



**First Session - Thirty-Sixth Legislature**

**of the**

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS  
(Hansard)**

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Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Sixth Legislature**

**Members, Constituencies and Political Affiliation**

<u>Name</u>	<u>Constituency</u>	<u>Party</u>
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim, Hon.	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David	Riel	P.C.
PALLISTER, Brian, Hon.	Portage la Prairie	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 2, 1995

**The House met at 1:30 p.m.**

*PRAYERS***Speaker's Statement**

**Madam Speaker:** Yesterday at 6 p.m. I did not hear the comments made by the official opposition and government House leaders immediately before adjournment indicating that comments on the matter of privilege would continue today. Consequently, I inadvertently stated that I would take the matter of privilege under advisement.

Therefore, I will recognize the government House leader now to conclude his advice to the Chair on the matter of privilege. When he has concluded his remarks, I will recognize any other members who wish to advise the Chair on this matter before taking it under advisement.

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, I had concluded my remarks as of last evening. I offered that advice to you and I suspect that should end the matter as far as advice is concerned.

**Madam Speaker:** In the absence of any other members wishing to speak, I am therefore taking the matter under advisement.

**MATTER OF PRIVILEGE****Members' Freedom of Speech**

**Mr. Gary Doer (Leader of the Opposition):** Madam Speaker, on a new point of privilege.

Madam Speaker, this is the first time in my nine years that I have felt I have had to rise on a point of privilege in this Chamber, but I feel it is important that the members of this side of the House, the members of the opposition have the right to represent their constituents and the people of this province who have elected us to this Chamber. I feel it is important that

we are able to have the tools in our democratic society at our disposal to represent those concerns.

The most important tool we have in a democracy and in this Chamber is the language we bring to this House and the freedom to use language in a way that is absolutely consistent with the priorities of Manitobans and the priorities that reflect our democracy in a free and democratic society.

Madam Speaker, we do not feel that the decision made and the precedent set will allow us, as opposition and as members of this House, to represent our constituents on the concerns that we might have.

Madam Speaker, we have heard the issue of racist policies raised in this Chamber before. Last June, the question of racist policies was raised by the member for Broadway (Mr. Santos) in dealing with immigration policies, which is shared jurisdiction between the provinces and the federal government, **and**, of course, that was not ruled out of order.

Just last week, Madam Speaker, after your ruling on the member for The Pas (Mr. Lathlin)—or your intervention on October 11 for the member for The Pas—on October 16, I believe the question was asked about the past racist policies in legal systems dealing with Helen Betty Osborne, and at the point, you did not intervene.

Madam Speaker, we, in Manitoba, have had a tremendous and rich history of tolerance and of freedom of speech. We can be proud over the years of the accomplishments that have been made by people that have been elected to this Chamber for generation after generation after generation in providing a society of tolerance and a society of community.

But, Madam Speaker, it has not always been a perfect record. It has not always been perfect in terms of Manitoba's history. The policies have not been practised by governments of the past that would be deemed by us to be of a racist policy.

\* (1335)

Madam Speaker, your ruling now means that we cannot speak about history with an honest and true way because we cannot comment on past incidents of governments, present instances, or future instances under your ruling, only in the province of Manitoba in terms of governments.

Madam Speaker, this Legislature has expunged the rights of French-speaking people to practise education in their school systems, a decision that was overruled by courts later on. Under the Oxford definition of racism and discriminatory practices that would not be allowed to be debated in this House by your ruling.

This Legislature has had governments in office where Jewish people were not allowed in certain faculties at the University of Manitoba, not something that is practised obviously today, but something that, unfortunately, would have to be debated in this Chamber, and history must record that as a racist action. You cannot expunge the facts of those incidents.

We have raised issues under The Employment Standards Act and The Labour Relations Act dealing with Filipino consumers at the SuperValu stores, practices of employment standards that we have to deal with as a provincial government inside Manitoba that may discriminate against people. That, too, must be considered by government and government policies.

We could, tomorrow, have a future government that had discriminatory practices towards certain people in Manitoba. Under your ruling we could not raise that as a policy issue in this Legislature.

Madam Speaker, tomorrow, and I do not expect this will happen, the minister responsible for immigration could enter into a federal-provincial agreement with Ottawa that would be discriminatory, and we could only raise the federal part of that agreement, not the provincial part, and, of course, the member for The Pas (Mr. Lathlin) has raised other matters that deal with First Nations people in our communities—

**Madam Speaker:** Order, please.

### Point of Order

**Hon. Jim Ernst (Government House Leader):** On a point of order, Madam Speaker, and I apologize, but it did take me a few minutes to ascertain what the Leader of the Opposition was concluding with respect to a new point of privilege.

Madam Speaker, I refer you to Beuchesne Citation 114.(1): For questions of privilege, a member must give notice to the Speaker at least one hour prior to raising the question. A question of privilege arising out of proceedings in the Chamber during the course of the sitting may be raised without notice, so yesterday the member for Thompson (Mr. Ashton) in raising his point of privilege did so because of events that arose during the session yesterday.

I would ask, Madam Speaker, if the Leader of the official opposition has given you notice with respect to this issue of a question of privilege.

**Mr. Steve Ashton (Opposition House Leader):** On the same point of order, Madam Speaker, I think the government House leader is perhaps not looking at the rules of this House and the procedures followed in this House.

It has been always the practice in this House that matters are raised at the first opportunity. This is the first opportunity the Leader of the Opposition (Mr. Doer) has had to raise this particular matter. It will, I can assure the government House leader, be followed by a motion which is also required in terms of our rules of privilege.

I would therefore suggest, Madam Speaker, that the government House leader is not only out of order, but that we should hear the remainder of the comments by the Leader of Opposition which will be followed by this substantive motion.

\* (1340)

**Madam Speaker:** Order, please.

On the government House leader's point of order, I have been advised that indeed this rule is according to

the standing orders in the House of Commons and has never been applied in this province.

\* \* \*

**Mr. Doer:** Madam Speaker, I tried to raise a few examples where government policies of the Province of Manitoba throughout our great history of tolerance have been intolerant, through our great history of nondiscrimination have been discriminatory, through our great period of racial tolerance have sometimes been racially intolerant. Your ruling yesterday really means that members of the opposition, no matter who is in government, or individual members who may feel aggrieved on a policy of government cannot state it in a way that is forceful and represents their concern.

Madam Speaker, we have had the Premier (Mr. Filmon) of this province withdraw the word "racist" as it applies to individuals. We have had the member for The Pas (Mr. Lathlin) withdraw the word "racist" as it applied to individuals, but the issue of racist policies of government past, current or future we think is appropriate language in this Legislature and is a freedom that we must have and are responsible to have in this Chamber.

Madam Speaker, we would remind you that under the Charter of Rights and Freedoms, this freedom of expression is guaranteed, and we would also remind you that the Charter of Rights applies to the Legislature and governments of each province in respect of matters within the authority of the Legislature.

You cannot have a right to speak on racist policies for the federal government or the Saskatchewan government or the Ontario government and not be able to speak about those issues here in the province of Manitoba. We do not have a zone in terms of freedom of speech that disallows us to speak strongly on behalf of our constituents.

Beauchesne says that privileges of Parliaments are a right which are absolutely necessary for the due execution of its powers. They are enjoyed by individuals because the House cannot perform its functions without unimpeded use of the services of its members.

Madam Speaker, we regretfully have concluded that your decision has affected our right to represent our constituents and, regretfully, I resolve that this House no longer has any confidence. I would move that this House no longer has confidence in the presiding officer. That is duly moved and seconded by the member for Wolseley (Ms. Friesen).

**Mr. Ernst:** Madam Speaker, while the substantive motion that the member has moved is significantly different than that of the matter of privilege raised yesterday by the member for Thompson (Mr. Ashton), the substance is not. The substance, of course, is the question, is there a restriction of freedom of speech by your ruling of yesterday?

Madam Speaker, my submission yesterday, and it is again today, is that there is no restriction of freedom of speech by the restriction of the use of certain words in the Chamber. We have under Beauchesne's Sections 488, 489 and 490 dozens and dozens and dozens of words and phrases that are or have been considered inappropriate and out of order with respect to debates in this Legislature, in the House of Commons and in other Legislatures. Those words do not curtail anyone's freedom of speech, but we all labour in this Chamber under certain restrictions.

Parliamentary privilege and freedom of speech is not a licence to say anything at any time. There are rules, there are conventions, there are precedents from other Houses of Parliament and other Legislatures and this Legislature, where rulings of Speakers have determined that certain words and certain phrases are inappropriate and ought not to be used, and therefore have been included under either those citations or other precedent rulings, Madam Speaker.

\* (1345)

The question of the use of language or the use of certain words in this House does not constitute a restriction of freedom of speech at all. Madam Speaker, we are free within those words that are considered to be parliamentary, able to criticize government policies, government members. In fact, it occurs daily in this House. It occurs daily in Question Period. It occurs daily in the debates on bills that are

put forward before this House. It occurs daily in private members' hour with respect to certain government policies, certain members' actions, certain programs and a variety of other things that are the purview of the Manitoba Legislature, but that does not constitute a restriction on our freedom of speech.

Members may say—as I said earlier, within the words to be permitted under Beauchesne or other precedents, are quite free to say anything they wish, but from time to time certain words, certain phrases are restricted out of convention, out of common practice, out of civility, out of not offending the proprieties of the House. They are there to preserve decorum in the House.

From time to time those words and phrases are brought to the attention of the House; sometimes they are not. Sometimes out of inadvertence or not wishing to prolong or disrupt something that was occurring at the time, sometimes they are not always brought to the order or the attention of the Speaker, and sometimes the Speaker, Madam Speaker, has not been able to determine exactly what was said because of the debates that are going on. That does not excuse the fact that if a word or a phrase is brought forward as being unparliamentary, just because it happens to have occurred at one time or another without question does not excuse the fact that the word or phrase is used in an unparliamentary manner, and at any time that it is questioned, it ought to be ruled upon, and so you have done.

So, Madam Speaker, I understand the concern of the member for Concordia (Mr. Doer). I understand the sensitivities surrounding this particular issue, but, nonetheless, the fact is the matter has been ruled. The House has adopted your ruling, has supported your ruling, and, quite frankly, I do not, and I suspect my colleagues do not, think that this in any way constitutes the question of restriction of the member's freedom of speech. That freedom of speech is easily done with another word.

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, it is indeed a very serious issue which the Leader of the New Democratic Party has brought forward. When he made his presentation, it made me reflect in terms of shortly after the last provincial election where the

Liberal Party got approximately 24 percent of the vote in Manitoba; shortly after that we were reconvened inside this Chamber.

I remember the first day in which I attempted to stand and get the attention of the Speaker. I stood, question after question from the New Democratic caucus, attempted to catch the eye of the Speaker, Madam Speaker, with all due respect.

I felt then that I was not necessarily being treated appropriately or fairly. As in the past, when I was a House leader, when I felt that my party was not being treated fairly, I would take the time to speak with the former Speaker, and we would sit down and try to resolve the issue.

Madam Speaker, you and I sat down as independent, representing three members of this Chamber, sat down to try to resolve that particular issue. Ultimately, in the frustration, in the heat of the moment, I could have just as easily moved a motion of this nature, but I believe that ultimately your decision was in an attempt to try to bring decorum to this particular Chamber, and I respected that then, your decision, your ultimate decision in what you decided to do with the Liberal members of this Chamber.

I would ultimately like to be able to ask the third question and so forth, but I respect the decision which you have made, even though to a certain degree I might disagree with it in part.

Yesterday, I spent a great deal of time, as did the member for Thompson (Mr. Ashton) and the government House leader, talking on the issue which specifically the Leader has brought up. Instead of repeating everything, and I notice, in fact, Hansard is already out from yesterday, so any member can read at length in terms of what it is that was said, and all members of this Chamber said quite a bit, or not all members. A few members had quite a bit to say about what actually took place yesterday.

But, Madam Speaker, I am going to be a bit more brief this time. I want to concentrate on Beauchesne's 489, and I want to emphasize the importance of Beauchesne's. Almost on a daily basis, I see the

member for Thompson, at times the government House leader—in fact, earlier today the government House leader, members stand up and they cite Beauchesne's.

\* (1350)

Madam Speaker, you cite Beauchesne's, the former Speaker cited Beauchesne's. If we take a look at Beauchesne's Clause 489, it reads: "Since 1958, it has been ruled unparliamentary to use the following expressions:", and then it goes on to list a number of different expressions, the words deceive, deceived, deliberate, devoid of any honour, dictatorial attitude, false, fabrication, false statement, illegal, irresponsible members.

Well, Madam Speaker, these are all words and the collection of words which are used or stated in Beauchesne's that under that clause says that they are unparliamentary. I would challenge virtually any member in this Chamber who can honestly stand up and say they have never used any of those words. What is the difference? The difference is if you take a look at Clause 491 of Beauchesne's. In Beauchesne's, it says, 491: "The Speaker has consistently ruled that language used in the House should be temperate and worthy of the place in which it is spoken. No language is, by virtue of any list, acceptable or unacceptable. A word which is parliamentary in one context may cause disorder in another context, and therefore be unparliamentary."

Madam Speaker, I think that has to be taken into consideration whenever you make a ruling on a word that is parliamentary or unparliamentary. If in fact that clause was not taken into consideration, there would be a lot of points of order raised. In my seven-plus years of serving inside this Chamber I have witnessed, as many of you, all sorts and different types of speeches. My best guess is I could have stood up if we were operating according to the unparliamentary words on numerous occasions and said that this particular individual is in violation of that rule. I do not stand up for the simple reason that I have to watch the context in which it is said.

If you talk about the context in which the member for The Pas (Mr. Lathlin) expressed the whole idea of

racism—and that has been a very controversial word; the Leader of the New Democratic Party made reference to it in his opening remarks—last June, I believe it was June, we had the Premier (Mr. Filmon) plus the member for The Pas withdraw remarks because they used the word "racism" because of the context in which it was said.

I have the luxury in this case of sitting between both the member for The Pas and government benches. I might not necessarily be able to recall verbatim everything that occurred on that particular Question Period, but I can indicate that the feeling was very tense, and it has to be taken into consideration, the manner in which you say things. It is not a question of freedom of speech, as I indicated yesterday.

Madam Speaker, albeit in cases in the past I have disagreed with some of the things that you have said and no doubt in the future I will disagree with some of the things you are going to say, but those negotiations on behalf of me, the member for St. Boniface (Mr. Gaudry) and the member for The Maples (Mr. Kowalski) will continue.

This, in my opinion, is an issue which would have been better addressed had the opposition House leader brought it to your attention afterwards. After all, the matter of privilege which the member for Thompson (Mr. Ashton) brought forward yesterday, we supported.

We supported the matter of privilege he was suggesting, that the issue of unparliamentary language go before a standing committee. Madam Speaker, that might be an appropriate thing for us to do, to have a standing committee deal with unparliamentary language or decorum inside this Chamber.

Many members in this Chamber talk about decorum. Madam Speaker, you have the responsibility to ensure that there is a certain element of decorum, and when in fact that decorum is not there, it is expected that members would in fact withdraw, even though they do not necessarily agree with what the Speaker has ruled. That is in fact what has happened previously, and I would anticipate that is what is going to happen in the future. With my somewhat limited experience in the Chamber, that is what I have witnessed over the seven

years and that is what I am hoping will continue to be in the years ahead.

Thank you, Madam Speaker.

\* (1355)

**Mr. Ashton:** Madam Speaker, I wish to put a few comments on the record.

I, first of all, want to assure the member for Inkster that the position of our caucus is that freedom of speech is not negotiable, and I reject that suggestion, nor, Madam Speaker, are we willing to negotiate history, and the history shows that racism exists. History shows that governments have enacted racist policies. History shows that political parties have enacted racist policies.

Madam Speaker, our concern on this side of the House is very clear. We believe that we have to have the one probably most important privilege, some would call it probably even the most fundamental privilege of this House, and that is the ability to exercise freedom of speech.

Madam Speaker, I went into some detail yesterday. I do not intend to do that today, but I believe that members opposite and the Liberal members in this House have fundamentally misunderstood the concerns that have been raised today by the Leader of the Opposition (Mr. Doer).

The question of unparliamentary language deals with decorum, Madam Speaker. No one is disputing the fact that we should not in this Chamber engage in personal attacks, and, in fact, that is the essential root of the references that the government House leader referred to in terms of unparliamentary language, that one should not make charges against members.

But it has always been clear that members of this Legislature and of Legislatures across the world have had the ability to make such comments as are reasonable within the rules of the House in regard to the actions of political parties, policies and programs of political parties and in terms of political parties themselves. In fact, I referred yesterday to a recent ruling in 1986, the British House of Commons, that

made that very, very clear. There are many rulings in this House I referred to yesterday, a ruling by Speaker Rocan in 1992, Madam Speaker.

If we cannot call a policy racist, we are seriously hampered in our roles as members of this Legislature. I want to remind members of this House and I want to remind the public through you, Madam Speaker, of the key issue that we are dealing with here. We are in opposition. We are a collection of 23 members who were elected to this Chamber to represent our constituents and the broader good of the public of Manitoba, and when we come into this House, I think all of us fully anticipate that we have the right of freedom of speech and, indeed, that the role of the Speaker throughout the centuries of development of parliamentary tradition has been to maintain that freedom of speech.

Indeed, Speakers have been placed under arrest in other eras for doing nothing less than that, but, you know, this reference to Beauchesne—and I just want to read the first reference which talks about the principles of Canadian parliamentary law. The first, Madam Speaker, is to protect the minority and restrain the improvidence or tyranny of a majority.

From time immemorial, free Legislatures, whether it be under the parliamentary system or any system, have played that role. If we cannot speak out in this Legislature, protected by the office of Speaker, and call policies that are racist, racist, call programs that are racist, racist, and, indeed, perhaps on occasions there may be times when we have to make that accusation against political parties, we cannot protect not only our rights as members of this Legislature, a minority of members of this House, members of the opposition, but how can we speak out for the many people in this province who continue to face racism and the relics of racist policies, as the member for The Pas (Mr. Lathlin) pointed out yesterday, the many racist policies, clearly racist policies, that First Nations peoples have been subject to.

The Aboriginal Justice Inquiry, for example, talked about racist policies, and I know the member for Rupertsland (Mr. Robinson) has raised this issue in the House.



If we cannot speak out about immigration policies, and, indeed, in this country we have had racist immigration policies, if we cannot speak out in the way that the member for Broadway (Mr. Santos) did, how can we speak out on behalf of many people who are concerned that we have an open, nonracist immigration policy?

\* (1400)

I could continue, Madam Speaker. I mean, there was a time, as I mentioned yesterday, when First Nations people were not entitled to vote in this province, not until 1954, and, federally, until 1960 were they able to vote. Would members of the Legislature at that time not have been able to call that a racist policy?

I can think of nothing, Madam Speaker, more racist than denying the vote to one segment of society, and, by the way, that is why I used the analogy of South Africa, because under the current restrictions that we are faced with now, following the ruling yesterday, if we were in South Africa and this was 1949 and apartheid was being brought in, a racist policy brought in by a racist political party, we could not have called either the party or the policy racist.

Madam Speaker, this is not a club. It is not a debating club. It is not a debating society. The politeness that we extend to each other is a courtesy I think that all members of the public expect, but there are times when there will be strong words said in this Legislature. There are times when strong language will be used, and I say there are times when such terms as racism or sexism and other terms that describe government policies and political party policies not only will be said, they have to be said if this Legislature is to have any role in the democratic system in Manitoba.

Madam Speaker, the motion is not without precedent in this House. A similar motion was moved in 1982. The precedent at that time was to put this matter to a vote, and I want to stress that it is with regret that I am speaking on this particular matter, and it is with regret that we have moved this motion. As you are no doubt aware, and all members of this House are aware, it is only through a substantive motion that we can express

the concern, the grave concern, that we have not only about this issue but other issues related to protecting our rights for freedom of speech.

I would suggest that we follow the precedent of 1982 and put this to a vote, but I just want to finish with one final comment, Madam Speaker, and it is something that I said yesterday. You know, I quoted fairly extensively Development of Parliamentary Tradition, but I hope that we will also in this province at some point in time recognize the many other traditions that form a part of our democratic society, particularly the tradition of our First Nations and the very unique political character and traditions that I personally have been fortunate to experience.

Madam Speaker, if there is one word that I could use to describe the First Nations political process, it is the amount of respect that is shown to all members of a community. In fact, whether it be the elders who provide their wisdom or the youngest member of a community, everyone is listened to. But, you know, that respect never stops First Nations people from speaking their minds, and I hope we can learn from that very basic democratic tradition that our First Nations probably experience more directly than even the parliamentary system which has filtered through hundreds of years.

I hope that we will, as we make a decision on this matter and other similar matters, recognize that it is important in particular for First Nations Manitobans to be able to come to this Legislature and talk, yes, about such issues as racism and racist policies. Thank you, Madam Speaker.

### Point of Order

**Mr. Ernst:** Madam Speaker, on a point of order, I believe there may be a will of the House to consider the motion before the House.

**Madam Speaker:** I thank the honourable government House leader for that advice. I was about to read my comments relative to the issue as well.

I would think that the subject matter of this particular motion is sufficient that the House would want to deal

with it at the first possible opportunity and it would not serve the purpose of this House to have this particular motion hanging over the proceedings for the next little while.

I will therefore leave the motion to the House.

Is the House ready for the question?

#### Voice Vote

**Madam Speaker:** The question before the House is, THEREFORE BE IT RESOLVED that this House no longer has any confidence in its presiding officer.

All those in favour of the motion, please indicate by saying yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Nays have it.

#### Formal Vote

**Mr. Ashton:** I would request a recorded vote, Madam Speaker.

**Madam Speaker:** A recorded vote has been requested. Call in the members.

#### Division

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

#### Yeas

*Ashton, Chomiak, Dewar, Doer, Evans (Interlake), Evans (Brandon East), Friesen, Hickes, Jennissen, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers.*

#### Nays

*Cummings, Derkach, Downey, Driedger, Dyck, Enns, Ernst, Findlay, Gaudry, Gilleshammer, Helwer, Kowalski, Lamoureux, Laurendeau, McAlpine, McCrae, McIntosh, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Sveinson, Toews, Tweed, Vodrey.*

**Mr. Clerk (William Remnant):** Yeas 20, Nays 30.

**Madam Speaker:** The motion is accordingly defeated.

**Ms. Becky Barrett (Wellington):** Madam Speaker, I was paired with the Premier (Mr. Filmon). Had I not been paired, I would have voted in favour of the motion.

**Ms. Rosann Wowchuk (Swan River):** Madam Speaker, I was paired with the Minister of Family Services (Mrs. Mitchelson). Had I not been paired, I would have voted in favour of the motion.

**Ms. Marianne Cerilli (Radisson):** Madam Speaker, I was paired with the Minister of Finance (Mr. Stefanson). Had I not been paired, I would have voted in favour of the motion.

\* (1410)

#### Point of Order

**Mr. Gord Mackintosh (St. Johns):** Madam Speaker, on a point of order. Yesterday I rose on a point of order regarding remarks that I heard from the Minister of Government Services (Mr. Pallister) in this House. I heard something I did not want to hear.

While the member for The Pas (Mr. Lathlin) was sharing with this House, at a most difficult moment, his experience suffering racist policies, the minister—

**Madam Speaker:** Order, please. The honourable member for St. Johns raised this point of order and with the greatest respect I listened intently. I allowed him to speak and put his point of order on the record. I made a ruling at that point in time. I advised the House I had

not heard the comment, I would indeed listen to the tape and peruse Hansard and report back to the House.

**Mr. Mackintosh:** Madam Speaker, if I may, on that. According to Hansard—I have just read that when I came into the House—there was no undertaking to check the recording, but the main import of what I have to say may preempt your need to make a ruling. I think it is in the interests of both the members of the Chamber and Manitobans that you hear me out on my point of order.

**Madam Speaker:** Order, please. I will reiterate for the benefit of all members that indeed I did listen to the point of order yesterday. Indeed, I have taken it under advisement and, with the greatest respect, given the undertakings of the last few hours, it was physically impossible to report back to the House today. I indeed intend to do that before the end of the current session.

## MATTER OF PRIVILEGE

### Apology Request

**Mr. Gord Mackintosh (St. Johns):** On a matter of personal privilege. Madam Speaker, yesterday when the member for The Pas (Mr. Lathlin) was sharing with this House his experience and his suffering under racist policies, the Minister of Government Services (Mr. Pallister) was heard by me to say from his seat that this is bullshit. He appeared to be sharing his remarks with the Minister of Culture, Heritage and Citizenship (Mr. Gilleshammer) and the Minister of Labour (Mr. Toews).

Given that the minister yesterday would not speak to the point of order, I now ask him to do what he must do, that he immediately apologize for his remarks. They are inherently offensive, and in the context they were made they are so fundamentally repugnant and disturbing, I think reflecting an attitude undeserving of any government, that this must be dealt with now. I think the disrespect shown reflects and shames us all.

This Chamber has had to wait for over a century to hear first-hand from First Nations peoples and their representatives of the racism that they have had to suffer. It is now important that we know that people

who can effect change in a positive way do not treat racism or talk about it as BS.

I would ask the minister to apologize and withdraw his comments, Madam Speaker.

I also move, seconded by the member for The Pas (Mr. Lathlin), that the Minister of Government Services (Mr. Pallister) apologize to the House and particularly to First Nations representatives and the member for The Pas for his remarks yesterday.

**Hon. Brian Pallister (Minister of Government Services):** Respecting the member's so-called point of privilege, Madam Speaker, may I speak?

**Madam Speaker:** The honourable Minister of Government Services.

**Mr. Pallister:** I would like the record to show that I have nothing but respect for all Manitobans of all races, creeds and colours and that if the member believes that what he heard was inappropriate, then that is his responsibility to believe what he must believe.

The fact of the matter is there has never been any comment made by me in this House in respect to any other member of this House that was indicative of any belief that a member was not an honourable member. Every member here is honourable regardless of race, creed or colour. I firmly believe that and I will stand for that, and I respect the members on the other side of the House and this side of the House who stand for that principle and on that principle, and I will continue to do just that. Thank you.

**Madam Speaker:** I will take the matter under advisement and report back to the House later.

## ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

#### Emergency Health Care Services— Community Hospitals

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, I beg to present the petition of Lawren Bate, M. Vint

and Marlene Kunderman and others requesting the Legislative Assembly urge the Minister of Health (Mr. McCrae) to consider making a commitment to the people of Manitoba that emergency health care services in Winnipeg's five community hospitals will remain open seven days a week, 24 hours a day.

**Ms. Diane McGifford (Osborne):** I beg to present the petition of Jeff Stephenson, Bob McBey, Mark Oswald and others requesting the Legislative Assembly to request the Premier (Mr. Filmon) to consider maintaining 24-hour access to emergency health care at community hospitals as was promised in the 1995 general election.

**Mr. Jim Maloway (Elmwood):** Madam Speaker, I beg to present the petition of Lillian Thomas, Peter Whitehill, Kay Blaikie and others requesting the Legislative Assembly to request the Premier (Mr. Filmon) to consider maintaining 24-hour access to emergency health care at community hospitals as was promised in the 1995 general election.

**Ms. MaryAnn Mihychuk (St. James):** Madam Speaker, I beg to present the petition of Cathy Latour, Sandy Peterson, Ron Mandock and others requesting the Legislative Assembly to request the Premier (Mr. Filmon) to consider maintaining 24-hour access to emergency health care at community hospitals as was promised in the 1995 general election.

\* (1420)

## READING AND RECEIVING PETITIONS

### Emergency Health Care Services— Community Hospitals

**Madam Speaker:** I have reviewed the petition of the honourable member for Kildonan (Mr. Chomiak), and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**Some Honourable Members:** Dispense.

**Madam Speaker:** Dispense.

*The petition of the undersigned residents of the province of Manitoba humbly sheweth*

*THAT on at least six occasions during the 1995 provincial election the Premier promised not to cut health care services; and*

*THAT following the election the Minister of Health promised that emergency services would not be reduced at community hospitals in Winnipeg; and*

*THAT the Minister of Health on October 6 announced that emergency services at these hospitals would be cut back immediately; and*

*THAT residents of Winnipeg and surrounding communities depend on emergency services at these community hospitals.*

*WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba go on record requesting the Premier to consider maintaining 24-hour access to emergency health care at community hospitals in Winnipeg as was promised in the 1995 general election.*

**Madam Speaker:** I have reviewed the petition of the honourable member for Inkster (Mr. Lamoureux), and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**An Honourable Member:** Yes.

**Madam Speaker:** Yes. The Clerk will read.

**Mr. Clerk (William Remnant):** The petition of the undersigned residents of the province of Manitoba humbly sheweth

*THAT emergency health care services are the core of Manitoba's health care system;*

*THAT Manitobans deserve the greatest possible access to this care;*

*WHEREFORE your petitioners humbly pray that the Legislative Assembly urge the Minister responsible for Health consider making a commitment to the people of Manitoba that emergency health care services in Winnipeg's five community hospitals will remain open seven days a week, 24 hours a day.*

**Madam Speaker:** I have reviewed the petition of the honourable member for Transcona (Mr. Reid), and it complies with the rules and practices of the House.

Is it the will of the House to have the petition read?

**Some Honourable Members:** Dispense.

**Madam Speaker:** Dispense.

*The petition of the undersigned residents of the province of Manitoba humbly sheweth*

*THAT on at least six occasions during the 1995 provincial election the Premier promised not to cut health care services; and*

*THAT following the election the Minister of Health promised that emergency services would not be reduced at community hospitals in Winnipeg; and*

*THAT the Minister of Health on October 6 announced that emergency services at these hospitals would be cut back immediately; and*

*THAT residents of Winnipeg and surrounding communities depend on emergency service at these community hospitals.*

*WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba go on record requesting the Premier to consider maintaining 24-hour access to emergency health care at community hospitals in Winnipeg as was promised in the 1995 general election.*

**Madam Speaker:** I have reviewed the petition of the honourable member for Wolseley (Ms. Friesen), and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**An Honourable Member:** Yes.

**Madam Speaker:** Yes. The Clerk will read.

**Mr. Clerk:** The petition of the undersigned citizens of the province of Manitoba humbly sheweth

THAT on at least six occasions during the 1995 provincial election the Premier promised not to cut health care services; and

THAT following the election the Minister of Health promised that emergency services would not be reduced at community hospitals in Winnipeg; and

THAT the Minister of Health on October 6 announced that emergency services at these hospitals would be cut back immediately; and

THAT residents of Winnipeg and surrounding communities depend on emergency service at these hospitals.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba go on record requesting the Premier to consider maintaining 24-hour access to emergency health care at community hospitals in Winnipeg as was promised in the 1995 general election.

#### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

##### Standing Committee on Municipal Affairs Third Report

**Mr. Mervin Tweed (Chairperson of the Standing Committee on Municipal Affairs):** Madam Speaker, I wish to present the Third Report of the Committee on Municipal Affairs.

**An Honourable Member:** Dispense.

**Madam Speaker:** Dispense.

*Your Standing Committee on Municipal Affairs presents the following as its Third Report.*

*Your committee met on Tuesday, October 31, 1995, at 10 a.m. in Room 254 and at 7 p.m. in Room 255 of the Legislative Building to consider bills referred.*

*Your committee has considered:*

*Bill 18—The Housing and Renewal Corporation Amendment Act; Loi modifiant la Loi sur la Société d'habitation et de rénovation*

*and has agreed to report the same with the following amendment:*

**MOTION:**

*THAT section 4 be struck out and the following substituted:*

**Coming into force**

*4 This Act comes into force on a day fixed by proclamation.*

**Mr. Tweed:** Madam Speaker, I move, seconded by the honourable member for St. Vital (Mrs. Render), that the report of the committee be received.

Motion agreed to.

## TABLING OF REPORTS

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** Madam Speaker, I am very pleased to table the Annual Report for Manitoba Justice 1994-95.

## ORAL QUESTION PERIOD

### Health Care System Emergency Services

**Mr. Gary Doer (Leader of the Opposition):** Madam Speaker, my question is to the Minister of Health.

Last evening we had another community meeting dealing with the decision of the government to close the emergency wards in community hospitals. People from all walks of life were very, very concerned, very worried and a number of them had specific instances where their loved ones, they felt, were being put in jeopardy. They were very worried about their children. They were very worried about their families. Senior citizens were very, very worried that a community hospital with an emergency ward in their area, their

quadrant of the city, and utilized by a number of people, was being closed arbitrarily by the government.

They could not understand the decision, Madam Speaker, they could not understand the rationale, and they could not understand why they, many of them who had been involved in their community years ago in raising money to build that hospital and raising money for equipment in that area, would now have this emergency ward closed down. We have asked the minister to attend these public meetings because his process does not include the public. I would further invite the minister to attend some public meetings that we have scheduled for next week.

I would ask the minister, will he listen to the voices of the people that are saying clearly to us that they do not agree with the government's decision and they want their community hospital emergency wards open in the evening, as they were intended to be?

**Hon. James McCrae (Minister of Health):** Madam Speaker, I remind the honourable member that the emergency rooms were essentially closed when the emergency physicians left their posts back on Labour Day. If the honourable member reviews the circumstances over the past couple of months, he will know how that all worked out, and when the strike came to an end, we have been engaged more in an orderly reopening of emergency services.

I remind the honourable member that for 14 hours a day now these community hospitals operate with the staff they did not have during the strike; they were operating with a skeleton staff during those days. We are working closely with the emergency services task force review, as well as the steering committee that is monitoring the situation on a day-to-day basis.

I remind the honourable Leader of the Opposition that the Manitoba Society of Seniors and the Consumers' Association of Canada are represented on the emergency services task force review committee.

**Mr. Doer:** Madam Speaker, I would like to table a letter that the minister received from the nurses at the Health Sciences Centre today, a copy of which was sent to the Premier (Mr. Filmon) and myself.

The nurses basically contradict the answer the minister just gave us in this House. The nurses talk about the fact that they cannot continue to operate the way they have been operating. The quality is less than optional in terms of services in the trauma centre. The arbitrary closing of the emergency wards in community hospitals has been ill thought-out, and the nurses at the front line of the hospital that is supposed to be integral to the plan of the government, Madam Speaker, are asking the government to reconsider their decision.

If he will not listen to the public, will he listen to the nurses and reconsider his decision and reopen the emergency wards in the evenings, Madam Speaker?

**Mr. McCrae:** Madam Speaker, I have met with nurses who work in the emergency ward of the Health Sciences Centre. They did not, however, present themselves as this letter, as the president of the Manitoba Nurses' Union. There is a difference.

**Mr. Doer:** Madam Speaker, the minister will not listen to people on the front lines. They will not listen to members of the public.

Will the minister now listen to Dr. Henry Dirks, Madam Speaker, a doctor at the Concordia Hospital, who today stated that the emergency wards are open if somebody comes there, but the government has ordered them to put a closed sign in front of the building, so the public will be going to different centres? They are sort of open. They are sort of closed.

The minister for Rossmere (Mr. Toews) promised in the election campaign he would fight for that emergency ward hospital. The member for River East (Mrs. Mitchelson) promised that, Madam Speaker. People are absolutely confused. You have a closed-down sign in front of the hospital, but they are sort of open in the hospital. It is in absolute chaos. Will the government just do the right thing and reopen the emergency wards in our community hospitals, Madam Speaker?

\* (1430)

**Mr. McCrae:** Madam Speaker, I remind the honourable Leader of the Opposition again, I have,

indeed, met with emergency nurses who work not only at the Grace Hospital, at the Health Sciences Centre. I have met with nurses in other hospital emergency rooms and will continue to do so.

I think the honourable member should put a little more stock in the emergency services task force committee than he is, because there are representatives on that committee from the public, from the nursing profession, from the medical profession, from the hospitals. We are talking directors of emergency services at hospitals. We are talking the chief nurses in these various facilities.

I think the honourable member brings forward and tables in the House today a letter which, of course, I take all my correspondence and visits from people and representations seriously, even when they come from a union, Madam Speaker, but the honourable member ought not to try to lead us to believe that a letter that is on Nurses' Union stationery represents the views of all of the people with whom we consult because it does not.

The Manitoba Nurses' Union is there to protect the rights of workers, and that is what they should do and I respect that. I respect that very much in our system, Madam Speaker, and so does the Minister of Labour (Mr. Toews) and all of my colleagues.

The point is I have met and heard concerns, acted on concerns, and when concerns are legitimate, I will continue to act on those concerns.

#### **Health Care System KPMG Consulting**

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, the Minister of Health has not tabled one study, one letter, one comment from any person in the health care field that justifies his decision made arbitrarily to close the emergency wards, and we see further example today.

Madam Speaker, I would like to table another document that indicates whom the minister is listening to. It is a document of the study group that the minister says is studying emergency services, and it says, who is studying the alternative models that are being put in

place? Who is making the recommendations? It is not the nurses. It is not the doctors. It is not even the Department of Health. It is KPMG, a consulting firm, and that is what is illustrated in the minister's own document.

Can the minister then at least confirm that it is he and his consulting firm that have made these decisions?

**Hon. James McCrae (Minister of Health):** Madam Speaker, I remind the honourable member that the Manitoba College of Physicians and Surgeons is represented on the emergency services task force committee.

The KPMG consulting firm is a firm that does have experience in health care, and they are playing a role in terms of making sure data is available to the participants on the emergency services task force committee. When we talk about emergency services protocols, Madam Speaker, we are, indeed, using the standardized types of protocols that are appropriate for emergency services.

The honourable member is saying to the people who are working on the emergency services task force committee that he has no confidence in them, and, you know, I think he should reconsider that because you cannot on the one hand say, listen, and on the other hand say, do not listen.

Madam Speaker, we are listening; he is not.

**Mr. Chomiak:** Madam Speaker, can the minister explain on this document—it is the minister's document that talks about activities carried out. It says, transportation issues dealt with by Winnipeg Ambulance, strike and poststrike activity, Manitoba Health, urgency of patients, Manitoba Health, but when we get to alternative models, such things as alternative services for emergency department structures and organizational maps, there is only one name beside that. It is KPMG.

Can the minister explain that?

**Mr. McCrae:** Madam Speaker, what I am going to do is arrange for the honourable member to have a

meeting with me. I will invite him again to my office. I have done this perhaps more than half a dozen times as we have approached health reform and health care issues.

The honourable member has never taken me up on that invitation, Madam Speaker. I would invite him to join me in my office, and I will have people come to that meeting who can talk about the input that is going on at the emergency services task force review committee, including the input of KPMG. I challenge the honourable member to accept an invitation that I have made over half a dozen times quite publicly.

**Mr. Chomiak:** Madam Speaker, I will indicate to the minister, and I will ask the minister, if he will agree to come to just one public meeting that we are sponsoring to listen to the public, then I will come to his office any time to discuss any issue.

**Mr. McCrae:** I will compare calendars with the honourable member any day of the week as to public meetings.

### Treaty Land Entitlements Status Report

**Mr. Oscar Lathlin (The Pas):** My questions are directed to the Minister responsible for Native Affairs. While there has been some progress made on settling treaty land entitlement over the past few years, all sides agree that currently there is a serious impasse.

Given this impasse, will the minister tell the House why his government is not prepared to live up to its obligations in terms of treaty land entitlement or settlement in this province and perhaps advise the House just exactly what the holdup is? Is it the federal government, is it the provincial government, or is it the First Nations?

**Hon. Darren Praznik (Minister responsible for Native Affairs):** I thank the member for The Pas for this, I believe, very timely question. First of all, let me just reconfirm to him and to this House that the Province of Manitoba, the government of Manitoba, is fully prepared to live up to our obligations, which is, we believe, to provide unoccupied Crown land to the



federal government to satisfy its obligations under treaty.

The member is quite correct in indicating to the House that there is somewhat of an impasse at this current time. I in no way would place that blame in any way or point in any way to the First Nations as the cause. The problem is in fact that the federal government, in negotiating with the First Nations, there is obviously a cash component to that for those First Nations where there is not sufficient unoccupied Crown land available. The federal government is trying to offload, quite frankly, some of their financial responsibility onto the province for meeting that obligation.

That issue of finances is, in my opinion, strictly between the federal and provincial governments. The federal government is trying to use that issue I think to, quite frankly, stall completion of the treaty land entitlement issue with the First Nations with whom they are negotiating in what is in essence a double bilateral process.

**Mr. Lathlin:** My second question: I have a letter here that was written to my colleague the member for Rupertsland (Mr. Robinson) dated November 1 by the acting chief, Ronnie Evans. If I could quote from here, Madam Speaker: Canada has requested Manitoba to concur in the setting aside of 900,626 acres of land as reserve land to compromise from our current entitlement of 1.2 million acres. Manitoba has refused. Similarly, Manitoba has refused to contribute the sum of \$20 million requested by Canada as an all-inclusive contribution on account of settlement, or in fact even \$1 for that matter.

I would like to table this letter and ask the minister whether he would follow the lead of the Saskatchewan government where treaty land entitlement has been settled and why his government is not prepared to settle for an early settlement here in Manitoba.

**Mr. Praznik:** Madam Speaker, two issues in the member's question: Firstly, with respect to the quantum of land, that issue is still under negotiation at the table as to the exact quantum of land that would be provided, again in a double bilateral process, provincial

and federal governments at one table, First Nations and federal government at another, and I can indicate to the member that I do not think there is a huge difference there, but that is still one outstanding issue in terms of quantum.

With respect to the finances, in the letter which he has tabled, it is very consistent with the position that we have taken, that our obligation under the 1930 Natural Resources Transfer agreement is to provide unoccupied Crown land for the settlement of that issue.

We have even gone beyond that in some cases. In the case of Island Lake, we provided an additional close to 100,000 acres of land to make that settlement which would be kept in fee simple.

So we have been going beyond that contribution, but it has been our position that any cash settlement or any cash portion of a settlement is the responsibility of the government of Canada, the taxpayers of Canada with whom the treaties are made.

I would hope that the member for The Pas would appreciate that this is truly an issue between the federal and provincial governments, and if the federal government was sincere in settling, they would settle their issues with the First Nation and leave that matter between us and them.

#### **Manitoba Hazardous Waste Corp. Purchase Agreement**

**Mr. Gregory Dewar (Selkirk):** Madam Speaker, my questions are for the Minister of Environment.

Madam Speaker, over the last seven years this government has spent nearly \$20 million in the failed attempt at constructing a hazardous waste facility here in this province. This morning the minister admitted that even under the most optimistic projections, it will take another 25 years before the taxpayers in this province recoup their investment from this company that is interested in buying the Manitoba Hazardous Waste Management Corporation, Miller Paving.

My question is to the minister. Why is this government accepting this offer in which the company

will pay \$3 million in cash in total over the next three years?

**Hon. Glen Cummings (Minister of Environment):** Madam Speaker, the member chooses to misrepresent the amount of investment that will occur on the site. Then he can characterize it as three—

**Madam Speaker:** Order, please.

\* (1440)

#### Point of Order

**Mr. Steve Ashton (Opposition House Leader):** Madam Speaker, the minister used the term "chooses to misrepresent." The minister should know that that is unparliamentary.

**Mr. Cummings:** Madam Speaker, I am quite prepared to withdraw that comment—

**Madam Speaker:** I thank the honourable Minister of Environment.

**Mr. Cummings:** —from the member, Madam Speaker, but I want to make it very clear that I have a different view than he—sorry.

\* \* \*

**Madam Speaker:** Order, please. The honourable Minister of Environment, to quickly complete his response.

**Mr. Cummings:** Madam Speaker, I want to make it very clear I have a different view of the amount of money that will be invested as a result of this potential partnership with Miller company from Ontario.

It will far exceed \$3 million, and, potentially, we will see \$8 million within five years, following on annual revenues that could very much equal or exceed the amount that we have invested in the corporation.

**Mr. Dewar:** Madam Speaker, my supplementary question is to the same minister. Why is this minister making such a fire sale offer to this firm, this firm that

has absolutely no experience in the hazardous waste business—no experience. He is giving it away.

**Mr. Cummings:** Madam Speaker, is it not interesting that the present NDP opposition wishes to forget that it was under the previous administration that the act was struck under which all of the expenditures—in fact, the cross-province reviews, the environmental assessment and the millions of dollars that were spent in public consultation—are in fact mandated under that act. We only need to look to Ontario in the east where some \$170 million has been spent and all they have is a room full of files. We are going to have a development.

#### Manitoba Public Insurance Corp. Rate Increase

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, my question is for the Minister responsible for MPIC, just to clarify some remarks from the minister from yesterday. It is the politically appointed board of MPIC which makes application to Public Utilities for rate increases to Autopac.

Madam Speaker, my question to the minister is, why is it that prior to the election in 1995 the board did not see fit to have an increase in Autopac rates and then after the election, it was seen fit to submit a 6 percent increase?

**Hon. Glen Cummings (Minister charged with the administration of The Manitoba Public Insurance Corporation Act):** Madam Speaker, I hesitate to be combative with the member for Inkster but he, along with his colleagues, has been very critical of the implementation of no-fault insurance.

Perhaps he should also then, in this question, acknowledge that it was some \$50 million worth of savings as a result of that implementation of that program that allowed MPIC to contain its costs.

**Mr. Lamoureux:** Madam Speaker, I am wondering if the minister can indicate whether or not he agrees with what the current Premier (Mr. Filmon) said when he was Leader of the Opposition, on February 12, 1988, and I quote, "Is the minister now going to admit that there was political manipulation involved on the part of

his government in the setting of Autopac rates?" Nothing has changed.

Will, in fact, this minister do exactly what the Premier did in 1988 and say that this MPIC Board is politically manipulating Autopac increases?

**Mr. Cummings:** Madam Speaker, the member wants to have on the record that nothing has changed. He cannot ignore the fact that this administration has placed the MPIC rates before the Public Utilities Board. The fact is that the Public Utilities Board chose to increase the rates against motorcycles, so he cannot question which direction the PUB is prepared to go. He will find that—all he needs to do is research the records—we have now separated the rate-making concerns with the ultimate decision, which is in a public forum, an independent body that has an opportunity to review in a public forum and then set the rates.

#### **Board Membership—MLA for Emerson**

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, will the Minister responsible for MPIC take immediate action and relieve his colleague the member for Emerson (Mr. Penner) of his responsibilities on the board in an attempt to try to address what is obviously a conflict of interest? The member for Emerson should not be sitting on that board.

**Hon. Glen Cummings (Minister charged with the administration of The Manitoba Public Insurance Corporation Act):** Madam Speaker, I suspect that the real motive or the real concern that the member is trying to get to is that he is now embarrassed by the fact that his party opposed no-fault insurance. It has delivered the savings, and now he wants to call it political.

#### **Manitoba Housing Authority Tenant Relations Officer Layoffs**

**Ms. Marianne Cerilli (Radisson):** Madam Speaker, at the Municipal Affairs committee two nights ago, the Minister of Housing agreed with me that tenant associations would help solve problems in public housing and increase stability in neighbourhoods. He

agreed tenants should have a say in the management of public housing, and that the Manitoba Housing Authority staff, particularly the tenants relations officers, are to support, and as their job description says, foster the development of tenants associations.

I would like to ask the Minister of Housing, given that he has such support for the work of tenant relations officers and tenants associations, why is his department laying off the seven tenant relations officers in Winnipeg?

**Hon. Jack Reimer (Minister of Housing):** Madam Speaker, I believe what the member for Radisson is referring to is the fact that there are negotiations ongoing within the department and the authority and the tenant relations officers and other people that are involved with the department.

Labour negotiations are going on. Labour negotiations—there are letters that are sent out. There have been no layoffs.

**Ms. Cerilli:** Madam Speaker, I am going to table in the House a copy of a letter sent October 27 from the Manitoba Housing Authority stipulating that seven tenant relations officers are to be laid off between December and March of 1996. I am also going to table the job descriptions of the tenant relations officers which say that they should be fostering and developing tenants associations and social housing advisory groups.

I want to ask the minister, given what he said in the House a few days ago, and I quote: "one of the things that is very, very important, and I will repeat again, is the fact that tenants associations will form and do form a vital point in making any type of decisions within the framework of the complex."

Given those statements, will he ensure that these tenant relations officers are going to be maintained as staff in the Manitoba Housing Authority to work to develop tenants associations and meet the needs in the communities that they work with?

**Mr. Reimer:** As has been stated before in this House, tenant associations within the various complexes do

form a very integral and a very vital part in any type of decisions that are made. These associations are encouraged. We supply a per-diem amount of money to go towards the administration of these tenant associations. We do have tenant association officers who are part of the decision making on it.

The member is referring to a situation and an overlap of the situation that is before the negotiation of—with the labour negotiations. If there is an agreement, which they are in negotiation as we speak, these layoffs are just a part of the notification process. Nobody has been laid off, Madam Speaker.

\* (1450)

### **Hog Industry Marketing System**

**Ms. Rosann Wowchuk (Swan River):** Madam Speaker, earlier this week the Minister of Agriculture (Mr. Enns) made an arbitrary decision to remove the monopoly of the marketing boards. He said this was in the interest of producers, but, unfortunately, producers today are starting to see the negative impact of this decision.

Manitoba Pork's forward-pricing contract program, a program which is the first of its kind developed by a marketing board, has been indefinitely suspended as a result of the decision of the government to move to dual marketing.

I want to ask the minister, will he recognize the negative impact of this decision, the negative impact it will have on producers, and will he reverse this decision and maintain the monopoly of single-desk selling for Manitoba Pork?

**Hon. Harry Enns (Minister of Agriculture):** Madam Speaker, firstly, let me make clear to the honourable member for Swan River and to all members of the House that I provided the executive of Manitoba Pork the courtesy of indicating a decision that will be made by this government.

No decision has been made. There has been no change in the marketing of hogs in the province of

Manitoba, and she is talking, as is their typical fashion for seeing nothing but doom and gloom, about negative impacts of something that has not happened.

Now, with respect to the issue that she raises, let me assure her I did not make any change to the forward-marketing opportunities for Manitoba producers. That was made by Manitoba Pork, and they acknowledge it under the signature of Mr. Sedgwick, the executive secretary.

I deeply regret having to deny the province's hog producers a forward-marketing concept. That was their decision, not my decision, not a decision of this government.

**Ms. Wowchuk:** Madam Speaker, will the minister agree that Manitoba Pork was forced to make this decision because the minister told them, no matter what, he was going to introduce dual marketing? He has put uncertainty into the future of hog marketing here, and it was because of his decision that this excellent program is being taken away from the hog producers of Manitoba.

**Mr. Enns:** Madam Speaker, I have the privilege of sitting beside my good colleague the honourable Minister of Highways and Transportation (Mr. Findlay) who, among other things, is also the Minister responsible for the Manitoba Telephone System.

For 50 or 60 years, we had a single-delivery system in telecommunication in this province under the Manitoba Telephone System. Events changed. Technology changed. Major commercial businesses could circumvent the system and were threatening to do so and we introduced competition—if you like—to the Manitoba Telephone System. What has happened? Customers are getting better service. We have among the lowest-priced service in North America and we are meeting today's modern communications needs.

Madam Speaker, I am as convinced today as I was when I indicated to Manitoba Pork that by augmenting the existing marketing system with a choice that I am offering the producers, the appropriate thing—I appreciate that my answer is getting too long-winded—but I do want to say, nobody is dismantling the current

marketing system at Manitoba Pork. I expect 70, 80 or 90 percent of the hog producers to continue using it, particularly if it provides a service. If it does not provide the service, then some of them have the choice of looking elsewhere.

**Ms. Wowchuk:** Again I say, Madam Speaker, the minister is bringing a slow death to the marketing board.

Madam Speaker, since representatives of the meat-packing industry have all reaffirmed their commitment to single-desk selling at Manitoba Pork's semiannual meeting—and, in fact, to paraphrase one of the comments, the processors said, I do not have the means to deal with 20,000 producers—will the minister admit that this has nothing to do with jobs, this has nothing to do with the processors, it is going to hurt the producers, and will he tell the producers whose agenda he is on? Whom is he caving in to when he makes this decision to move to dual marketing?

**Mr. Enns:** Madam Speaker, the events will simply have to prove themselves. I am confident that the advice that I have sought in this instance—and I remind honourable members of the House, in the first instance, it is the advice of one of the most senior, well-respected agricultural economists that this province has produced who has worked for the federal Liberal government, who has worked for past New Democratic Party governments, who is recognized at the University of Manitoba, was the dean of the Faculty of Agriculture. I am referring to Dr. Clay Gilson. He chaired the report. He is responsible and that committee is responsible for some of the advice that I am receiving—some of the advice. I am satisfied, Madam Speaker.

I hope and I know that Manitoba hog producers will rise to the challenges and the opportunities that are in the hog industry and the pork industry, generally speaking, remembering always that we are now targeting an entirely different market than what was the case in 1972 when the single-selling desk was established. We are looking at the international market, not the domestic market. All of the hogs we are producing are going for the international market, and that requires different technologies.

### **Louisiana-Pacific Forest Management Plan**

**Mr. Stan Struthers (Dauphin):** My question is for the Minister of Natural Resources.

The minister has been involved in the Canadian Council of Forest Ministers and has contributed to the development of the sustainable forest management plans. I am therefore sure that the issues raised by five federal departments regarding Louisiana-Pacific's forest management plan and EIS would be of great concern to him and his department. Biologists within his own department have questioned the science used in Louisiana-Pacific's submissions.

Considering the seriousness of these concerns with regard to sustainable development, will the minister ask for a resubmission from L-P before public hearings take place?

**Hon. Albert Driedger (Minister of Natural Resources):** Madam Speaker, in the short time that we are allowed to answer questions, I will try and give a little bit of a backdrop as to what is going to be happening in the next little while, because the environmental hearings are slated; the dates have been set. They have been set for November 20, 21, 22 and, if need be, November 23 in Swan River and November 27, 28, 29 and, if need be, November 30 in Winnipeg.

The plan has been filed by Louisiana-Pacific in terms of their forest management plan, their environmental impact statement, which is now public information. It is on the public docket. Anybody can avail themselves of it; they can look at it. The process then is that the Department of Environment will conduct those hearings during those days when people can respond to it.

We, from the department, have had our chance to have our input into it. That is filed as well. Madam Speaker, I can tell you that we are comfortable with what we see at this time and our statements are on the record.

**Mr. Struthers:** Madam Speaker, the EIS is full of holes, and I want to table two separate documents, each

of these documents indicating that officials in the Department of Natural Resources have lacked the proper resources and time frames to review the short- and long-term impacts of the Louisiana-Pacific proposal. How will this minister ensure that a comprehensive scientific review by his department occurs before going to public hearings?

**Mr. Driedger:** Madam Speaker, my department receives approximately 200 applications a year that deal with environmental impact within the Department of Natural Resources. The process is always the same. There is a time limit that is set out. By and large, we try and respond within a 30-day period to any of the concerns that basically are brought forward to us.

(Mr. Marcel Laurendeau, Deputy Speaker, in the Chair)

Mr. Deputy Speaker, in the case of the Louisiana-Pacific issue, we have done the same thing. We received the specifics of their plan on September 20. We then circulated it to the regional director, who then takes it and puts it out to the people in the field—a variety of people, incidentally—it then came back. [interjection] I am just trying to clarify the process that takes place because the member is questioning the process of what we are doing.

Once that information comes back to the regional director, it then comes in to my executive, who then basically develop the scenario in terms of the response that we put on the record.

\* (1500)

#### **Department of Natural Resources Forest Management Plan**

**Mr. Stan Struthers (Dauphin):** Can the minister inform the House when he will release Manitoba's 20-year forest management plans that his own officials and companies like L-P have specific guidelines to adhere to regarding truly sustainable forest management?

**Hon. Albert Driedger (Minister of Natural Resources):** Mr. Deputy Speaker, my department of forestry—the director of forestry, incidentally, I have a

new individual there by the name of Art Hoole, whom I feel is very qualified—we have been dealing with the Louisiana-Pacific 10-year performance statement as well as with the Repap people. We have ongoing challenges with Abitibi, with Spruce Products, with their quota holders. The member for Swan River (Ms. Wowchuk) has many times within the last year raised concerns about the smaller operators, how they would fit into the puzzle with Louisiana-Pacific, how they fit into the system with Repap.

During the process of dealing with all these issues, we have an ongoing process in terms of dealing with the 20-year projections and, actually, part and parcel of the environmental process is the responsibility that my people have to put on the record that the process of harvesting is going to be done in a proper manner.

#### **Mathias Colomb First Nation Housing Construction Project**

**Mr. Gerard Jennissen (Flin Flon):** My questions are for the Minister of Northern and Native Affairs.

Over two weeks ago the minister agreed to assist the Mathias Colomb First Nation develop a business plan to harvest logs for constructing log houses at Pukatawagan.

Could the minister give the House a status report on the development of this plan and the response of the federal government?

**Hon. Darren Praznik (Minister responsible for Native Affairs):** I thank the member for Flin Flon for the question. I know he was part of the meeting in which we offered the services of our department, and others, to work with that particular community in developing a number of options.

I know there have been discussions ongoing in the last couple of weeks of doing that, but the real problem, quite frankly, is that their issue with the federal government, which leads to all of the other options that we talked about, has not yet been resolved. I know the community is experiencing great frustration. They have made further efforts to seek meetings and discussions with the federal government.

I understand that even Grand Chief George Muswagon of MKO has been involved in this process and yet the federal government still has not yet resolved it to the satisfaction of the community.

### **First Nations Communities Housing Shortages**

**Mr. Gerard Jennissen (Flin Flon):** My supplementary question, Mr. Deputy Speaker, is, has the minister requested a meeting with the federal Minister of Indian Affairs to discuss the housing crisis on reserves and the need for innovative action such as the Pukatawagan log house construction project which could be a model for other remote communities?

**Hon. Darren Praznik (Minister responsible for Native Affairs):** Mr. Deputy Speaker, in answer to that question, I know the chief of that particular community had some discussions both with myself and the Premier (Mr. Filmon), and the Premier wrote on behalf of the government of Manitoba to the Honourable Ron Irwin on the 19th of October of this year requesting that the minister personally become involved in this process.

I must say, with respect to a meeting directly by myself and the minister, I have a host of outstanding issues in which we have made similar requests of the federal minister. We had one meeting with him some time ago prior to this time but his availability for meetings, as the member will appreciate, is extremely limited, we would gather, to be kind to that minister. But the Premier has written on behalf of that community, and I would table this letter at this time.

### **Quarry Rehabilitation Reserve Fund Application Process**

**Ms. MaryAnn Mihychuk (St. James):** Mr. Deputy Speaker, my question is to the Minister of Energy and Mines.

Approximately three years ago the Quarry Rehab Reserve fund was created. Over the past three years, approximately \$2 million has been awarded to various contractors around Manitoba to rehabilitate sand and gravel pits.

Can the minister explain why these inspectors who monitor and enforce The Mines Act are the very ones that are also handing out these contracts to these contractors?

**Hon. Darren Praznik (Minister of Energy and Mines):** Mr. Deputy Speaker, the member for St. James and I had some discussion about this in committee the other day about the intricacies of that program. I know at that time she expressed some specific concerns about a process. I do not think she brought a specific case, but she was concerned at that time about process.

As I indicated to her at committee at that time, under the process that was set up our quarry inspectors work with the municipalities and the pit operators, et cetera, to determine what projects meet the criteria and where it is appropriate and that they also review those processes internally and ultimately let the contracts. There was some concern that she expressed, and we said that we would have a look at that.

**Mr. Deputy Speaker:** Order, please. Time for Oral Question Period has expired.

### **Committee Changes**

**Mr. George Hickes (Point Douglas):** The composition of the Standing Committee on Public Utilities and Natural Resources for 10 a.m. November 2, 1995, be amended as follows: Selkirk (Mr. Dewar) for Thompson (Mr. Ashton); St. Johns (Mr. Mackintosh) for Transcona (Mr. Reid); Radisson (Ms. Cerilli) for Interlake (Mr. Clif Evans). These substitutions had been moved by leave in the committee and are now being moved in the House to be properly recorded in the official records. Thank you.

**Mr. Deputy Speaker:** It has been moved by the honourable member for Point Douglas, seconded by the honourable member for Broadway (Mr. Santos), that the composition of the Standing Committee on Public Utilities and Natural Resources for 10 a.m. November 2, 1995, be amended as follows: Selkirk (Mr. Dewar) for Thompson (Mr. Ashton)—Dispense?

**Some Honourable Members:** Dispense.

**Motion agreed to.**

**Mr. Edward Helwer (Gimli):** Mr. Deputy Speaker, I move, seconded by the member for Turtle Mountain (Mr. Tweed), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended for the 10 a.m. sitting November 2 as follows: the member for Gladstone (Mr. Rocan) for the member for Sturgeon Creek (Mr. McAlpine).

This substitution has been moved by leave in the committee and is now being moved in the House to be properly recorded by the official record.

**Motion agreed to.**

### ORDERS OF THE DAY

**Hon. Darren Praznik (Deputy Government House Leader):** Mr. Deputy Speaker, I would ask if you could please call report stage for the bills so listed on the Order Paper.

### REPORT STAGE

#### Bill 5—The Education Administration Amendment Act

**Hon. Linda McIntosh (Minister of Education and Training):** I move, seconded by the Minister of Justice (Mrs. Vodrey) that Bill 5, The Education Administration Amendment Act; Loi modifiant la Loi sur l'administration scolaire, reported from the Standing Committee on Municipal Affairs, be concurred in.

**Motion agreed to.**

\* (1510)

#### Bill 6—The Public Schools Amendment Act

**Hon. Linda McIntosh (Minister of Education and Training):** Mr. Deputy Speaker, I move that Bill 6, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, as amended and reported from the Standing Committee on Municipal Affairs, be concurred in.

**Mr. Deputy Speaker:** It has been moved by the honourable Minister of Education (Mrs. McIntosh), seconded by the honourable Minister of Justice (Mrs. Vodrey), that Bill 6, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, as amended and reported from the Standing Committee on Municipal Affairs, be concurred in. Agreed?

**Some Honourable Members:** Agreed.

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

#### Bill 15—The Agricultural Producers' Organization Funding Amendment Act

**Hon. Glen Findlay (Minister of Highways and Transportation):** Mr. Deputy Speaker, I move, seconded by the Minister of Rural Development (Mr. Derkach), that (Bill 15) The Agricultural Producers' Organization Funding Amendment Act (Loi modifiant la Loi sur le financement d'organismes de producteurs agricoles), as amended and reported from the Standing Committee on Agriculture, be concurred in.

**Motion agreed to.**

#### Bill 17—The City of Winnipeg Amendment Act (2)

**Hon. Jack Reimer (Minister of Urban Affairs):** Mr. Deputy Speaker, I move, seconded by the Minister of Education (Mrs. McIntosh), that Bill 17, The City of Winnipeg Amendment Act (2) (Loi No. 2 modifiant la Loi sur la Ville de Winnipeg), as amended and reported from the Standing Committee on Municipal Affairs, be concurred in.

**Motion agreed to.**

#### Bill 19—The Intercountry Adoption (Hague Convention) and Consequential Amendments Act

**Hon. Darren Praznik (Deputy Government House Leader):** Mr. Deputy Speaker, I would move, seconded by the honourable Minister of Highways and Transportation (Mr. Findlay), that Bill 19, The Intercountry Adoption (Hague Convention) and



Consequential Amendments Act; Loi concernant l'adoption internationale (Convention de La Haye) et apportant des modifications corrélatives, reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 20—The Child and Family Services Amendment Act**

**Hon. Darren Praznik (Deputy Government House Leader):** Mr. Deputy Speaker, I would move, seconded by the honourable Minister of Health (Mr. McCrae), that Bill 20, The Child and Family Services Amendment Act; Loi modifiant la Loi sur les services à l'enfant et à la famille, as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 21—The Rural Development Bonds Amendment Act**

**Hon. Leonard Derkach (Minister of Rural Development):** Mr. Deputy Speaker, I move, seconded by the Minister of Highways and Transportation (Mr. Findlay), that Bill 21, The Rural Development Bonds Amendment Act; Loi modifiant la Loi sur les obligations de développement rural, reported from the Standing Committee on Municipal Affairs, be concurred in.

**Motion agreed to.**

**Bill 22—The Municipal Amendment and Brandon Charter Amendment Act**

**Hon. Leonard Derkach (Minister of Rural Development):** I move, seconded by the Minister of Labour (Mr. Toews), that Bill 22, The Municipal Amendment and Brandon Charter Amendment Act; Loi modifiant la Loi sur les municipalités et la Loi sur la Charte de Brandon, as amended and reported from the Standing Committee on Municipal Affairs, be concurred in.

**Motion agreed to.**

**Bill 23—The Health Services Insurance Amendment Act**

**Hon. James McCrae (Minister of Health):** Mr. Deputy Speaker, I move, seconded by the honourable Minister of Energy and Mines, and Minister of Northern Affairs, Minister responsible for Manitoba Hydro, Minister of Native Affairs (Mr. Praznik), whatever all else he is minister of, that Bill 23, The Health Services Insurance Amendment Act (Loi modifiant la Loi sur l'assurance-maladie), reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 27—The Cattle Producers Association Amendment Act**

**Hon. Glen Findlay (Minister of Highways and Transportation):** Mr. Speaker, I move, seconded by the Minister of Energy and Mines (Mr. Praznik), that Bill 27, The Cattle Producers Association Amendment Act (Loi modifiant la Loi sur l'Association des éleveurs de bétail), reported from the Standing Committee on Agriculture be concurred in.

**Motion agreed to.**

**Bill 28—The Statute Law Amendment (Taxation) Act, 1995**

**Hon. Darren Praznik (Deputy Government House Leader):** I would move, seconded by the honourable Minister of Rural Development (Mr. Derkach), that Bill 28, The Statute Law Amendment (Taxation) Act, 1995; Loi de 1995 modifiant diverses dispositions législatives en matière de fiscalité, reported from the Committee of the Whole, be concurred in.

**Motion presented.**

\* (1520)

**Mr. Leonard Evans (Brandon East):** Mr. Deputy Speaker, we do not oppose this particular bill, but I

would like to take the opportunity to make two observations about the bill. It is a—

**Mr. Deputy Speaker:** Order, please. I just wanted to remind the honourable member that this is report stage. The honourable member will have time to debate this bill when we get to third reading.

Agreed?

**Some Honourable Members:** Agreed.

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

**Bill 32—The Proceedings Against the Crown  
Amendment Act**

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** Mr. Deputy Speaker, I move, seconded by the Minister of Labour (Mr. Toews), that Bill 32, The Proceedings Against the Crown Amendment Act; Loi modifiant la Loi sur les procédures contre la Couronne, reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**House Business**

**Hon. Darren Praznik (Deputy Government House Leader):** Mr. Deputy Speaker, I would ask if you could please canvass the House to see if there would be leave to have considered for report stage Bills 8, 16, 18, 31, 34 and 36. If there is such leave, I would ask that you call them in that order for report stage.

**Mr. Deputy Chairperson:** Is there leave?

**Some Honourable Members:** Leave.

**Mr. Deputy Speaker:** Leave has been granted.

**Bill 8—The Off-Road Vehicles  
Amendment Act**

**Hon. Glen Findlay (Minister of Highways and Transportation):** Mr. Deputy Speaker, I move,

seconded by the Minister of Natural Resources (Mr. Driedger) (by leave), that Bill 8, The Off-Road Vehicles Amendment Act (Loi modifiant la Loi sur les véhicules à caractère non routier), reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 16—The Highway Traffic  
Amendment Act**

**Hon. Glen Findlay (Minister of Highways and Transportation):** Mr. Deputy Speaker, I move, seconded by the honourable Minister of Justice (Mrs. Vodrey) (by leave), that Bill 16, The Highway Traffic Amendment Act; Loi modifiant le Code de la route, reported from the Standing Committee on Law Amendments, be now concurred in.

**Motion agreed to.**

**Bill 18—The Housing and Renewal Corporation  
Amendment Act**

**Hon. Jack Reimer (Minister of Housing):** Mr. Deputy Speaker, I move, seconded by the Minister of Natural Resources (Mr. Driedger) (by leave), that Bill 18, The Housing and Renewal Corporation Amendment Act (Loi modifiant la Loi sur la Société d'habitation et de rénovation), as amended and reported from the Standing Committee on Municipal Affairs, be concurred in.

**Motion agreed to.**

**Bill 31—The Highway Traffic  
Amendment Act (2)**

**Hon. Glen Findlay (Minister of Highways and Transportation):** Mr. Deputy Speaker, I move, seconded by the honourable Minister of Justice (Mrs. Vodrey) (by leave), that Bill 31, The Highway Traffic Amendment Act (2); Loi no 2 modifiant le Code de la route, reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Bill 34—The Municipal Amendment and Consequential Amendments Act**

**Hon. Leonard Derkach (Minister of Rural Development):** I move, seconded by the Minister of Urban Affairs (Mr. Reimer) (by leave), that Bill 34, The Municipal Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les municipalités et apportant des modifications corrélatives, reported from the Standing Committee on Municipal Affairs, be concurred in.

**Motion agreed to.**

**Bill 36—The Municipal Assessment Amendment Act**

**Hon. Leonard Derkach (Minister of Rural Development):** I move, seconded by the Minister of Highways and Transportation (Mr. Findlay) (by leave), that Bill 36, The Municipal Assessment Amendment Act; Loi modifiant la Loi sur l'évaluation municipale, reported from the Standing Committee on Municipal Affairs, be concurred in.

**Motion agreed to.**

**House Business**

**Hon. Darren Praznik (Deputy Government House Leader):** Mr. Deputy Speaker, I would ask if you could please canvass the House. I believe you will find leave to consider for third reading of all the bills currently in report stage, which would be 5, 6, 8, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 31, 32, 34, and 36.

If there is leave, I would ask, Mr. Deputy Speaker, that then you call the bills in that order.

**Mr. Deputy Speaker:** Is there leave? No.

**Point of Order**

**Mr. Doug Martindale (Burrows):** Mr. Deputy Speaker, I understand we are going to have recorded votes on Bills 2 and 15 first and then do third readings?

**Mr. Praznik:** Mr. Deputy Speaker, you will probably find that there is not a point of order, but certainly on House business we have no problem with the comments of the member for Burrows.

**House Business**

**Mr. Praznik:** What I would ask, then, if there is leave to proceed with those third readings, is that, given the comments of the deputy opposition House leader, you would call for third reading first Bills 2 and 15 in that order. I think that would accommodate his request, and with the leave granted the House, the other bills, as I have asked.

**Mr. Deputy Speaker:** Is there leave? [agreed]

\* (1530)

**DEBATE ON THIRD READINGS**

**Bill 2—The Balanced Budget, Debt Repayment and Taxpayer Protection and Consequential Amendments Act**

**Mr. Deputy Speaker:** Resuming debate on third reading, Bill 2 (The Balanced Budget, Debt Repayment and Taxpayer Protection and Consequential Amendments Act; Loi sur l'équilibre budgétaire, le remboursement de la dette et la protection des contribuables et apportant des modifications corrélatives), standing in the name of the honourable member for Brandon East, who has 10 minutes remaining.

**Mr. Leonard Evans (Brandon East):** Mr. Deputy Speaker, we would like to use the few minutes available to us to put some final comments on the record with regard to Bill 2 prior to the vote that we expect to take place forthwith.

I cannot help but notice and note that after seven years in office this particular government has built up the provincial debt in Manitoba by at least one-third, and after all these years in government now they are talking about a method, talking about a process to pay down some of the debt as though they now have all the

answers to debt repayment. I simply ask, where was this government over the past seven years?

They could have paid down the debt by nearly \$60 million in 1988, and this is according to the former Provincial Auditor, Mr. Fred Jackson, at that time, who told me personally that those monies could have been used to pay down the debt instead of being put into a Fiscal Stabilization Fund. In fact, even the Dominion Bond Rating Service noted that that was the only surplus year that this government has achieved. This is the only year in which there was a surplus. The surplus was there, and it was available to pay down the debt.

In fact, Mr. Deputy Speaker, the Minister of Finance (Mr. Stefanson) in his budget has shown a surplus of \$48 million in this document, in his blue book, Manitoba budget 1995, and yet the Dominion Bond Rating Service has noted quite correctly that this is not a surplus, but it is a deficit of \$127 million. The reason they make that observation is because the government is using one-time-only payments of Crown asset sales and special lottery funds. These are being utilized on a one-time basis to pay down—to be used as revenues and therefore to attack the deficit on a one-year basis.

They used money from the sale of McKenzie Seeds. As a matter of fact, they took the money received in 1994 and put it into the 1995 budget. In addition to that, the special Lotteries transfer of \$145 million helped to contribute to the budgetary surplus. According to the Dominion Bond Rating Service, this is not a real surplus, but this is in fact a deficit. So, Mr. Deputy Speaker, all these years we have had an accumulation of debt; so much so that our debt today is 33 percent higher than it was when this government first took office.

I believe it is overly optimistic in its approach here. They seem to think that they have the answer, they have a schedule of debt repayment, but they have not taken into account some major realities. One of the most important is the fact that this economy of ours is subject to business cycles, and many economists are predicting a downturn in the U.S. economy by 1997.

The Canadian Imperial Bank of Commerce issued a report recently saying that there could be a serious

recession by that time. They also noted that it would have a negative impact on the Canadian economy, including the Manitoba economy, and that the revenue that the Minister of Finance (Mr. Stefanson) and this government expects to be achieving in a couple of years from now is simply not going to be realized. Therefore, the question arises, can they really live up to the commitments they are making in this bill?

It is going to be interesting to see whether ministers are prepared, indeed, to pay back some of their salary. In fact, you could throw out the whole debt repayment schedule if you accept the argument that unfunded liability should be included. It is our Provincial Auditor who said that they should be included. If that is the case, of course, we are talking about another \$9 billion in addition to the \$7 billion that the Minister of Finance has put into his Estimates as being the repayment target. So there is no question that if we go along with the Provincial Auditor, this whole schedule of debt repayment is totally out of whack.

Of course, I have said before, and I want to repeat at this time, this whole approach is really not in keeping with our parliamentary, democratic traditions because the tradition is that governments of the day take responsibility for fiscal policies needed in that particular year, and we have no right in this legislation, as we are, imposing on future legislators of this government, of this House and future citizens of this province a particular approach to fiscal matters as we are in this particular legislation, Mr. Deputy Speaker.

So I think that the government can find itself in some serious trouble down the line. I note that the Winnipeg Free Press in an editorial has indicated, and I am quoting: Fiscal prudence is important, especially during a period of high debt and deficit. So too is the capacity to govern with flexibility and creativity. Mr. Stefanson's balanced budget law is fraught with danger for his government and for those which will follow. The bill should be withdrawn—unquote.

Mr. Deputy Speaker, the government and this Minister of Finance (Mr. Stefanson) do not realize that one of the major factors at work that affect the economy and therefore affect provincial finance is interest rates, and interest rates are set nationally. Yes,

there are market forces at work, but also there is the role of the Bank of Canada. The Bank of Canada, or central bank, has seen fit historically to have a relatively high interest rate policy, but whether we agree or not, the fact is that there is volatility in real interest rates in this country and it can have a great bearing on the burden of debt.

There was a recent study done by a Mr. Ernie Stokes in the Canadian Business economic journal. He wrote an essay on interest and the debt, and he showed clearly that, if we only had a 2 percentage gap between the Canadian short-term interest rates and U.S. short-term interest rates, the projected federal budget in 1993-94 would be \$4 billion and not \$34 billion. He is pointing out in this article that our interest rates are far too high in Canada, and that, if they were brought down by two points to the American rate, there would be this fantastic impact on the level of the federal debt.

Well, I say those interest rates also have a bearing on our debt burden, on our deficit burden. So this, too, is something that the government has to realize; that is one of those dangers that lurk down the road as they proceed to implement this legislation. As I said, there is a great deal of dispute as to what deficits and debt have been in this province. There is disagreement by bond rating agencies. There is disagreement with the Provincial Auditor, and even Peter Holle of the Manitoba Taxpayers Association has observed, and I am quoting from a statement he made in the Winnipeg Free Press on October 3 of this year: There is a lot of smoke and mirrors about government accounting in general—unquote.

Mr. Deputy Speaker, this, too, presents a difficulty in us believing that this is good legislation.

\*(1540)

I see that my time is just running out, but I want to say this: that the effect of Bill 2 is to put this government in a budgetary straitjacket. It will not be able to offset recessions as it could if it allowed the normal process of budgeting to take place, and we have explained this before. It is going to lead to offloading onto other government levels. It is going to lead to cutbacks in all kinds of tax credits affecting middle-

income and poor people in this province and affecting small business in this province. We are going to see generally a further reduction of transfers to people living below the poverty line as well as further reductions in funding to our health and education system.

So it is bad legislation, Mr. Deputy Speaker, and I say, the legislation is flawed in logic and in details. I think the government should swallow its pride, withdraw this legislation as the Winnipeg Free Press has suggested. I believe that there are a lot of economists who have commented that there are mistakes in this, that there is not even sufficient funds in the proposed Fiscal Stabilization Fund to pay off the debt as indicated.

The last point I would make, Mr. Deputy Speaker, is that this legislation is not necessary. You can pay down debt, you can balance budgets, you can have surpluses without this legislation. In fact, there is nothing in this legislation that cannot be done without this Bill 2.

I say, unnecessary legislation is bad legislation. I learned that some many, many years ago and, therefore, I say, this flawed legislation, this unnecessary legislation, this bad legislation should be withdrawn. Thank you.

**Mr. Gary Kowalski (The Maples):** Mr. Deputy Speaker, I rise to speak in favour of balanced budget legislation, but against this balanced budget legislation. Just so the members will know where I come from, I am going to talk about a speech I gave over 20 years.

On Monday I will be lecturing to a group of people from Maples Youth Services Canada. I do not know why, but they have asked me to lecture on public speaking, so in preparing for that speech I looked at some old material from a course I took at Red River Community College 20 years ago, and the title of the speech was Financial Irresponsibility. I will just quote from the start of that speech.

Remember that I was just a young person at that time without the knowledge of economics and without having had a mortgage and a number of financial

responsibilities. It starts off, what would you call a man who earned \$20,000 a year but spent \$25,000 a year by borrowing \$5,000 each and every year. I would call him irresponsible, and yet that is exactly what Pierre Elliott Trudeau has been doing every year since he came into power 14 years ago. Well, I now have a better understanding of economics and I could understand some of the reasons, but in that same speech I write about the solutions, that the solutions are simple to see but are hard to swallow.

The deficit must be reduced, if not ended altogether. To do this, the government must spend less by either cutting back on the services it offers or find a way to do them more efficiently.

Speaking against this balanced budget legislation is—I do not want to appear to be against balancing the budget, but this legislation is bad legislation. The concept is one we are in favour of. That is why the leader of the Liberal Party, Paul Edwards, two years ago introduced a bill in this Legislative Assembly, balanced budget legislation, so we are not against the concept. That is why we were welcome to see this bill go to committee and hear the public presentations.

We were hoping that we would be able to make some amendments. Two of our amendments were not passed, one that would have called for the Provincial Auditor to determine if the budget was balanced or not. The second amendment dealt with a business cycle to not tie government down to one year, and one that unfortunately, because of an error by myself, to deal with the referendum issue. This goes back to—everybody would like a police station at the corner of their street. Everybody would like a hospital in their community. Everybody would like all types of services but nobody wants higher taxes—nobody.

I asked that question at the public presentations from a representative of the Independent Business association, and the question I asked him is: When? What circumstance can you imagine where you would ever, ever agree to increased taxes? And he said, there are none. And yet, if you ask people who are talking about the closure of emergency hospitals, you talk to people about schools, you talk to people about police services, they want more but nobody wants higher

taxes. That is why I was encouraged when I heard the words of the Minister of Agriculture (Mr. Enns) speaking to a matter of urgent public importance regarding hog marketing, that he said, I really do not have much confidence in referendums. I am prepared to accept the responsibility that people have given to me from time to time and act in, I believe, good conscience. That in fact is the responsibility the Executive Council has bestowed on me. That is leadership. Leadership is not polling the population deciding which way it is going and running to the head of the pack. It is making difficult decisions.

Yes, people are demanding no increase in taxes, but they are also demanding services. They want better medical care. They want better police protection. With the referendum, we have seen the dramatic impact it has had on places in the States. I guess the most notable is in California, where police cars sit in parking lots because there is no money to hire police officers, where police stations are closed.

The other day, in Michigan, I am not too sure what city, a school board went for the third time to its population to do a tax increase that would raise \$30 million for their school division. For the third time it was refused, even though this will result in classrooms of 40 to 60 kids in a classroom, gyms being used as classrooms. That is not leadership; that is poor government.

Mr. Deputy Speaker, although we are in favour of the concept of balanced budget legislation, we cannot support this legislation.

Thank you.

**Mr. Deputy Speaker:** The question before the House is third reading of Bill 2, The Balanced Budget, Debt Repayment and Taxpayer Protection and Consequential Amendments Act; Loi sur l'équilibre budgétaire, le remboursement de la dette et la protection des contribuables et apportant des modifications corrélatives.

Is it the will of the House to adopt the motion?

**Some Honourable Members:** No.

**Voice Vote**

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

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

**Formal Vote**

**Mr. Steve Ashton (Opposition House Leader):** Yeas and Nays.

**Mr. Deputy Speaker:** Yeas and Nays have been requested. Call in the members.

(Madam Speaker in the Chair)

**Madam Speaker:** Order, please. The question before the House is third reading of Bill 2.

**Division**

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

**Yeas**

*Cummings, Derkach, Downey, Driedger, Dyck, Enns, Ernst, Findlay, Gilleshammer, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.*

**Nays**

*Ashton, Barrett, Cerilli, Chomiak, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Hickes, Jennissen, Kowalski, Lamoureux, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Robinson, Sale, Santos, Struthers, Wowchuk.*

**Mr. Clerk (William Remnant):** Yeas 28, Nays 24.

**Madam Speaker:** The motion is accordingly carried.

**Mr. Gregory Dewar (Selkirk):** Madam Speaker, I was paired with the Premier (Mr. Filmon). Had I not been paired, I would have voted against the bill.

**THIRD READINGS****Bill 15—The Agriculture Producers' Organization Funding Amendment Act**

**Hon. Darren Praznik (Deputy Government House Leader):** Madam Speaker, I would move, seconded by the honourable Minister of Rural Development (Mr. Derkach) (by leave), that Bill 15, The Agricultural Producers' Organization Funding Amendment Act; Loi modifiant la Loi sur le financement d'organismes de producteurs agricoles, be now read a third time and passed.

**Motion presented.**

**Ms. Rosann Wowchuk (Swan River):** Madam Speaker, I want to just take a few minutes on this bill to indicate, as we did in second reading, that we will be voting against this bill because it is a very undemocratic bill. It takes away the right of farmers to make a choice.

Madam Speaker, farmers should have the right to organize. They should have the right to have a group represent them. Commodity groups should have a right to organize, but they should not be forced to join an organization that is the choice of this government, and that is what this legislation is doing. It is a negative option. Farmers are forced to belong to a farm organization which they may not choose to and have to apply back for their funds. This legislation is going to force grain companies and auction marts and other buyers to do the work that organizations should do on behalf of producers if they want to represent them.

Madam Speaker, when this legislation was introduced, I sent out letters to many producers informing them of what this government was doing, because the government had not informed them. I want

to tell you that I had well over 100 calls in response to this legislation, and there was only one of those calls from a producer representing the Manitoba forage growers association who said they wanted this. The rest of the producers said that they did not know the government was passing the legislation and that they did not support it. They wanted a choice, and they said that if an organization was doing a good job they would send their money in.

Keystone Agricultural Producers is the organization that is designated, and I can tell you, Madam Speaker, if Keystone Agricultural Producers will take a strong stand for farmers and hog producers on the legislation, on the position of the Minister of Agriculture (Mr. Enns), and stand up for producers and protect the monopoly of the hog marketing board, the farmers will go to them in droves for their membership. But we have to have an organization that is going to speak up for them, and when an organization speaks up for them, they will take their membership in that organization, but it will be their choice. It should not be forced upon buyers to have to collect it.

At the presentations the grain company said that they were not impressed with having to do this, but they would do it. We will see whether producers will follow it or not. We will see whether they will allow their money to be docked off their cheques when they go to it. They took the option to opt out before, and if producers are not happy, they will find a way to opt out. I hope that the government will recognize that this is not democratic legislation, and we do not support it.

\* (1610)

**Madam Speaker:** Is the House ready for the question?

The question before the House is third reading, Bill 15, The Agricultural Producers' Organization Funding Amendment Act.

#### Voice Vote

**Madam Speaker:** All those in favour of the motion, please indicate by saying yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Yeas have it.

#### Formal Vote

**Mr. Ashton:** Yeas and Nays, Madam Speaker.

**Madam Speaker:** A recorded vote has been requested. Call in the members.

#### Division

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

#### Yeas

*Cummings, Derkach, Downey, Driedger, Dyck, Enns, Ernst, Findlay, Gaudry, Gilleshammer, Helwer, Kowalski, Lamoureux, Laurendeau, McAlpine, McCrae, McIntosh, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.*

#### Nays

*Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Hickes, Jennissen, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Robinson, Santos, Struthers, Wowchuk.*

**Mr. Clerk (William Remnant):** Yeas 31, Nays 21.

**Madam Speaker:** The motion is accordingly carried.

**Mr. Tim Sale (Crescentwood):** I was paired with the Premier (Mr. Filmon). Had I not been paired, I would have voted against this bill.

#### House Business

**Hon. Jim Ernst (Government House Leader):** Just a point of clarification, it is my understanding that leave has been granted for all remaining bills to be into



the stage of third reading and that they will be called in sequential order.

**Madam Speaker:** Is there agreement for all remaining bills to be called in sequential order? [agreed]

#### **Bill 4—The Real Property Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Education (Mrs. Vodrey), that Bill 4, The Real Property Amendment Act; Loi modifiant la Loi sur les biens réels, be now read a third time and passed.

#### **Motion presented.**

**Ms. Marianne Cerilli (Radisson):** Madam Speaker, I want to just rise and put a few comments on the record with respect to Bill 4, The Real Property Amendment Act, especially after the good discussion that we had at the committee with regard to this legislation. This is the legislation that is going to afford protection to homeowners purchasing their home through an assumed mortgage and selling their home through an assumed mortgage. It will also provide more protection for banks and lenders insuring mortgages.

We want to see this bill come forward because it will assure the viability of assumed mortgages which increases the option or opportunity for more Manitobans to purchase a home. We want to make sure that it is indeed a viable option for both sellers and purchasers of homes to use an assumed mortgage option. We also want to make sure that there are going to be regulations in place so that the lending institutions will see this as a viable option as well.

As we discussed in the committee, Madam Speaker, there still is the possibility even with this bill that a homeowner selling their home under an assumed mortgage can be held liable. This would be the case if, as under one of the provisions in the bill, the term of the mortgage expires and a lending institution refuses to approve the assumed mortgage of the new homeowner. The bank could then demand claim against the original owner and there could be a situation, as was the case with one of my constituents

and I think constituents from the members on the opposite side as well, where they were held liable for tens of thousands of dollars. This can, as in the case of my constituent, occur years after they have sold the home and purchased another home and are then in the very difficult financial position, for many, many families in Manitoba, of having to be responsible for the mortgage of two homes, which they had not planned to do.

\* (1620)

We proposed an amendment to this bill that the government chose to not accept, and I think that it speaks to the government's dealings with this issue, because in the case that I just mentioned, in the scenario that I just mentioned, the banks still would hold the balance of power, if you will. There is also another area where the banks, I think, hold more protection than citizens, and that is in the area where we proposed the amendment. I want to give the example that I think is a reasonable situation for homeowners to be in and to expect that a lending institution would still afford them the opportunity to have their assumed mortgage approved. With this bill that is not going to be possible.

We proposed an amendment that would eliminate the three-month window for homeowners to apply to have the bank approve their mortgage after the transaction or sale of the home has been made, and this government rejected that amendment. I want to give the scenario where that would be a reasonable scenario, where that kind of amendment would need to be in place in the legislation.

If there is a situation where there is a family, that when they purchased the home under an assumed mortgage, they are a one-income family and they do not want to go forward within the three months after purchasing the home, to apply for approval of the assumed mortgage, and they know that down the road, perhaps even in four months, they are going to be a dual-income family and would then be in a much stronger financial position to have the bank approve the assumption of the mortgage, I believe that that family is going to be prevented from having the mortgage approved. The vendor of that property is going to then

be held responsible for the personal covenant of the mortgage until the end of the term of that mortgage. It just does not make sense that this is a situation that would have to occur.

I have put this case forward at the committee. The minister and the government refused to look at it seriously, I believe. I think though that they are going to have to look at this bill and The Real Property Act again in this case.

The Manitoba Law Society had a member of the subcommittee that deals with real estate mortgage matters at the public hearings. Unfortunately the individual, a lawyer, was not able to make a presentation. It was unfortunate that he did not register before we began dealing with the bill, but that group, the subcommittee on real estate and mortgage matters with the Law Society, is going to put forward a letter that will also raise other concerns with respect to the legislation. I think that the government has not—and some of those issues deal with families that may or may not have joint ownership of their homes.

I am just about to conclude my remarks by saying that we are going to support the legislation. We do feel that there are some problems with it or there are some areas where it could have been more balanced, it could have done more to protect the interests of citizens in Manitoba, and to indeed make assumed mortgages a more viable option, but we will support the legislation because it does go some way, does take some steps in making that possible.

So with those remarks I want to again thank the minister for bringing forward the bill. As we have said before, this was a bill that we had been asking for and had come out of concerns raised by constituents from this side of the House, and we are glad to see that there are going to be some improvements to The Real Property Act so that mortgagors are going to be further protected. Thank you.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 4, The Real Property Amendment Act, Loi modifiant la Loi sur les biens réels. Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

#### **Bill 5—The Education Administration Amendment Act**

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Education (Mrs. McIntosh) (by leave), that Bill 5, The Education Administration Amendment Act; Loi modifiant la Loi sur l'administration scolaire, be now read a third time and passed.

**Motion presented.**

**Ms. Jean Friesen (Wolseley):** Madam Speaker, I just wanted to put a few comments on the record on third reading about his bill.

There were a number of presenters in committee at this bill, and I want to first thank them for the very serious presentations which they made and also to note that the presenters did indicate support for this bill in the area where the government has changed it. This, of course, is in the government's change from the last session when they were permitting teachers to suspend students from both school and classroom.

The government has withdrawn that section, and I think most of the presenters, indeed all of them, were very thankful for that and we do congratulate the government for also withdrawing that. I wish that the former member for Rossmere had been here to note and to vote on this bill because I think he endured a great deal of mockery at the hands of this government for putting on record exactly the same concerns which we heard in committee and to which the government has thankfully now reacted.

Presenters at committee also were concerned about a number of other areas and in particular about the minister's intentions for school councils. I think there is throughout Manitoba universal support for a variety of types of school councils, and the problem with this bill is that it does not lay out in the bill, as for example in the Yukon public schools act, it does not make clear the intentions of the minister for the franchise, for the

role of the council, for its reporting lines or for its membership.

This issue was raised by a number of presenters, and it is certainly ones that we have also raised in the House before. In committee these intentions were really not made clear. It seems to me that the government has not yet given a great deal of thought to the franchise or to the membership of these committees. The franchise, for example, when we discussed it in committee the minister seemed to me not to have a clear idea about the distinction between people who live and work in the community. I know that the department and the minister will want to pay some attention to that as it draws up its regulations.

The presenters were also very much concerned about the existing schools councils. There are, of course, 85 percent of Manitoba children who are covered already by school councils, and there was concern, I think, to express to the minister that people were very supportive of existing school councils which operated under a number of different types of guidelines and reported to their school boards. They were concerned that the act set up the possibility that these councils which are functioning well, in most cases, can be overturned, and we had a rather peculiar debate within the committee as to whether in fact they could be or not. The minister claimed that it was not her intent to eliminate existing successful councils, and we will take that on trust, but she also, it seemed to me, envisaged a situation where 10 parents could ask for council elections and yet be unable to find seven parents, which is the minimum in the existing guidelines, for the creation of a council. So I think there are some areas for concern there, and we do want to express our concern again and our support for those existing councils which are working well and which are supported by the people in the community and by the parents.

\*(1630)

Madam Speaker, we also proposed an amendment, and our amendment was based upon a government report, that of the Roy White committee, the panel for legislative reform, which sat for several months, which toured Manitoba, which heard hundreds of presentations, and which brought forward specific

proposals for legislation for school councils. They recommended that the regulations for school councils be made by school board by-laws. We thought that would deal with the issue of flexibility required by the diversity of Manitobans and of Manitoba communities. We thought that would enable the existing school councils to continue, successful and supported as they are. We thought that proposal supported the role of school boards, and we know from recent discussions around school boards in Manitoba and the Boundaries Commission how very important those school trustees and school boards are to Manitobans. We wanted to support that role.

Finally, Madam Speaker, we thought that our amendment would avoid any question of the new legislation that the minister is proposing, this Bill 5, that might indeed lay the ground in regulations and in legislation for charter schools. Charter schools is a different issue, should be debated differently and publicly rather than coming in by the backdoor. We have some concerns that this bill lays not sufficient legislative grounds for creating charter schools, but it does open the door to some of those changes. So those were our concerns that we expressed at committee and which I think were expressed by a number of people who presented.

We are, and we want to stress this, strongly in favour of community councils which support our schools. We want to make the point that a number of presenters have, that advisory councils for school leadership are not the only way for parents to become involved in schools, and perhaps this then becomes the entire focus when it need not necessarily be so.

We should as a province and as school boards be encouraging and finding many, many ways for parents to support their children in schools. The advisory council and school leadership, the school community councils are only one way. We want to perhaps remind the minister and the department that we do seek many, many other ways of supporting parents in their educational roles with their children and with the community's children.

I think, Madam Speaker, that the minister understood many of these concerns, and I was particularly

heartened by the minister's recognition that trustees and parents and community members wanted consultation on the regulations that the minister would be preparing.

One of the presentations, I believe it was the Manitoba Association of School Trustees, made a reference specifically to a different government commission, that one initiated by the Minister of Government Services (Mr. Pallister), which has indicated to Manitobans that they can and should be involved in the development of regulations for bills. The Minister of Government Services is speaking particularly in the context of the elimination of red tape.

The school trustees looked at this and thought that this was also appropriate for developing regulations which are going to affect a wide variety of communities across Manitoba. Again, in concluding a few brief remarks on this bill, I want to draw that again to the minister's attention. She, I think, was prepared in committee to do this, and I think that it was in the regulations that people saw their greatest anxieties. So that consultation and the development jointly of those kinds of regulations for school councils I think will be most important and crucial to the success of these councils.

Although we have some very serious concerns about this bill—we did try to amend it—we are prepared to take on faith the government's concern and their commitment to review and to consult in the development of regulations.

Thank you, Madam Speaker.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 5, The Education Administration Amendment Act; Loi modifiant la Loi sur l'administration scolaire. Is it the will of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

**Mr. Ernst:** Madam Speaker, I wonder if there is a will of the House to waive private members' hour today.

**Madam Speaker:** Is there a will of the House to waive private members' hour today? [agreed]

#### **Bill 6—The Public Schools Amendment Act**

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Education (Mrs. McIntosh) (by leave), that Bill 6, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, be now read a third time and passed.

**Motion agreed to.**

#### **Bill 8—The Off-Road Vehicles Amendment Act**

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Downey) (by leave), that Bill 8, The Off-Road Vehicles Amendment Act; Loi modifiant la Loi sur les véhicules à caractère non routier, be now read a third time and passed.

**Motion agreed to.**

#### **Bill 9—The Wills Amendment Act**

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Justice (Mrs. Vodrey), that Bill 9, The Wills Amendment Act; Loi modifiant la Loi sur les testaments, be now read a third time and passed.

**Motion agreed to.**

#### **Bill 10—The Development Corporation Amendment Act.**

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), that Bill 10, The Development Corporation Amendment Act; Loi modifiant la Loi sur la Société de développement, be now read a third time and passed.

**Motion presented.**

**Madam Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Madam Speaker:** The question before the House is third reading, Bill 10.

#### Voice Vote

**Madam Speaker:** All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Gary Doer (Leader of the Opposition):** On division.

**Madam Speaker:** On division.

#### Bill 11—The Trustee Amendment Act

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, I move, seconded by the honourable Minister of Justice (Mrs. Vodrey), that Bill 11, The Trustee Amendment Act; Loi modifiant la Loi sur les fiduciaires, be now read a third time and passed.

**Motion presented.**

**Madam Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Madam Speaker:** The question before the House is third reading, Bill 11. Is it the pleasure of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

#### Bill 12—The Louis Riel Institute Act

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the honourable Minister of

Agriculture (Mr. Enns), that Bill 12, the Louis Riel Institute Act; Loi sur l'Institut Louis Riel, be now read a third time and passed.

**Motion presented.**

\* (1640)

**Mr. Gary Doer (Leader of the Opposition):** I just want to add my words to others that have spoken on this bill at second reading. We, of course, in this caucus support the legislation, The Louis Riel Institute Act.

Madam Speaker, I think obviously we are approaching a very important anniversary of Metis people, I believe shortly. If my memory serves me correctly we will again be celebrating the birthday of Louis Riel in St. Boniface. Often we all go to St. Boniface to the grave and pay tribute to the great contribution in our Manitoba history of Metis people.

Madam Speaker, I know that we have passed resolutions in this Chamber on the contributions of Louis Riel to the establishment of our province. The Riel provisional government, of course, is the first government in Manitoba in terms of establishing this province. We also pay tribute to the fact that in the House of Commons, under I believe Joe Clark, there was a resolution to pay tribute to Riel. I know there are other measures that we would like to see pass in the House of Commons and in our country dealing with the role of Louis Riel.

Madam Speaker, it is very important that our history and the history that is taught in our schools reflect the contributions of Riel and the Metis people in this province. I think that many of us who went to school a number of years ago were taught that Louis Riel was a traitor that was hanged. We were not taught about the great contributions of establishing this wonderful province of Manitoba and the great contributions of Riel and the Metis people in the development in our history.

So it is very important that not only do we pass legislation, but we give meaning to bills that are passed in this Chamber. I have had the opportunity to meet

with a number of heads of the Metis organizations, Edward Head, John Morrisseau, Ernie Blais, Yvon Dumont and Billyjo DeLaronde.

I have also had the experience of dealing with Sandra Delaronde, who is president of the Canadian Metis women association of Canada, and they have given us a lot of advice.

I also have enjoyed and respect the opportunities we have to meet with the local activists in the Metis community who are trying to improve the lives of their members. Whether it is fishing issues in northern Manitoba, whether it is educational issues in other communities, whether it is housing issues, the local organizations and the volunteers that are so actively involved in that organization are very, very important to us.

As the member for Rupertsland (Mr. Robinson) has stated in his speech previously, to some degree the Metis people are the forgotten people of Manitoba, and I just hope that this bill, this institute will help us remember and put meaning to the historical role of Metis people in the establishment of our province, of our communities and give meaning to the very important role that Metis people will continue to have in the leadership and participation in our province. Thank you, Madam Speaker.

**Mr. Kevin Lamoureux (Inkster):** We, too, do support the Louis Riel Institute as a charitable, nonprofit organization and understand that it is going to be mandated to continue and expand the study of Manitoba history for a lot of good reasons, as the Leader of the New Democratic Party (Mr. Doer) has pointed out.

I know, Madam Speaker, that my colleague, in particular, the member for St. Boniface (Mr. Gaudry) has always been very proud of Louis Riel and has taken so many opportunities to honour this particular individual. We are also pleased in the sense that the MMF will be given a role, a significant role to play in the make-up of the board.

With those few words, Madam Speaker, I would like to see the bill pass.

**Mr. Eric Robinson (Rupertsland):** I would like to just say a few words with respect to the bill.

As I indicated earlier, and as the words spoken by our Leader, the Metis people indeed have been regarded as a forgotten people over the years. Having grown up with many Metis people in my home community, I have seen first-hand a lot of the discrimination that the Metis people or the mixed-bloods had to face. In fact, my late father was regarded as a mixed-blood Indian, and also my grandfather. This was because my grandfather joined up with the army in World War I to fight for the freedom of this country, along with many other men from the Grand Rapids, Cross Lake, and Norway House communities.

These people did not have to join the army to protect this country. In fact, they did it voluntarily. They felt, based on the treaties that were made with the Crown, that Indian people had an obligation to protect Her Majesty Queen Victoria at that time, so many aboriginal men and women enlisted in the armed forces in years gone by.

Unfortunately, what resulted was, many of these people who joined up in the armed forces lost their Indian status as a result so that they could be with their friends in drinking establishments, for example, and also in other places where Indian people at that time were not allowed to be in. Many people gave up their treaty rights to be in these places that they were not allowed to be in.

We have seen Metis people gain and make a lot of significant strides over the last few years particularly. Over the years I have become acquainted with many of our Metis leaders. Many times it is hard to distinguish Metis people from First Nations people because, for the most part, we are all regarded as simply Indian people anyway, or as aboriginal people, in modern-day terms.

It was not until 1982 that aboriginal people together, and I mean lumping the First Nations, the Inuit and Metis people, were formally recognized in Canada's Constitution when the Constitution was brought home to Canada from England. We congratulated the Metis people that finally, after many years, they had that formal recognition as being a nation among themselves,

together with the First Nations and also with the Inuit people. Up until that time, the whole notion of Metis people was such that the Metis people did not really exist.

We are very proud on this side of the House to be supporting this bill, and we would expect all members of this House to give this bill unanimous approval.

Thank you.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 12, The Louis Riel Institute Act; Loi sur l'Institut Louis Riel. Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

**Bill 13—The Split Lake Cree  
Northern Flood Implementation Agreement,  
Water Power Amendment  
and Consequential Amendments Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), that Bill 13, The Split Lake Cree Northern Flood Implementation Agreement, Water Power Amendment and Consequential Amendments Act; Loi concernant l'accord de règlement de la première nation crie de Split Lake relatif à l'application de la convention sur la submersion de terres du Nord manitobain, modifiant la Loi sur l'énergie hydraulique et apportant des modifications corrélatives, be now read a third time and passed.

**Motion presented.**

**Mr. Steve Ashton (Thompson):** Madam Speaker, I just wanted to place a few further comments on the record. I had the opportunity to speak on second reading, and I had the opportunity as well to make some comments at committee about the significance of this bill and the efforts, the experiences and the ongoing work of the residents of Split Lake and the Split Lake Cree First Nation.

What I would like to do is commend all of those who have worked throughout the years on community issues and particularly on dealing with the implications of the flooding that took place, and, I think, note for the record that it took a great deal of work and a great deal of effort not only from leaders of the community but the elders, the many residents of the community.

\* (1650)

I wanted to do so because I think that is what is the most appropriate thing to do today is to reflect on the 18 years of work from the signing of the Northern Flood Agreement and the years that preceded that in terms of the original negotiations and reflect upon the difficult road that the people of Split Lake took, being the first community to be involved in negotiations towards a final settlement that has culminated in this particular bill. What I want to do, Madam Speaker, is pay tribute to each and every one of the residents of Split Lake who were part of this process.

I had the interesting opportunity a number of weeks ago to be able to attend a retirement in honour of one of the respected elders of the community and respected elders throughout northern Manitoba, and I had the opportunity at that time to talk to Chief Norman Flett, to Joe and many other community residents. I think it is important to recognize the involvement of individuals throughout the process, because there were many times when the chief and council had to seek the wisdom of the elders of the community, had to seek the wisdom of people of the community.

I can indicate that there were many difficult moments and there was reference even at this retirement event of some of the many difficult moments, but throughout the deliberations, Madam Speaker, there was, I think, a sense in Split Lake that it was important to ensure that whatever was done in the final analysis was done in the appropriate manner, was something that was done with full consideration of all the consequences. It was done in a way that at times was perhaps even a slow but steady process, and it comes out of the commitment, I know, in the community to the future.

The sad part is that many people impacted by the original flooding have since passed on. Many of the

elders at the time are no longer with us. I think it is important that we understand that what the people of Split Lake are doing with the passage of this bill, the passage of the bill through the House of Commons, the signing of the final agreements, is ensuring that there will be at least some greater hope for the many young people in Split Lake.

In many ways, the legacy of those people who are no longer with us will be not only their commitment to the community and the role they had in building and maintaining a very vibrant community, but also the wisdom of the negotiations, the discussions, of ensuring that the young people of Split Lake, the next generation will have some opportunities where perhaps previous generations only saw the negative impacts of the flooding that took place.

As I was at the retirement, Madam Speaker, I was very honoured to be able to speak on behalf of the Legislature. I was presented with this representation of the Split Lake Cree First Nation, which I promised at the time, which I indicated that I would take into the Legislature out of recognition of just how significant the role was of the people in the community and the elders.

As I do that, and as I hold this here today, and I realize that rules prohibit us in terms of having exhibits in this House, but I bring this here more as a symbol of what I think is perhaps the most striking fact of what has happened. That is despite everything that has happened in terms of the flooding, despite the 18 years of negotiations, despite the many years which the people of Split Lake Cree First Nation have worked on this particular matter, that they still show a great deal of respect for this Legislature, for other levels of government, for Manitoba Hydro. When I bring that here today, I do it out of recognition of the spirit of respect that was shown by Mr. Morris and my appreciation to him, my deep honour in the respect that he paid me by making me this presentation.

So, Madam Speaker, with those few words, I want to say on the record, once again, that this is a very significant day for the Split Lake Cree First Nation. I, too, look forward to working with the residents of Split Lake towards what I think is the real goal of these

negotiations, and that is, ensuring a better life for the younger generation, for the young people at Split Lake, ensuring that the legacy of the many community leaders, the many residents, the community elders that negotiated and worked on this agreement is transferred into a new spirit of hope for the young people of Split Lake. Thank you.

**Mr. Eric Robinson (Rupert's Land):** Madam Speaker, I would like to just say a few words with respect to this bill as well.

*[Cree spoken]*

What I said in Cree, Madam Speaker, is that the things we do today must reflect our character, must also reflect our commitment to our nation in a country that we know as Canada, but we also be true as to who we are as First Nations people. We have to be true to our language. Without our language, we will not preserve our nationhood. Those are the words that were spoken by the elders of the Split Lake community when the honourable member for Thompson (Mr. Ashton) and I had the opportunity of visiting there most recently.

I had the opportunity of being in Split Lake on numerous occasions, one time with the commissioners of the Aboriginal Justice Inquiry who were examining some of the problems that the people in Split Lake were having with relation to the justice system as it relates to them. I had the honour of being in the company of the former Chief John Garson and members of his council and also members of the community and members of the elders council in Split Lake. We had a community meeting last spring, when it was about 35 below outside, along with the member for Thompson (Mr. Ashton) and me. It was probably the first time that I witnessed a blessing by the elders, and also members of the community, for a representative such as an MLA, their MLA in this case, who represents them in the Manitoba Legislature.

(Mr. Deputy Speaker in the Chair)

Time was taken from the very busy schedule and also a very hectic agenda, but what we have come to learn by visiting communities, not only like Split Lake but other communities like that, is that time is not



important. What is more important is to get the business at hand accomplished, rather than being restricted by certain time factors as we are in a bigger world.

\* (1700)

In that blessing for the MLA, the member for Thompson, the elders talked in our language and my first language about the work that is necessary for him to do in this Legislature, to be of good mind, to be of good heart and to be of good spirit, the three sacred elements among Indian tradition that makes a person function. These three things are reflective in a person, for example, in the way you see a blade of sweet grass or the way you see a person wear the three links in their hair, that may wear braided hair. Those things also represent that those three very sacred elements are the three things that make all of us operative in our everyday lives. It was a very emotional moment for me when I saw the MLA because rarely do we see nonaboriginal people get that blessing from an aboriginal community, but I was indeed proud of my elders and my relatives in Split Lake for honouring my colleague in that way.

Split Lake is a very traditional community. In spite of the negative things that have occurred there and the alteration of a way of life from the traditional way of securing a livelihood through fishing, trapping and hunting, the people have nevertheless been able to survive and have made changes and have made adjustments to their way of life, although it has been difficult in certain situations to alter the way of life that was much more common to our people.

In my language, we are referred to as ispapiskinowuk, the high-rock people, roughly translated from the Cree language. The people that settled in Nelson House, Norway House, Cross Lake, York Landing and, of course, Split Lake, these are people that settled along the Nelson River system and made our livelihood from there. Our forefathers were mistakenly known as the Swampy Cree. The traditional name for our people are the High Rock Cree people because of the way we situated ourselves and the way our forefathers situated themselves along the river systems in northern Manitoba. Those four or five communities, including

York Landing, are very closely connected by relationships and by international trade in years gone by, so the five communities were also the first five communities that entered into the Northern Flood Agreement in 1977. Split Lake, of course, has decided to go on its own, and I think that we indicated to Chief Norman Flett, who was here last week in committee, that we would certainly support this bill.

I believe what has to be mentioned here is that congratulations have to go out to the perseverance and the patience of the Cree people in Split Lake. It has been many long, hard years, and we want to congratulate them for their efforts in having this act proclaimed. At the same time, I also want to congratulate the Minister responsible for Native Affairs (Mr. Praznik) for the work that he has done, along with his staff, in working with the people in realizing this. I think that it is in my custom, it is in my tradition to do that.

But what we are doing here is not trying to take credit nor politicize the situation. Simply what we are doing is proclaiming an act here, in my opinion, that will provide some pride in the future for the generations to come, something that First Nations people are highly regarded for, because we are told that whatever we have in mind today, we must think about two generations and three generations ahead, so that way, what decisions we make today will not harm our children and grandchildren. We always have to look ahead; we have to have some foresight.

Mr. Deputy Speaker, with those few words, I would encourage all members of the House to support this bill for the good of the Split Lake people.

**Hon. Harry Enns (Minister of Agriculture):** Mr. Deputy Speaker, some members will recall that I attempted to make a few comments on Bill 13 at second reading but missed my opportunity or was unable to do so.

Mr. Deputy Speaker, I certainly do not want to prolong the debate, nor do I want to provoke a debate. I am, of course, supportive of the legislation, and I am appreciative of the comments made by the speakers on this bill, particularly the member for The Pas (Mr.

Lathlin) and the member for Rupertsland (Mr. Robinson), and it is for that reason that motivates me to make a few comments.

The member for The Pas spoke eloquently about a way of life that is no longer there: those were good days, those were good times, that was a good life. He spoke in that vein.

The member for Rupertsland, at second reading, also made an eloquent speech and commented about the fact that it was not his purpose—and I appreciate it, and he indicated that again today—to politicize the debate. In his speech he made reference—he thought that perhaps he could throw remarks across this Chamber as to who is responsible for the flooding of the many traditional territories and loss of life: it is unfortunate that we lost our way of life in many of our northern communities.

It is those comments made by these two particular members that prompt me, as the only member in this Chamber who participated in an active way when some of those very serious decisions were being made, and for the record, if for no other reason if some undergraduate student is doing research sometime in the future, the record is clear. Let the record be clear.

In the early '60s, when the then-administration of Duff Roblin decided that the northern rivers of Manitoba would provide the energy for future requirements of Manitoba, many discussions and many studies preceded that decision. Nobody can deny that those silent giants that produced the cleanest energy in this world are troubled with the problems of coal or oil or nuclear, that those were the right decisions. It was known from the beginning, sir, that there would be costs involved, and the member for The Pas (Mr. Lathlin), the member for Rupertsland (Mr. Robinson) represent communities that paid some of the cost, some of which we are addressing with Bill 13.

But let the record be clear, Mr. Deputy Speaker, that need not have happened. It was known right at the early investigations that if the Nelson River could be augmented, if additional water could be added to it, tremendous efficiencies to the production of hydro generated could be realized. The obvious sources were the Churchill River waters and a great deal of

studies—some of the best international and national engineering firms consulted, and I suspect Manitoba Hydro paid out several millions of dollars to research the most desirable route. They looked at using the use of Lake Winnipeg as essentially a hydro reservoir, which meant then augmenting the Nelson River through a channel at the northern end of Lake Winnipeg and, indeed then, of course, affecting the water levels at Split Lake, at Cross Lake and all the communities that we are now talking about.

They also looked at an alternative route, and that is getting the same amount of waters, indeed a bit more water, from one source, South Indian Lake. At that time, the land around South Indian Lake was unoccupied Crown land. There was no permanent settlement. There were some fishing shacks there, largely fishermen who used to frequent the lake from the Nelson House community, but there was no reserve. There was no organized community.

Senior management of Manitoba Hydro made the decision at that time, in the spring of '69, that the cost of augmenting water by the Lake Winnipeg route was just too costly, too costly in human terms, too costly in environmental terms and too costly in sheer dollars as we are witnessing today as we make amends for that decision. That decision was accepted by the then-government, Conservative government, of Walter Weir, which I was pleased to be a member of. Indeed, I was the lead minister who brought into this Chamber a bill, Bill 15—I remember it well—that would provide legislative authority for that action, that said, if you have to flood, then just keep your flooding contained in one place. Yes, the flooding at South Indian Lake would have been somewhat more than what has now occurred, but for those of you who have ever maybe experienced basement flooding in your basements, it really does not matter. The damage is done with the first five inches or 10 inches of water on your carpeted floor or something like that.

That became a big election issue in the election of that same spring. Members opposite, who were the third party at that time, took a very active role in it. I often refer to that as the dawning of the environmental age in Manitoba, and understandably so. There was massive environmental damage that was about to be

done to a significant portion of northern Manitoba, but it was to be contained at South Indian Lake. My government was defeated, although I was privileged to come back in this Chamber. The New Democratic Party government led by Ed Schreyer felt they had an obligation to review the whole situation, and review the situation they did.

\* (1710)

They fired the general manager, the president of Manitoba Hydro, and brought in somebody that, in my opinion, from Saskatchewan Power, was a little more politically correct, and politics intervened massively for the first time in what should have been highly technical decisions. And what happened? When you compromise, you end up with the worst of both worlds.

They found out that they compromised for still flooding South Indian Lake and using Lake Winnipeg as a hydro reservoir causing the flooding that we are compensating now for in Bill 13. Had that decision not been made, the communities of Split Lake, Cross Lake, York Landing, Nelson House, would not have suffered any damage.

At the very formal and lengthy official inquiry that was conducted by the late Chief Justice Tritschler, he couched it in appropriate words. But the cost to the Manitoba taxpayers was in excess of \$500 million to dredge that channel at the north end of Lake Winnipeg, to put in probably the most inefficient hydroelectric station that we have anywhere on the continent at Jenpeg, where we imported the horizontal Russian submersible turbines, when the other alternative at South Indian Lake would have cost us in the order of \$48 million as compared to the \$500 million that the New Democratic Party government led by Ed Schreyer chose.

But along with it, regrettably, we are now still paying the bill. And more to the point, Mr. Deputy Speaker, that government led by—and honourable members may not agree with everything I say, but this is all factual, it can be documented—a very willful Minister of Mines and Natural Resources, one Sidney Green, refused to acknowledge the damage. He refused to sign the Northern Flood Agreement. Adamantly he refused.

One of the first things that another Conservative government did when they came into office under Sterling Lyon was to acknowledge the hurt, to acknowledge the damage, and sign the Northern Flood Agreement. Then we began to work towards honouring the terms of the Northern Flood Agreement. Regrettably, these take time. These are multitiered, you know, negotiations with the federal government, the Indian bands involved, with Manitoba Hydro, with the provincial government, and before we could address the issues, we were thrown out of office again, in '81. Then followed six years of total inaction by a New Democratic Party government, and it had to wait to this day for some action taking place.

While I add my thanks that have already been expressed to the communities at Split Lake, to the elders, to everybody involved, the person that probably deserves the most of the thanks is our Deputy Premier, the honourable member for Arthur (Mr. Downey). You know, Mr. Deputy Speaker, there was some chuckling going on when he was appointed Minister of Northern Affairs from our most southwesterly part of the province.

We sometimes get chastised from honourable members that this group is not sensitive enough to issues of the North. Bill 13 speaks in the loudest possible terms possible that we on this side will address legitimate grievances. We on this side do concern ourselves with issues in the North. We on this side stand for action. Thank you, Mr. Deputy Speaker.

**Mr. Gary Doer (Leader of the Opposition):** I want to rise to, of course, support Bill 13 and just deal with a couple of matters raised by the honourable member back in 1966 and '69 and '77 and '85 dealing with other proposals.

First of all, let me say that we do support this bill, and we do support the agreement reached with the elders and people of the Split Lake community.

I too have had the opportunity to visit those communities, all the communities mentioned by the minister, and of course we all recognize that there was damage done, and we have all recognized that in this Chamber. It is interesting, you know, to talk about the

alleged benign damage that would have been created with the 35-foot flooding proposal—

**An Honourable Member:** Benign, it would have been massive and severe, but contained in one area.

**Mr. Doer:** There is rather an interesting description about the 35-foot option which would have been massive and severe, as the member has indicated, and the 10-foot option that was accepted by the Schreyer government. Suffice it to say that members in this Legislature today would probably have not accepted either option. We have gone forward, we have moved ahead as a society, as a province.

We have, I believe, reached a much greater maturity about the way in which developments must proceed and the balance that must take place with people. I think it is important to note that it is not just an intent that is in this Legislature by words, but also by law.

In 1987 the new Environment Act was created in this Chamber supported by all parties, I might add. It was the only act of legislation that we proclaimed in 1988 in the election campaign. We did not appoint anybody. We did not sign any contract. I was in the middle of that election and elected as leader of the government, and the only thing I said we should do is proclaim The Environment Act, because it had passed this Legislature.

It does provide that the Crown is bound and must go through an Environment Act that has the people of Manitoba involved in it, and sometimes we have debates about 10 feet versus 35 feet. Sometimes we will debate—the minister has his view on this. He says that five inches is no different than 10 inches. I would rather be drowning in a two-foot pool than a 10-foot-deep pool perhaps. [interjection] Because I can go to the side. Probably a bad example—do you know what? I think I am going to withdraw. I am going to make my first withdrawal of the session on my words.

**An Honourable Member:** Try again.

**Mr. Doer:** Well, some of us know when we make a mistake. Some of us do not. Mr. Deputy Speaker, there would have been damage, as the minister has

indicated, on a significant community. I have been to that community, and there are many people who feel that both of the options in South Indian Lake were not acceptable.

The whole issue of 1977 Northern Flood Agreement has not been totally resolved. The Aboriginal Justice Inquiry, a commission of hearings that took place across Manitoba, recommended that the Northern Flood Agreement be treated as a modern-day treaty, that we would not have piecemeal settlements as we have before us here, which we support because the people of the community support it, but we would have a modern treaty for the aboriginal people who are affected in the communities the minister indicated. The government has not implemented the Northern Flood Agreement as a modern treaty. In fact, they have not implemented any recommendations. Recommendation No. 1, establish a co-commission between the government and the First Nations people in terms of the Aboriginal Justice Inquiry.

Mr. Deputy Speaker, the Churchill River projects did create damage. It did create damage, we believe less damage than the other option that was being proposed by the Weir government, and that is a matter of history and a matter of disagreement in a democratic society. It is interesting that when we move forward to the next project in 1984-1985, the Limestone project on the Nelson River, I believe there is one community that has some claims in terms of the community left in Sundance, the Fox Lake community, but, other than that, there was very little damage done on the Nelson River. In fact, that was approved by the federal agency at the time, the federal energy board at the time, an independent board, but that still was not the opportunity to have independent hearings and an independent process that must take place.

\* (1720)

I would also remind members opposite, and this was a matter of dispute between the former Minister of Energy and Mines and Minister responsible for Hydro and First Nations communities, that the Northern Flood Agreement says that there must be a full environmental impact study of the damages done by this Northern Flood development. Mr. Deputy Speaker, that full

environmental assessment has not been completed pursuant to the Northern Flood Agreement signed by the previous Lyon government. There are many people that argue that assessment should be complete rather than having just settlements that are arrived at by certain criteria, that we should proceed and complete what are the actual damages that were done, and there were damages done under the projects covered by the Northern Flood Agreement.

This does conclude one community's part in terms of this settlement, but it does not conclude all the issues raised in the Northern Flood Agreement, the issues of treaty land entitlement and the whole issue of a modern-day treaty, Mr. Deputy Speaker, that has been proposed in the AJI. So you have two or three outstanding issues still in the whole area of the 1977 Northern Flood Agreement and in the decisions made in the early '70s on proceeding with this development.

I do think it is important to note, Mr. Deputy Speaker, that never again should any political party proceed with independent environmental assessments that is now required by law, by independent assessments of damage that will be done by any hydroelectric project. I think it is important in the 1990s to recognize that we now have a law in this province that would have provided independent decision making, nonpolitical decision making, independent advice to us, and comprehensive environmental and sustainable reviews of any project and how they would affect people. That is the important message, that never again should we proceed in any project that affects directly people, without them having a right and the people themselves having a right to speak up and be heard as part of an independent environmental process.

I want to add my words to the minister's on Bill 13 and to others on Bill 13, but as I say, we still believe in the Aboriginal Justice Inquiry's recommendation that this Northern Flood Agreement be treated as a modern-day treaty as recommended by Justice Hamilton and Justice Sinclair. Thank you.

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House is third reading of Bill 13, The Split Lake Cree Northern Flood

Implementation Agreement, Water Power Amendment and Consequential Amendments Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Mr. Deputy Speaker:** Agreed.

#### **Bill 14—The Mines and Minerals Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Culture, Heritage and Recreation (Mr. Gilleshammer), that Bill 14, The Mines and Minerals Amendment Act; Loi modifiant la Loi sur les mines et les minéraux, be now read a third time and passed.

**Motion presented.**

**Ms. MaryAnn Mihychuk (St. James):** Mr. Deputy Speaker, I have had the opportunity to speak to this bill in second reading and in committee and at that time raised several concerns about The Mines Amendment Act as before this House. To give credit to the minister, some amendments were made in committee. One issue, dealing with the date of the annual release of the annual report, we raised our concerns about the delay amounting to six months, and we have moved that date to September publication release date, and we have concurrence on that issue.

In addition, in the committee stage and in second reading, I raised the issue of The Mines Act, recognizing another deficiency, and that was recognizing a certain amount of flexibility was needed for prospectors and explorers who need to do work on claims that have been affected by natural disasters.

This year we saw the North ravaged by fires once again. Some of those areas are difficult to get to at the best of times but, when you are dealing with an area of a fresh burn, it is particularly difficult to get in and do the required work on those claims.

That amendment was then brought forward in committee and we were pleased to respond to the need of the mineral industry. We are pleased to respond to

the needs of local prospectors and make The Mines Act a more reasonable and workable document. However, Mr. Deputy Speaker, we have some serious concerns about the amendments proposed, in particular the deletion of the conflict of interest provision in The Mines Act, a provision that in fact covers those who have access to sensitive materials information. Those who have had any knowledge or workings with the mineral industry will realize that there are significant economic repercussions to the knowledge that can be attained by knowledge of various decisions in the mineral industry.

The conflict of interest provision in the act, as is, has some very broad terms of reference and also has consequences in law for those that break it. We do not agree with the government's position that indeed it should be deleted in total. There are those, for instance, in the minister's office who are privy to information that may be perhaps sensitive in nature.

Those individuals, like all civil servants and those members of the House who are covered by conflict of interest provisions, must be covered, and that is not done in the amendment as is.

For those reasons we have very serious concerns about this bill. In terms of public interest we cannot support this bill with this amendment.

In addition to that area, we would just like to add for the record that we are not prepared to support the change to the act which does not require Order-in-Council for expenditures from the Quarry Rehabilitation fund.

Only today, I raised one issue about accountability, about fairness, in that the very people who are out there to monitor and enforce the act are the ones that identify and give out grants, obviously an area that needs change, and we are going to be raising those concerns.

In addition to that, the only record of monies expended from that fund are in Orders-in-Council. In fact, having questioned the minister on policies and procedures, there have been no amendments to the procedure. This would, indeed, reduce the amount of accountability at a time when we have seen the

Auditors raise concerns about the Department of Mines in terms of managing another fund, the Mineral Exploration Incentive Program. Serious concerns about accountability, the way the projects are assessed for eligibility, whether the projects are actually completed, all of those questions were raised, and, in fact, not settled satisfactorily.

This fund, just begun, is also dealing with millions of dollars. We feel that there needs to be a rigorous program of policies and procedures which ensures that public money is being expended in an expedient and efficient and fair way. For those reasons, we are opposed to this Mines Amendment Act.

\* (1730)

**Mr. Deputy Speaker:** Is the House ready for the question?

The question before the House is third reading, Bill 14. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Mr. Deputy Speaker:** Agreed?

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

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

**Mr. Gary Doer (Leader of the Opposition):** On division.

**Mr. Deputy Speaker:** On division.

**Bill 16—The Highway Traffic Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Highways and Transportation (Mr. Findlay) (by leave), that Bill 16, The Highway Traffic Amendment Act; Loi modifiant le Code de la route, be now read a third time and passed.

**Motion presented.**

**Mr. Gary Kowalski (The Maples):** I would like to put a few words on the record in regard to this bill. This bill relates to the trucking industry and deregulation of interprovincial trucking. Originally, interprovincial trucking was regulated to prevent excessive, destructive competition and foster the ability of carriers to subsidize service to smaller communities, but because of a change in federal transportation policy, it will be impossible for provincial governments to effectively regulate interprovincial trucking. In addition, most Canadian provinces already have deregulated interprovincial trucking and view continued regulation by Manitoba as a barrier to Canadian internal trade.

So, for this reason, there is a need for this type of legislation, but we have to be careful in deregulation as we have seen in deregulation of telephone service or air transportation that there are effects that we sometimes cannot predict. The government will have to monitor closely, especially in rural communities, what effect this deregulation will have. We charge the government to monitor very closely. Thank you.

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House is third reading of Bill 16. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

**Bill 17—The City of Winnipeg Amendment Act (2)**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Urban Affairs (Mr.

Reimer) (by leave), that Bill 17, The City of Winnipeg Amendment Act (2); Loi no 2 modifiant la Loi sur la Ville de Winnipeg, be now read a third time and passed.

**Motion agreed to.****Bill 18—The Housing and Renewal Corporation Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Housing (Mr. Reimer) (by leave), that Bill 18, The Housing and Renewal Corporation Amendment Act; Loi modifiant la Loi sur la Société d'habitation et de rénovation, be now read a third time and passed.

**Motion presented.**

**Ms. Marianne Cerilli (Radisson):** I am pleased to be able to debate Bill 18 in third reading. This is The Manitoba Housing and Renewal Corporation Amendment Act, and it is going to change the structure and the membership of the Manitoba Housing and Renewal Corporation.

It is a very short bill that allows the government to make some changes in the structure of the board. Currently the board is five senior civil servants that are appointed by the Lieutenant-Governor-in-Council, and the minister is the chairperson of the board; the deputy minister is designated as the vice-chairperson. This has been a structure that has been in place since, I think, 1967 or '68.

**An Honourable Member:** No, 1984.

**Ms. Cerilli:** The Minister of Consumer and Corporate Affairs (Mr. Ernst) is correcting me and saying that particular structure has been in place since 1984. It has been the Renewal Corporation itself that has been in place since 1967-68.

The direction that the government is going with this bill is to change the membership of the Renewal Corporation board to between five and 13 members appointed by the government through the Lieutenant-Governor-in-Council, and they will also have the

designation of the chair and the vice-chair. The minister has said that this is going to ensure that there is public representation on the board for the Housing and Renewal Corporation.

We must keep in mind that the Housing and Renewal Corporation is the public corporation that actually holds the assets of all of the public housing stock in Manitoba and also deals with all the finances that come from the federal government to fund social housing in the province.

I am saying that because, unfortunately, the government has not seen fit to include any tenants on this board. They are all going to be government appointments, and none of those government appointments at this point are going to be tenants. The minister, in committee, said that that is a consideration. I am surprised that they have not had that consideration when they have moved forward with the bill.

The other thing that the minister made clear at the committee is, as I have asked in Question Period, that the policy is to, with this bill, move to amalgamate the Manitoba Housing Authority and the Manitoba Housing and Renewal Corporation and that the current members of the Manitoba Housing Authority will make up the public members that will be appointed to the new board that is going to be created.

It is important then to recognize that the Manitoba Housing Authority is the management for the social housing in the province.

We have put forward amendments to the bill, as I said, that recommended not only tenants be represented on this new board but that those tenants should also be elected. We feel that in a democracy it would make sense to have representation elected from the body of tenants. There are some 13,000 to 20,000 units of social housing in the province, and it would make sense that all of those families would have some representation on the board. We put forward those amendments concerned that this government has moved away from tenant involvement in social housing in the province.

It was back in 1990 when they centralized the management and governance of social housing by eliminating all the volunteer and public housing authorities. There were some 98 housing authorities throughout the province, and they chose to eliminate all of those volunteer and community-driven housing authorities and to create the Manitoba Housing Authority. At that time, they were supposed to establish social housing advisory groups, and those social housing advisory groups would have maintained some of the functions of the regional housing authorities in terms of ensuring that there is local community input into the needs and management of public housing, ensuring that the public housing is managed according to the needs, and sensitive to the needs, in the communities throughout the province.

Unfortunately, the way that the government has handled the establishment of those social housing advisory groups was simply to send one letter to municipalities, and they said that they did not receive a response large enough to establish the creation of those social housing advisory groups. So that commitment has simply been negated. They have simply not complied with that commitment that they made even though they set up very clear terms of reference for the social housing advisory groups. I want to read into the record what those terms of references are. The establishment of the social housing advisory group was to be done on a community basis that would invite participation from previous housing authority boards.

So they were going to provide some continuity with the previous community involvement that had been ongoing in the province. The role of these advisory groups or social housing would be to provide advice to the Manitoba Housing Authority on locally sensitive issues. It was anticipated that the social housing advisory groups would play a role in the relationship that develops between the Manitoba Housing Authority district offices in each community. The social housing advisory groups may provide the input necessary so that the housing stock can be managed in a manner that is sensitive to local concerns. The district Manitoba Housing Authority manager will meet with the local social housing advisory groups on a regular basis to



discuss their concerns and obtain their input into the management of the housing stock in the community.

The terms of reference then went on to talk about the membership, and the appointment of the social housing advisory group membership would be as follows: There would be nomination and ministerial appointment procedures that were previously followed for the Housing Authority Board, and the previous Housing Authority Board members would be invited to participate on the boards of these advisory groups.

That suggests to me that there was going to be some local community election, since there was the reference to nominations, and I believe that that was something that had been in place previously with the housing authorities.

The terms of reference also made specific recommendations for the tenant associations. As is presently the case, the terms of reference read: funding will be available for tenant associations on an annual basis, and where it has been confirmed by the district manager that the association duly represents the interests of the majority of the tenants in the project or groups of projects, the funding level for such associations is being increased to encourage more effective participation of tenants in the management of their housing projects.

We know that that level of funding has been \$24 per unit. The district manager was to provide assistance and/or advice regarding the process to be followed in the formation of these associations. Further, the district manager will be required to monitor tenant participation in these associations and to ensure that the tenants' views are being effectively represented. That is very clear and I think would set a good proposal for how we could involve the community in the management and operation of public housing.

I think we have to look at the importance of public housing in providing low-cost housing for low-income Manitobans. In the Estimates I referred to a number of studies that showed that low-income Manitobans are better served by public housing, that they have better quality of housing, it is better maintained, they have less problems in terms of overoccupancy. It also is in

the interest of the government, in terms of the number of people on social allowance, to ensure that there is public housing, because then those people are assured that social housing is going to high-quality housing that meets the standards of the province of Manitoba, and I have referenced those issues previously in the House.

There are, I think, problems because of the model that has been used in the past for public housing development in Manitoba and across the country. It is the same model that came from the '60s and the '70s, and the large, high-density complexes have posed a number of problems. I think that is one of the things that is important about the amendments that I put forward which, even though the minister agreed with what I said—he said over and over again that he agreed that tenant associations were important; he agreed that there should be staff, the tenant relations officers and other staff, as referenced by the terms of reference for the social housing advisory groups that would be there to support and develop and formulate these tenant groups.

Even though he said all that, they not only voted against the amendment calling for tenant-elected membership on the board, but they also voted against the other amendments that I proposed. The amendment that I proposed would have ensured that there was 50-50 representation on the board for the housing authority, 50 percent elected tenants that would have been elected at the annual meeting. This, I think, speaks to our belief in participatory democracy in that people should have a voice and input into government decisions that affect their daily lives, particularly in areas where the governments could do that easily.

I was very proud of the previous NDP government in the effort that they took to set up community-based child and family services agencies which used this kind of model to ensure there were volunteer boards elected at the local level to reflect the community and to ensure that there is some accountability to the community and input from the community. So that same kind of model was the intention with my amendments on Bill 18.

It is important, I think, to look at the fact that the amendments I proposed were in keeping with what the government said they were going to do in 1990-91,

when they eliminated the 98 housing authorities in the province.

We were not asking them to do anything other than what they had said they were going to do, and we wanted to see that put into new legislation that was going to govern public housing. So that deals with a number of other amendments that I had proposed.

The one other thing that I am concerned about, in terms of the government and also included in my amendments, was a reference that they develop a program and a model for tenant management. The minister has made a number of references to the Gilbert Park housing development, and they have taken almost 10 years to get to the point where they are at in terms of having an active tenant association that is getting involved in tenant management.

I think that the government is obliged to show in fairness, to afford all public housing in Manitoba the same opportunity and by bringing in a model and a program that will stipulate what tenants have the authority to do. It is the same issue that we are dealing with in terms of the parent councils in public schools. There have to be some guidelines, and the government cannot just leave it up to some ad hoc reactive process that is going to respond to the individual tenants in individual public housing neighbourhoods. So they need a system that is going to establish what the roles are for staff and for tenants. That is what we were proposing.

It is interesting when I look at the number of housing developments that have benefited from the \$24 per unit afforded to tenant groups, there have been in the last year approximately—well, there was—\$92,799.37 given to tenant groups to conduct various projects. These are projects that are the basic grassroots community development. They are programs for children. They are programs to deal with community safety. They are programs to ensure that there are dispute resolution mechanisms. There are all sorts of programs that are going to meet the community social, health and economic needs of neighbourhoods where there is public housing.

It is interesting though, of the \$92,000-odd dollars that have been granted, there is eligibility for \$312,000 according to the formula by the government.

We know that there has been quite a reduction from the federal government to social housing. There has been a \$270-million cut over the next three years. That is going to, according to the minister from Estimates, mean a \$5 million reduction each year for Manitoba. We have also had a number of concerns with the direction that the government is going in trying to deal with this, and they are passing off more and more costs to tenants. This is particularly a hardship for those low-income tenants who are working, often at minimum-wage jobs.

So increasing the rents geared to income to 27 percent has been a hardship, just as the policy to add the property tax credit into the calculation for rent geared to income, and when we look at the fact that that has generated about \$300,000, we have to ask ourselves how the government can justify all the procedures and the system to put that in place for that kind of money when it is coming out of the pockets of some of the poorest Manitobans.

The other issue that is of concern is the government's decision to include foster-family allowance into the rent geared to income and how that has really meant a loss to foster families of 33 percent of their allowance that was supposed to go to foster children.

I am going to conclude my remarks by following up on the issues I raised today in Question Period that, even though the minister endorsed and agreed with everything I had said in terms of the development of public housing, in terms of the development of tenants' input into public housing, and, specifically, in terms of the role of the tenant relations officers in supporting tenant involvement, that they are looking at eliminating seven tenant relations officers as well as eight maintenance co-ordinators.

The maintenance co-ordinators are very important to public housing. I just want to urge the minister and the government, if they are serious about having tenant involvement and tenant relations officers do the kind of community development that is possible through public

housing support, that they would not go forward with those layoffs, that they would realize that those staff are paying for their salaries many times over in the kind of preventative work that they do in public housing.

We know that tenant involvement will decrease the vacancy rates—I have not talked about that even though I would like to—we know that that is one of the ways that can be done. I asked the minister that in Estimates, and I was disappointed at the lack of a plan the government has to fill the vacancies in public housing. Again, that would be to their financial advantage.

I just want to conclude by saying that because we view this bill as undemocratic in terms of the way it is dealing with public housing and the tenants in public housing, we are not going to support the bill. We think that the government could have taken a much more positive direction by implementing a number of the ideas that the minister says he agrees with. For that reason, we are not going to support the bill, and I conclude my remarks.

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House is third reading of Bill 18. Is it the will of the House to adopt the motion?

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Deputy Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

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

**Mr. Doer:** On division, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** On division.

### **Bill 19—The Intercountry Adoption (Hague Convention) and Consequential Amendments Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Education and Training (Mrs. McIntosh) (by leave), that Bill 19, The Intercountry Adoption (Hague Convention) and Consequential Amendments Act; Loi concernant l'adoption internationale (Convention de La Haye) et apportant des modifications corrélatives, be now read a third time and passed.

**Motion agreed to.**

### **Bill 20—The Child and Family Services Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Government Services (Mr. Pallister) (by leave), that Bill 20, The Child and Family Services Amendment Act; Loi modifiant la Loi sur les services à l'enfant et à la famille, be now read a third time and passed.

**Motion agreed to.**

### **Bill 21—The Rural Development Bonds Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Urban Affairs (Mr. Reimer) (by leave), that Bill 21, The Rural Development Bonds Amendment Act; Loi modifiant la Loi sur les obligations de développement rural, be now read a third time and passed.

**Motion agreed to.**

### **Bill 22—The Municipal Amendment and Brandon Charter Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Rural Development (Mr. Derkach) (by leave), that Bill 22, The Municipal Amendment and Brandon Charter Amendment Act; Loi modifiant la Loi sur les municipalités et la Loi sur

la Charte de Brandon, be now read and third time and passed.

**Motion agreed to.**

**Bill 23—The Health Services Insurance  
Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Education (Mrs. McIntosh) (by leave), that Bill 23, The Health Services Insurance Amendment Act; Loi modifiant la Loi sur l'assurance-maladie, be now read a third time and passed.

**Mr. Deputy Speaker:** It has been moved by the honourable House leader, seconded by the Minister of Education (Mrs. McIntosh) (by leave), that Bill 23, The Health Services Insurance Amendment Act; Loi modifiant la Loi sur l'assurance-maladie, be now read a third time and passed.

**An Honourable Member:** No.

**Voice Vote**

**Mr. Deputy Speaker:** All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** All those opposed, say nay.

**Some Honourable Members:** Nay.

**Mr. Deputy Speaker:** In my opinion, the Yeas have it. The motion has been carried.

**Bill 25—The Real Property  
Amendment Act (2)**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Justice (Mrs. Vodrey), that Bill 25, The Real Property Amendment Act (2); Loi No 2 modifiant la Loi sur les biens réels, be now read a third time and passed.

(Madam Speaker in the Chair)

There may be a will of the House, Madam Speaker, not to see the clock for a few minutes while we finish these bills.

**Madam Speaker:** Is it the will of the House not to see the clock? [agreed]

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, just very briefly, we understand that it gives additional discretionary powers to the registrar which will allow for more flexibility and thereby giving the need for the survey plans.

In addition, the amendments clarify that the Land Titles office is not responsible for verifying the terms and mortgage presented for registration. Thank you.

**Madam Speaker:** Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

**Bill 26—The Liquor Control Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Rural Development (Mr. Derkach), that Bill 26, The Liquor Control Amendment Act; Loi modifiant la Loi sur la réglementation des alcools, be now read a third time and passed.

**Motion agreed to.**

**Bill 27—The Cattle Producers Association  
Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Environment (Mr. Cummings) (by leave), that Bill 27, The Cattle Producers Association Amendment Act; Loi modifiant la Loi sur l'Association des éleveurs de bétail, be read a third time and passed.

**Motion presented.**

**Madam Speaker:** Agreed?

**Some Honourable Members:** No.

**Madam Speaker:** No.

**Voice Vote**

**Madam Speaker:** All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Yeas have it.

**Mr. Gary Doer (Leader of the Opposition):** On division, Madam Speaker.

**Madam Speaker:** On division.

**Bill 28—The Statute Law Amendment  
(Taxation) Act, 1995**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Government Services (Mr. Pallister) (by leave), that Bill 28, The Statute Law Amendment (Taxation) Act, 1995 (Loi de 1995 modifiant diverses dispositions législatives en matière de fiscalité), be now read a third time and passed.

**Motion agreed to.**

**Bill 31—The Highway Traffic  
Amendment Act (2)**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Justice (Mrs. Vodrey) (by leave), that Bill 31, The Highway Traffic Amendment Act (2); Loi no 2 modifiant le Code de la route, be now read a third time and passed.

**Motion agreed to.**

**Bill 32—The Proceedings Against the Crown  
Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Justice (Mrs. Vodrey) (by leave), that Bill 32, The Proceedings Against the Crown Amendment Act; Loi modifiant la Loi sur les procédures contre la Couronne, be now read a third time and passed.

**Motion presented.**

**Madam Speaker:** Agreed?

**Some Honourable Members:** No.

**Voice Vote**

**Madam Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Yeas have it.

**Mr. Gary Doer (Leader of the Opposition):** On division, please, Madam Speaker.

**Madam Speaker:** On division.

**Bill 33—The Statute Law  
Amendment Act, 1995**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 33, The Statute Law Amendment Act, 1995 (Loi de 1995 modifiant diverses dispositions législatives), be now read a third time and passed.

**Motion agreed to.**

**Bill 34—The Municipal Amendment  
and Consequential Amendments Act**

**Madam Speaker:** Third reading, by leave, Bill 34.

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, Bill 34 will be held until tomorrow's sitting.

**Bill 36—The Municipal Assessment  
Amendment Act**

**Hon. Jim Ernst (Government House Leader):** I move, seconded by the Minister of Rural Development (Mr. Derkach) (by leave), that Bill 36, The Municipal Assessment Amendment Act; Loi modifiant la Loi sur l'évaluation municipale, be now read a third time and passed.

**Motion presented.**

**Mr. Neil Gaudry (St. Boniface):** Madam Speaker, I will speak in English. I will be very brief.

This bill has an amendment that would require nonprofit community organizations to pay school taxes on a portion of their facilities which are licensed to serve liquor. Presently these organizations have an unfair advantage over legions which are required to pay school taxes on licensed portions of their premises. Therefore, we will support this bill.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading of Bill 36.

Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

**Mr. Ernst:** I believe the hour, Madam Speaker, is six o'clock.

**Madam Speaker:** The hour being 6 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Friday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 2, 1995

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