

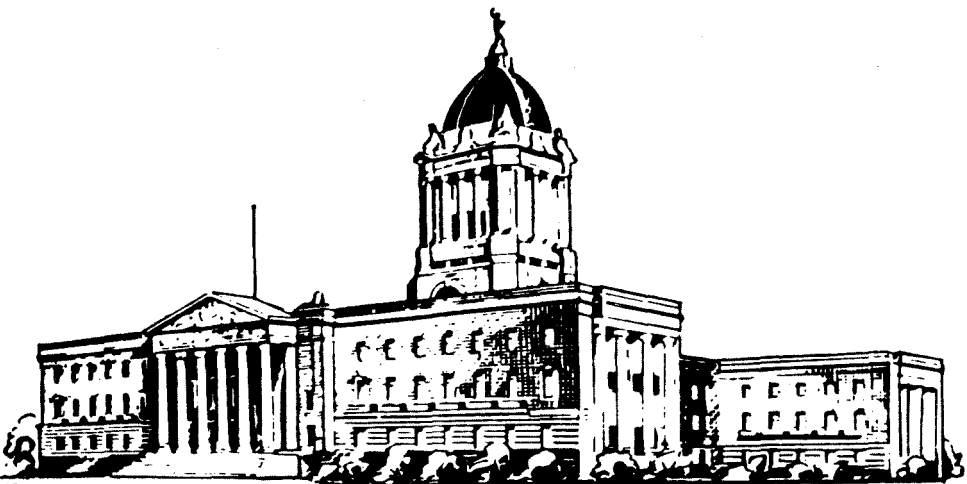


First Session — Thirty-Third Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS
(HANSARD)

35 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Third Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, 19 August, 1986.

Time — 8:00 p.m.

CONCURRENT COMMITTEES OF SUPPLY SUPPLY - ATTORNEY-GENERAL

MR. CHAIRMAN, M. Dolin: The committee will reconvene.

We are dealing on Page 19 with Resolution 19, Section 4. Law Enforcement, (b) Law Enforcement Administration - the Member for St. Norbert.

MR. G. MERCIER: Pass.

MR. CHAIRMAN: 4.(b)(1)—pass; 4.(b)(2)—pass.

4.(c) Canada-Manitoba Gun Control - the Member for St. Norbert.

MR. G. MERCIER: What's the reason for the reduction?

MR. CHAIRMAN: The Honourable Minister.

HON. R. PENNER: The gun control officer, whom we had with us for a considerable period of time left, and we were able to fill it at a lower level. We reclassified the position. As we've been developing the law enforcement unit, we've been able to double up on some functions. In the year before, built into the 81,700 was some severance pay for the person who retired.

MR. G. MERCIER: A question I was going to ask - I could have asked in the previous one - but there was a story about Parks Police in the City of Winnipeg, who wanted to be able to carry guns, the constables who patrol major City of Winnipeg parks. Is that under consideration by the department?

HON. R. PENNER: No, that's strictly city and I wouldn't ordinarily be very supportive of that.

MR. G. MERCIER: Would or wouldn't?

HON. R. PENNER: Would not.

MR. CHAIRMAN: 4.(c)(1)—pass; 4.(c)(2)—pass.

4.(d) Manitoba Police Commission - the Member for St. Norbert.

MR. G. MERCIER: Mr. Chairman, essentially all the Police Commission does is hear the odd appeal from the Law Enforcement Review Agency and is active in the crime prevention area. It's a relatively small amount of money in comparison to the total budget. I wonder why the Attorney-General doesn't consider abolishing the Police Commission or turn it into special crime prevention, or assistance to victims of crime, etc., sections. Or is the Attorney-General putting all of the programs for assistance to victims, or crime prevention, in this area?

HON. R. PENNER: In fact, we're considering going somewhat the other way. There has been a reduction

in staff and it follows in program capability when the former executive director of the Manitoba Police Commission, Max Mulder - you will remember him - left. We didn't replace him, not because we thought he was irreplaceable, and we have been looking at the function of the Manitoba Police Commission since, perhaps rather tardily.

It's true it has, at the moment, apparently, a minor function in that it has an appellate function from a decision of the LERA Commissioner. It also has where the disciplinary action of a commission, or its equivalent, does not involve a third-party question as an appellate function under The Provincial Police Act.

We've been discussing this situation with the Manitoba Police Commission and it is long felt that indeed there is a larger function for it to play not primarily in the area of crime prevention. I think it accepts the notion that crime prevention perhaps should best be delivered by the developing Crime Prevention Centre.

In terms of the development of a whole number of protocols for the various police forces, protocols having to do with training, having to do with high-speed chases, having to do with safety equipment, having to do with matters of that kind - recruiting and training, we have been meeting with members of the Commission in recent weeks trying to see if we can scare up the resources to beef it up so that indeed if we can at least examine these functional components.

And we have asked that a complete review of The Provincial Police Act be done and recommendations be made for a thorough revision of The Provincial Police Act. It's out of date. It has, you'll recall, bits and pieces from many years ago when there was a provincial police force and it has some more recent bits and pieces. So we want that examined in the context of re-examining the function of the Commission itself.

MR. G. MERCIER: Has the Attorney-General consulted with the RCMP and the City of Winnipeg Police Force about their perceived need for a provincial bureaucracy under the Police Commission to develop protocols for them?

HON. R. PENNER: There has been consultation with the Winnipeg Police Association and they are highly supportive of this notion of an independent body that has the opportunity, separate and apart from a management function, to look at such things as equipment, safety, protocols with respect to high-speed chases, protocols with respect to dealing with victims of sexual abuse, and so on.

MR. G. MERCIER: Pass.

MR. CHAIRMAN: 4.(d)(1)—pass; 4.(d)(2)—pass.

4.(e) Law Enforcement Review Act - the Member for St. Norbert.

MR. G. MERCIER: Mr. Chairman, the Law Enforcement Review Agency issued its first report for, I believe, its

first 11 months of activity. I suppose, depending on your approach to this agency, on the one hand you would say it was in view of the fact that they made no findings of any police misconduct, you would say it is an entirely useless agency and a waste of money. On the other hand, if you approach it from a different perspective, I suppose from the Attorney-General's point of view, he may say that the record just shows what a great influence it had on police conduct during that period of time.

Would I be correct in identifying you with the latter assessment?

HON. R. PENNER: In fact, I think it's a bit early to make any kind of definitive assessment. I think everyone with preconceived notions about the Law Enforcement Review Agency is somewhat surprised at the relatively low level of activity. Incidentally, I have a more recent statistical report, up to June 30, 1986, and I'll give the figures. They're not much different, really, as a matter of fact, than those that are contained in the briefing material.

With so many variables, I think it would be a bit pretentious to draw conclusions. I wouldn't, for example, draw the conclusion that because LERA is there, the police who were egregiously misbehaving are now behaving, because I don't think it was the case that we had an undisciplined police force. We had some problems; there still are problems. Some of them are internal; some of them are external in dealing with third parties.

It may be, as I say, that it's too early in the day to assess the functioning of the Commission. I do note, and perhaps that's why we only have the tip of a relatively small iceberg to assess, that of the complaints accepted for investigation, a substantial number were resolved informally; 25, for example, in the first period from the first 11 months from February 1, 1985 to December 31, 1985. Of the total of 112 that were actually accepted for investigation, 25 were dealt with by informal resolution. I think that's good. I think that does indicate one positive role that we expected earlier to be able to play, and that is to be able to point out to the person against whom a complaint is made that the behaviour of which the complaint was made is not the kind that would result in severe discipline, and indeed perhaps can be dealt with informally by a meeting between the citizen and the police officer. If that's what's happening, as I think it is, that's all to the good.

MR. G. MERCIER: I didn't see it in the report, but is the Attorney-General aware of whether there were any third-party complaints? That was an issue, as he will recollect.

HON. R. PENNER: I have no information before me on that particular point. I'll have to take that as notice. I'm advised by the Director of Police Services that there are some. It's not a large number, but there have been some.

MR. G. MERCIER: It would be interesting to have that information for last year and perhaps have it included in the report next year.

HON. R. PENNER: I think that's a good suggestion. I'll accept it.

MR. G. MERCIER: How is the total of \$122,500 broken down?

HON. R. PENNER: We have two SY's for a total of 96,200, and then Other Expenditures of 26,300, for a total budget for the unit of 119,500.00. Is that the figure that the member was asking about?

MR. G. MERCIER: There are two SY's. How are those broken down?

HON. R. PENNER: You have the Commissioner and one support staff.

MR. G. MERCIER: So how much does the Commissioner . . .

HON. R. PENNER: The Commissioner is somewhere in the \$60,000's, a Senior Officer 6 at around 69,000.00. The balance of that salary account would be for the support staff.

I should point out incidentally, the way we're managing, it's not as if that's the only support that the Commissioner has. We've placed the Commissioner and his function in a line relationship with the Director of Police Services, so that if the Commissioner requires investigation, we're able to use the investigative facilities that we have with the Director of Police Services. If they need additional support staff, additional to the one that they have, they're able to rely on the support staff that's in that unit generally.

MR. CHAIRMAN: (e)(1)—pass; (e)(2)—pass.

Resolution 19: Resolved that there be granted to Her Majesty a sum not exceeding \$29,462,800 for Attorney-General, Law Enforcement for the fiscal year ending the 31st day of March, 1987—pass.

Resolution 20, No. 5. Court Services, 5.(a) Court Administration - the Member for St. Norbert.

MR. G. MERCIER: Pass.

MR. CHAIRMAN: 5.(a)(1)—pass; 5.(a)(2)—pass.

(b) Federal Courts - the Member for St. Norbert.

MR. G. MERCIER: What is the time or delay in setting the matter down for trial now in the Court of Queen's Bench?

HON. R. PENNER: I'll just have to go by way of recollection. My understanding is, because of the way in which the Family Division is functioning at considerable improvement in terms of the number of things which have to go to trial, and because of the use now of pre-trial conferences, that the time within which something can be set down for trial has been reduced remarkably. But I can't give you the exact figure now. I'll try to have it and supply it to the member in writing. But it has gone down a lot.

MR. CHAIRMAN: The Member for Brandon West.

MR. J. McCRAE: There's been a need expressed in the Brandon area for changes to our courthouse and perhaps involving an expansion. Can the Minister tell us what plans there are for an expansion to the Brandon Courthouse?

HON. R. PENNER: I'm advised by the ADM of Court Services, Marvin Bruce, is here with us tonight, that a meeting has taken place with the people in Brandon and their putting a package for submission of the '87-88 Estimates. Now, at this stage, it's too early for me to say what success it will have. I haven't previously been briefed on the need or the potential cost or where it might fit into the total capital requirements of the department.

MR. J. McCRAE: Mr. Chairman, I think more and more the need is becoming greater in Brandon and with the possible expansions coming up, we're going to see more need there for an expansion for our courthouse, so I ask the Minister to keep that in the back of his mind for the next while.

MR. G. MERCIER: Mr. Chairman, at what stage is the whole Law Courts renovation project at now?

HON. R. PENNER: Everything except the renovation of the old Land Titles Office is on schedule, and in fact slightly ahead of schedule, I think in terms of the renovation of the old Law Courts.

The tenders were called on the Land Titles renovation; it came in a lot higher than budget because between the time the concept was originally put together and now, the construction industry, at least that section of the construction industry, has heated up to the point where bids generally are coming in higher than original estimates. So we had to look around in the capital budget of Government Services which delivers that section of the capital budget, to see if the extra could be made up and a package is being put together for Treasury Board. It's on Treasury Board agenda for the 26th. If, I'm advised, it passes Treasury Board, as I'm confident it will or I hope it will, then we'll be on stream.

MR. G. MERCIER: That will be the Court of Appeal judge, will it not?

HON. R. PENNER: Court of Queen's Bench Chambers.

MR. G. MERCIER: That's all that will be in the Land Titles Office.

HON. R. PENNER: That's all that there will be in the Land Titles.

MR. CHAIRMAN: (b)(1)—pass; (b)(2)—pass.
(c) Provincial Court - the Member for St. Norbert.

MR. G. MERCIER: What is the situation now with provincial judges? Is the Attorney-General negotiating on an annual basis with them as to salaries?

HON. R. PENNER: There are ongoing discussions. I don't know if the member is aware that in fact we gave the provincial judges, about a year ago, a substantial

increase in two phases, bringing them up to about the mid-level of western payments. At the same time it was agreed that they should not be, as they previously were, tied to Civil Service increases. We were really talking meaningfully about the independence of the judiciary, that their salaries should be negotiated separately or at least dealt with separately.

We have in preparation in the department a paper with respect to the provincial judges. It deals with a whole number of issues, one of which is a way of dealing with the salary of provincial judges that would perhaps, as an option, be the equivalent of the way in which normally we deal with the salaries of members of the Legislative Assembly, so that it's relatively free from the ups and downs and the suggestion of political politics, playing a role and setting their remuneration for provincial judges. So we're looking at that, looking at the possibility of a supernumerary category, to give a little more flexibility in the employment of judges who may want to retire. As the member knows, there is no mandatory retirement and there may be some judges who are now past the normal age of retirement who would, I think, gladly retire if there was the possibility of some remuneration as supernumeraries and that would really be to the benefit of the department as a whole and to Cabinet, so we're looking at that in the same package.

MR. G. MERCIER: Are magistrates at the Public Safety Building under this section?

HON. R. PENNER: They are.

MR. G. MERCIER: Are they supposed to provide service all evening on weekends at the Public Safety Building?

HON. R. PENNER: As the member may recall, we established the category of bail magistrates, to use that short term, and had, under the direction of Chief Provincial Judge Gyles, two or three persons who actually did the night time and weekend duty.

With the retirement-resignation of two of those three in the last two or three months, Chief Gyles has been able to call upon the services of magistrates who are in the Law Courts complex for that service with some I guess overtime and arrangements of that kind. It seems to be working satisfactorily.

MR. G. MERCIER: Mr. Chairman, I don't think the question was answered. Are they supposed to provide service all evening?

HON. R. PENNER: Yes, there are duty magistrates available all evening and all weekend.

MR. G. MERCIER: Mr. Chairman, I would ask the Attorney-General to make some further inquiries, because I raise a personal experience, having been called by a friend of - not a friend, but by parents of two young 19-year-olds on the evening of the Friday leading into the July 1 long weekend, and being called about 1:30, I was advised that the magistrate had gone home and wouldn't be back until the morning.

I'm sure this repeats itself numerous times and I'm not raising a personal matter for any personal reasons.

I'm sure it could have happened to any number of people, but this was a situation where two 19-year-olds ended up staying overnight and were not released until about noon the following day on a very minor matter, more raised over confusion and what I would simply not regard in any way as any sort of criminal offence, and young kids without any previous record. It may have been a good experience for them to stay overnight, who's to know, but on balance I don't think it was.

I think it was very inappropriate that they be required to spend the whole evening until the following day, Saturday at noon, before they were released on bail. It certainly caused their family and parents a great deal of concern as well as themselves. So the facts, as it appears to me, there are not 24-hour bail magistrates on duty. Maybe there's a problem with the number of bail magistrates available.

I would never advocate that everyone should be automatically released on bail, as really happens, but I would say if that is happening every weekend, there are some legitimate cases in justice for people who should not be required to spend the night in the Public Safety Building and I think these two young men were two prime examples.

HON. R. PENNER: I would agree, and I'm going to ask the member to provide me with further details and have the matter looked into.

The person who's duty magistrate, usually for a week on in rotation, has to be available at all of the duty hours from five till the morning. That's what is supposed to be. If they go home, they're supposed to be on the beeper.

Certainly, if the member was informed that there was no one available, then he was misinformed and I think that has to be looked into and will.

MR. G. MERCIER: For the record, the information I received at about 1:30 - 2 o'clock was that the magistrate had gone home, would not be back till 10 o'clock the next morning and that there was no sense expecting these kids to be released before noon.

HON. R. PENNER: Somebody was covering for that magistrate, in my opinion, and that's a surmise on my part, but we'll certainly look into it. That ought not to have happened.

MR. G. MERCIER: I'd appreciate it, if after the Attorney-General looks into it, he could let me know the results of this investigation.

HON. R. PENNER: If the member will provide us with the details, it will be looked into tomorrow.

MR. G. MERCIER: Under this area, would the Fine Option Program come or is that more Community Services?

HON. R. PENNER: Community Services.

MR. CHAIRMAN: 5.(c)(1)—pass; 5.(c)(2)—pass.

5.(d)(1) Court Reporters - the Member for Brandon West.

MR. J. McCRAE: I note two court reporter positions have been abolished. I understand we're entering into a court monitor system to some extent. Would those court reporter positions abolished be taken up under the court monitor program or are they just abolished forever and what's happening with the monitor program?

HON. R. PENNER: First of all, nothing is forever, but in fact the positions have been abolished because it's expected that with the development of the court monitoring project that there would be a reduction over three years of approximately 10 positions. That's the information I have.

Just a word of explanation for the record. At present, court reporting services are provided by court reporter positions classified as Court Reporters 1-3; and what this proposal does is to create the position of monitor transcriber and Clerk of the Court by converting future vacant court reporter positions. We're not bumping anybody, but if a position becomes vacant, somebody's unlucky enough to be elected, for example, we would reduce the number of court reporters by two. That's in this fiscal year.

Now what happens, I think the member's as familiar as I am, is that in many courts we know that it will be the exception that a transcript is called for and so it's efficient, at least where we're trying this out, to have instead of a Clerk of the Court and a court reporter, we're having someone in the sense who functions as both.

The term "monitor" means that if the function of the Clerk of the Court who normally says, "All rise, the Judge is here, here comes the Judge, sit down," and then sits down and doodles on a piece of paper, that Clerk of the Court will have the function of making sure that the sound recording of the evidence, and that's what will be happening, is functioning and that will make notations in a kind of a log as witnesses are called and examined and cross-examined so that any potential problem of misunderstanding on what the tape has can be checked against the log in the event, which we expect would be the rare event, that a transcript is called for.

MR. J. McCRAE: It's just a little disturbing to see court reporter positions abolished, certainly to me, and the proposal to abolish more in the future.

Last night Mr. Guy asked me how I was enjoying my new career and, Mr. Chairman, on thinking it over, I really thought that maybe court reporting is a higher calling and it's too bad to see the numbers reduced.

HON. R. PENNER: We are prepared to make a deal with you.

MR. J. McCRAE: No doubt, Mr. Chairman.

My experience, Mr. Chairman, with the court monitor system would be that it would be best used in places where transcripts are rarely required because I think the profession, as it has in the past, is going to be looking for high quality product from the court reporting profession, and so I suggest that system be used only in those courts where it's rarely expected that a transcript would be required.

HON. R. PENNER: As the member may know, what we're doing is evaluating this closely, and we have staff

from the court reporters' unit on the evaluation committee.

MR. CHAIRMAN: 5.(d)(1) to 5.(g)(2), inclusive, were each read and passed.
5.(h)(1) - the Member for St. Norbert.

MR. G. MERCIER: I was just interested in the increase in expenditures here, where that money is going.

HON. R. PENNER: Yes, I'll make sure I have the total picture here, but first of all let me give you an overview.

As the member knows, hitherto, the Great Library was run by the Law Society and we transferred funds to the Law Society, in a sense, as our share of the operation and the Law Society itself kicked in money that was assessed against the practising fees of each individual member.

It seemed to us that there was a duplication of service, of staff, and that in order to have a unified library service with the appropriate controls, the ability to use modern technology, we ought to take all of the library resources, particularly one which is situated in our law court, and administer it centrally through the department.

That was agreeable to the Law Society and they also agreed in effect to transfer to the service the money that normally would have been paid out to the Law Society. It was paid out through the education grant actually. It was a component in the education grant.

MR. G. MERCIER: Pass.

MR. CHAIRMAN: (h)(1)—pass; (h)(2)—pass.

Resolution No. 20: Resolved that there be granted to Her Majesty a sum not exceeding \$16,444,600 for Attorney-General, Court Services, for the fiscal year ending the 31st day of March, 1987—pass.

6. Protection of Individual and Property Rights, Resolution No. 21; 6.(a) Manitoba Human Rights Commission - the Member for St. Norbert.

MR. G. MERCIER: Mr. Chairman, I note the total expenditures have been decreased from 920,000 to 884,000; and I note the comments of the Human Rights Commission last February in which they stated that the Attorney-General has undermined the Commission by failing to provide it with adequate staff. "We are simply not receiving the funding we need to do the job in the manner that's acceptable. We have reached the point where it is difficult to be effective as a Commission."

The comments of the body of rights were backed by a former Commission chairman, Dale Gibson, who said he grew increasingly frustrated with the Attorney-General's habit of paying only lip service to human rights and, while he was anxious to increase the Commission's profile, he failed to provide more staff to keep up with the dramatic increase in complaints. "It's 'put up' or 'shut up' time for the government," Mr. Gibson said.

HON. R. PENNER: Who said that?

MR. G. MERCIER: Mr. Gibson.

HON. R. PENNER: Mr. Gibson?

MR. G. MERCIER: Mr. Gibson.

HON. R. PENNER: Professor Gibson. Oh well . . .

MR. G. MERCIER: Your old colleague.

HON. R. PENNER: . . . he's going on sabbatical to Australia in November.

MR. G. MERCIER: You haven't appointed him to anything for a little while.

HON. R. PENNER: Indeed! I'm disappointed in that.

MR. G. MERCIER: Darlene Germscheid said the Commission and its 10 investigators are suffering from burnout, staff morale has hit an all-time low, the case load has risen, it's double what it should be. She refused to say if she would resign if Penner turns down the request for more funding. She didn't want to anticipate a negative reaction. They were requesting what they feel is a bare minimum to continue to function as we should. "We could easily use six more officers."

In response to this article, the Attorney-General has not only not increased their funding; he's reduced it by a further \$40,000.00. That's the last time they'll speak to the press . . .

HON. R. PENNER: Not at all. First of all, what's the date of that article?

MR. G. MERCIER: February 4, 1986.

HON. R. PENNER: That's before they got the good news. In fact, if the member looks at Page 49 of the Supplementary Information, he'll note, first of all, if I could start with that, that the staffing has been increased. That's the key component. Not as much as any one of us would like, but this is the second year in a row in which there has been an increase in staff.

I am advised that the backlog in terms of dealing with complaints received has been reduced from about five months to three months and I hope will continue to go down.

The reduction in Other Expenditures where the actual reduction appears, not in staff, is due to two things that don't affect the work of the Commission. One is the \$24,000 in grants, which is a grant to MARL, has been taken over by the Law Foundation so it's not required within the budget. And in terms of the amount that we pay to adjudicators, when an adjudication is required, we no longer require to pay out money because we are utilizing the services of Provincial Court Judges. We have about four or five Provincial Court Judges who have volunteered to sit as adjudicators when an adjudication is necessary and, of course, they do so within their salary level without any extra remuneration. Although we were usually budgeting at about 50, we were paying anywhere from 85,000 to 135,000 a year for adjudications to outside practitioners, and we no longer do that.

MR. G. MERCIER: Does the Attorney-General not consider, however, that when you reduce the communications area by \$10,000 when it was only

\$27,000 before, and you reduce the supplies and services by \$50,000, that you are really weakening the education ability of the Human Rights Commission, which I think everyone agrees is probably one of its more important functions because you simply can't change peoples' attitudes overnight, that this is a long-term educational process to make people aware of other peoples' rights? Have you not severely weakened the Human Rights Commission in that area?

HON. R. PENNER: The 50,000 reduction in supplies and services is the reduction I referred to in terms of payment for adjudicators.

MR. G. MERCIER: Okay.

HON. R. PENNER: Okay. With respect to communications, I agree. I think that we have to try to raise the amount of money that is available to the Commission for its educational work. We broke the sound barrier two years ago in terms of providing an education officer - or was it three years ago? - but we haven't yet accompanied it with a sufficient budget for its educational work.

There are three areas, at least, for improvement. One would be the amount of money available for the educational work of the Commission; a second would be with respect to I think at least one more enforcement officer to reduce the backlog even further; and a third area would be to expand its outreach capability.

MR. G. MERCIER: Is the Attorney-General going to introduce a new Human Rights Act at the next Session?

HON. R. PENNER: That is certainly a matter that will be considered by our caucus when we begin to look at the legislation package for the next Session. I'll be bringing forward a proposal with respect to The Human Rights Act. There have been a number of court decisions which have pointed out weaknesses in the act. There are various options for dealing with those weaknesses. We could amend the act. We could revise the act or we could re-enact, and caucus will consider each one of these options.

MR. G. MERCIER: Mr. Chairman, if there are going to be substantial revisions to the act, would it not be wise to perhaps issue some sort of White Paper or Green Paper or whatever - White and Black Paper - on the proposed changes in order to encourage public discussion of those changes in advance?

HON. R. PENNER: In fact, that was done. The Commission, then under the leadership of Professor Dale Gibson, undertook to draft a new human rights code. They spent an enormous amount of time doing so, but one of the things the Commission did is they went out and they advertised public hearings. They went out to five, six locations, at least six locations - Winnipeg, Brandon, Steinbach, The Pas - advertised the hearings, had submissions that were made, and it was as a result of those hearings and those submissions that the code was drafted and submitted.

Subsequently, some work has been done on it because there have been some court decisions since.

People in my own department have been looking at some of the drafting language and, as I say, a submission will be made to caucus. Caucus may decide that option is not closed, that it wants to go through yet a further process because it's about two years, three years just about, since those public hearings that I'm talking about. That's an option that's open.

MR. CHAIRMAN: 6.(a)(1)—pass; 6.(a)(2)—pass.

6.(b) Canada-Manitoba Legal Aid - the Member for St. Norbert.

MR. G. MERCIER: Mr. Chairman, there was announced last year in the summertime that there was to be an evaluation study of Legal Aid funded 80 percent by the Federal Government. Is that study completed?

HON. R. PENNER: No, it's not. It's ongoing; it is active. End of September is the projected date for the report.

MR. G. MERCIER: Will that report be made public?

HON. R. PENNER: Yes, it will, no matter how highly it praises the government.

MR. G. MERCIER: I would appreciate receiving a copy when it's made . . .

HON. R. PENNER: I certainly will.

MR. J. McCRAE: Are there any guidelines for the special agency of Legal Aid Manitoba? I think it's called the public interest group; I believe it's headed by Mr. Peltz. Does that agency have any guidelines as to which cases it can take on and can't take on?

HON. R. PENNER: Yes, there are both statutory parameters that are included in The Legal Aid Services Society of Manitoba Act and the board has developed guidelines for the functioning of the department.

MR. J. McCRAE: I don't see that act listed in the Minister's supplementary information. Is that the Minister's responsibility, that act?

HON. R. PENNER: Yes.

MR. J. McCRAE: It is. You know, Mr. Chairman, certainly, the people of Brandon were quite incensed at the time of our transit rate revisions. A group appeared out of nowhere in Brandon and they called themselves the Brandon Transit Consumers Association. They decided that they would fight a transit increase all the way to the Supreme Court if necessary, and they had the willing assistance of Legal Aid Manitoba.

The taxpayers of Brandon not only paid deficits to run our bus service there but they also paid, through their provincial taxes and federal taxes, to have the case for the Brandon Transit Consumers Association financed or taken care of by Legal Aid Manitoba and financed by them. There was no one ever found out just who were members of this Brandon Transit Consumers Association, how many members there were, and how it is that they should qualify for free legal advice and free legal services.

The same goes for a group, I believe, in Winnipeg which had a complaint or a dispute. I believe the Minister of Culture, Heritage and Recreation may know more about this than I do, but they also availed themselves of the services of Legal Aid Manitoba.

I think, also, the inmates at Stony Mountain who were unhappy that they didn't have the right to vote also took their case to Legal Aid which pursued it on their behalf. I wonder, those guidelines, they're in statutory form, are they?

HON. R. PENNER: There are guidelines in the statute and there are guidelines for group legal aid adopted by the board itself.

MR. J. McCRAE: I would just ask the Minister if he can tell us what projects that branch of the Legal Aid Society of Manitoba undertook in the last fiscal year?

HON. R. PENNER: First of all, a general comment. It's in the nature of the beast, in the nature of public interest law groups or law departments, if they happen to be departments, that their principal target is government. That's an uncomfortable but I think, in a democratic society, a necessary fact of life. We may not always like being, in fact, the subject of an action. The most, I think, successful intervenent in the National Energy Board hearing on the power sale to Northern States Power was the Public Interest Law Department of Legal Aid.

So here you have one branch of government, through the Attorney-General's Department, paying for and defending that group, and that group vigorously attacking one of the prime projects of the government. But that's the way it should be. There should be a group in a democratic society that is able to represent public interests that are not otherwise represented.

I'm not able to comment on what is alleged to be some shadow group in Brandon. I wasn't under the impression that it was, but I'll leave that for another forum.

Certainly, the Public Interest Department, when it appeared before the National Energy Board, represented a consumers' association and did so very well. But it has lived within a relatively small budget. It appears before the Public Utilities Board. It's raised questions that, again, would be adverse to the interests of the Manitoba Telephone System and, on appeal, to Hydro. I think we need such groups.

Every level of government in Canada - not every Provincial Government but most Provincial Governments, certainly the Federal Government - recognize that and offer some level of funding to the public interest groups. That's the general comment.

Now, the specific question - in fact, I've really dealt with a couple of the projects. I'm referring to the most recent report, the one for the fiscal year ending March 31, 1985. On Page 6: "The department continued to carry a wide mix of cases on behalf of consumers. A number of major interventions were conducted before both the Public Utilities Board and the National Energy Board involving natural gas rates, telephone service and hydro-electric power. A test case in the Manitoba Court of Appeal established that the Public Utilities Board must consider the quality of customer service when setting new utility rates.

Environmental groups were represented in matters involving nuclear waste storage and the preservation of Omand's Creek in Winnipeg. The department assisted groups involved in a variety of neighbourhood and housing issues. Parent committees in two rural Native communities were represented in matters involving the quality of education. A variety of organizations of the disabled were assisted. A constitutional challenge was taken to certain restrictive provisions of The Unemployment Insurance Act. Prisoners and inmate organizations were represented at an inquest in negotiations for a new provincial discipline grievance system and in court cases concerning prison conditions and right to counsel.

In all, the department opened approximately 75 new files. I think that's the most recent information that I have. The case you're referring to, actually, is about a year-and-a-half old, the Brandon Transit case.

MR. J. McCRAE: Mr. Chairman, that case was the one that involved the quality of service offered. That was the Brandon Transit consumers' case. Maybe it did break some new legal ground, I'm not qualified to say, but apparently the City of Brandon is entitled to stop transit service altogether without running away to the Public Utilities Board for permission, but if it wants to raise its fees, it must, and then it faces Arne Peltz and the Brandon Transit Consumers Association, a very frustrating time for the council of the City of Brandon and certainly for the taxpayers of the City of Brandon.

I'm going to have to have a look at the statute just to see what the criteria are, Mr. Chairman.

HON. R. PENNER: I'm sorry, was there a question there or jut a comment?

MR. CHAIRMAN: No, I don't think so.

MR. CHAIRMAN: Items 6.(b)(1) to 6.(c)(2) were each read and passed.

(d) Land Titles Office - the Member for St. Norbert.

MR. G. MERCIER: Mr. Chairman, could the Attorney-General confirm the statement by Mr. Evans, whose statements, I'm sure, would always be accurate, that the Winnipeg Land Titles Office this year will yield more than \$14 million in revenue for the Provincial Government?

HON. R. PENNER: Yes, the projected revenue for the whole year is \$14 million.

MR. G. MERCIER: Is that based on the increase in fees that was announced in the Budget; does it include that?

HON. R. PENNER: Yes.

MR. G. MERCIER: When will that increase come into effect?

HON. R. PENNER: September 1st.

MR. G. MERCIER: That hasn't been publicly announced yet, I don't believe?

HON. R. PENNER: No, it hasn't. The regulation was just before Cabinet last Wednesday.

MR. G. MERCIER: Does the Attorney-General have a copy, then, of the new tariff or fees?

HON. R. PENNER: Let me, before answering that, or as part of the answer, indicate, because it was cleared by Cabinet last week and by Treasury Board this morning, that on the positive side we're adding 10 SY's, effective immediately, to the Land Titles; and we're allocating in this fiscal year an additional \$100,000 and, in the next fiscal year, an additional \$200,000 to the automation in order to speed up the automation. So that with a combination of the increased SY's, increased automation, and some emergency steps which are being taken, which I can respond to a bit later, we've already begun to bring down the delay considerably and we hope to bring it down even further.

The fee increase is just to two items, the two biggest items - transfer and mortgage - and is simply a \$10 increase to the base in each one of these so that the base fee from which one starts with respect to a transfer is 16 on a mortgage and 17 on a transfer.

MR. G. MERCIER: Mr. Chairman, the statement of revenues that was tabled, the detailed estimates of revenues that we received, indicated that the Land Titles Office this year would receive in fees \$11.5 million. The estimate of revenue is now up to \$14 million. The total expenditures of the Land Titles Office prior to what has just been announced by the Attorney-General are some \$4.477 million. You've added another \$100,000,000, so it's 4.5 million, 4.6 million. There's about a \$10 million . . .

HON. R. PENNER: And then the 10 SY's. Did you . . .

MR. G. MERCIER: Yes. There's about a \$10 million profit that the province is earning out of the Land Titles Office. Certainly, I think that there's probably been a tradition of the province or the revenue from the Land Titles Office exceeding the expenditures by \$1 million or \$2 million. What we now have is a situation where it's a \$10 million profit. The people who are utilizing the Land Titles Office's services are, through no fault of the people in the Land Titles Office, I would like to make it clear because the people who are there are doing the best job they can with the resources available to them. But surely, it was known to the Attorney-General by the trends last winter that it was going to be a real banner year at the Land Titles Office with the interest rates dropping and the filings as of then.

I have a number of questions. How can the Provincial Government justify taxing the users of the Land Titles Office to the extent that the province gains a net revenue of \$10 million over and above the expenditures for operations? Why did the Attorney-General not do something last winter when it was clear that there was going to be a great deal of activity at the Land Titles Office? Why has he allowed the situation to become as bad as it is now where the waiting time is as long as it is, where it's going to the extent apparently, at least from the news article, that the Land Titles Office isn't dealing with the mortgage foreclosure applications?

That looks fine on the surface to people but, when that happens, there's a cost to the lenders. That cost to the lenders will be passed on to everybody who deals with the lenders.

So at first glance, that was probably my own reaction when I first read the headline. Well, that's fine, if they're not going to deal with foreclosures, but there's a cost to the public from this. It would appear to me that the latest increase in fees is totally unnecessary when the Land Titles Office will net \$3.5 million more than was - of course, if that includes the estimate, so that would make it \$2.7 million more than was predicted in the statement of revenues from the Finance Minister. The increase in fees, it seems to me, therefore is not necessary.

The increase in fees that this government brought into effect a couple of years ago, two or two-and-a-half years ago, has imposed a pretty heavy expense on, for example, a young couple buying their first home, \$50,000 or \$60,000, with a mortgage of \$45,000 or \$50,000.00. They have a very high expense there. It seems to be unnecessary in view of the amount of revenue that the government is taxing the users of the Land Titles. Again, I'm not blaming anyone in the Land Titles Office. They're doing the best job they can, but I think the government itself has to take some responsibility for a situation where - a number of years ago, if the waiting time was 10 days, that was the maximum time. Now, it's five, six, seven weeks. Perhaps, the Attorney-General can find out actually what day the Land Titles Office are signing today to indicate the extent of the delay.

HON. R. PENNER: The member raises a number of questions, one of which is why didn't we do something last winter. In fact, in November of last year, we added five term SY's to . . .

MR. G. MERCIER: Those were the ones you had cut before.

HON. R. PENNER: No. There was some reduction in staff overall, due to automation, but we added specifically five term SY's as it began to be clear that we were about to fall behind. One makes the best guess that one can and, at the time, it seemed that the five SY's would be sufficient. But in fact, the increase in business exceeded even the best estimates of the wild enthusiasts. Other steps were taken. There was \$90,000 worth of overtime used last year.

The estimate was wrong, because the amount of business being transacted in the Winnipeg Land Titles Office, as I say, exceeded estimates. We did fall behind. We began using overtime in the spring. I subsequently put together a proposal to deal with the problem and I'm happy to report that, although a bit later than I would have liked, that proposal has been accepted, and we have the 10 additional SY's and a number of other steps have been taken.

It indicates some improvement as follows. Comparing July 21, which is about where we were at our worst to where we are presently with respect to the update, we were six days behind on July 21. We're one day behind now. With respect to examining, we were 20 days behind on July 21. We're eight days behind now. With respect

to the engrossing of transfers, we're still behind about the same number of day. We're performing some alternative functions there. We've picked up a week on mortgages. We were 21 days behind on July 21, 14 now. With respect to other functions, there has been a little improvement.

We're now bringing in the additional SY's but, because those SY's have to be trained, we're bringing in people from the rural offices and putting them on the front desk, as it were, until we can train the new staff.

Beginning tomorrow, as an interim measure, in order to speed up the ability of people to complete their transactions and get the bank financing and the rest of it, the LTO, as a temporary measure, will stop issuing new certificates of title in the majority of registration of transfers of land. They will stamp the transfer on the vendor's title to show title and name of the purchaser but the actual title will not issue. It will come out subsequently. This will substantially improve turnaround time of issuing titles and finalizing registrations of transfers and mortgages. Then we can begin actually with this new proposal. Transfers will have to be microfilmed on a daily basis.

Now, with respect to the fees, at the moment it's an estimate. I hope that estimate is right but it might be somewhat short of the 14 million. I think it would be more than the 11.5 million shown in the figure tabled in the budget. I hope so, but it might conceivably be less than the 14 million, it might conceivably be more. But we are dealing in that sense with an estimate.

It is clear, however, that whether it's 11.5 or 14, one can speak of the Land Titles Office, in a sense, making a profit. I don't find, quite frankly, anything wrong in principle with the various functions of government where it can do so without undue hardship to the users of the service, in fact, making more than cost.

The thing with the normal, the average person who deals in property, I think it's estimated that most of those who are involved in residential homes will go through about 2.5 transactions in the course of a lifetime, somewhere between 2 and 3. I don't know if we have an update figure. Let's say it's 3. I went with 4 so I'm trying to pick a medium figure. Jim, how many have you gone through in your lifetime? You're younger than I am. — (Interjection) — You have, well, some people are more gypsy than others. But even if it's 4, which I think would be a high number, people are rather more settled than the Attorney-General and the Member for Brandon West. The total registration cost is going to be a matter of a few hundred dollars. That's not a small sum of money but it's twice or three times in a lifetime. It's not as if it's like a park fee that you're using several times during the summer every summer, or automobile registration which is a cost year-in and year-out, a couple of times, two or three times during a lifetime. So I think that if in fact operations of government are in some instances to make something of a profit - I don't hesitate to use the term - that this is an area where it's not inappropriate that it should do so. We all, I think, share in common the feeling that the deficit should be reduced and where it can be reduced without imposing a hardship on individuals - and I don't think fees of that kind, twice or three times in a lifetime are a hardship - then regretably we have to look at it. Presumably in the ideal world, governments

provide these services free of charge or, in a sense, just take it out of general revenue.

MR. G. MERCIER: What is the status of the computer program?

HON. R. PENNER: In terms of the computer program, we're at about year two of a five-year program. First of all, we completed the overall management study. It was by Thorne Stevenson and Kellogg. That was an excellent study that provided the basis upon which to proceed. The first operation which was computerized was the general register. It's been in operation since March of '85. The Certificate of Title system which is very, very key, we're looking at planned implementation, Winnipeg only, June '87 and we expect to have the rest of the system completed in Winnipeg by fall of '89 and the expansion of the system to the rural offices, summer of 1990.

MR. G. MERCIER: What is the cost of operating the Brandon Land Titles Office this year compared to last year?

HON. R. PENNER: No increase in cost is the answer I'm given.

MR. G. MERCIER: No increase in cost?

Does the Attorney-General have any plans to close the Neepawa Land Titles Office . . .

HON. R. PENNER: There are no closures planned for this year and I say that deliberately because I don't want to make it seem that we're precluding the possibility of further closures. I think that as we develop computerization, we'll have to take a look at the operation of all out-of-Winnipeg offices and it may well be the case that some further closures have to be considered.

MR. G. MERCIER: I spoke to the Attorney-General last week about Bill 54 with respect to the Enderton caveat. Is the Attorney-General prepared to support the passage of that bill?

HON. R. PENNER: Not in this Session of the legislature. I think I'm going to have to hold on that until I've had a chance - I'd hoped I would have had a chance by now to check with the City of Winnipeg in terms of two significant changes it's made in its zoning by-law for R1 in this year and generally how it would regard the restoration of the old V.R. caveats because we couldn't - and I did mention this to the Member for St. Norbert - confine it to the Enderton caveat. We'd have to look at the caveat in the gates and oh, I think there are at least half-a-dozen others.

MR. J. McCRAE: Mr. Chairman, the Minister said that . . . it was the second year of a five-year program respecting land titles offices and that his computerization program would be expanded into the rural areas in or around 1990. Do I have that correct so far?

HON. R. PENNER: Yes, you do.

MR. J. McCRAE: What kinds of changes does the Minister foresee in areas like Brandon respecting the services provided and the staff at the Land Titles Office there?

HON. R. PENNER: What we hope to be able to do in the state-of-the-art technology - I've long awaited an opportunity to use that phrase - is in fact to have the system accessed from storefront modules in Virden and in smaller locations so that some of the problems that small town practitioners now have will be met for most of the work that they have to do. They won't have to either mail in or phone in or go to Brandon or wherever. They'll be able to deal with the Land Titles system which through, as I say, modules strategically placed, and the various parts of the system will be accessing each other.

MR. J. McCRAE: Would it be safe to say, Mr. Chairman, that these services in the Western Manitoba region would remain headquartered in Brandon?

HON. R. PENNER: I would think so, yes.

MR. CHAIRMAN: 6.(d)(1)—pass; 6.(d)(2)—pass.
6.(e)(1) Personal Property Security Registry—pass;
6.(e)(2)—pass.
6.(f) Canada-Manitoba Criminal Injuries Compensation Board - the Member for St. Norbert.

MR. G. MERCIER: Mr. Chairman, I simply ask the Attorney-General - I don't think there's any real change in the operation here that he would bring to the attention of the committee?

HON. R. PENNER: That is right, but I should mention, and I may have mentioned it before - I think I have - is that there are active negotiations taking place with the Federal Government to increase the amount of the federal contribution. We are reasonably optimistic that the federal contribution will increase - it's now less than 10 percent of the total cost - to about 30 percent, and that would be most welcome. We'll report to the House when that happens.

MR. CHAIRMAN: 6.(f)—pass.
Resolution No. 21: Resolved that there be granted to Her Majesty a sum not exceeding \$16,371,700, for Protection of Individual and Property Rights, Department of the Attorney-General, for the fiscal year ending the 31st day of March, 1987—pass.

If staff would now absent themselves, we will deal with Item 1.(a), the Minister's Salary.

HON. R. PENNER: We usually deal with the Liquor Commission under Salary, so could I ask the Liquor staff to stay?

MR. CHAIRMAN: I assume the critic has questions on the Liquor Control Commission? Okay, if staff would come forward, please.
The Attorney-General.

HON. R. PENNER: I have a copy, just received myself, in fact, for the Member for St. Norbert, of a draft of

the 63rd Report. Sorry, that's gone to the printer's but it's not out yet. I think that the chief executive officer, where it's necessary, will direct us to any significant changes between the 62nd Report and the 63rd Report. So if the member would prefer to deal with the 62nd Report, we can do that, and if there's any . . .

MR. G. MERCIER: Mr. Chairman, I wonder - well, let me ask the Attorney-General a question with respect to a matter we dealt with in committee yesterday, which dealt with the alcohol level and particularly that of Sarasota. I would be quite content to see that sold as it is sold now, providing it is sold to persons 18 years of age and over.

Is there any possibility of the Attorney-General considering amendments which would allow the sale of products like that, that might have an alcoholic content, say, of between . . .

HON. R. PENNER: .5 and 1.

MR. G. MERCIER:5 and whatever the upper limit was before, to allow them to be sold provided that they are sold to people who are 18 years of age or over?

HON. R. PENNER: That probably raises more of a problem than the problem created by trying to establish an appropriate control level. I think what I'd like to emphasize, and I'm sure the Member for St. Norbert will join me in this, is that the proposed change is not in force and will not come into force until proclaimed. In the interim, a number of matters are to be ascertained.

It was reported to me, and one should be mindful of the dangers of hearsay, that a representative of a supermarket was heard to state on the radio this morning that this means they would have to stop selling shaving cream. Well, I've yet to find a shaving cream which really makes it as a beverage. But then, again, I may have peculiar tastes.

I remember as an 18-year-old in the army first encountering somebody who had a taste for shoe polish and I thought I had entered a new world at the time. It turned out to be a very old world, indeed. That person was last seen on a train from Petawawa to Montreal eating a rose. He never did make it overseas.

Nor do I think that if we were, in fact, to end up going down to .5, it would affect a whole range of products which are on the shelves for cooking purposes and so on. But one has to be sure of that. I've intimated to Labatt's, the parent company of Holiday Juice, and to SuperValu that we will hear their representations and I'll be meeting with them over a period of time and I'll consult with my friend, the Member for St. Norbert, to see what data we have that might affect the way in which we'll want to go.

In the meantime, it may be that if there's sufficient evidence that there's a problem at the .5, that we want to consider further, that the change will not be proclaimed until we come back in a few months' time and have a chance to debate the matter more fully.

I'm saying that - I hope the press picks it up - because I was advised today that Sarasota, which was previously available downstairs, has been locked up by the

downstairs restaurant. I think that's not perhaps the most egregious loss to mankind that one can imagine. I had never tasted Sarasoda and I went to the store where I normally shop on Saturday and bought one bottle of Sarasoda and shared it between my wife, myself, my three-year-old and the seven-month-old. The only one who really liked it was the seven-month old. No, we didn't do that.

Seriously, I think we were right in responding to the concerns expressed by the Manitoba Medical Association, the Manitoba branch of the Canadian Addiction Foundation, and that, in a sense, we've put matters on hold.

MR. G. MERCIER: Is the Attorney-General prepared to perhaps consider, during this period of time, amendments that might allow the sale of these various beverages that contain limited amounts of alcohol in the present stores in which they are sold, provided that they're sold to persons 18 years of age or over?

HON. R. PENNER: Actually, appending the proclamation of that section, the effect of not proclaiming is that beverages containing as much as 1.4 by volume can be sold in the stores, not just Sarasoda, which is .9, but Sarasoda-plus could be sold; but that won't be for a matter of a few months. I think that certainly the 1.0 is right and it may be that the .5 is right as well, but we'll take a good look at it.

It's argued by Holiday Juice that the technology doesn't exist to bring it down from .9 percent to .5 percent in Sarasoda. That surprises me a bit, but I certainly would at least want to discuss that with those people.

MR. G. MERCIER: Mr. Chairman, has the Attorney-General given any consideration to the submissions made by the Manitoba Restaurant and Food Services Association? As I understand it, they've made proposals for a number of changes involving licensing, etc., and they also have recommended a change in allowing licensed restaurants to serve alcohol on Good Friday.

HON. R. PENNER: As is now apparent, there are no proposals in the amending act that has already been dealt with at committee and go to Report Stage to do that. I have received and would have like to have proceeded with a proposal from the Commission to reduce the present 26 classes of licences to about 12, a more manageable 12. I think it can be reasonably expected that proposal will come forward at the next Session of the Legislature.

At that time, we will tackle in one way or another proposals with respect to the availability of at least beer and wine in restaurants on Good Friday. I doubt whether the public would feel that we have offended the spirit of Good Friday in doing that, but I think we want to make sure that people have a chance at least to let their feelings be known on that. The Member for Kildonan says, it's okay by him. It's okay by me too, but laws are made for the population at large, some of whom should not be at large.

MR. G. MERCIER: Mr. Chairman, the officials from the Liquor Commission have, in the past, presented us with

some comparative statistics on prices of products in Manitoba versus other jurisdictions. I wonder if that's available.

HON. R. PENNER: I think there has been a little bit of improvement in our comparative position. I recall specifically, because it's a brand I used to drink before I became virtually teetotal, that Ballantyne's scotch, which was the scotch we used as an example, was at the top of the list in the last material circulated. We're now down to second-highest. It's still high, but we tend to be, as the member can see, a little bit on the high end of the spectrum.

MR. G. MERCIER: Can the Minister explain the rationale for six beer price increases in 15 months?

HON. R. PENNER: There are a number of factors and, if I don't get them all, the Chief Executive Officer will help me out. There has been intense competition, first of all, between the three principal brewers for, on the whole, a declining market. So, the fight for market share has intensified. One of the results of that has been, in a sense, a packaging war.

I mean, to a lot of people, unsophisticated in this area such as myself, beer is beer is beer. I can just as easily switch from Molson's to Labatt's to Carling's. It really doesn't make that much difference. But when somebody comes with a screw top, well, why not? After you've torn your skin off for the third or fourth time, you figure it's not such a deal. Then somebody comes out with a screw top that really works, so you try that. Then they go to tall bottles which, depending on the design of your fridge, takes up more or less space.

So this has added somewhat to cost because the interchangeability of bottles is no longer possible, and have had to invest significant amount of money, the breweries, in the sorting of now incompatible, in a sense, bottle types and sizes.

There have been wage increases. There have been general increases in other costs. Another factor that should be noted is that the return to the breweries in Manitoba per dozen or half-dozen, whatever unit you wanted to use, was about the lowest in Canada and it was felt that in some of the price adjustments which were really passed through . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: Excuse me. Could we have some order, please, so the member can hear the Attorney-General's response?

HON. R. PENNER: We're discussing beer, which is big in Thompson.

So that was another factor and that, essentially, accounts for the price increases to which the member refers.

MR. G. MERCIER: Is the Attorney-General satisfied with the process now? Previously of course beer price increases were subject to approval by the Public Utilities Board. Is he satisfied with the negotiations and discussions that take place prior to settling on an increase?

Tuesday, 19 August, 1986

HON. R. PENNER: Yes, I am. I think that the Commission is very mindful of its duty to the public. And the fact that until July 1st of this year, the return to the breweries per unit was lower in Manitoba than just about in any other province, shows that the Commission wasn't - once the PUB process removed wasn't just bending to the requests of the breweries; and I feel very satisfied that the Commission has responded both to the needs of the breweries and to the public.

MR. G. MERCIER: The estimates of revenue indicate that the government is looking toward increasing the revenue from \$141 million to \$145 million in this fiscal year.

It would appear from the draft report that the Commission didn't make 141 - or at least 141 million was not transferred in the last fiscal year - that it was only about a million and a half below 139.4.

HON. R. PENNER: Yes, that's right. We were slightly off.

MR. G. MERCIER: Is the Attorney-General satisfied that the revenues will be up that much?

HON. R. PENNER: The indications are that we may not meet that target. We're presently running a point or so below target, at this stage.

MR. G. MERCIER: Are there any new stores to be opened, either in Winnipeg or any other major centre in this province?

HON. R. PENNER: Yes, revamped stores, Brandon for example, the contract has been let for a completely renovated store. It's in the same premise but we were able to obtain, I think, a 10-year renewal of the lease. But it's going to be a completely redone store in Brandon, and the first Fine Wines Boutique outside of the city will be opened in that store in Brandon. Where else have we got - Killarney, Winnipegosis.

MR. G. MERCIER: Is the Commission looking at moving the Fort Garry store further south?

HON. R. PENNER: No, that's not being contemplated.

MR. G. MERCIER: Would they look at it? The population is growing considerably in south Fort Garry, there are a lot of commercial developments in that area, and I get a number of complaints that it's very inconvenient for people in the south end to get to the existing store.

HON. R. PENNER: We've got a lease on that store till 1990, but the Commission does updated market studies on a yearly basis. So certainly as that lease comes toward its conclusion and we begin to think either to renegotiate or move or perhaps open an additional store, the market studies will be done and if, as the member suggests, a significant shift in the market area to the south has taken place which might warrant on the parameters we use either a shift of the store or a new store, that would certainly be put in the works.

MR. G. MERCIER: I would appreciate it if in 1987-88 the Commission could take a look at it from that perspective.

MR. CHAIRMAN: The Attorney-General, affirmative. The Member for St. Norbert.

MR. G. MERCIER: Could the Attorney-General indicate through the Commission the arrangements that have been made for the testing of wine? I recall last year there were all sorts of concerns about content of wines. There was a press release issued by the Attorney-General last November about an agreement with the Manitoba Research Council.

Are they testing I guess particularly wines? Perhaps the Minister could indicate what they exactly are testing. Is it being done in Manitoba?

HON. R. PENNER: Everything that can be tested is being tested and is being tested in Manitoba. There may, in some instances, be in a particular kind of product a hiatus in terms of the availability of the appropriate testing equipment. In such circumstances, we would look to other Commissions, Alberta or Ontario, to assist or to see the results of testing that they might have done on the product.

MR. G. MERCIER: I assume there's communication with other provincial commissions so that there's not unnecessary duplication of testing taking place.

HON. R. PENNER: Yes. For example, I noticed on June 11 we had a confirmation that a certain Armagnac VSOP met ethyl carbamate specifications and that it had been certified by the Alberta Lab. We were satisfied that the product could be released for sale on the basis of that certification.

MR. G. MERCIER: Have all of the South African products been sold?

HON. R. PENNER: About 70 percent has been sold, I'm advised.

MR. G. MERCIER: Can the Attorney-General indicate how the grant that he has announced will be paid? Will that be paid from the Commission, or is that on Treasury Board approval?

HON. R. PENNER: It will not be paid from the Commission. The Commission will remit in the normal way but will identify what portion of its regular remittance is to consolidate it, our net profit on the sale of South African products.

Once that has been identified and we are satisfied that a number of the legal requirements such as the incorporation of the organization and its establishment of an appropriate auditing kind of function has been set up and that it makes an application. It must, like any other organization, make an application, and the application must identify the specific purposes of the grant and any other sources of funding. Then on that basis a grant will be made on an annual basis, but it must go through the regular Treasury Board Cabinet process, as the member may recall. It's not only Treasury Board that grants an application, but it must be by O/C as well.

MR. G. MERCIER: I note in a press report that the Ontario Liquor Licensing Board is carrying on public

Tuesday, 19 August, 1986

hearings with respect to the Province of Ontario's liquor laws, and that one of the major items apparently that has come to the attention of the Board is that the people of Ontario appear to want the drinking age raised to 21 from 19.

I assume that this would be the case that the Commission will be obtaining the final results. I assume it will be a fairly public document from the Ontario Liquor Licensing Board. I wonder, when that is done, if that perhaps could be made available to myself.

HON. R. PENNER: Yes.

MR. G. MERCIER: No further questions.

MR. CHAIRMAN: Thank you, gentlemen. We're on Minister's Salary.

MR. G. MERCIER: Pass.

MR. CHAIRMAN: 1.(a)—pass.

Resolution 16: Resolved that there be granted to Her Majesty a sum not exceeding \$2,950,100 for the Department of the Attorney-General, Administration and Finance, for the fiscal year ending the 31st day of March, 1987—pass.

Thank you all.
Committee rise.

SUPPLY - NATURAL RESOURCES

MR. CHAIRMAN, C. Santos: Committee of Supply, please come to order.

We have been considering the Estimates of the Department of Natural Resources. We are now on Item No. 8.(a)(1) Fisheries, Administration: Salaries; 8.(a)(2) Other Expenditures - the Member for Emerson.

MR. A. DRIEDGER: Thank you, Mr. Chairman.

The question I want to raise with the Minister is, he indicated that there'd been spending quotas or permits for the Fisheries section in Lake Manitoba. I think he indicated that there was an additional 20 permits issued; and ironically, Mr. Chairman, last year we were discussing the quota system and I believe there's a policy in place right now where fishermen can sell their quota along with their assets which I raised at a previous occasion, where ironically the Minister of Agriculture has indicated there is no sale of Class 2 quotas - the transfer of them - which is basically selling the cows and quota.

And ironically we have within this department a policy which allows this, and I'm not objecting to it, Mr. Chairman, because I support that principle of selling quota rights. Because, Mr. Chairman, and I think the reason why the then Minister, the Member for Lac du Bonnet, instigated the policy of allowing to sell fish quotas - I think there's some criteria that controls it to some degree - which allowed the commercial fisherman who had quota, had equipment, boats, nets, etc., etc., that if he wanted to get out of the business that he could sell it to somebody.

I believe - and the Minister can correct if I'm wrong but I think I read it right - there was a provision made now that it's allowed to happen. I have raised this before

where, in the dairy industry, for example, the Minister of Agriculture is moving in a totally different direction where there used to be provision for the sale of cows and quota, at one time, was stopped.

We have a controversy in terms of philosophy within this government and I would prefer not to see it change. I'm not objecting to the fact that quotas can be sold along with the equipment within the Department of Natural Resources for fish quotas.

What I object to is the fact that the Minister of Agriculture decided to go on a different route and said no more of that, because you're capitalizing on something that is not your right.

Government gives the quotas and you should not be able to sell that, but we allow quotas to be sold in the department of commercial fishing. You know, it's sort of a controversy and I have difficulty with that, the inconsistency, but that is just how this government operates from time to time.

I want to ask this Minister, he keeps allocating, he indicated that he allocated 20 more permits, fishing permits or quotas on Lake Manitoba, and by matter of application, he says, but we will stop that shortly because we think we reached the maximum. At the same time they improvise the sale of quotas in that system and now say, well, you can sell that, you know, and they've given approximately 20 permits in the last four years. Those individuals can turn around and now sell that and make a profit on something that the government has given them, which is contrary to what has happened in the dairy industry.

I wonder if the Minister could try and explain the rationale for that.

MR. CHAIRMAN: The Honourable Minister.

HON. L. HARAPIAK: Mr. Chairman, I'm not sure where the Member for Emerson gets the figure of 20 additional licences. I indicated that certainly on Lake Manitoba there was an increase over the last four years in the number of licences but I am not sure that the Member for Emerson - in the number of 20, was he referring to Lake Manitoba or to Lake Winnipeg? That would help me.

MR. A. DRIEDGER: I'll try and clarify that because the Minister indicated to me that there were extra permits or quotas issued, whether it's Lake Manitoba or across the province, because it is my understanding that anybody that has a quota, a fishing quota, whether it's spring, summer, winter, whatever the case may be, that they are now allowed to sell it.

Well, the Minister shakes his head. Then I want a clarification on that.

HON. L. HARAPIAK: Mr. Chairman, I would be pleased to clarify that for the Member for Emerson. That provision exists for quotas on Lake Winnipeg only.

MR. A. DRIEDGER: Well, Mr. Chairman, can the Minister explain why Lake Winnipeg - did he say Lake Winnipeg or Lake Manitoba?

HON. L. HARAPIAK: Lake Winnipeg.

MR. A. DRIEDGER: Lake Winnipeg. Why would the quota holders on Lake Winnipeg be allowed to sell their

quota and their equipment and the rest of the commercial fishermen not be allowed to do that?

Mr. Chairman, I ask you. Certainly, you must have some concern. Why would one certain lake be allowed to do that and the other one would not? Maybe, Mr. Chairman, the people on Lake Winnipegosis should be allowed to sell their quota, which is worth nothing because it's been closed down.

I just wonder if the Minister can maybe clarify exactly the objective in what they are trying to accomplish with this thing.

HON. L. HARAPIAK: Mr. Chairman, I think it's important to know that there are different types of quotas. On some lakes there are individual quotas for fishermen. In other cases, there are lake quotas. So the quota is allocated to the lake, not to the individual fisherman.

In the case of Lake Winnipeg, there were individual quotas that the fishermen held and the request came from the fishermen to provide the opportunity to sell those and that was in that case granted. In other lakes, the quota - and I believe it's true for Lake Manitoba - that in the case of Lake Manitoba the quota, as such, is assigned to the lake and the individual fishermen who hold a licence really produce as much as they want. They don't have an individual quota but they produce on an individual basis until the lake quota has been filled. So there is really a variation in value.

I should point out to the Member for Emerson that in part of their presentation to me the other day, the representative from the Lake Manitoba Fishermen's Association asked for some consideration of the right to sell the lake access. Although they don't have a quota, they do have access to the lake and they have asked for consideration of whether there might be sale of access to the lake.

MR. A. DRIEDGER: Mr. Chairman, I can appreciate that and I have no difficulty with it, but the Minister just indicated that there were approximately 20 additional permits issued for Lake Manitoba - am I correct? - more or less.

The government has chosen in their wisdom to allocate an additional 20 permits or allocations for Lake Manitoba. Now the same people are turning around and asking whether they have the right to maybe have the same privilege, which I think they should be entitled to, as the people on Lake Winnipeg who now have a chance and are allowed to sell their quota and their equipment like I compare it all the time, Mr. Chairman, to the dairy operations.

Basically, what I'm saying, Mr. Chairman, is there is no consistent policy somewhere along the line and I would hope that somewhere along the line we can develop a policy that's going to be acceptable to all commercial fishermen, because how can we say that the quota holders on Lake Winnipeg are allowed to now sell their equipment and their quota, given to them by the government, by this department, and as I illustrated before, where dairy people, who have that same kind of privilege, are not allowed to do that any more. They cannot sell their cows with quota unless they sell the whole operation. There's a conflict here.

Now this Minister or this department has allowed an extra 20 permits on Lake Manitoba and that same group

has now applied, rightfully so, to ask whether they can have the same privilege as the fishermen on Lake Winnipeg have.

What I'm asking this Minister is where is the consistency; where do we finally establish a sort of a general policy across this province in terms where commercial fishermen know where they're at? I'd like to ask this Minister to explain the situation, exactly what's happening, what his position is. What is the direction that he's going in terms of allowing the transfer of quotas or permits, whether it's Lake Manitoba or Lake Winnipeg? Where are we at?

Mr. Chairman, I just want to reiterate. We have Lake Winnipegosis, which has been closed to commercial fishing for three years now, and they have a quota as well, supposedly, or permits. If they sell theirs, there's no value on there, because they can't fish.

I'm just wondering if we can establish if the Minister of Natural Resources has some kind of plan that will be sort of universal because I don't think I find it acceptable, or anybody will, to say, well, on this lake we allow the transfer of quota, sale of assets, the next one we don't; we issue extra permits and we're going to control the permits and the one lake we close off.

There's got to be some universality in this whole thing. I wonder if the Minister could maybe clarify where his department is basically trying to go with this thing.

HON. L. HARAPIAK: Mr. Chairman, I want to indicate to the Member for Emerson that on each of the lakes there is a fishermen's association which has a great deal of input in terms of the management of the lake. We are working cooperatively with those associations and there is variation in the opinion.

Not all fishermen are of the opinion, for example, that the quota should be transferred just by sale, that there should be some allocation. So certainly we will heed the advice of the fishermen; we will be in consultation with the fishermen as we have demonstrated already. And with that particular approach, I think we can well address the needs of the fishermen, and I don't think at all that there is a concern on the part of the fishermen that there is inconsistency, as suggested by the Member for Emerson. I think it demonstrates simply a willingness on our part to look at the development of a policy that is sensitive to the needs of the fishermen on each of the lakes.

MR. A. DRIEDGER: Mr. Chairman, could I then assume, in view of what the Minister's comments are, that we'll deal with each particular lake and each association separately based on their desires? That in the case of Lake Winnipeg, we have allowed the transfer of quotas; in Lake Manitoba, we issue extra permits at this stage of the game, but they are already asking for the consideration to be able to transfer those things. Lake Winnipegosis, it means nothing. Each individual group is going to be dealt with on a separate basis.

I want to just caution the Minister, if that is the direction that he's going in, he's going to have major difficulty, because once a precedent is set, as it has been set on Lake Winnipeg, how do you deny the permit holders on Lake Manitoba the same right as they have on Lake Winnipeg, or Lake Winnipegosis? In this particular case, Lake Winnipegosis would be a

Tuesday, 19 August, 1986

meaningless thing, but there are many commercial fishermen and various other lakes other than Lake Manitoba and Lake Winnipegosis. Are we going to treat each separate group based on their desires and try and accommodate them? Or are we going to try and establish a general policy which will be accepted, that will do all commercial fishermen in the province? I'm asking; tell me. Mr. Chairman, is it a knee-jerk reaction when they come at you and you're going to respond?

HON. L. HARAPIAK: Mr. Chairman, I want to indicate as well to the member that it is not a knee-jerk reaction, but on the other hand we are not going to suggest that we or the fishermen have so little imagination or flexibility that there can only be one model throughout the whole province for the management of this particular resource.

Surely there is room to take into account the interests of the fishermen, the variations in the lake, and put in place that kind of a model which best serves the interests of the fishermen. I don't think that fishermen would agree with the Member for Emerson, where they would say that every lake must be dealt with in the same model.

MR. A. DRIEDGER: I think, Mr. Chairman, that the Minister is using a sort of bandaid approach. He says we're not using a knee-jerk reaction which I think he is, because how can you differentiate? If you have a commercial fishing licence or quota, how can you start differentiating? This Minister is in a quandary if he's not going to establish some kind of universality, because now he's going to differentiate. He's caught in a bind - I hate to keep kicking at this Minister. — (Interjection) — Seriously, because I have difficulty with that because these problems are not of his own making, but the Minister is faced with the resolution to resolve some of these problems and I don't know how he's going to do that, because he allows the commercial fishermen on Lake Winnipeg now to sell and transfer quota, and Lake Manitoba he keeps issuing licences like crazy and he says, "We'll have to stop that pretty soon." The same people that he's issued licences to in the last four years, not him but his department, now say we want the same privileges as the people on Lake Winnipeg have, which is understandable. I would find that acceptable. If the people on Lake Winnipeg can transfer quota, with assets, I would want the same thing if it was on Lake Manitoba.

He keeps on issuing licences or permits for Lake Manitoba. Already it just illustrates the tip of the iceberg of the problems, and unless there's going to be some positive direction in terms of all commercial fishermen, I can't see where this Minister can come out being a winner on this thing.

Mr. Chairman, if I were a commercial fisherman who had received my permit in the last year or two, I would push at this Minister to say, "I want the same privilege on Lake Manitoba as the people on Lake Winnipeg." Mr. Chairman, I'm trying to illustrate some of the difficulties in terms of dealing with this thing and I'm hoping that his advisors and his staff can maybe come up with some plan. I'm not a commercial fisherman; I'm illustrating to this Minister some of the shortcomings and fallacies in the system and I'm hoping that

somewhere along the line, in conjunction with the people, because the fishermen are very much like farmers - it's hard to get them organized, to come on a common ground, because each one has an individual perspective on this thing.

That is why they look to government, because government issues the permits; government is responsible and they look to government for leadership in this respect. I'm asking the Minister, is there a direction that you are going in your department in terms of dealing with these kind of problems? In view of the answers I've had so far, I don't think there is. I just want to warn the Minister that unless he chooses, in the next period, until the next time when we meet, to deal with these kind of situations, unless there's a direction that's going to be established, this Minister is going to have major problems.

I would hope that the Minister can indicate to us today, what is his perspective? Certainly he has his advisors in there and I don't want to be critical of them because it's a dilemma. There's a major dilemma, but somewhere along the line there has to be leadership coming and I wonder if there's any plan or policy in place that will establish how these things will be dealt with.

HON. L. HARAPIAK: Mr. Chairman, the Member for Emerson shows a tremendous disregard and disrespect for the input of the fishermen of Manitoba.

In each of the lakes, there is a Fishermen's Association that works with the department in establishing the criteria for eligibility for licences. Let's deal with Lake Manitoba for just a moment. The fishermen were involved in setting of the criteria which indicated that if you were a resident of the lake area and if you fished two out of the five years, you would be eligible for a licence. It was the fishermen who asked to have those established and we worked on those criteria. It was on the basis of those criteria that licences were issued.

Now the Member for Emerson is saying that we somehow have ruined the system. We have allocated too many licences. We have responded to the interests of the fishermen. He indicates that there is a dilemma.

Let me indicate to you an example of a dilemma that exists. He is asking for consistency amongst fishermen, and only this afternoon the Member for Roblin-Russell was saying don't follow such a stringent policy; have the policy apply on an individual basis to the people who operate the forest. If there is a dilemma, an inconsistency, it's on that side of the House.

MR. A. DRIEDGER: Mr. Chairman, I can fully sympathize with the concern of this Minister. He feels he has to lash back because there hasn't been too many good things happening to him in these Estimates, you know. Whichever department we have covered, he has been running into extreme difficulties. If the Minister would come forward right now and indicate, as I asked him just before I sat down, is there some program in place or direction in place of how he is going to deal with the various permits and quota system, but there is no policy.

Mr. Chairman, I'll tell you something, this is a knee-jerk reaction of a young Minister who is trying to fight

for his life, who doesn't understand what's going on. He is floundering along. Mr. Chairman, I hate to belabour this endlessly.

Mr. Chairman, through you to the Minister, if the Minister somewhere along the line could indicate what is his perspective in terms of the future, even a two-year or three-year future in terms of the commercial fishing industry, where are we going with it? Establish some policy, tell us what you think, Mr. Minister, this is what you'd like to see happen, not on a lake-by-lake basis because that's going to come back to kill you, it's going to come back to haunt you. Tell us where you're going to go with this thing, what you see. It's in the common interest of the commercial fishermen and all of us here. We want to see the industry flourish; we want to see it do well.

Instead of the Minister being defensive and having no defence, why wouldn't he just tell us what he sees that should be happening?

Mr. Chairman, I've always found you to be a very reasonable man. Is that request unreasonable, that the Minister should indicate what he foresees in the commercial fishing area within the Province of Manitoba? We can be picky, and I started off being picky between Lake Winnipeg and Lake Manitoba. I've never even gone to the other areas. The Minister can tell us what he foresees in this whole thing. We can accept that. If we don't like it, that's tough luck. But there has got to be some direction and we've gotten very little direction from this Minister and that is why I referred to a knee-jerk reaction. Wherever pressure comes up, he is getting up and being defensive.

Tell us where you're going with the whole industry and then we'll know.

HON. L. HARAPIAK: Mr. Chairman, the Member for Emerson is suggesting that within the department there is no strategy. I have here a document which was tabled in the Legislature previously, the Manitoba Fisheries Strategy for the Fisheries Branch.

If the members would like to take the time to go through that document section by section, we would be quite prepared to do so. I would otherwise indicate to the members it is here; it indicates clearly the role for the department in the commercial fishing industry as we see it, the principles which will guide its management. As well, in the last five-year report . . .

A MEMBER: Have you read it?

HON. L. HARAPIAK: Yes, I have read it - in the last five-year report to the Legislature on Fisheries, ending 1984, several of the same issues are referenced.

I want to indicate clearly that we see the commercial fishing industry as a very important industry in the Province of Manitoba. It is one that we will continue in our efforts to support. We will work cooperatively with the fishermen. We will continue to recognize a very important role for the Freshwater Fish Marketing Corporation in marketing the catch of the fishermen, and we will continue to work with the fishermen to put in place those practices which best meet the needs of the fishermen, as seen by fishermen, given the variety of situations that exist in the province.

But I will not subscribe to the notion put forward by the Member for Emerson that we can only have one

management practice and one management approach for all the lakes in Manitoba. Surely, we can demonstrate more imagination than that.

MR. A. DRIEDGER: Mr. Chairman, this is cute, real cute. The Minister still has not indicated exactly, you know. He refers to the document that he has there. Why won't the Minister just get up and tell us what he foresees in terms of the future, in terms of what should happen, because it's a major, major industry in this province.

He says, well, I filed this document somewhere along the line. Why would the Minister not take the opportunity to put it on the record in terms of how he foresees the commercial fishing? It's a very, very valuable resource in our province.

We fought jointly; both sides of the House fought the Garrison issue because it could jeopardize the great future of our commercial fishing industry. I sort of get a gut reaction from the Minister as to where he sees it. He is the Minister responsible and will be for whatever time that he will be there, and we'll leave that open, but if he is here for four years, certainly, even now he must have a vision as to what he sees can happen.

Does he see that we will allow transfer of quota with assets on Lake Manitoba as well as we have on Lake Winnipeg? He says we have to deal with each issue separately. Is that what he foresees happening? Because if we do it on Lake Manitoba, then any commercial fisherman in the province should have the same right. Or does he feel that it should be different?

HON. L. HARAPIAK: Mr. Chairman, I'm not sure what I would have to do to satisfy the Member for Emerson that I have some view of what the future of the fishing industry is in Manitoba. Having expressed the views that I have, he doesn't accept those. The fact that he doesn't accept them does not mean that I do not have a view. It simply indicates that he does not agree with the view that I hold and I don't think I could convince him in the balance of the evening that we could come to some agreement.

I simply want to indicate again that there are different circumstances with respect to production; there are different circumstances with respect to the social setting in each of the areas, and I think we have to be sensitive to those. We have always been responsive to the interests of the fishermen and we will continue to work with them in that spirit.

MR. CHAIRMAN: The Member for Arthur.

MR. J. DOWNEY: Mr. Chairman, I am somewhat interested in the debate that I've been hearing, and again the Minister of Natural Resources, strange as it may seem, is not taking a hold of an area which we feel is extremely important. But I want to point out some inconsistencies, Mr. Chairman. My colleague from Emerson is pointing out the fact that we have got in the Province of Manitoba a different policy for each lake.

Well, it seems strange, Mr. Chairman, to me that you're dealing with not so much the matter of the fish and the fishing industry as you are with the fairness and the equity to those individuals who are fishing.

How can you apply several different standards when you're developing laws and regulations? It's not clear, Mr. Chairman, how the Minister can sit as a Minister of the Crown, write regulations, write legislation, develop policy and have it for each different section of the province? That's one major, major problem that the Member for Emerson is pointing out.

But I want to point out even a greater one, Mr. Chairman. We have the Minister of Natural Resources who sits in a Cabinet with his colleagues who, when they leave that Cabinet or they leave that caucus, they leave as a team. Mr. Chairman, he sits with the Minister of Agriculture who will not allow the sale or the transfer of quota. He will not allow it, and yet he sits in the same Cabinet Room and comes out and says that he will provide the opportunity for some fishermen to trade and transfer quota, and the Minister of Agriculture won't. It is all over the place, Mr. Chairman. It can't be tolerated in the public kind of democratic system that we have.

The Minister this afternoon made reference back to the issue of forestry and I want to just touch on it. Because an individual sold his forest rights or a portion of it, it restricts him now from getting a permit to harvest more forestry. But, Mr. Chairman, he is now saying that you can trade your fishing quota, that it has nothing to do with the future of your fishing rights.

I cannot, for the life of me, see how an individual who claims to be somewhat of a leader, a Cabinet Minister, whether it's in caucus or in the public eye, he is all over the place, Mr. Chairman. He is not demonstrating one bit of consistency. How can you operate? How can you develop three different rules?

What are we? A province of 100,000 lakes. Have we got a policy - do we call on the Minister - a policy for 100,000 lakes? Do we have 100,000 policies for the fishing industry in Manitoba? He's got to come forward with a clear and supportable policy, but he's not doing it. He didn't do it; he hasn't done it in the forestry. He hasn't done it when it comes to any consistency with his colleague, who is the Minister of Agriculture, in the transfer of quota.

Where are they at? Where are they at within their Cabinet? It must be like a dog's breakfast. They say we have got one principle for the dairy farmers in the transfer of quota. We've got three different policies for the transfer of quota within the fishing industry. My goodness, Mr. Chairman, talk about a smorgasbord of policies and a mixed up dog's breakfast. I can't, Mr. Chairman, see how this Minister has not taken hold of it. There are three areas of inconsistency that this Minister is demonstrating.

I have another area of concern dealing with the fishing industry. Our party, Mr. Chairman, during the election campaign of this year made a major commitment to the restocking of the lakes. To the hatchery industry in this province there was a major commitment made. My colleague from Roblin-Russell, I am sure, will want to make a few comments on it as well.

Why have we not heard a major policy development or a major program by this Minister to restock the lakes for a hatchery program to be developed in the northwest region of this province? It is needed, Mr. Chairman; the demonstrated need is there. Mr. Chairman, we've got far too many problems in this industry. We've got far too great a potential to let it be frittered away by an incompetent Minister.

So I recommend that he get a hold of it. I recommend that he get a hold of the department, not just to be told by his staff and the people who work for him that it has to be this way or that way. Let us get some form of consistency. Let's see him develop a policy so that when we leave this Assembly, so that when we talk to constituents whether it's dealing with the fishing industry, that we can talk in some form of consistency.

But right now, if any member of this Legislative Assembly was asked what the policy is as far as the fish quota transfer is concerned, I'm telling you, Mr. Chairman, there isn't one person in the government side, let alone the Opposition, that would understand what he's doing.

What member on his side could stand up and fully explain his policy on transfer of fish quotas? It's a shambles. Can't be tolerated, Mr. Chairman, it is the shambles. He doesn't have the opportunity to sit down with every fisherman or every individual in the province and explain it. He has to have an overall policy, regulative guidelines, and they should be consistent, one lake to the other.

Of course, certainly he has the responsibility to listen to the fishermen's associations. Thank goodness he is. Too bad, Mr. Chairman, the Minister of Agriculture wouldn't listen to the dairy industry. Yes, Mr. Chairman, too bad he wouldn't listen to the dairy industry.

But I'm saying, this Minister should be able to lay out a policy as to the transfer of quota for the fishing industry in Manitoba. Yes, I agree there has to be some form of regulatory deviation in particular cases. However, there has to be a basic policy when it comes to saying, yes, the quota for fishermen is transferable in the province, there is a value to it. I don't care whether you're in Lake Manitoba, Lake Winnipeg or whatever lake, but that's the basic policy. Yes, that's the basic policy. And to this point, the Minister can't even stand up and say that he's got one consistent policy on that basic principle - quota value transferable, right, quota value transferable should be a basic policy. But he's saying, no, Lake Winnipeg is this, Lake Manitoba is this and the rest of the lakes will differ. You can't differ on major policy and major areas of principle when it comes to the public. All I'm saying is you have to work, Mr. Chairman, from the basis of fairness and equitability for all individuals in that industry. And that's not happening.

The Minister, I'm sorry again, every time we come to a section of his department that's new, he hasn't taken a hold of it. My recommendation is that he should. He should take a little bit better interest in the whole policy matter, Mr. Chairman, and deal with it so that the general public can understand it so that we can pass these Estimates with a little more ease.

Mr. Chairman, my colleague, the Member for Emerson, has asked if he's got a consistent policy? If he hasn't, why hasn't he?

HON. L. HARAPIAK: Mr. Chairman, it's interesting to listen to the Member for Arthur. In each of the sections it seems that he finds it necessary to voice that doom and gloom kind of an attitude with respect to this department. It is also interesting to note that a number of the members opposite are the very people who have suggested that we, on this side of the House, are

committed to a particular ideology and we're so intransigent that we won't deviate from that.

What we have on this side, what we have now is an example on the opposite side; they are not prepared to entertain an approach wherein there is flexibility, where the interests of the fishermen are taken into account. They are saying whatever approach you have, you have to have that apply uniformly throughout the province. Don't consider the interests of the people in the different areas. I would challenge the Member for Arthur to give me some indication. He seems to indicate that he has that kind of a rapport with the fishing community. Give me an indication from the fishing community that they want one approach to this issue throughout the province, that they do not want this flexibility.

MR. J. DOWNEY: Mr. Chairman, I laid it out on two bases. I cannot understand how they can have one policy for dairy quota transfer within his own Cabinet, and another where the Minister of Agriculture says you can't put value on quota, you can't have value on quota. Sin, it's the worst thing you can do. You can't just take the government-given right to catch fish, the quota business and give value to the producers of milk.

The Minister of Natural Resources says, yes, we can give value to it. Just blow them apart, it's a wide open difference. Mr. Chairman. The other point I raised, and the Minister said to me, how can I say to the fishermen of the Province of Manitoba that they need the same thing? I said the basis of fairness. You won't find one fisherman that disagrees with me that you have to have a fair and equitable policy, a fair and equitable policy on the basis of quota transfer and quota value. Every fisherman should have the quota value and the quota transfer availability to them.

We, Mr. Chairman, agree that you treat people fairly and equitably. That's what we're asking for. This Minister is not telling us that that's what his policy is. He said on Lake 1 we're going to have this kind of a policy, on Lake 2 we're going to have this policy. But he deviates from that principle, Mr. Chairman, he deviates from that principle of fairness and being equitable. He deviates on the basis of being in a Cabinet where a Minister is not allowed to happen, he deviates by having value. Then he goes into the industry in which he represents and he's all over the map. In fact, you might say he's all over the waterfront, Mr. Chairman.

I'm suggesting to him that a basic policy of principle, fairness and equitability to those individuals is what we're asking for, that's all he has to say, that he's prepared to carry it out throughout the province. That's a fairly straightforward message for the Minister.

MR. A. DRIEDGER: Mr. Chairman, the Minister and some of his colleagues can sort of make fun of the Member for Arthur in terms of his views, but this is exactly what is happening. I raised it some time ago. Because having been a dairyman for 17 years, Mr. Chairman, I was the one that fought and I believe there is value on quota. This Minister stopped Class 2 transfers of quota in the dairy industry. I'm talking of the Minister of Agriculture, which is contrary to what has happened in the Department of Natural Resources. Mr. Chairman, I will predict to you right now that the

negotiations that the Minister of Agriculture has for the transfer of quota that we will be coming back, contrary to his freeze on it, will now be allowing value on quota. He might say, 50-50, 50 goes back to the board, 60-40. I don't care what it is, but I know that this Minister of Agriculture will have to lick his wounds and indicate that he made a mistake. Because in the last election, Mr. Chairman, the reason why my majority increased dramatically from '81 was because of this Minister of Agriculture, because of his policy.

I'm saying to the Minister of Natural Resources that his lack of policy and direction to the direction that you want to go, stick with it and do it. Show that you have the intestinal fortitude to take a direction. Choose the policy you want to go with but then do it. But don't have this wishy-washy stuff where you go with, yes, Lake Winnipeg, yes; Lake Manitoba, no, but they're not asking for it. How are you going to deal with that? A year or two from now you'll have to deal with that, and how about the rest of them?

All we are trying to illustrate to this Minister in pursuing this matter, and we've gone on it now for a while, is choose and tell us which direction you want to go. This Minister waffles all over the place unfortunately. Tell us, give us your gut reaction how you see the situation. Do you want value on quota in the fish industry to be transferable? Not just for Lake Winnipeg. Do you want it for Lake Manitoba as well for all commercial fishermen? Tell us where you're at, that's all we ask.

The Minister keeps fudging and trying to cover himself and trying to look good. If he was forthright and told us what his principles were. You're government, you got elected four or five months ago. Tell us what you want. We have to accept that, we might not like it. We'll criticize. But tell us which direction you're going. Can the Minister now tell us where he's going with his policy?

HON. L. HARAPIAK: Mr. Chairman, I'm not sure that the Member for Emerson refuses to understand. I have indicated clearly what my position is. He refuses to accept the position and states for the record that I have not clarified my position.

I have clearly indicated what my position is with respect to the treatment of quotas in dealing with fishermen. But the Member for Emerson indicates that we are not being flexible, we are not focusing on issues. We indicated that we are to be flexible in terms of the discussions. We are not even able to contain the discussions to fisheries here. The Member for Emerson chooses to expand it to another department.

MR. CHAIRMAN: The Member for Roblin-Russell.

MR. L. DERKACH: Mr. Chairman, I would like to just venture on the topic of the sport fishing industry.

The Member for Arthur indicated that there has been a request to construct a small fish hatchery on the Lake of the Prairies. To this point, there has been some work done on the feasibility of a fish hatchery in that area and also the need for it. I think that anybody who is interested in fishing or has done any fishing probably knows where Lake of the Prairies is and the fact that it is a fairly popular fishing spot in Manitoba.

Tuesday, 19 August, 1986

The Department of Natural Resources, as a matter of fact, has already taken a look at several locations where a fish hatchery might be located in that area. There are many positive factors why a fish hatchery would be a positive attribute, not only to that area but also to many of the lakes in Manitoba and in Saskatchewan.

I'm wondering whether this Minister - I recognize the fact that he has only been in this position for a short time - but I'm wondering whether he has given any consideration to this point, to the establishment of a fish hatchery on the Shell River or in that area of the Lake of the Prairies, a pickerel fish hatchery. I'm not talking about the trout fish hatchery which is being started by an individual. I'm talking about a fish hatchery for pickerel and northern pike.

I'm wondering whether he's given it any consideration or whether, in fact, he is going to be considering it positively or seriously in the future.

HON. L. HARAPIAK: I want to indicate to the Member for Roblin-Russell that I am aware that there is an individual entrepreneur who is looking at establishing a trout fish hatchery in that area. Certainly, in terms of our own efforts, our stocking effort for Lake of the Prairies, 4.5 million is far in excess of many of the other locations. I'm just scanning the list here and I don't see another location in which we have stocked more. Lake of the Prairies, 4.5 million, received more walleye or pickerel fry than any other lake in Manitoba. So despite the fact that there may not be a hatchery there, the stock is transferable; we can move it. We have done just an excellent job on Lake of the Prairies in terms of stocking that. — (Interjection) — Why do you need a hatchery; you're getting fry.

MR. L. DERKACH: I'm not disputing the fact that Lake of the Prairies received an excellent stock of fingerlings in the past few years. I certainly commend the department for recognizing that this is a heavily fished area and the need for stocking that lake. The results have proven very positive in terms of stocking that lake, because of the fact that it is a rich lake in terms of the food for pickerel and for other fish species.

The question I'm asking is with regard to the establishment of a fish hatchery in that location, because of its proximity to other lakes in Manitoba and also to some lakes in Saskatchewan, and the fact there has been some study done in terms of why a fish hatchery would be feasible and why it would be very advantageous to have one situated in that area.

I'm wondering whether the Minister has taken a look at that particular aspect. We don't want a fish hatchery there just to stock that particular lake. We're talking about a fish hatchery there that could stock other lakes.

I think some of the advantages have been pointed out by the department and by many individuals in that area. There's the fact of the fresh water supply; the way the lake itself is situated; the locations where the hatchery could be located and where fish could be housed. Should the fish get into a situation where they become nervous and have to be released, that can be done without any great jeopardy to the lake or to the fish.

I'm wondering whether the department and whether this Minister has considered the feasibility of going

ahead and constructing a fish hatchery in that area, or whether in fact they have plans to do so in the future since this is a project that has already been talked about for several years.

HON. L. HARAPIAK: Mr. Chairman, I want to indicate to the member that we currently have capacity that is yet unused, so at this time there would be - certainly to build another hatchery, I think, would be unwise. At some point in the future, if we expanded and the existing capacity was utilized, consideration would have to be given to another location. At this point, we have unused hatchery capacity so there is no plan to build a hatchery in that area.

MR. L. DERKACH: Mr. Chairman, I'm wondering why some of the lakes in our particular area have been, as a matter of fact, waiting to get fry into their lakes. If there is such abundance of fish hatchery facilities available, then why have these lakes been waiting to receive fry in their lakes? As a matter of fact, they haven't been stocked for a number of years and the fish are being depleted in some of these lakes.

The fact is that a fish hatchery in that area would not be a major investment. It's not an investment that will cost millions of dollars. The fact is that from that particular location, fish fry don't have to be lifted twice. You could have that whole hatchery and housing there and fish can be taken from that location directly to some of the northern lakes. That's why I'm talking about the advantage of having a fish hatchery there as compared to some of the other locations where we have hatcheries at the present time.

HON. L. HARAPIAK: Mr. Chairman, I accept the statement of the Member for Roblin-Russell that there may be some lakes in which fry have not been placed. Some lakes don't lend themselves to placement of fry; given certain conditions, there would not be the high survival rate. There would be that consideration.

Even given the excess capacity, there would be a cost associated with bringing our reproduction to capacity and we have to be conscious of those costs.

I simply go back to the point that I made earlier, that in terms of our stocking effort in that region, represented by the Member for Roblin-Russell, the Lake of the Prairies, and the south end of the Duck Mountain, I think there's been just a superlative effort in terms of restocking. We will look to improve our capacity in the future.

MR. L. DERKACH: I'd like to just pose a couple of questions to the Minister with regard to the trout hatchery that I guess is under construction at the present time. My question to the Minister is, with regard to the development of the whole area around the Lake of the Prairies and the way in which this particular project was let and the monies were allocated for it, can the Minister explain to the House whether there was an open tender for this kind of thing, whether there were proposals submitted by a host of individuals or was this particular development one that was proposed by an individual and granted just on the basis of his particular proposal?

I'd like some information on that.

HON. L. HARAPIAK: Mr. Chairman, I wonder if the Member for Roblin-Russell could be more specific. Is he talking about the trout fishery project?

MR. L. DERKACH: Yes.

HON. L. HARAPIAK: Mr. Chairman, just in conversation with staff here, I'm advised that this is strictly a venture by this particular entrepreneur; he had an idea; he's approached the different branches of government to gain the site and the access to water and it was not an initiative on the part of the department. I can only indicate that.

MR. L. DERKACH: Can the Minister then tell the House what kinds of properties this person was able to obtain? Was he able to purchase Crown land, lease Crown land for an extended period of time? Did he receive in fact, monies from the department or from any department of the government to venture into this particular program, and what conditions were tied to this particular project?

HON. L. HARAPIAK: Mr. Chairman, this project is not directly affiliated with this department. There was consultation in terms of the technical advice so there was communication there. There is no funding from the Department of Natural Resources. In terms of the arrangements for the site and perhaps a permit to access the water, we could search that out and get that for the Member for Roblin-Russell, but it relates to other branches and we don't have that information here at this time. I can only indicate that it is a private sector venture, consultation in terms of the technical information with the Fisheries Branch, and no financial input from the Department of Natural Resources.

MR. L. DERKACH: Mr. Chairman, I would hope that there is some type of monitoring, or some kind of involvement from the Department of Natural Resources, since the fish that this person is going to be producing are trout, a species which is not presently available or present in the Lake of the Prairies, and the fact that this particular site is very close and adjacent to the Lake of the Prairies where fish could in fact, escape into the Lake of the Prairies, which could cause environmental harm to the fish that are presently in the lake, and I'm wondering whether the Department of Natural Resources is aware of what's going on there and whether they approve of the particular site because of the fact it's so close to the Lake of the Prairies itself.

HON. L. HARAPIAK: Mr. Chairman, if the member is concerned about the species of fish that might be introduced, the Federal Department of Fisheries would be responsible for the movement of the different species into the province, and certainly at some stage when the species were here and in terms of observing what was happening at the site, our fisheries biologists would be aware of those issues at that point.

MR. L. DERKACH: Mr. Chairman, the fact that the land is actually Crown land, which is under the jurisdiction of this particular Minister, and the fact that there is a plan to develop some 66 acres, as I understand, of

this particular project, and because of the proximity of it to the Lake of the Prairies, which is under the jurisdiction of this Minister, I'm wondering whether the Minister is aware of the plans that have been set for this particular site which is Crown land, has that plan been submitted to the Department of Natural Resources, do we have any idea of where the capital investment is coming from?

Have there been grants given for the development of this project? I'm not indicating that I'm opposed to the project, all I'm trying to do is find out some honest information as to what really is transpiring there because there are many residents of the area who have similar kinds of questions about the project because they just haven't got the information, and it is bordering on some private property and it's going to also affect a natural water reservoir, freshwater reservoir where residents get their water and they're concerned about that part of it as well.

HON. L. HARAPIAK: It's unfortunate, perhaps, that we didn't get into this discussion, Mr. Chairman, when we had the people from the Crown Lands Branch here. They may have been able to advise us directly on that. With the staff that I have with me at this time, I can only indicate, as I indicated to the Member for Roblin-Russell earlier, we will get the details on the particular project. I, personally, am not familiar with the proposal that he is referencing.

MR. L. DERKACH: Mr. Chairman, I'd like to thank the Minister for his response, and I would hope that he can get that information for us. I apologize for not having brought this up before, but I wasn't in the House at the time. So if we can get that information at some date in the near future, I'd appreciate it.

Thank you.

HON. L. HARAPIAK: Mr. Chairman, perhaps one bit of information that I would like to add. We had some information shared with respect to stocking for sport fishing. I want to indicate clearly that there is a very substantial effort on the part of the department for stocking for commercial fishing as well, and in 1986, over 64 million walleye were stocked in various lakes in the province and over 87 million whitefish in different lakes in the Province of Manitoba so I would want members to be aware that there is a considerable effort, both in terms of the sport fishery and the commercial fishery with respect to restocking.

MR. CHAIRMAN: The Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Chairman.

I want to say one or two words on the sport fishing angle, or the trout farming angle. The Minister obviously has the figures with him on the Stocking Program for 1986, what has been stocked where, I don't want him to give it all to us in detail if he could provide the critic with a copy, I'm sure he could make one for us. I'm wondering though, on one particular area, if there is some stocking done on Stony Creek, which is in my area, if he could - it's one of particular interest. I know a few years ago they were going to withdraw the Stocking Program, that's brown trout, they were going

to withdraw it because the chap on one side had a "No Trespassing" sign and there was one on the other side with "No Trespassing" and they said, well, if you won't let people in there to fish, we're not going to stock it any more. The signs were merely to indicate they wanted someone to come and visit the person occupying that property and tell them they were coming in, because they had livestock and they wanted to know who was in there. They just wanted permission.

But there are still trout in there, and I assume that stocking has continued. If not, the trout are flourishing reasonably well on their own. But with the Stocking Programs - and I'm sure the Minister being fairly new, he hasn't had time to check out everything, but I know two or three years ago they felt that the Lake Winnipeg Floodway at the Lockport area would be an ideal place to raise pickerel fry. I don't know how many fry they were raising there but they found that there were about 300 pelicans found that that was an ideal place to raise pickerel fry too. I don't know how many pickerel really got out in the lake but we do want to see the Stocking Program continue and even be increased, because sports fishing is becoming a very, very lucrative industry for the tourist part of Manitoba, not only for the recreation and the enjoyment that it provides to the fishermen of the country. So I do want to encourage the Minister to see that Stocking Program go forward.

If there is a trout fishery being developed in the province, that is commendable because in my particular area, which was the area that started trout farming in Manitoba, which never really got off the ground on a commercial basis, but there were many, many years of studies and many dollars spent on it, but there are a great number of people still involved on a semi-commercial, more of a hobby-type of operation. I have several of my friends who are involved and they sell a few and they lose a few dollars, but it gives them some enjoyment to raise them.

And another point, All my years of growing up in that area I didn't know what a cormorant was until I went further north, Mr. Chairman. But all of a sudden when they started raising trout in our ponds in that area, we had cormorants in great abundance; and they're a protected bird. But there are a great many, protected or not, that are going down, I'll tell you, because if you've got 5,000 trout fry in a pond, then you find that there's 15 cormorants moved in on you, there's somebody with a double-barrelled shotgun is going to move in pretty quick behind them. So you can't protect them all. Not to say anything about the blue herons and the other things that prey on fish fry, Mr. Chairman.

But that trout farming area, these people have gotten together more on a voluntary basis because it's costing them all money and they're now dispersing them. They had a set-up on the reserve and there was some deal over rent but they moved out of the Rolling River Reserve and they're now on the junction of Highway No. 10 and No. 16, the Yellowhead Route, and the fish dispersal area. They have put in some of their own holding ponds until they disperse it and they disperse several million trout fry each year in various sizes. A four-inch trout fingerling put into some of our ponds in the spring is a pound-and-a-half by October, some of them may be better. Some of the deeper ponds are growing five and six pound rainbow trout which are, I must say, Mr. Chairman, about a four or five pound trout nicely smoked is just a delicacy.

MR. CHAIRMAN: I like that.

MR. D. BLAKE: That is something that's been done in spite of all the research which found that it wasn't going to be commercially viable. It's been taken on by fellows on a hobby basis, people that are interested in the industry and it's become reasonably successful on that basis. So if there's a hatchery where they can pick up the trout fry here in Manitoba rather than bringing it in from Montana, I think that's commendable. And any other hatchery that can supply our sport fishing streams with more and more pickerel or walleye, the better, because that does bring tourists into the area; and it's the Lake of the Prairies which my colleague, the Member for Roblin-Russell has been talking about, has become noted as one of the biggest producers of Master Angler Awards in the Province of Manitoba.

That intrigued the Member for Emerson and I, and a couple of other colleagues last spring. We went in there to try that and I must say we fished diligently for quite a number of hours and never caught anything. So the fish know. They're saving themselves for the American anglers that are taking those trophy fish out of there. But that lake has become a tremendous fishery and any stocking that's done there I commend the Minister for it because it's a tremendous fishery and attracts a great number of tourists.

But I don't want to go back and belabour the quota on the lakes again because I would just be rethrasing old straw that several of my colleagues have done. But I want to say to the Minister that I support them 100 percent because we have to have one policy that the fishermen understand, something that's comprehensive to them and something in their retirement years, have an opportunity to get rid of their equipment as well as their licence and their quota. And there's no point in selling a licence and a quota unless you can sell your equipment with it, which is what the dairy people are now realizing has to happen. I urge the Minister to take hold of that problem and to solve it satisfactorily.

A MEMBER: You're going to give us the Stocking Program.

HON. L. HARAPIAK: Mr. Chairman, I have the list for 1986. Stony Creek was not stocked in 1986. It was stocked some two years previous, I believe, perhaps two years. It was not stocked in 1986.

MR. D. BLAKE: Could you tell me why it was not stocked in 1986?

HON. L. HARAPIAK: The concern was the one that the Member for Minnedosa raised and that was the question of public access. If there is some misunderstanding there, I'd be glad to take the advice from the member.

MR. D. BLAKE: I would say to the Minister, the people on either end are not opposed to people fishing. They just want to know who's going in there because they have livestock, goats and cattle and whatnot in there. They want to know who is going in there to fish so if there is a problem they know who to call on that may be responsible. There's a fairly good access area in

one particular spot and I might say to the Minister, in spite of the fact that it wasn't stocked in 1986, there was about a pound-and-a-half of brown trout taken out of there last Sunday morning about 11:15. So there is some reproduction capacity in that creek and if it was stocked, it would be that much better.

MR. CHAIRMAN: The Member for Rhineland.

MR. A. BROWN: Mr. Chairman, I would like to ask the Minister what is going to be happening with Rock Lake and Pelican Lake and that system?

A MEMBER: We're not stocking Dead Horse Creek.

MR. A. BROWN: Rock Lake, I believe it was intended that the level of the lake was going to be raised about seven feet. Nothing has happened. There used to be stocking of the lake but we've had absolutely nothing happening there, to my knowledge anyhow, the last while. I wonder if the Minister could tell us if they have any plans on doing anything with Rock Lake and with Pelican Lake; or where are we with the plans regarding those two lakes?

HON. L. HARAPIAK: Mr. Chairman, the information I have here is that on Pelican Lake we put half-a-million walleye fry and in Rock Lake there were 200,000 walleye fry stocked in that particular lake. We recognize, I believe it is Pelican, that there was some winterkill problems associated with that lake and we are exploring some options in terms of aeration on those two lakes to overcome those problems.

MR. A. BROWN: Mr. Chairman, I know there is a considerable amount of winterkill and the reason for that of course is that the level of lake is so low, especially Rock Lake, during winter months. There was a great deal of effort being put forward by the locals a couple of years ago to raise the level of the lake by about seven feet. My question to the Minister is: is this still actively being planned? Are you actively planning on raising the level of the lake so that we can have a good fishing spot in that part of the country?

HON. L. HARAPIAK: Mr. Chairman, I had committed myself to going and meeting with people in the area. I said immediately after the Session was over when I could leave the House, that I would be going to several sites throughout the province. There is a group from Rock Lake that has asked me to come out and they are wanting to discuss with me the issues in that area. So I will be meeting with them directly.

MR. A. DRIEDGER: Mr. Chairman, I raised it previously already; I wonder if the Minister could indicate the amount of fishing licences sold in the southeast part of the province. I'm talking of Buffalo Point; I'm talking of Middlebro, Sprague, the southeast corner. I indicated I would be asking that the other day and I wonder if he could give an indication of the number of licences and the value of the licences sold.

HON. L. HARAPIAK: Mr. Chairman, the problem with trying to get statistics that are meaningful in that respect

is that people can purchase their licences anywhere, really, and fish in any part of the province. So given the proximity to Winnipeg, the licences could be purchased in Winnipeg and yet the fishermen could be fishing in that area. So an indication of where the licences were purchased would not necessarily give you an indication of the fishing efforts. I have some difficulty in providing meaningful information in that way.

MR. A. DRIEDGER: Mr. Chairman, it is my understanding that somebody who wishes to sell fishing licences makes an application to the department and either gets accepted or rejected. I had a case where one individual in Sprague, for example, got rejected by this Minister, who wrote letters indicating there were too many outlets for the sale of licences.

I'm sure that the department knows how many licences are sold in each jurisdiction and I'm asking specifically about the southeast area; because it is my understanding that it is upwards of \$30,000 to \$40,000 worth of fishing licences that are sold within three basic communities - well, not even communities if you take Sprague, Middlebro and Buffalo Point - where a tremendous amount of fishing licences have been sold and a big portion of them are non-resident.

That is why I raise the question because obviously the department must know if somebody has a licence to sell fishing licences, how many get sold. There's a record of it and all I'm asking from the Minister is whether he can provide that information.

HON. L. HARAPIAK: Mr. Chairman, certainly that information is available. I don't have it from the information we have with us at this point. But if what the member is wanting is an indication of the number of licences sold by a particular outlet, that information can be made available.

MR. A. DRIEDGER: Mr. Chairman, I would like the number of licences and also the value of the licences and non-resident licences, because Americans come in The reason why I raise that, Mr. Chairman, is because it is my understanding, unless I'm being misled by the people who are selling the licences, that a tremendous amount of fishing licences are being sold, never mind the hunting licences for non-residents, for water fowl, big game, but just on the fishing aspect of it. I would like the Minister to check how many licences have been sold in the southeast corner because it is my understanding, like I say, unless my constituents are misleading me, it is a fantastic amount of licences that are being sold in that area.

That is why I raised under Park Development the other day the prospect of maybe expanding some of the facilities out there. That's why I talked of the possibility of opening up Gould's Point, which is a six-mile road, and wouldn't be that costly.

I'm just trying to raise this in terms of the expansion and the potential for American tourism and the enhancement of business development for many of our people in the southeast, which is very limited; job opportunities are limited. These are things that would help the business community and I'm requesting from the Minister, have a look at that. If you get that

information, I would like that information, and consider the possibility of further enhancement out there because the biggest potential for income in the tourism, in the fishing and hunting aspect of it, which should be of concern to this Minister, is in that corner. We're neighbours to them. They love to come out there. They know the Lake of the Woods better on the Canadian side than they do anywhere else. We get the revenue from them and all I'm saying is, why don't we try and look at the possibility of expanding that kind of potential market which is there, and it certainly is.

Without belaboring the thing, Mr. Chairman, I'm asking the Minister in all sincerity, when we're looking at expanding, when we look at the money that is being spent at Hecla where it shows a 28 percent return on the investment, when we look at this it wouldn't cost terribly much money to do some expansion right close to the American border. I'm asking, Mr. Minister, please, let's have a look at that because it is found revenue. I think if the Minister, unless I've been misled, but if the Minister will check, I ask for the fishing aspect of it, the licences that go through in the southeast corner, and it should be easy to establish.

Maybe if he wants, as well, to satisfy himself and myself, establish the hunting licences that are sold for water fowl, for wildlife in there, because it's an area that I'm very well acquainted with, Mr. Minister. I hunt and fish in that area and I know the kind of pressure that's there and I say it can be expanded on. We can capitalize on it financially.

I would hope, in all sincerity, that you look at that possibility because sometimes we take certain things for granted and we just assume that things are always going to go on that way. I want to look at the potential for development there because we need that kind of development in the southeast area, dramatically. Our business people need that. It opens the doors for new development.

I know, Mr. Chairman, that we have a portion - if you look on the map there's, what's it called now, maybe somebody can help me out - the American portion on Lake of the Woods. The name just slipped my mind. There's a portion that comes off the Canadian side, up the Manitoba side. — (Interjection) — No, not Buffalo Point. The Northwest Angle, okay. I should know, I've been there.

I'm just indicating that the Americans are utilizing that to the maximum and I think we have the potential to do further expansion there. I know the people in Ontario are doing it; the Americans are doing it. We should capitalize on it.

When we look at what happens on the north side of Lake of the Woods, when we look at what Ontario is doing in Keewatin and Kenora, and we have great development in Falcon and West Hawk and these kind of things, there is that potential there and it's always been overlooked. I've raised this issue before and I want to raise it again. Let's view it with possible consideration for further development.

HON. L. HARAPIAK: As I indicated earlier, Mr. Chairman, we will get that information. The only point I would want to make is that we have to view the province as a system and we do not want to portion off the province into regions and confine all revenues

and expenses specifically to regions - there will be transfers - but we will be conscious of that information and we will provide it.

MR. A. DRIEDGER: I can appreciate that. But the thing is, what I'm suggesting to the Minister, with very little investment we can expand the kind of revenue and we have to look at that because the Minister is indicating funding is very important - and I use the example of Hecla Island and I can use other examples - but that's not necessarily the issue right now. I just want consideration given in that direction.

The other area that I wanted to cover under this aspect - and I think we're getting close to the tail end of it - I want to just raise a few questions on the fish stocking aspect of it. The Member for Roblin-Russell raised it. I think for the revenue that is generated and the lakes that are accessible at this stage of the game that we should expand our fish hatchery.

The Minister indicated to me, and that concerned me a little bit, that we were not to the maximum potential of our fish hatcheries at this stage of the game. I'm concerned about that because we have so many lakes that could be stocked. I suppose, Mr. Chairman, I'm a little biased because I love to fish. Myself, and my family, we love to get out there and fish and I don't have to catch my limit. It's just a matter of getting out and having a little bit of action. And we have so many potential lakes.

We talk on our licence plates of 10,000 lakes in Manitoba and they are there. There's just an endless amount of lakes, but when you consider on the map and look at the accessibility of lakes, there are not that many lakes really in total portion to the total province.

Mr. Chairman, I would encourage you, as a city member and living in the city, that you take an opportunity sometime and fly up North. You're in government and, surely, the Minister of Resources should be happy to take you on a flight as I had the occasion when I was the Legislative Assistant to the then Minister of Natural Resources, Brian Ransom, and we flew North and we visited the various reserves and the various cottages or cabins that the department has.

I want to make reference to a place like Nejanilini Lake where there's a lovely little cottage there, Mr. Chairman. I had the occasion to fly up there and just have a view of the Northland. I suppose the majority of people in Manitoba will never have that opportunity where we stood and we cast off the shore for lake trout and we were catching lake trout about three an hour. We were catching Arctic grayling at Nejanilini Lake.

Mr. Chairman, I'm just saying that it is a great pleasure, and many people don't care what the costs are to enjoy these kind of privileges. I have not got the financial means. I happened to get that one as a freebie, you know, but when we talk of the lakes that are accessible, that if we use our fish hatcheries, if they're not operating to capacity, we should operate them to the capacity to stock pickerel in various lakes because it's a great pastime, a tremendous amount of pleasure in that and people spend all kinds of money doing that.

I think it's part of generating the economy of the province whether it be the lodge operation, the camp

operator, whether it is somebody who goes with his own outfit, buys the gas, buys the equipment, buys the lures and stuff like that, everything is related to that. I think there's tremendous potential in that and we always sort of down play it a little bit. I would encourage the expansion of fish hatcheries so that we can stock our lakes.

We have a prime example, Mr. Chairman, just across the boundary, States side, where the Americans are doing a fantastic job of that with the Garrison Diversion and some of these areas that they have out there. Their pickerel catching is better than it is in Manitoba, and that, to me, is a concern because we were always known as this is where the Americans come to fish. There are less coming now because they can do better on the States side and that is all based on stocking. I would encourage the Minister to pursue that aspect of it as much as possible.

HON. L. HARAPIAK: Certainly, Mr. Chairman, we consider stocking to be an important part of the fisheries management program. I think the information I've shared indicates that we have made a good effort, particularly with respect to walleye, and we will continue in those efforts.

MR. CHAIRMAN: 8.(a)(1) Fisheries, Administration: Salaries—pass; 8.(a)(2) Other Expenditures—pass.

8.(b)(1) Regional Management: Salaries—pass; 8.(b)(2) Other Expenditures—pass.

MR. D. BLAKE: Mr. Chairman, before it finally goes, the Minister can give them to me later. Under Commercial Fishermen's Loan Program - Administration, I wonder if he could give us a list of how many loans were made last year, the total loans and how many were outstanding? He can give it to me later, I don't require that now, unless he has it at his fingertips.

HON. L. HARAPIAK: Mr. Chairman, we will have that information. I think it's in the book, but we will dig it out and we will provide it to the member, yes.

MR. CHAIRMAN: 8.(c)(1) to 8.(h), inclusive, were each read and passed.

Resolution 126: Resolved that there be granted to Her Majesty a sum not exceeding \$3,733,000 for Natural Resources, Fisheries, for the fiscal year ending the 31st day of March, 1987—pass.

Item No. 9, Wildlife; 9.(a)(1) Salaries; 9.(a)(2) Other Expenditures.

HON. L. HARAPIAK: Mr. Chairman, perhaps, while the staff member is coming down, I indicated yesterday that I would have some more of the documents with respect to parks that are in existence and proposed at least are available to the House, so they're there whenever they wish.

Perhaps, Mr. Chairman, I should just indicate the person from staff that is arriving now is Rich Golden. He is the director of the Wildlife Branch. The individual who was with us in the last section was Worth Hayden who was the director of Fisheries. I had neglected to introduce him.

In the previous section, we had Geoff Munro and Dave Rannard, Dave being the director of the Forestry Branch. I had neglected to introduce those people. I wanted to indicate, for the record, their participation in this exercise.

MR. A. DRIEDGER: Mr. Chairman, I'm glad that the Minister finally realized that some of the members who were present we knew but some of them we did not. I was on the verge of asking the Minister to introduce some of his staff from time to time. I think the member who is sitting there now, certainly, I think most of us have had affiliation with from time to time.

Mr. Chairman, dealing with the Wildlife section, this is a section where there is a lot of concern. I want to start here, and I hope it's acceptable again to the Minister where, under Wildlife, we cover whatever is under Wildlife and then we pass it. I think that's worked relatively well so far and we'll proceed on that basis.

So based on that, I want to take and raise a concern, first of all, under the trapping aspect of it. I want to deal with a particular issue of Abromivich who made an application for a trapping licence in the Snow Lake area, and the Minister I believe is aware of it and so are some of his staff. It's a long story and I can go into all kinds of detail and I am going to indicate apparently an application has been made to the Ombudsman to have the matter reviewed. When that happens, I feel that obviously some people feel very concerned because before you make an application to the Ombudsman, Mr. Chairman, you must have a matter of major concern, and for the Ombudsman to accept that kind of investigation lends credibility to that kind of a concern.

I wonder if the Minister would maybe at this stage of the game, and obviously he has met with the party involved, and Leonard Abromivich - I think I pronounced that right - made an application. There's been all kinds of correspondence that has taken place. As I indicated, the concern has been so major with these people in terms of the treatment that they have received, that they felt compelled to go to the Ombudsman.

They've also talked to legal counsel which really doesn't, I suppose, hold that much water because what can legal counsel do when it's a decision of government? I'm wondering if the Minister at this stage of the game could maybe consider indicating what the position is, whether there's any possibility of a review of this situation, or whether I have to forward all kinds of information considering the Manitoba Registered Trappers Association and their concerns where they were not consulted, their information was not taken. There's a legacy - I have a pile here of all kinds of things that I can go into detail with. I'm wondering if the Minister can indicate - I personally, in going through the information that is here, feel that the people have just cause to appeal the decision that was made.

It is my contention, Mr. Chairman, that the individuals involved who are residents of the Snow Lake area, in which the trapping line that was allocated was dealt with - you know that's where the allocation took place. I wonder if the Minister could maybe - I don't know whether he knows of the case, but I think he does - because certainly the Member for Flin Flon does. Jerry Storie knows of the situation. The previous Ministers

Tuesday, 19 August, 1986

- at least I know that Sam Uskiw is referred to in some of the correspondence here.

It appears, Mr. Chairman, that we have a situation that was not dealt with fairly, that there was some collusion possibly within the department, because it is my understanding that the individual that was allocated that kind of - the trapping line in the Snow Lake area who lives in Cormorant, works for the department under a Fire Suppression Program somewhere along the line and that there has been some coverup on this matter; and now, once the commitment was made, nobody within the department is prepared to take a definite position on that and correct the situation that I feel has not been dealt with properly. I wonder if the Minister can make his comments, because based on his comments, I will get into this thing in further detail and if he makes a positive comment on the matter, then I will take and accept that.

HON. L. HARAPIAK: Mr. Chairman, as the Member for Emerson has indicated, the matter has been referred to the Ombudsman and I want to be careful in making any statement that I do not appear to be trying to influence in any way that process that is under way.

I can indicate to the member that there was discussion between the Ombudsman and the departmental staff. The most recent letter went to the Ombudsman on July 30 and the matter really rests with the Ombudsman at this stage. This is a very difficult case in terms of eligibility where both, I suppose, are deserving applicants, but judgment was made and there's some disagreement in terms of the judgment. It has been referred to the Ombudsman and I think we should allow that process to work its course. I don't think it would be appropriate for me to deal with the matter that the Ombudsman is about to make a ruling on.

MR. A. DRIEDGER: Mr. Chairman, I've gone through the same process with this particular Minister in terms of the Ombudsman's investigation into the Department of Natural Resources. The Minister has a tendency when there's a difficult issue to be dealt with, to hide behind whatever he can hide. I will not accept that under these circumstances, because what's happening is that the information being fed to the Ombudsman, in many cases, is from the department who are covering each other's tracks in this particular case and I will not accept that.

The Minister is now again shirking his responsibility in terms of making a decision, and that is the fallacy of this Minister at this stage of the game. Mr. Chairman, I hate to be rough on this Minister. He's been a Minister for three-and-a-half or four months, but this Minister has developed a technique of ducking responsibility, not making decisions, and in this particular case, if he would take and investigate, the fact is that he cannot when his staff cover each other's tracks; he cannot look through that thing and accept those kinds of things. I do not accept that at this stage of the game, and he can duck behind the Ombudsman's report, which has no bearing on it.

This Minister has been approached with it. I'll tell you something, and the information being fed to the Ombudsman at this stage of the game is being fed by all his departmental staff who are covering each other's

tracks. I have here, Mr. Chairman - I want to start again - I'm getting excited because I get upset with this Minister's approach.

I've gone through this before with the investigation of this department where his own staff had to lay charges against this Minister to the Ombudsman Office to have it investigated, and the Minister then hid behind that and he's using the same approach again. Mr. Chairman, that is why I'm getting upset. This Minister just seemingly can't take responsibility and take an issue in hand.

If he had taken any concern, and there's lots of correspondence. All he has to do is look at the pile, but he doesn't do that. He relies on staff who sort of cover each other, because I have here from the Manitoba Registered Trappers' Association, who called a special meeting to deal with this issue. It's of that nature. It's the allocation of a trapline Mr. Chairman, in which there is a process in place that should take place, and it just so happened that an employee of the Department of Natural Resources who had that responsibility, decided to take a position and allocate it to somebody outside of the area of Snow Lake.

The history behind that is and, Mr. Chairman, I will take and spend a lot of time on this issue unless the Minister is going to give me the commitment that he will take a total review himself, personally look into it. If he, after he's looked at all the correspondence which he hasn't done - he's again going by all the information that he's being fed, and that's part of the reason why he's getting into trouble - he does not realize some of these situations. You know with four Ministers having been in office in little over a year, that there's things happening and there's not continuity in there.

Now, everybody's covering the tracks of a certain Mr. Wisehart, I believe it is - who actually overruled the local committee, LC, how do you call it; I think it's LFC or something like that - who indicated that they were not supportive of that decision. He says you can vote if you like, but it doesn't make any difference. I have correspondence here with that association, and that association is not supportive of the decision made, but because somebody in the bureaucracy and the staff made a decision and all of a sudden everybody kowtows to it. If the Minister is not going to give me the assurance that he's going to review this thing and give fair consideration - and I don't care whether the Ombudsman is investigating it or not - this Minister should investigate problems within his own department and that is where he has been getting himself hung up on. He keeps hanging his hat on these things and not giving consideration to serious concerns.

Mr. Chairman, I'll give the Minister one more chance to indicate that there is an opportunity to review this situation, that there is a possibility of not a fair decision made there. If the Minister gives me that assurance, that he's going to review this thing in all fairness and look at all the correspondence and check with all the people involved instead of getting snowed, I'll accept that. But if the Minister does not, then I'm going to start pulling out the whole file. We'll go through the regulations - many of them that are there - where there are certain guidelines for the allocation of trapping lines; where the department decides that they will take and pull out different rules under the table and allocate it on that basis. I will ask the Minister one more time

whether he's going to change his position on this, give fair consideration, and look at it in an objective view, without getting snowed. Because if he doesn't, then I'm going to get into this thing and I'm going to go through this thing from Day One, exactly what has happened.

HON. L. HARAPIAK: Mr. Chairman, I have a letter dated July 30 that I want to read one paragraph from to indicate just how difficult this particular issue is. It says, "Involvement by the Manitoba Registered Trappers Association Board of Directors came about after being contacted by Mr. Abromivich and the President of the Snow Lake Local Fur Council. A meeting of Snow Lake Local Fur Council executive was held October 3, 1985, at which time the decision was explained. The executive then concurred." let me repeat, "The executive then concurred with the department's decision to award the trapline to Mr. Ducharme."

Mr. Chairman, I would like to suggest, and particularly in light of the statement made by the Member for Emerson, that staff was covering tracks and he obviously is conveying some distrust and certainly I do have to rely on staff, given the volume of material. I do not have time to review every piece of material that comes, and I rely on staff for information and input as is the case in any organization where people report to someone else.

I would like to suggest that in light of that statement - in fact I would make a challenge to the Member for Emerson - that if he feels that the information given by staff is not accurate, that there is in fact an attempt to cover their tracks, I would challenge the Member for Emerson to submit his version, his information to the Ombudsman and let the Ombudsman incorporate that into his review.

MR. A. DRIEDGER: Mr. Chairman, cop-out, you know. Haven't you got the guts to get up there and check these things yourself? When it goes to an Ombudsman's Office, you certainly, after the experience you've had, got your nose caught in the wringer defending your position, I'm upset. I am upset. The Minister says, if you don't like what's happening here, submit it to the Ombudsman's Office. You know what? That's the second case that's gone to the Ombudsman's Office since the time you've been involved in. And what do you do, you hide behind the darn thing.

I'll tell you something, the Minister's just indicated to me that the local association had supported that, well, I have writing right here that indicates the meeting is called to protest the person who got the trapline No. 2 over Leonard Abromivich.

And your representative there snowed them the first time, they called a second meeting and objected to it and that's exactly what I'm indicating to this Minister, he's getting snowed again. I'd hate to have you come on your knees again and have the Ombudsman find out that you and your staff are covering again. I'm upset! I'm really upset.

Why don't you take the initiative, when it goes to the Ombudsman's Office? The Minister is telling me that he hasn't got the time; he can't go and check all these things. Certainly, when something within his department goes to the Ombudsman's Office, you

should have enough concern to get in there and get involved. You're talking to the member for the area right now, who knows what the heck it's all about.

Certainly there's a major problem there, and it's a cover-up within your department. If this Minister's not going to take the initiative in this case, and the Member for Flin Flon, the Minister responsible for Education right now, knows about this darn issue and he's part of the goldanged thing.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. A. DRIEDGER: Because of some of your NDP colleagues are objecting to it, that's why this thing is happening, and I'll tell you something, this is not the end of this story here.

I will tell you something. If the Minister wants to play games, he's cute, this is his second issue with the Ombudsman's Office, and he's trying to hide behind that, I will start from scratch. I indicated to this Minister if he was going to give me an undertaking that he would review this issue and seriously review the issue, that I would be content to leave it lay there. But if the Minister doesn't want to do that, if he wants to hide behind that, which is not unusual - I'm already used to that with this Minister - then we're going to take some time here and look at exactly what is happening.

Application was made, a trapline came open, it's serious stuff for the people involved. The Member for Flin Flon knows; he's been involved in this thing. He's been hiding under the fence just like the present Minister is. If not, then let the Minister of Education get up and tell me his side of the story because he has been involved, possibly more than anybody else. And he has the same tendency - that's the problem with this government, pass the buck. If you have a problem, try and pass it off to somebody.

He's the representative, the Member for Flin Flon, the representative of this individual case here, he's been contacted, the Minister of Natural Resources, the then Member for Lac du Bonnet was involved in this thing, and all because of one individual who has been trying to cover his tracks. He allowed this trapline to be allocated to somebody who he felt was working for the Forest Suppression Program; and Cormorant, initially when this line came open, there was no applicant from Snow Lake. Now, when the application came open — (Interjection) — I'm not finished. If the Member for Lac du Bonnet has something to add to this, he better wait till I'm finished, unless he has a point of order.

MR. C. BAKER: . . . point of order . . . — (inaudible) — . . . unless he is referring to the past Member for Lac du Bonnet, because I know nothing about this case at all. Are you referring to the past member?

MR. A. DRIEDGER: That isn't going to take the wind out of my sails. If the present member has some problem with the activity of the previous Member for Lac du Bonnet, that's his problem, because he's with the same party. That doesn't bother me at all. I lump you all in one basket when it comes to covering your friends, and that's what's happened in this particular case here.

The Member for Flin Flon is the one who has initiated this thing and he has . . .

Tuesday, 19 August, 1986

MR. CHAIRMAN: Order please. The Member for Lac du Bonnet has a point of order?

MR. C. BAKER: I do, Sir, because I know nothing about this case and I would ask the honourable member to either withdraw or clarify his remarks.

A MEMBER: Withdraw.

MR. A. DRIEDGER: Mr. Chairman, I withdraw nothing. I withdraw nothing. I paint them with the same brush.

MR. CHAIRMAN: A matter of clarification is not a point of order.

The Member for Emerson.

MR. A. DRIEDGER: Thank you.

Mr. Chairman, we will now spend some time on this matter, because obviously the Minister feels that he is not going to take and respond to it, he is hiding again like he has in the past, accepts no responsibility, and I asked him very sincerely and gave him two opportunities to indicate that he will review this matter himself. He says I've looked at it, it's in the Ombudsman's Office. I'll tell you something, now we're going to settle it, because I want to now understand how this thing works.

A certain Mr. Wishart, who was the officer out in that area, made a decision and stonewalled the group who later on then made a decision, had a special meeting after he was gone - indicating meeting is called to protest the person who got trapline No. 2 over Len Abramovich. I'll tell you something. What bothers me, Mr. Chairman, is the fact that just like we had with the Ombudsman's request to investigate the Department of Natural Resources where certain charges were laid, individuals, it was stonewalled for almost a year, until finally the Ombudsman's report justified their claims. And the same thing is happening here and this Minister again is hiding his head in the sand. He will not deal with this matter. All I ask for from this Minister is a commitment to review that situation, in all fairness, and he says, well, the Ombudsman is investigating it. That is not acceptable to me because the Ombudsman is basically dealing with his own staff, checking with them, and they're covering their tracks. I will not allow that to develop in this case, I do not find that acceptable.

Mr. Chairman, a wrong decision was made. I'm asking because the local association protested. When they asked to have a vote on the matter, the then representative of the government of the Department of Natural Resources said no sense voting because it's going through anyway. They were not allowed to have a vote. They called that special meeting later on and I have the minutes of that meeting that indicates that they are objecting to it. Mr. Chairman, I want to explain to you because obviously the Minister has got a deaf ear and doesn't give a darn.

But I want to explain to you, the fact that what happened is, this is a trapline in Snow Lake, an allocation of a trapline. There's guidelines that established that, and it's very specific to the trappers that a local individual has first crack at it. When this trapline was left prior to that, there was no application from Snow Lake. So it was given to somebody from

Cormorant Lake. Now the trapline came open again, Mr. Chairman, and an application was there from Snow Lake - somebody who has been operating on a part-time basis, a trapline, a qualified individual.

But what happened is, because somebody from Cormorant Lake had the trapline in Snow Lake because there was no previous application from somebody from Snow Lake, now they're saying, we're going to give it to the same kind of person from Cormorant Lake.

The tragedy and the suspect of the matter is that individual is working for the Forest Suppression Program, when we talk of qualifications, probably both good qualifications. But the guidelines say that a local individual should have priority. And the individual in charge with the Department of Natural Resources would not allow that to happen, recommended the individual from Cormorant Lake; that was the decision that was made because nobody cared; they thought it would die away.

We have a major issue here of an individual being mistreated, not being treated fairly. Unless the Minister can explain to me right now the justification of having somebody from Cormorant Lake get the trapline at Snow Lake versus a resident of Snow Lake, I want to give that Minister one more opportunity to justify the decision that was made.

HON. L. HARAPIAK: Mr. Chairman, the information that I have here indicates that the area is referred as to the Snow Lake area. But the Community of Snow Lake and the Community of Cormorant, in which the two applicants reside, are equidistant from the area.

A MEMBER: Snow Lake region.

HON. L. HARAPIAK: Snow Lake region, that's correct; but the Community of Snow Lake is not in the Snow Lake region.

MR. A. DRIEDGER: Mr. Chairman, I'm not going to ask again. That is not the justification why one was picked over the other because it is in the Snow Lake trapping district. It is in the Snow Lake trapping district and there is an application from a resident who qualifies from Snow Lake. Why has the application gone to Cormorant Lake? And that's what I'd like to know. I'll give the Minister another chance.

Explain why, because it's in the Snow Lake area, it's not in the Cormorant trapping district; it is in the Snow Lake trap district. This association is helping make decisions in that aspect of it, is the one that is protesting and had no say in the matter. It is the matter of bureaucracy trying to dictate to certain people, and I'll tell you something, that's why I don't want to accept.

Mr. Chairman, while the Minister is getting information I would like to ask the member, the representative from the area, to put his views on the record. Maybe he's just hanging them to dry too.

Do you think it's right? I'm asking you, Jerry Storie, do you think it's right?

MR. CHAIRMAN: All interruptions among the members of the House should be done through the Chair.

The Minister of Natural Resources.

HON. L. HARAPIAK: Mr. Chairman, in just the information that I quoted from earlier was information

Tuesday, 19 August, 1986

that was submitted by staff to the Office of the Ombudsman so I am taking that if there is a challenge to that information I would appreciate the Member for Emerson giving me some further information. If the validity of the information that I am receiving is challenged, I would be prepared to look at this but I do not want If we could have some arrangement wherein we would understand that if I were to look at this matter, that I was not attempting to in any way impede the efforts of the Ombudsman or to intervene in that process, I would be prepared to look at it; but I do not want to leave the impression that in any way I am trying to avoid having the Ombudsman continue in an effort that he has initiated. So that is one of the concerns that I have if this matter is dealt with by me at this stage. Would it leave the impression that I was trying to terminate the Ombudsman's efforts?

MR. CHAIRMAN: Order please. It is a policy in the House that there is no smoking in the Chamber. I have been ignoring people if they go out. I don't want to embarrass anyone and I don't name anyone. But please leave the Chamber if you have the urge to smoke.

It's also a policy in the Chamber that you can only be recognized when you're sitting on your chair.

The Honourable Minister.

HON. L. HARAPIAK: I just want to indicate again to the Member for Emerson that any effort that I would make in terms of reviewing this should not, if it would not be interpreted in any way mean that I was trying to terminate or impede the efforts of the Ombudsman, that I would be prepared to look at it. But as long as it could be dealt with in that understanding, that any review of this on my part would not be taken to be an effort to forestall an investigation on the part of the Ombudsman because I wouldn't want to have that happen.

MR. A. DRIEDGER: Mr. Chairman, it is this Minister's staff who are being investigated by the Ombudsman's Office and that certainly does not supersede him from trying to get in there, to get in there and check what his people have done wrong. Quit hiding behind that aspect of the Ombudsman's Office. You have the responsibility, you are responsible for all the staff that you have. They made a bad decision, and I will take and keep on that decision because the information I have - and I've asked the Minister, tell me it's a good decision that's been made. If the Minister can verify that and justify what's happened, but he can't, because I have information here that says it's a bad decision.

This Minister is responsible now for trying to cover up and hiding behind the Ombudsman's thing. I say, Mr. Minister, please show some guts for a change. Get up there and check this thing out and correct the wrong that's been done. I'm upset, Mr. Chairman, because this Minister keeps hiding and can't make a decision. I have the information here; it is a bad decision.

The Member for Flin Flon is the one that knows all about it. He can't rise to the defense of the decision that's been made. It's a matter of covering tracks and I will not accept that. Certainly people in Manitoba that have been done injustice by any individual should have a right to have their concerns brought forward and this

Minister is hiding and saying, well, I don't want to interfere with the Ombudsman's investigation. Well, get on it; it's your staff; investigate it. That's all I ask and I'll leave the matter alone.

HON. L. HARAPIAK: Mr. Chairman, the Member for Emerson is indicating that he is upset. He is visibly upset.

MR. A. DRIEDGER: Yes, I am.

HON. L. HARAPIAK: It's reflected in his logic as he addresses this issue.

I want to indicate very clearly for the record that the Member for Emerson insisted on several occasions on making disparaging remarks about the staff of this department. The staff of this department is fallible. We recognize, and I as the Minister, am prepared to indicate that at times I may err in my judgment and I am prepared to have somebody give me direction when that happens.

But consistently, during my tenure in this Chamber, the Member for Emerson insists on making statements which reflect badly on the efforts of the staff people in the department.

Let me refer to this item specifically. Rather than looking at the issue, the decision that was made, which people are saying was a close decision and certainly let's have somebody look at it, he chooses to reflect on the integrity of the staff of the department in dealing with that. I will not, for one, stand by when he makes those kinds of statements.

I am prepared to accept fair criticism. If he wants to refer to an earlier statement in terms of the Ombudsman looking into the affairs of the department, some of the very issues that the Member for Emerson raised and supported as wrongdoings in the department were clearly ruled by the Ombudsman as being unsubstantiated. In terms of some of the other issues that were raised with respect to the process, we indicated clearly we are prepared to accept that kind of direction.

So let me say again to the Member for Emerson, if he is prepared to listen and understand, that I said I would look at this issue but I did not want that to be interpreted to mean an intervention into the efforts of the Ombudsman.

MR. A. DRIEDGER: What a false bravado. This is the Minister who has had his staff investigated in a few cases, gets up here and gives me a lecture about don't criticize my staff. There's many, many good people in your staff but you wouldn't know the difference because you have your head in the sand. When there's a problem, you keep putting your head in the sand. You don't know how to deal with that thing. I'm not criticizing carte blanche, Mr. Chairman, the staff of the Department of Natural Resources because they've done a commendable job.

But there are instances and complaints and this Minister is hides behind that and he says, oh, everybody's good because there's some good in there. Sure there's good people in there. But this Minister is not accepting responsibility. He can't make a decision. I will accept the fact that he's said he will investigate this thing. Never mind any reference to the Department

of the Ombudsman's Office. If I'm wrong, the Minister can correct me, but I got the impression that this Minister is going to look into this matter, investigate it personally and talk to the people involved, and look at all the information.

If the Minister indicates that that is what he's going to do, I'll leave the matter alone. I don't want any further reference to the Ombudsman's Office. I want his commitment that he will take and check this out, consult with the Member for Flin Flon, consult with the people aggrieved, and consult with his staff. If he then makes that decision, then maybe he can give justification, because he has not given justification yet for the decision that was made.

HON. L. HARAPIAK: Mr. Chairman, I indicated clearly that that was my position. But let me ask the Member for Emerson whether he is prepared to - would the Member for Emerson be prepared to accept my decision in that matter?

MR. CHAIRMAN: This is not question period. The Member for Emerson.

MR. A. DRIEDGER: Mr. Chairman, I have no choice but to accept that decision because that department makes that decision. I'm asking for a common-sense approach. In my view, the decision is not a fair one. I'm asking the Minister for a common-sense approach to it. If he feels common sense has been used and it is right, I have no choice because if he doesn't reverse the decision, as Minister, I can't change that. I can scream all I like, but I'm asking for sensibility in this thing.

This Minister now has a chance to prove that he's got some guts in terms of viewing some fairness in coming forward and that's all I ask. I can't change the decision. If I was in charge, then it would be my responsibility. I'm asking and I'm challenging this Minister to show some common sense, because he's been there only a short time.

I'm asking him to review all the information. He has it all. If he hasn't got it, he can get it, and the Member for Flin Flon can give him additional information. The Member for Flin Flon left the Chamber because he felt uncomfortable with the situation. — (Interjection) — Oh, don't get excited, Mr. Chairman, about the fact I made reference to somebody leaving. I see you're concerned about that but it doesn't bother me. Mr. Chairman, I want to leave that issue at this stage of the game but under Wildlife, we have many issues.

The members can make light of it but I'll tell you something, I feel concerned that if there's an individual who feels unjustly done by, it's my responsibility to bring it to this House, especially when there's a whole bunch of turkeys that are covering tracks. — (Interjection) — Yeah, landslide, look after your butt.

I'll tell you something now, Mr. Chairman, I would like to now raise the issue of elk ranching with this Minister. I suppose, Mr. Chairman, I should start off with a very straightforward question. Is the Minister supporting elk ranching or is he not supporting elk ranching?

HON. L. HARAPIAK: Mr. Chairman, I think the member is clearly aware of the letter that I sent to all the parties

that have been interested in this issue, some by way of application, some by way of attending the meetings, and by way of press releases, that I was reviewing this matter and that until such time as I had completed my review I was not going to take a position for or against elk ranching. That review has not yet been completed and I would not indicate that a decision has been made on the matter of elk ranching. It is still a process in which we want to involve different interest groups and I will take that input.

MR. A. DRIEDGER: Mr. Chairman, that illustrates again the fact that this Minister has difficulty making a decision. I wonder if the Minister can indicate, when he says that he has not reviewed all the facts - the facts have been there on both sides of the fence for a long period of time - there is no new information coming forward. The Minister has had the same opportunity to review the information that has been presented on both sides of the fence. We're going to get into the detail of this if the Minister feels that he hasn't got all the information, because then we'll try to make it available to him.

I personally have information from Saskatchewan, from Alberta on how they deal with these issues. The Minister has all that information. The Minister has information from the side that is promoting elk ranching, where a commitment was made and a letter signed by Vince Creighton, at one stage of the game indicating that the decision of the then Minister, the Minister from Lac du Bonnet, the Minister of Natural Resources, indicating he favoured the elk ranching concept. As a result, a letter was sent to the various applicants at that time. They proceeded to make investments to the tune of \$30,000 and \$40,000; some of their fences built.

Then we have the other element that is opposed to elk ranching, Mr. Chairman, who feel that the elk, which is a very special animal, considered that way by all environmentalists, and certainly the Member for Inkster should be supporting that approach.

Mr. Chairman, there's a group that is lobbying extensively against the aspect of elk ranching and if the Minister says he's still reviewing it, Mr. Chairman, it is another cop-out. I would like to have an indication from the Minister which direction he's going to go in at this stage of the game because all the information — (Interjection) — Mr. Chairman, I have had the information for months. I've been lobbied by the same groups that have been lobbied by the Minister. If he is a man of decision at all, and any man of courage, he should indicate which way he is going to go on this particular thing.

HON. L. HARAPIAK: Mr. Chairman, this particular issue is not an easy one to resolve. I've never pretended that there is a simple solution to this question.

As the Member for Emerson indicated, there are people that he is closely associated with, in some respects, who are against this issue. There are other people he knows that are strongly in favour of the issue. I am acquainted with groups on both sides of this issue. I've had meetings with groups in my constituency. I've had several meetings in my office with groups that represent views in support of and in opposition to this particular project. Yes, in fact there were groups that

were in my office who came in together to discuss the issue and where disagreement was within their own membership of that particular group with respect to issues related to what we commonly refer to as elk ranching.

But it is really a larger question than that because it has implications not only for elk, though the primary focus is on elk at this time, it is a question of how we will utilize this public resource. Surely in terms of a major decision as to what will be the future use of a valued resource in the Province of Manitoba, time should be taken to make a sound decision.

I have received considerable input from staff; I have received considerable correspondence from different interest groups. I'm still awaiting additional information on the economic impact of this particular kind of industry. Certainly we want to have some indication of what the impact of this industry would be if the decision was made, for example, to go ahead with this industry. We want to have a clear opportunity as to what kinds of markets there are and what are the implications of entering into those markets.

On the other side the question is, if we pursue this, what are the impacts on the availability of this resource to people who enjoy viewing elk in the wild, or the Wildlife Federation, that has an interest from the point of view of hunting, and certainly the guides who have an interest in this matter from hunting? So all of those questions have to be considered.

There are economic opportunities that exist with the resource in its present state. So in pursuing one venture, do we jeopardize an existing venture? There are risks that are associated with this project which are not economic in nature. Those have to be adequately addressed. Certainly I want to take the time that is required to make a rational decision in this matter.

MR. A. DRIEDGER: Mr. Chairman, I fully realize the difficulty that this Minister is going to have in making that decision. If the Minister indicates that he is still looking for information, he can look until it freezes over - pardon the expression - because he basically has all the information that is required to make a decision.

His dilemma is that his political butt is on the line, whichever way he makes a decision, because it's a very difficult and complex decision and it's split right down the middle. Again, it illustrates the fact that this Minister has difficulty making decisions on this aspect because he has all the information basically that he needs.

We were in government, Mr. Chairman, when the concept of an experimental elk ranch was initiated. We were government at that time. So all that information from that time on - we're looking at '79 or '80 when this thing got initiated; we're now just about six, seven or eight years down the line since that decision was made. It was based on an experimental stage so that some decisions and guidelines could be set up to establish whether it was feasible. That has all happened.

But it's gutsy decision time and I don't think that this Minister - okay, the Minister says he is still amassing information. Can the Minister indicate when he's prepared to make that decision because it's guys who make big investments and it's guys who are facing major problems, based on whichever way the decision goes. Can the Minister indicate when the decision will be made?

HON. L. HARAPIAK: Mr. Chairman, I'm surprised by the member's comment in respect to the political consequences of this decision. He is implying by that very comment that the decision should be a political decision. Surely this is not a political decision, Mr. Chairman. This is a management decision with respect to the future use of this resource and I will not accept, in any way, the suggestion from the Member for Emerson that what I should be doing is weighing the political consequences of going for and the political consequences of going against. If that is his view of decision-making in terms of the leadership of a department, I would hope that he would not have the opportunity to exercise that kind of decision-making. It would be shameful if what I was doing was counting the number of people opposed and the number of people in favour of it saying that is the direction that I should go in. The decision will be made on the basis of the future well-being of the resource.

My first responsibility as a Minister is to ensure that the resources in my charge are available for use for future generations and any decision that I make with respect to this venture will be, first and foremost, concerned with the future preservation of that resource. That will be my primary consideration, Mr. Chairman.

MR. J. DOWNEY: Mr. Chairman, I'm rising to speak on this matter and I'm certainly, again, somewhat puzzled. The Minister is new in the Department of Natural Resources. To my knowledge, he is the only thing that has changed since the former Honourable Member for Lac du Bonnet was in that office. I have a constituent who received a letter from the former Minister of Natural Resources telling him that he supported elk ranching; the NDP supported elk ranching; the Department of Natural Resources supported elk ranching. Mr. Chairman, I am aware that I have a constituent who was sent a letter. His name is Kelly Taylor at Oak Lake who was truly told - and there may be some small correction the Minister may want to make - but the former Minister of Natural Resources, in principle, supported elk ranching. The Department of Natural Resources, to my understanding, would have come forward with that policy supportive of it. He was told by the Minister, by the Department, to send in an application for a permit, as were some several other farmers.

Mr. Kelly Taylor at Oak Lake is an excellent farmer, an excellent animal husbandry person, and his family. They live on the Assiniboine River, a beautiful setting. They have made a substantial investment in wire and posts on the basis of the Minister of Natural Resources and his department agreeing to a policy of elk ranching, Mr. Chairman.

If I am incorrect in my assumption, then I think there are a lot of other people who are too. The Minister may have an actual copy of the letter, and if he has, I would hope that he would table it - I have to go to my files to get it - but I am of the understanding that the decision was made.

I have personally talked to the former Minister of Natural Resources, the former Member for Lac du Bonnet, who told me that he supported elk ranching. In fact, I have had several opportunities to visit with him on that very, very principle.

Tuesday, 19 August, 1986

Now what I am puzzled by, Mr. Chairman, we now have a new young Minister, who comes out of an area where the pilot project was put in; where there is certainly controversy on both sides; where I know the Minister is struggling again to try and get a grasp of the thing. I don't have to talk politics at all, I appreciate what the Minister is saying, that the decision should be based on what is right and what is wrong.

If you're talking about the principle of producing wild animals in the domesticated or semi-domesticated stage, then we have to look at fox farming; we have to look at mink ranching; we have to look at Woodland buffalo; we have to look at the whole aspect of it. It's a principle that's already been supported by the majority of people and I'm not trying to get in an argument with any one group in society. Everyone, I think, should have input into it. But what I am concerned about, that we have a New Democratic Party, we've had them for the last how many years. We've had the Minister, as I understand it, on record, supporting elk ranching. We have a new Minister who now finds himself on an island all by himself because he hasn't got the proper information.

What I am asking is, what did the former Minister have that would cause him to support the principle and elk ranching that this Minister doesn't have? Did the former Minister and the former Member for Lac du Bonnet who had, I would say, quite a few years experience on the member, didn't usually make a move unless what he considered was in the best interests of the province or the resource. I can't say that much about the Minister before him, of course, he's the current Minister who is supposed to be responsible for MTS and we know the mess that he's in.

But it's the whole matter, Mr. Chairman. I'm serious as can be because there has been a tremendous amount of investment made by individuals. The investment was made, the plan was set to do it on the basis of a policy statement that came from the Department of Natural Resources. All at once, we have a new Minister who comes out of the area where there was the heaviest of controversy and now is fumbling with the problem. Fumbling with it is really what he's doing.

I can appreciate that he's trying to get feedback from all the possible sources that are out there. Fine, I have no problem with that. But he is deviating from a principle and a policy that was established by his department. Is he now at odds with them? Is he at odds with the former Minister's policy? There's got to be more reason, because if his department made the decision once to do it, what has changed their mind? Is there information that we have to know that has changed the department's mind? I'm sorry, Mr. Chairman, the Minister has again - and I'll be kind to him - a major commitment to those people who have made an investment; his government, his party have made a major commitment to them. They've made decisions on that.

As far as the whole question of it and we, as Opposition members, I'm sure will hopefully try to help the Minister - and I'm serious - in coming to some conclusion about it. We may agree, we may not agree with what that final decision is, but the question I have is: don't leave the people hang any longer. You can't take the public in this direction, change the Minister,

and immediately turn them around without giving a full and reasonable justification for changing that position. That's what's happened.

I have a constituent who is very frustrated, very frustrated. He's gone to the meetings that the Minister has had. He's driven from Oak Lake up to Minitonas. He has, I'm sure, spent thousands of dollars and his time and his efforts to try and figure out where the government is coming from.

I know the Minister raises the question of management and all those kinds of problems that could well arise from the elk ranching. I would hope, from the 1980 or 1979 - call it an experimental farm or pilot project in elk ranching - I would hope there's a report that's available to be tabled. I would hope that the experiences of that individual are able to be now laid out, so that we know, No. 1, some of the management problems.

I can assure you that the reason for a lot of people wanting to get into it is because of what appears to be substantial economic benefits, and in today's society - I'm speaking very selfishly as a person representing farm communities - that anything you can do to diversify and help them, I think you should be on the side of leniency in that regard because it appears as if there is a major economic benefit; not setting aside the concerns of the Wildlife people and all the naturalists and all those individuals who have in major cases a major concern, so what he's saying is correct. But I can't figure out why the previous Minister would have made all the decisions, why the department would have made the decisions to support him, and proceed with it; and now all at once, that's not good enough.

So I hope I'm being kind to the Minister in trying to point out a little bit of history to him because if, in fact, all these things that he's now saying have to be done, weren't done, he then should look at some of the department recommendations because I'm sure they must have been supportive of their former Minister. They normally are. Ministers don't move generally, unless they have a fair amount of support from their staff. Well there are certain times when they are at odds, but usually the Minister wins out, but not always. I know that Ministers can be convinced of policies that they don't always initially start out to agree with.

So the basic question, Mr. Chairman, to the present Minister is: What has deviated him in his four months, why would he not have walked into the office and said, look, I've reviewed the decision made by my former Minister. How many years did the former Member for Lac du Bonnet have in the House? Twenty years? Not likely to make a decision lightly in this regard. As I said verbally, and as I understand from my constituent and other people, has written that he was not opposed to it - in fact encouraged them to send applications in - he wouldn't ask them to send applications in if he wasn't going to proceed with it; he wasn't that type of a person.

Now, we have the new Minister come in and all at once he's choked up with this major problem. He's saying, whoa, we've put everything on hold because we haven't got all the facts. Well, there are a lot of questions that are unanswered, Mr. Chairman, as far as the operation of the department and the Minister are concerned. I know, I'm not trying to say he's concerned politically, he's concerned about the resource and all this. There may be a little bit of political concern,

and let's face it, if there isn't, then he's not in this House as a politician. Everyone has to be concerned about the politics of what he carries out. It's not necessarily the final decision-making factor, but it plays a role and the Minister would not be telling us the full facts if he didn't pay some attention to politics.

I'm sure, and the report we would like to see as to the experience of what's carried on, the need for the Minister to explain why he's changed the policy position of the department, and what departmental documentation does he have that substantiates now that they have changed their minds in this whole process.

HON. L. HARAPIAK: Mr. Chairman, I want to indicate that in terms of the providing for elk ranching, the legislation which currently exists allows, so it is not a question of changing legislation, I'm just clarifying for the record that this is by way of permit. Certainly there was indication by way of the previous Minister that he was prepared to look at granting permits. There was that direction, and I do accept that on the basis of some of the correspondence that took place. People made some other commitments and, as the member indicates, some financial commitments in anticipation of something that might happen.

So I do agree that there are people who are out there quite anxious to get on with the decision. I indicated clearly, in my correspondence with the people, and with the public by way of press release, that I would make a decision in this matter by the end of summer to indicate clearly that if in fact we were proceeding with the elk ranching that people would have the opportunity to put in place facilities this fall.

I find it rather interesting when we are dealing with this matter, there seems to be some question of why I would change from the position that the previous Minister had, yet earlier we were talking about fish quotas and people were encouraging me to change. So there is an element of inconsistency and, as the Member for Gladstone indicates, it's a different subject, but the members can't have it both ways. When we're discussing one subject, they're saying you should be taking the same position as the previous Minister, you shouldn't be questioning what he did; when we're dealing with another issue, they're saying change it, don't accept it. So I think there is an element of inconsistency in that argument.

MR. CHAIRMAN: The Member for Arthur on a point of order.

MR. J. DOWNEY: Mr. Chairman, we won't call a point of order. The Minister sat down, I'll just make a brief comment or question.

MR. CHAIRMAN: Then there is no point of order that the member wishes to raise?

MR. J. DOWNEY: Mr. Chairman, I would like to just respond to the Minister's comment.

MR. CHAIRMAN: The Member for Arthur responding to the Minister's comment.

MR. J. DOWNEY: Thank you, Mr. Chairman.

I want the record to clearly state that I did not say particularly that he should necessarily follow the Minister's policy. I asked him why he deviated from it, why he changed; that was the question. I wanted to know what substantive evidence he had that would change his position and the department's position. Not only his, but the department's position, because they had a position, they were supportive, they were accepting applications, or sent out requests for applications to a constituent of mine, and to every other person who was interested. They were waiting to get permits sent to them, and he has changed from that position. I asked him why.

HON. L. HARAPIAK: Again, Mr. Chairman, from time to time members opposite have said that I, as a new Minister, should take charge of my department. Mr. Chairman, what I am doing in this case is not asking the department to change their position, but I'm saying that I am the Minister responsible, I am going to be charged with the responsibility for the final decision, and I am asking the department not to change anything in terms of procedure, but I am asking to take the time.

So again, the members opposite seem to be somewhat inconsistent in their arguments. They're, on one hand, saying this new Minister should show some leadership. In this case where I've come in and said I want to take the time, they're saying why are you, as the Minister, doing that? Your department gave you advice. Further, I want to have the record show that the Member for Arthur indicated the position of the New Democratic Party was in support of elk ranching. I would ask him to provide me with the information which indicates that the New Democratic Party has a position with respect to elk ranching.

MR. J. DOWNEY: Mr. Chairman, I would think that one could have gone to several meetings in the last campaign, and the Minister, I'm sure, it could be found out that his position was stated, that he was supportive of elk ranching. — (Interjection) — He challenges me on it, Mr. Chairman. Well, I'll take up that challenge.

As well, if a New Democratic Minister, which the former Minister was, the former Member for Lac du Bonnet, has issued the kind of letter he has to constituents, I would take that as government policy. I'm sure it is. The Minister would not state a position, forward letters, applications, leaving the public with the full idea and understanding that there would, in fact, be permits given. I ask the Minister, if I'm incorrect in the letter that I'm referring to, then table it and prove that I'm wrong. That it was the policy of the Minister of Natural Resources before him that issued the letters, that said to the constituents of mine and many other members, that they would be accepting applications for permits for elk ranching.

Now, if that isn't a policy supporting and accepting elk ranching, I don't know what is, Mr. Chairman.

HON. L. HARAPIAK: Mr. Chairman, I think the Member for Arthur should differentiate clearly between party policy and government position. Political parties are guided in some respect, governments are guided by political parties, but when a government makes a decision, and a Minister of government makes a

decision to automatically extend that to say that there is a party position on that, I think that does not clearly represent what exists. There are issues that governments have to take positions on that parties would not necessarily have discussed and established positions on. Those are two totally separate areas.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: The Member for Inkster.

MR. D. SCOTT: Thank you, Mr. Chairman. — (Interjection) — . . . stand up two minutes late, it doesn't matter how soon you stand up, it's when the other person sits down.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: The Member for Virden on a point of order.

MR. G. FINDLAY: This is the opportunity for the Opposition to examine the Minister and question the Minister.

MR. D. SCOTT: That's nonsense.

MR. G. FINDLAY: It's not an opportunity for the back bench to put their viewpoints on the record.

MR. CHAIRMAN: That is not a point of order.

MR. D. SCOTT: On the same point of order, the member is completely . . .

MR. CHAIRMAN: There is no point of order.

MR. D. SCOTT: Well, the foundation of his statement is completely without any foundation as well. So perhaps with a bit more time the member won't make such a . . .

MR. CHAIRMAN: Is the member speaking on a point of order.

MR. D. SCOTT: I'm rising to speak on the issue, Mr. Chairman.

MR. CHAIRMAN: All right. The member has the floor.

MR. D. SCOTT: Thank you very much. I had the floor earlier until it was interrupted. But thank you, Mr. Chairman.

It's interesting to note when you get the Member for Arthur standing on his feet, following the critic of the department, the Member for Emerson, the Member for Emerson is wobbling all over the place, trying not to let know his policy and his position, whether it be favourable or against the elk ranch.

I have no doubt that he's in favour of it. From the line of questioning that he's asked in the past, and he laughs a jovial laugh right now, but his former Minister of Agriculture has just thrown out the whole basis of making management decisions in the environment overall, and particularly in relation to wildlife

management, that he is going to make those decisions on the basis of a farmer or a farm community that is looking for a new market; and if a new market came up in elk ranching or in any other ranching or multiple-breeding operations of a particular species present within the province, then he, as the Member for Arthur and a former Minister of a previous government, would go ahead and license that. We've had it very clear, and I'm not sure if he's speaking on a policy of the members opposite. I have a feeling that he is, and I think he may have let a cat out of the bag, I'm not sure.

But I would ask members opposite to give a little bit more consideration as to what is involved here with the whole issue of elk ranching and the ranching of any wildlife species.

It's incredibly scary to see the members opposite wanting to make a decision in wildlife management purely on the basis of politics. We've seen that in the way they've raised issues in the past, what has brought issues to the fore. It is not trying to get an understanding of the ecology with which the animal or the species is inhabited in. It is on a basis of if they have a friend who wants to make financial gains off a particular species, then they're going to run out to try and encourage a licensing and the ranching of that particular species. That's what we're getting from them tonight. They may laugh and they may go off on various other diatribes, but that is the essence of what they are saying to us here this evening.

We have a species with a fair distribution in the province, at least on the western side of the province and from the south running up to the Duck Mountains I believe is about as far north as they range currently. In bringing in an elk ranching operation and to bring legitimization to that form, one is moving from a dramatic change of policy and change of recognition of the value even of a wildlife structure in the province and the policies that we've had for years and years of saying and moving towards a European model where your so-called wildlife is now all couped up on particular little private preserves east and west. Eastern and Western Europe had the same basis for their policies.— (Interjection)— Yes, it goes back in history a couple of hundred years where they have essentially removed the role and responsibility of the overall public and they have said that wildlife belongs to certain groups of people who can afford to have a private preserve. It essentially came down through royalty and various connections with royalty, east and west, because they had all had royal kingdoms at one time or another.

MR. G. FINDLAY: Good move!

MR. D. SCOTT: Well, the Member for Virden says that would be a good move. I cannot accept, and I wonder how much checking he has done to see how much of a good move that would be to go toward private land or private wildlife preserves because it's no longer wildlife.

When you move into an operation of the multiple breeding of a particular stock within an enclosed area, because these are not exactly migrating but wide-ranging animals, you then bring in several possibilities. One of them is disease to get into the overall population, and there's a fair movement in the population. I don't

know how far the migration of the species is over even a generation, let alone between generations of elk. I suspect that you will find that there is a very wide, wide range. I know they easily go 20 miles in one day, no difficulty whatsoever, and if they head in one direction in 20 miles in a day, it only takes them a few days before they get into another complete section in the province.

So (Interjection) it has nothing to do with the Estimates. You people are talking about elk ranching. You're in favour of elk ranching from the statements made by the Member for Arthur, and what I'm trying to tell you is that elk ranching, which is what you have been discussing for the past three-quarters of an hour or an hour in this Estimates review, you're now trying to tell me, the Member for Virden, that this is not a part of the Estimates? Where the heck are you in the Estimates Book and where is the Member for Emerson then?

Mr. Chairman, could you get the noise from the opposite side calmed down a little bit please? Now, is there any order in here, Mr. Chairman?

MR. CHAIRMAN: Under Rule 64(1), the rules shall be observed in the Committee of the Whole House as they are applicable except rules as to seconding of motions. Speeches in the Committee of the Whole House must be strictly relevant to the item or clause under discussion as long as the member is relevant to the item under discussion.

MR. D. SCOTT: And since we're in a wide-ranging discussion within the Wildlife Branch or within that section of the department, I'm following exactly on the comments that the members opposite have made, so it's certainly within order. What I would like is a bit of quiet while I'm making my presentation and maybe it'll take a little bit less time. When the Member for Arthur leaves, that'll cut the noise in half. Unfortunately, he's returning to his chair.

So I've dealt with the introduction of disease into the elk population. To say that none of the elk within the herds that are going to be fenced in are going to ever escape, I would suggest is a false hope because they will. In the natural selection process that we have in the province, or in wildlife, you get generally a preservation and enhancement of a species. When you move in towards a not even unnecessary selective breeding but almost a farm-ranch type of operation where there is less and less selectivity within the breeding and less opportunities to - well, certainly, there's a very, very limited amount of natural selection in their breeding when you have a limited stock. One could then be breeding an inferior species, a species that if it's able to move out of that enclosure with any diseases it may have developed within a relatively confined space compared to its natural environment, one then has the danger of introducing new diseases into a herd or into a geographic region of the province which could have a devastating impact on the elk that are there presently.

The other parts, and the part I find most reprehensible about the operations is twofold. One, from anything I've seen on it, they're not economic without the selling of velvet. And what is velvet being sold for? What is

it ground up and sold as a compound for? We in this province have assisted, and in this country, in particular, through the United Nations Offices and through our own Department of External Affairs and CIDA, to bring responsible programs into Third World countries which are very heavily populated now to both try and bring populations somewhat under control and also avail those people of the capacity to feed themselves.

When you are dealing with mythical substances as aphrodisiacs, and you are encouraging a sale at very high prices to people in many instances who are virtually impoverished or not too far off of that, then I would suggest that you are dealing in something that is just as wrong as dealing in a drug trade.

For us to be moving into an enterprise or allowing an enterprise to develop within this province, which is aimed, Mr. Chairman, at the taking and virtual stealing of funds due to superstitions and the sale of aphrodisiacs in predominantly Third World nations, I think it sets an incredible example for us as a modern civilization and for us as a country trying to lead and develop, along with other nations and with other Western nations in particular, to build a responsible attitude towards reproduction within the human family, let alone within wildlife species.

Another big issue is illegal meat. How are you going to be able to tell the difference in someone's freezer or fridge between illegally prepared meat and meat that is purchased through a butcher or whomever or through an elk rancher? We have a tremendous problem in the province and the members opposite at one stage were complaining terribly and very accurately about the amount of illegal hunting that goes on within the province. We have tried through the department to increase the enforcement in that, not always with the cooperation of members opposite, unfortunately. For us to introduce, in any kind of quantities at all, which an elk ranch could eventually in a few years if it were successful, to increase the amount of venison in the general market, the availability and the capacity to identify that meat from other meats would be very, very limited. I ask members opposite to raise to bring that into consideration when we're talking about elk ranching.

MR. CHAIRMAN: Order please. The topic under discussion is whether or not this government is in favour of elk ranching or not. If the member will confine his remarks to that topic, he will be relevant.

MR. D. SCOTT: Mr. Chairman, if you can't understand that when you have elk ranches, elk ranches are very much a part and wild meat versus meat sold from an elk ranch, that's the whole basis of the discussion. If a person is selling meat illegally, versus a person selling meat legally, when you have a greater quantity out on the market, it has everything to do with the whole concept of whether we should be in elk ranching or not.

MR. CHAIRMAN: The Chamber has not decided to argue with the member.

MR. D. SCOTT: In conclusion, I would ask that the members opposite not try to jump onto what they may

feel is a political bandwagon in favour for the benefit of a relatively few number of people in elk ranching and put in jeopardy one of the prime species and most majestic of animals that we have in this province. It's just not worth the risk.

I don't want to see us moving down the line where people will be able to say, we've got these animals; there's already 5,000 elk in the Province of Manitoba within various elk ranches, so why do we need to protect extra Crown land and the Crown land that is there now for habitat for the ranging species? Why do we have to do that? That's the argument that will be coming down the road and we'll want to break up more and more land, take more and more habitat out of production because you'll say the species is already protected; this and several other species and these ranches that we've established. It would be a decrepit policy for us to move in and to allow the development and the establishment of elk ranches in the province, and if the Member for Minnedosa can't tell from those comments whether I'm for or against elk ranching, I suggest he clean his ears out. — (Interjection) — Well, the member was absent, so if he wasn't here, he shouldn't be participating from his seat and trying to enter some debate.

So with those comments, I would guide publicly the Minister and at least then take a position with some members opposite. Some are trying to fudge, one or two are willing to take the position. What I'm telling them is that the position that they are taking has no respect for the species, it has no respect for the United Nations policy that was passed on this a couple of years ago on preservation of species - no recognition for that whatsoever, and goes in exactly the wrong direction for the preservation, not only of the elk, but of any other wide ranging species we have in this province.

Thank you very much, Mr. Chairman.

MR. D. BLAKE: A point of order. The member wants it put on the record that I don't know whether I'm for it or whether I'm against it. I haven't had a chance to speak on it yet, because when I was ready to get up, he got up. But they are ranching buffalo and llama and God knows how many other species in this country, and all of a sudden elk become the prime prospect. I don't want it left on the record whether I'm for it or whether I'm against it. I don't want it left on the record that I'm for or against elk ranching as the Member for Inkster is suggesting. Is that a disagreement on . . .

MR. CHAIRMAN: It is agreement as to matters of fact . . .

MR. D. BLAKE: Sorry about that, Mr. Chairman.

MR. CHAIRMAN: The Member for Virden.

MR. G. FINDLAY: Thank you, Mr. Chairman.

It has taken a long time to get an opportunity to speak on this issue, having just heard a dissertation that really didn't have too many facts associated with the statements made.

The Minister earlier mentioned that he didn't want to have politics involved in this decision. Having just

heard what was just said, I wonder if the decisions being made by the Minister's department or by Cabinet or by a number of backbenchers who were having undue influence into the situation which should be simply revolving around the facts of the issue, many and most of which have already been analyzed, and he can get in his department if he goes looking for it.

I would like also to give some comments on looking at this from another direction. The farming industry is not in the best of shape. Diversification is certainly one of the ways in which the farm community can be helped and certainly raising of elk for breeding stock or for meat is really no different than farming buffalo, fish ranching, mink ranching - I fail to see the difference. This past member who just spoke seems to think there is a difference. And I would ask the Minister if there really is a difference?

Earlier on in his comments, he talked about analyzing all the risks, as if you can eliminate risks. You're never going to eliminate them. If you don't get on with analyzing the situation, based on the experimental project that was done, and if you don't get on soon in terms of getting permits out to get the elk ranching going in Manitoba, the market that was available soon is going to be gone because other provinces have beaten you to the punch. You can't sit around and waffle and expect to be a leader in any field.

Certainly there seems to be, from what I can gather, markets outside of this province. Anything that can be sold that brings revenue into the province has certainly got to be something that's looked at very seriously. Has the Minister had discussions with the Department of Agriculture relative to the ability of this to be a resource that agricultural farmers can use to promote the industry of agriculture, the economic returns to the province by selling products outside the province, and in terms of habitat?

The member who just spoke from the backbench there talked about habitat. If you expand the habitat of elk to farm communities, you're going to increase the habitat. I would say to the Minister, can you give me any idea as to how much habitat has been lost for elk due to beaver flooding the parks? How much habitat has been destroyed that way by simply turning your back on managing the beaver? Now I'd like the Minister to respond to some of those.

HON. L. HARAPIAK: Just a couple of quick comments, Mr. Chairman, in terms of the habitat. I'm sure the member is referring to the loss of habitat perhaps within the Riding Mountain National Park. We have no jurisdiction in the Riding Mountain National Park. That is not in our jurisdiction. Certainly, I think with every one of our species, we do have a concern about habitat and habitat does change. We are looking always at the habitat. For example, in the Duck Mountain Forest Reserve, there is a concern that the habitat is changing to some extent and that does have to be addressed.

Two other points that I would like to make - one, in terms of the opportunity for agriculture, there is an economic possibility to be developed here but I don't think that elk ranching, by itself, should be taken to be the saviour of agriculture. If we look at it in that context, we have to recognize that there is some limited contribution that it could make.

While we are pursuing that, or looking at that possibility, we have to assess the risks. As the Member for Virden said, you will never eliminate the risks entirely, but it is a question of being able to say to yourself, I have assessed the risk and I know what risks I am exposing the herd to. In my capacity as Minister of Natural Resources, my first responsibility has to be to ensure the long-term availability of that resource. That has to be my first responsibility. Certainly as I view it, that is my responsibility. If members have a different direction than that, I would be prepared to listen.

MR. G. FINDLAY: Can the Minister clearly indicate when a decision will be made?

HON. L. HARAPIAK: As I indicated earlier tonight, referring to earlier correspondence and news releases, I said that I would make a decision by the end of summer. Perhaps I had restricted the time frame somewhat, but I'm still committed to making a decision on this matter so that if a decision is made to proceed, people could have the opportunity to put in place facilities this fall. I'm still committed to that time frame.

MR. A. DRIEDGER: Mr. Chairman, I had hoped that we could possibly maybe finish the Estimates today. I'm wondering - we have quite a bit of stuff to go - I wonder if there's an inclination to maybe have committee rise and we'll try to finish on Thursday because there's no way we'll finish within the hour. I had given an undertaking to the Minister, and I apologize to his staff who have been probably waiting here, but I wonder if we could possibly have committee rise and maybe proceed on Thursday and try to complete it as early as possible.

MR. CHAIRMAN: What is the wish of the committee?

The Honourable Minister.

HON. L. HARAPIAK: Mr. Chairman, if it were possible to conclude the section dealing with Wildlife, I would be prepared to sit for a period longer so we would not have to bring that particular group of staff back for Thursday. Certainly I don't want to extend the sitting unduly.

MR. A. DRIEDGER: Mr. Chairman, I think we'll try and maybe deal with a few other issues in here. I have some major concerns here that I wanted to raise and that's why I felt it would take some time. When one deals with the wildlife toxicology fund, and I have a number of major issues - if we get into that, we'll be looking at an hour, hour-and-a-half by the time we get through Wildlife. The balance of the issues really maybe wouldn't take that long but I expect we could spend another hour, hour-and-a-half, two hours on Wildlife. It's a major concern; many of my colleagues have issues on that. I would move committee rise.

MR. CHAIRMAN: Is that the wish of the committee? (Agreed)

Committee rise.
Call in the Speaker.

IN SESSION

MR. DEPUTY SPEAKER, C. Santos: Is there a motion to adjourn the House?

HON. L. HARAPIAK: Mr. Deputy Speaker, I move that the House do now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 2:00 p.m. tomorrow (Wednesday).