it seems to be working and, as well, they give great credit to those parties, all of them, who were involved in making certain that agreement was put in place, because they have that same desire that we all have to ensure that those herds are maintained in as reasonable a state as they can be. They know that they must be part of the solution, and they have done so. They have opted in to being part of that solution, I believe, Sir, without giving up in any great way those rights which they feel are historically bound to them.

That is the type of approach we are talking about in our amendment. We are also saying that this is a

priority concern of this government. We are also saying that we cannot do it alone. Now, that may seem strange to you, that admission of frailty that we cannot do it alone, but the fact is that we cannot impose a solution on those who do not want to be a part of the solution. We can use the benefit of suggestions and indeed criticisms, where necessary, that may be involved in discussions as we discuss this with those parties. We need their help; we need them to be a part of the solution. So that is why we have suggested that is the appropriate course to the action.

In it, in our amendment, we address and identify the problems in a more comprehensive and I believe a less inflammatory way. We don't isolate the problem to one group or to one particular hunting method, because that is not the entire problem and everyone has admitted to that. We acknowledge that the problem of depleting game is shared, so we know that the solution must also be shared. We recognize that this is not a new problem, that many administrations including the previous one have given considerable thought in a sincere way to a solution. We indicate that they have not undertaken that effort alone, that we are not going to undertake this effort alone, and that if there should be those that follow us, we have an opportunity and responsibility to do so. We believe that by working with those parties most affected, they will be able to improve upon our efforts to resolve this longstanding problem in an equitable and fair way.

So our amendment suggests a continuation of an ongoing process and an acceleration of that co-ordinated effort to manage those resources. It identifies that work as a stated priority, so that the Province of Manitoba, along with the Federal Government, along with representatives of Indian people, and representatives of other groups with special interest in this area, can put our heads together to meet this challenge. I, for one, Mr. Speaker, am confident by doing so, we will come forward with those solutions to the problems identified in the original resolution without pointing fingers of blame at specific groups and, more importantly, without unilaterally derogating from the rights that any of us hold and cherish.

For that reason, Sir, I commend this amendment to you and I would expect that this amendment will enjoy, I would hope that this amendment will enjoy, considerable support on both sides of the House.

Thank you.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

Order please.

The question before the House is the proposed Amendment to Resolution No. 2, moved by the Honourable Member for Radisson as printed and circulated.

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

YEAS

Messrs. Adam, Anstett, Ashton, Bucklaschuk, Carroll, Cowan; Mrs. Dodick; Mr. Doern; Ms. Dolin; Messrs. Evans, Eyer, Fox, Harper; Ms. Hemphill; Messrs. Lecuyer, Mackling, Malinowski, Parasiuk, Pawley, Penner; Ms. Phillips; Messrs. Plohman, Santos, Scott; Mrs. Smith, Messrs. Storie, Uruski, Uskiw.

NAYS

Messrs. Banman, Blake, Brown, Filmon, Gourlay, Graham; Mrs. Hammond; Messrs. Hyde, Johnston, Kovnats, Lyon, Manness, McKenzie, Mercier, Nordman, Orchard, Ransom, Sherman.

MR. CLERK, W. Remnant: Yeas, 28; Nays, 18.

MR. SPEAKER: The last amendment is accordingly carried.

The Honourable Member for Inkster.

MR. D. SCOTT: Mr. Speaker, I would like to speak on the motion, as amended.

MR. SPEAKER: Order please. The question before the House is the proposed Resolution No. 2, as amended. The Honourable Member for Inkster.

MR. D. SCOTT: Thank you, Mr. Speaker.

Mr. Speaker, all I can say is that I am very very appalled at the conduct of the members opposite on this resolution this afternoon. I did not think they would sink so low as to try and follow through and try and turn this into a red herring simply on nightlighting issue and not look at the broad or ecological consequences that one has with wildlife management.

Mr. Speaker, their initial resolution would say still or profess to support that they are trying to accuse us in our knocking down of that resolution because, quite frankly, I think that resolution is based on racism. That resolution, Mr. Speaker, that resolution has picked out one group of people in this province who have Treaty with this province, and the former Minister of Natural Resources, the Member for Turtle Mountain when he was the Minister of Natural Resources, is this all something new? Is Native hunting a brand-new issue? What happened when he was the Minister, why did he not take action? Why did he not, when he was the Minister of Natural Resources from 1977 until 1979 or 1980, why did he not pick up and take this resolution forward? Because he knew, he knew I think in his own heart and soul back then that not only was it improper, that it bordered on the fringes of being immoral.

He picked up, as he should have, the work that was started by one Mr. Joe Robertson, to try and protect the Kaminuriak herd. He recognized, Joe Robertson did, that you had to work with the Native people to settle a problem with the Kaminuriak herds. He started that off in 1976. The man took early retirement so that he could concentrate his efforts on the protection of that herd and working with the Native peoples in the area. Joe Robertson, he started first off with Harvey Bostrom who was a member of our government at that time, under the Schreyer administration, Mr. Bostrom recognized as well that you had to start the process.

It took a few years to get that process working. It took all the four years that the opposition was in office and we still didn't have a signed agreement.

I met the Member for Turtle Mountain, when I was going to Tadoule Lake he was heading there as well to work on this agreement. I was working on other matters, but I commend him for his efforts back then in working in co-operation with the Native people. We've seen the results of that. We now have an agreement between the Province of Saskatchewan, the Province of Manitoba, the Government of the Northwest Territories and the Native people.

MR. SPEAKER: Order please. When this resolution next comes before the House, the Honourable Member will have 17 minutes remaining. The Honourable Government House Leader.

HON. R. PENNER: Yes, Mr. Speaker, I move, seconded by the Minister of Energy and Mines, that this House do now stand adjourned.

MR. SPEAKER: Order please. A motion is not necessary to adjourn. The time being 5:30 the House is adjourned and will stand adjourned until 2:00 p.m. tomorrow (Thursday).