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LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 1, 1979

Time: 8:00 p.m.

SUPPLY — MINES, NATURAL RESOURCES AND ENVIRONMENT

MR. CHAIRMAN: I would direct the honourable members' attention to Page 63 in the Main Estimates, Mines, Natural Resources and Environment. We are on Resolution No. 81, (b)(1) Salaries. The Honourable Member for The Pas.

MR. McBRYDE: Mr. Chairman, I wonder if the Minister did have the chance over supper, or his staff had the chance to answer some of the questions that were asked before the supper hour.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: Well, Mr. Chairman, I was in the process of providing an answer to one of the questions at 4:30. I believe I had given the breakdown of Lands and Surveys. Mineral Resources was changed. A regular reduction of 4; term, an increase of 7, for a total of an increase of 7.

In Parks' under the regular category, a reduction of 5; under term, a reduction of 5; under departmental, a reduction of 28; under contract, a reduction of 1, for a total of 39.

Under Regional Services, in the regular category, an increase of 40; in term, 6; in departmental, 29; in contract, a reduction of 1; or a total for an increase of 74.

In Water Resources, in the regular category, a reduction of 3; in term, a reduction of 9; in departmental, a reduction of 15; a total reduction of 27.

Resource Economics, regular category, a reduction of 11; an increase of 3 in term; a reduction of 1 in departmental; a reduction of 5 in contract; a total reduction of 14. The total reduction, grand total, between January of 1978 and January of 1979 is 136 people.

MR. CHAIRMAN: (1)—pass — The Honourable Member for The Pas.

MR. McBRYDE: Yes, Mr. Chairman, I just want to make double-sure that I'm understanding if the Minister is talking about positions or whether he's talking about persons in positions that have been changed.

MR. RANSOM: I'm talking about people, that fewer people are on the payroll this January than last — 136.

MR. McBRYDE: Yes, Mr. Chairman, I'm quite glad that I was able to get that information from the Minister because the biggest reduction is in the area of what's called departmental, or casual staff, with a very small reduction in terms of the regular-type staff. So I think that verifies the point that I was attempting to show earlier, that the figure itself was not meaningful without that kind of back-up information in terms of whether it's casual positions he's talking about or whether it's regular staff that the Minister was speaking of. I thank the Minister for that information.

I wonder if he was able to get anything on the regional breakdown.

MR. RANSOM: Well, Mr. Chairman, I think that the honourable member might appreciate that there are in the neighbourhood of a couple of thousand positions in the department, staff man years at least, and we can't compile the location of all of those over the supper hour.

MR. McBRYDE: Mr. Chairman, maybe I can just get from the Minister then his policy direction that he is giving this department and certainly the Natural Resources of the section of this department should be better managed by the present Minister —he couldn't do as poorly as his predecessor at the job —but I wonder if he could give us whether he is decentralizing or recentralizing or if things are just being left as they were when he became responsible for these additional parts of the department.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: Mr. Chairman, in my introductory remarks I referred to the reorganizational process that was under way —and the Honourable Member for Inkster had an opportunity to respond yesterday on that item —I think we are now moving on to administrative services items. I am quite prepared to discuss line by line the Estimates that are before us that are before us and when we come to the item of the Minister's salary at the end, then there will be opportunity for adequate discussion of the overall stewardship of the department.

MR. CHAIRMAN: The Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, just one more item on the figures at least I hope it will be the last one. I gather in the new department I think you gave me figures that in 1978 there were 1,894 employees and in 1979, 1,758, these are staff man years.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: These are actual numbers of people.

MR. GREEN: Fine, that makes it better. Ten percent of that would be 189, 13 percent would be 189 plus another third would be about 240. You've reduced it by you say 139. If I accept your figures then in your department the reduction is about 50 percent of 13 percent claimed by the First Minister in your department.

MR. RANSOM: Mr. Chairman, the honourable gentleman opposite seems to be having a difficult time in distinguishing between staff man years which I clearly gave and the numbers of people filling positions which I believe I also clearly gave. I made no reference to a vacancy rate applying to a figure of 1,894 which is actual people employed.

MR. GREEN: Dealing with a vacancy rate . . .

MR. RANSOM: The reduction that we are talking about is 136.

MR. GREEN: I am not dealing with vacancy rate. You're saying that there were 1,894 employees. The First Minister has said that there has been a 13 percent reduction in the civil service. Thirteen percent of 1,894 would be 189 plus roughly a third of that is 60 is 249. You've actually reduced by 139 so that's about half of what the First Minister says.

MR. RANSOM: Mr. Chairman, these figures are January of 1978. Now the honourable member is no doubt aware that we have assumed office in October 1977. There already had been some reductions take place by January 1978. This is only from 1978 - 79. Thirteen percent overall in the civil service does not necessarily mean that there is 13 percent in any given department, obviously there may be more or less. We're not even talking about the Estimates with these figures. These are history.

MR. GREEN: Mr. Chairman, I didn't say that they should be the same. I am rather inclined to think that there are more in this department than in some of the others. I am merely asking whether — and the Minister has explained that the difference as he sees it is what was done between October and January 1 and I will have an opportunity to argue that — but using his figures, in his department in any event, the reduction would be from 1894, 139 people, which is maybe 8 percent as against 13 percent which is the figure that has been used by the First Minister.

I'm conceding, for the moment, although I don't agree because I think the Member for The Pas has raised some points and I raised some points earlier as they reflect staff man years in vacancies, and what has happened in the interim, because we have been getting both. But if we take your persons figure alone, then we know that 1,894, that the reduction is 139, which is 8 percent, and I'm using a higher figure so that the figures are not blown up. At the most it is 8 percent, and I haven't calculated it, but it is somewhere around a little more than half of what has been used by the First Minister, in your department. I didn't say otherwise. If we find that it is 26 percent in another department, we'll deal with that when it comes to it.

MR. CHAIRMAN: 1—pass — the Honourable Member for The Pas.

MR. McBRIDE: Mr. Chairman, while we are dealing with the section that deals with the administration that does collect these statistics and keeps track of the department, I wonder if

the Minister's staff have been working on the Order for Return that was filed next session. Maybe if he turned to that, it would help him give some of the answers, if that information is in the process of being gathered. The question related: one, to the persons hired since October 14, 1977 in Mines, Resources and Environmental Management; and another one asked for the terminations of employment since October 24, 1977 in Mines, Resources and Environmental Management. Perhaps, Mr. Chairman, since the department has probably been working on that since these Orders were filed last spring, maybe the Minister could use some of that information to fill us in in terms of the terminations and the new hirings for his department.

MR. CHAIRMAN: 1—pass; 2—pass; (b)—pass; (c)(1) Salaries—pass; (2)—pass; (c)—pass; (d)(1)—pass — the Honourable Member for Wellington.

MR. CORRIN: I have the same problem. Mr. Chairman, my concern in dealing with this is things that have come to the attention of this House, matters involving preservation, conservation of our natural environment over the past year, particularly matters that imperil resident citizens living in our province and matters that I felt were not handled in the most apt manner. I want to say from the outset, because I think it is important to be cognizant of this, that no party in this House has any monopoly on concerns relative to the environment. As a matter of fact, I think it is probably arguable that Conservative ideology, if I might describe it that way, may be in fact in many ways more consistent with preservation of the environment and goals relative to that, than the ideology of members on our side. So this is not a political issue. It is one though, that addresses a very vital need within our province to contend progressively and consistently and in an effective and affirmative manner, with problems that press our citizenry.

The first matter is one that there was a great deal of publicity over, there was a great deal of concern about in this House and expressed through the media and through various other forums in our province, and that is the situation that arose — and I know it didn't arise just in the last year, it's one of some length and some duration — a situation that arose in the Village of St. Pierre, relative to the storage by a large extermination firm of a tremendously large quantity of arsenic, a very deadly chemical, and all the problems those people had to contend with in attempting to and finally succeeding, in accomplishing the removal of that particular chemical from their community. What concerns me so much about this particular matter, was the delay, the factor of delay that I felt was unnecessary. And I say that with respect because I appreciate . . .

—(Interjection)—

The Minister of Highways makes the point that — for the edification of other members present — the former Minister had some eight years to contend with the problem, whereas the most recent Minister only had approximately 14 months. —(Interjection)—

A MEMBER: You can speak next, Harry.

MR. CORRIN: Yes, he can, but I am thankful to the Minister of Highways for introducing that fact because I was going to deal with it and by way of prelude or prologue you have done that and accomplished my task quite well for me. You see, the truth is, that your Minister was of the impression and opinion and I am quoting him from an August 3rd report of last year in the Winnipeg Tribune. Your Minister was of the opinion that the province had no authority to force the company to act. He was of the opinion that the province was only in the position of exercising leverage, was only in the position of acting as a next friend to the community's interest as opposed to acting in a vital and assertive manner.

Well, it's that that I take exception to, and it's that problem that I address to the Minister of Highways, and the Honourable Minister whose Estimates we are reviewing this evening. I take exception to that because I believe that there were ways and means to accomplish the goal that was presented in this particular matter and may well present itself again. I would address the Honourable Minister to the provisions of The Clean Environment Act and I know that he is of the opinion that they can't be used, but I take exception to that. I am of the opinion that the provisions of The Clean Environment Act, if interpreted in an affirmative fashion, and I suppose that is what I am calling for, I am calling for a more aggressive, more affirmative approach to environmental protection. If these regulations were given that sort of interpretation in this particular instance, among others, sir, I say that there could have been an immediate abatement of that particular problem. This Act clearly specifies that the Minister indeed does have a discretion as to whether or not he will grant his approval with respect to an existing operation that may be contaminating the environment in this province.

Section 14, Subsection 4, it says: "He may approve the industry, undertaking plant or process, if it complies with the provisions of the Act and if he doesn't, he can refer the matter to the Clean

Environment Commission to be dealt with as an application in accordance with this particular Act."

MR. CHAIRMAN: Order please.

MR. ENNS: Would the honourable member accept a question at this time?

MR. CORRIN: No, I would not, Mr. Chairman.

MR. ENNS: Well, the question is, simply, when was the Act passed?

MR. CHAIRMAN: Order please. The Honourable Member for Wellington.

MR. CORRIN: When I'm finished, I'll tell you that although I'm sure you know the answer because you participated in the enactment of this legislation.

Mr. Chairman, I address the Honourable Minister to the legislation and I commend him to read it because I would suggest that all the provisions necessary are contained therein which would have enabled and allowed the Minister and his government to abate that particular pollution situation, or potential pollution situation in St. Pierre last year.

Now, given the fact that the Clean Environment Commission could have required, if not the removal, they could have at least required that the storage of the materials be conducted in an appropriate manner, in such a manner as to secure and safeguard the public interest in the community.

I would suggest that it was imperative and it was quite necessary that something should have been done in that respect at the time. I want to remind honourable members present this evening that there was a situation in that particular part of our province last summer where tornadoes — and this is a very tornado-prone region — passed within a very few miles of the warehouse. I would quote, and I think this is apropos the concern of all the citizens of St. Pierre, a Mrs. Garrand who, when interviewed by a Tribune staff writer last July, indicated that she thanked God that the tornado didn't take the thing away the last time. And she said that when the tornado came within 15 miles that she was worried on that day that all the citizens of that particular town would be finished — her words — would be killed. She wondered how many people would be poisoned.

Now, here we had a situation of where we were aware that 300 tons of deadly arsenic were being stored in a small town that was tornado-prone, in a derelict old warehouse and I am wondering why the Minister didn't take into account the fact that he could take affirmative action under the provisions of The Clean Environment Act.

I'm wondering why the Minister indicated in the Winnipeg Tribune report of August 3rd, that there were no provisions under The Clean Environment Act to force the Winnipeg company to act. I think it's important and incumbent upon the Minister to provide that information, not only to members of this House but to citizens throughout the province. I suggest that the Minister prevaricated, that the alternative would be that the Minister didn't ask his staff to look into this matter and didn't give appropriate consideration to the problem. But I would ask him if he could advise members of this House this evening why he didn't take such action last summer.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: Mr. Chairman, I realize that the honourable member is not particularly familiar with the role of the Clean Environment Commission. This is not the appropriate place to be discussing this item. But since he has brought it up, then I guess I should respond to it now. Certainly, when I assumed responsibility for the department, I immediately recognized the significance of the problem that the previous Minister had had in front of him for, I think five or six years, give or take a year or two there. I must say that there was a rather extensive file built up which had led to the conclusion that in fact there was no authority under The Clean Environment Act to take action, that the —(Interjection)— Well, there was some exchange between the former Minister and the former Minister of Labour about whether they could act. They tried to act under the provisions of the Fire Code, and the exterminator said, you know, we're not doing anything, and so the government did nothing and left it where it was.

Now that was the state for five or six years, and the reason that The Clean Environment Act couldn't be used is that it says that they must not contaminate. The situation at St. Pierre was such that it was not contaminating the environment. We, therefore, had no authority to remove it, the same as the previous Minister had no authority to remove it. But, unlike the previous govgovernment, we decided that we would try and take the lead to see that the problem was resolved

and I stood in this House in May and I said, "I recognize this as a serious problem, "and that we will take the lead to try and resolve it, and it will take some time before it will be able to be accomplished. We showed the local municipal authority where they had the power to pass a by-law to demand that the material be removed from their boundaries, beyond their boundaries. The exterminator then needed only to remove it from those boundaries and could then store it anywhere else, where he wished, and we had no authority to say under what conditions he stored it, only that he should not contaminate the environment.

We, therefore, said that that might cost in the neighbourhood of \$25,000; we would prefer to have the material removed from the province. He will pay the first \$25,000; we would pay the additional amount to see that the problem was resolved, and over a period of some months, we finally were able to arrive at an agreement and now the major portion of the material has been removed from this province, unfortunately, we have encountered some difficulty with material being frozen and the project is not going to be able to be completed for some time. But I must stress, Mr. Chairman, that we recognized that as a serious problem and move rather quickly in view of the procrastination of the previous government.

MR. CHAIRMAN: The Honourable Member for Wellington.

MR. CORRIN: Well, first of all, I am not going to suggest that my interpretations of law are definitive. But I am going to suggest that if one reads the legislation which the Honourable Minister has referred to, and I will read it tonight, and we'll have members here decide what interpretation should be given. And I suggest on a very Conservative interpretation as opposed to a New Democratic interpretation, one would be drawn to conclude that the Minister, if he is not prevaricating, has been given very poor information or has failed to corroborate his information by going back to his sources.

I would address the Minister to the interpretation or definition section of The Clean Environment Act, wherein a contaminant is defined — and it is not defined the way he suggests — it is defined as "any solid, liquid, gas waste", and then there is a variety of other things, but this I believe, is a solid, "or any combination of them, that is or is likely to be injurious", or is likely, it doesn't have to be, it doesn't have to be actually flying through the air or contaminating, it's defined as being something that will be "likely to be injurious to the health or safety of a person, or is likely to be injurious or damaging to plant or animal life". And it says, "and contaminate has a similar meaning." Now what does that draw you to conclude? You don't have to be a lawyer to understand that; that's fairly straightforward. —(Interjection)—

The point is quite simple, notwithstanding that you say that you had advice to the contrary, you could have invoked the provisions of The Clean Environment Act. You had the capacity and jurisdiction and if you gave a damn care, if you concerned yourself enough to read — notwithstanding that you only had 10 months, or 14 months, to review the problem as opposed to eight years — if you had enough concern to get your nose into this book, a law, by the way, that was sustained, and I believe, supported by members on your side of the House when it was enacted in 1972, if you would have done that you would have found that you could act, and that you didn't have to sit back and blame the NDP and look for an NDP horror story or a bogey man. And if there would have been a tornado that would have come down in August of 1978 in that town, you wouldn't have had to have it on your conscience for the rest of your life, the rest of your collective lives, that 300 people, or 400, or 500 residents of that community, might have been permanently disabled or killed. And that is the issue at hand this evening, and that was the issue at hand last summer. Now where in the heck were you? That's the question. Let's stop talking about what happened between the years 1969 and 1977; let's start talking about what happened last year and what will happen next year and the year after that, because that's what is germane, that's the business before this House.

Now the facts are, the gentleman calls for the facts, the facts are, you could have acted. You could have recommended that the Clean Environment Commission hold a hearing, and by doing that, there would have been hearings to determine whether there was compliance with existing regulations, and if not, there could have been appropriate regulations, appropriate safeguards put into place immediately. But what did you do — what did you do? You didn't just blame the damn NDP, did you? No, you blamed the Liberals too, and I am quoting from another press release now: "Mr. Ransom was extremely disappointed by Ottawa's answer. He claimed that federal Liberal candidates in the province had been accusing the provincial government of inaction, while the federal Liberals themselves were guilty of the same." —(Interjection)— Crass politics, Sir, that's all it is. Sitting here shamefacedly this evening, barefaced, confronted with that. That's right; wipe the perspiration from your brow.

So what I am asking for, Mr. Chairman, is, I am asking the Minister if, in the future, he will

contemplate directing himself in a more assertive, more affirmative' as opposed to a passive political approach to these sorts of problems. Now, in doing that, I would also ask him to concern himself with this sort of situation, because this is just as bad, and this one confronts and confronted urban residents of our city, this city, the City of Winnipeg, just in the past year.

I would ask the Minister how it is possible — and here I suppose I might be invoking him to review the legislation in order to recommend amendments to this House — I would ask him how is it possible that an industry can move into a community in the City of Winnipeg, a very large scale industry, a multimillion dollar industry, contaminate the environment in a very evident and demonstrable fashion, and yet not report the existence of the industry as is required by The Clean Environment Act, the law of this province, to the Clean Environment Commission. Now, the law requires that any person who is operating a plant or a process or any undertaking of industry, that is contaminating the environment must have approval from the Minister of the Clean Environment Commission. They can't simply operate outlaw within the province's boundaries. But yet we have a case of a company who did just that, who? — Borger Industries, that's who. Who established in the city of Winnipeg — in the Chairman's constituency, not my constituency, his constituency, one of your constituencies, if you want to talk politics — established an undertaking without notifying, as is required by law, the Clean Environment Commission. The industry commenced operation in June of 1978, and I have before me here the registration form . . .

MR. CHAIRMAN: Order please.

MR. BLAKE: Mr. Chairman, on a point of order. I wonder, Mr. Chairman, if I might ask the Member for . . . wherever, if that particular matter is presently before the courts, that he's discussing now, and should it be discussed in this House at this time?

MR. CORRIN: That is not a point of order, Mr. Chairman. In this particular matter . . .

MR. BLAKE: Who's doing the ruling, the Chairman or you? Who's to say it's not a point of order, you or the Chairman?

MR. CHAIRMAN: The Honourable Member for Wellington.

MR. CORRIN: I'm not sure whether you . . .

MR. CHAIRMAN: Do you care to answer the question, the Honourable Member for Wellington? I think the question was: "Is this matter before the courts?"

MR. CORRIN: That is not a point of order, Mr. Chairman, but I can tell him that the matter relative to The Clean Environment Act, the Clean Environment Commission and the Department of Mines, Resources and Environmental Management is not before the courts, no. There is a matter relative to a city zoning ordinance that is before the courts, but not this.

MR. BLAKE: Mr. Chairman, what is the ruling on my point of order? Is that matter presently before the courts or isn't it?

MR. CORRIN: What is the relevance of that particular point of order or question? What is the difference if you rule that it is before the courts? Can you advise me what the difference would be?

MR. CHAIRMAN: The Honourable Minister.

MR. ENNS: If I could be of some help to you, I'm not suggesting that I can be. But if, in fact, a question is sub judice, or if the particular question raised, is a matter that is before the courts, then it is a concern in the manner and way in which you discuss it in this House. I'm not aware of the circumstances of the case and my humble advice to you, sir, as Chairman, would be to take that question as notice, to ask the Member to, perhaps, desist from pursuing this line of questioning until you, sir, can determine whether or not this is a matter in front of the courts, and not a proper matter for us to be discussing at this time in this House.

MR. CHAIRMAN: On a point of order, I believe that the honourable member is the one that

the group that might have this matter before the courts, and if it is before the courts, I would say that the question of it being out of order is valid. I'm going to have to rely on the Honourable Member for Wellington to advise if the matter is before the courts.

MR. CORRIN: Mr. Chairman, I'm sorry, but because of the obstreperous behaviour of members on the other side, I couldn't hear your ruling. Could you please repeat it?

MR. CHAIRMAN: I would rule that the discussion is out of order if the matter is before the courts. I would ask the Honourable Member for Wellington if he knows whether this matter is before the courts.

MR. CORRIN: I have advised you that this particular matter relative to the Clean Environment Commission is not before the courts. As a matter of fact, it is not even before the Clean Environment Commission. I have a letter here which indicates that the Commission will not hear the matter for some time.

MR. CHAIRMAN: I will rely on the information passed on by the Honourable Member for Wellington, and continue please.

MR. CORRIN: Thank you, Mr. Chairman. The point I was making, Mr. Chairman, was that this particular industry only registered on the 14th day of September, 1978 — and I will table the document if there's anybody that wishes to peruse it— only registered their operation some three months after they actually commenced operations in this particular city.

A MEMBER: Would you like to table the document?

MR. CORRIN: I will. I would suggest to you that it is already a public document in possession of the Minister. I don't know why you would want it tabled. It's not within the rules that I should have to do that, but I will do that if it makes you feel good. I would suggest to you that as a result of information that was received by the Minister's department, there were certain findings which indicated that the pollution levels emanating from that particular operation were indeed in excess of local regulations. And they're all detailed in memos and reports from the Minister's department to the Clean Environment Commission in the person of its executive secretary, Mr. Stewart.

So, the point I was making, Mr. Chairman, was to the effect that I would like the Minister to look into ways and means by which this sort of situation can be forestalled in the future, so that citizens' interests with respect to this sort of matter do not have to be protected in other means but can be protected through the Minister's department. I'm asking the Minister whether or not he would agree with me that it would be prudent and in the public interest and to the public welfare if the Act were amended in order that injunction proceedings could be initiated by the Minister's department when industries such as this fail to meet local standards, provincial regulations, and have been found to operate without being duly registered in compliance with the law of this province. I ask the Minister, would he agree with me that it would be to the benefit of our people and it would be protective of our environment if that were the case?

MR. CHAIRMAN: The Honourable Minister of Mines.

MR. RANSOM: Due to the uncertainty surrounding this situation, Mr. Chairman, I think it would be inappropriate for me to respond to the latter part of the member's case. With respect to the previous comments about the arsenic situation at St. Pierre, it leaves me rather amazed that the honourable member would take that sort of position in view of the facts that are there for anyone to see, the way the matter was treated. He's suggesting that I, as a Minister, should overrule the opinions that are given to me by the Attorney-General's Department, and I clearly see, Mr. Chairman, why the honourable gentlemen opposite, why their chances of ever being on this side of the House are going to be greatly reduced by the level of comprehension that the honourable member seems to have about a problem like this. If he thinks that I have been procrastinating in the removal of attempting to get that material removed, I only ask him to go and talk to the people of St. Pierre and see whether or not they think this government procrastinated.

MR. CHAIRMAN: The Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, I wish to deal with the question of arsenic. I would ask the Member for Wellington to read his remarks as they were directed towards the Minister and everything he

reads he directs to me, as I was in exactly the same position about getting your nose into the book, about using the Act, that if he directs them to the Minister and directs them in those harsh terms, then he cannot feel that I am not affected by those remarks. And so I tell him so. I say that it was not a simple matter, that I do not think that it was eight years, and those people who have been screaming eight years will apologize, that the Minister will get the record, he will see that it was nothing like eight years, that it may have been a similar period of time, but I don't remember exactly how long it was. It was some considerable period of time. The word that the Minister uses, "procrastination on my part," is unacceptable. He will not find in the record of that correspondence a moment's delay from one step to the next step.

The problem was not simply the breaking of the law. The problem was what you did about it. We tried to get opinions as to what the law was and I think that the best opinion we had was that the Fire Commissioner was the best procedure to go under, so there would be a prosecution by the Fire Commission about something and there would be a verdict of guilty. The place was owned by a corporation, but even if it wasn't, even if it was owned by an individual and he didn't pay the fine and you put him in jail, the arsenic was still there. The cost of removing the arsenic that we were given at that time was — and I'm trying to remember — it was in the neighbourhood of hundreds of thousands of dollars. It was over \$100,000.00. Mr. Poulin was quite willing to have the arsenic removed. He said, "Pick it up and take it away." The question was whether the Crown should be responsible for what was a breach of the law of a particular individual, because he kept saying, "Take it away," and St. Pierre kept saying take it away. The Minister found that it wasn't that easy. It took him 14 months and — and I didn't make a point of it, although it was a point — 14 months plus the government is paying something like — what is it? \$40,000, \$65,000? What are we paying, the people?

So the public of this province had to make a decision and the Minister has made it and I didn't criticize it, that we are going to pay Poulin's bill for removing arsenic. If somebody wants to attack the Minister for that, they can attack him. I think it is a problem. I think that the problem of having arsenic which is not proper, is Poulin's problem, but I know that it was difficult, and for you to have put up \$40,000 of public funds may have gotten rid of the problem but perhaps the person who had it there was supposed to pay, but I won't fault the Minister for that. I won't say he didn't look in the book; I won't say that he ignored the Act; I won't say that he procrastinated even though it took 14 months. But I deny that —(Interjection)— Pardon me?

MR. GEORGE MINAKER: He didn't think St. Pierre was worth \$45,000 in protection.

MR. GREEN: So, Mr. Chairman, you know, the question is whether St. Pierre should have paid it?

MR. MINAKER: No, no, whether we should protect St. Pierre.

MR. GREEN: Well, if that's the way the Conservatives calculate, you know, then I would have to give less credit to the Minister than what I had given them. What are they doing? Are they saying, "We'll pay \$40,000 to satisfy St. Pierre." —(Interjection)— No, that's not what you said a moment ago. You said that St. Pierre is worth that.

The fact is that I am not criticizing the Minister. I am not saying that he procrastinated and I suggest to him that I did not procrastinate and that if he will look at the file, that he will find that it is not eight years, that it may have been two years coming and that he had the last two years. I don't even remember; it may be slightly more than that. But we moved as quickly as we could and we tried to find out what legal means were available. The only reason — and there was no indication that there was a danger — that we didn't go in and do the job ourselves is that we felt that Poulin should be paying for it. How were we going to pay? We could have done it immediately. We could have spent \$100,000 of your money and moved the arsenic. Poulin would have been very happy. As it is he indicated that if there was a law requiring him to remove the arsenic and he had to do it, that he would go broke and we were still left with the arsenic. And there is no answer to that.

So, in the last analysis, the arsenic had to be removed. It took a long time. It has been removed and it is one of the difficult situations that arises with any government.

MR. CHAIRMAN: The Honourable Minister of Fitness, Recreation and Sports.

HON. ROBERT (Bob) BANMAN (La Verendrye): Thank you, Mr. Chairman. I enter into this debate maybe at a late point but there is somewhat of a bizarre alliance here. When a member of the opposition a number of years ago, I was faced and asked by residents of St. Pierre, by Poulin

— so I got involved in this particular matter — I talked to the former Minister personally and, Mr. Chairman, I have to say to you, in all fairness, that it did not become a cheap, political football at that time. Because, Mr. Chairman, the Minister at that time realized the problem and so did I.

MR. GREEN: What year was that?

MR. BANMAN: This was a few years ago, Mr. Chairman.

MR. GREEN: But after you came into the House?

MR. BANMAN: After I came into the House, no question about it.

MR. GREEN: There are no eight years involved.

MR. BANMAN: Mr. Chairman, I'm not going to lay any blame on this previous Minister because I think this is sort of a bizarre alliance. I think the problem right now that we have is with a few members who are trying to make a few cheap points and the former Minister is not one of them. But let me tell you the problem that we had. We had a certain Senator from the Province of Manitoba; we had a candidate for the Liberal constituency of Provencher going into St. Pierre and he said, "The Federal Government is ready to help us with this problem." And what happened? The Minister had to get up in the House and deny that because he had just a few days before received a telegram saying that the Federal Government was not going to help with one cent for moving that arsenic. Let's lay the facts on the table. If the Member for Wellington wants to make a few cheap political points on a serious problem which affected the citizens of St. Pierre, he is jolly well able to right here tonight. But I'll tell you, I agree with the former Minister right now. He realized the seriousness of the problem. .

MR. ENNS: Watch it, you're in dangerous territory . . .

MR. BANMAN: I realize, Mr. Chairman, it's a bizarre alliance, you might call it right now. But the Member for Wellington can get up as many times as he wants and make a cheap shot about this particular situation and try to make political brownie points like the new candidate over there did as well as the Senator from Manitoba did. But it won't wash because the citizens of St. Pierre know that it is a problem; it is being cleaned up. It is being taken care of by this Minister right here who is trying his absolute best to try to rectify that problem.

I would challenge the Member for Wellington to tell the House whether or not he has a particular interest or a particular private interest as far as the problem at Borger Chemicals is concerned, or Border Industries is concerned? Let him tell us what particular interest he has in that particular problem. Let him get up and tell us. Because, Mr. Chairman, I want to tell you that this particular problem with regard to the arsenic was a serious problem to the people of St. Pierre. They realized that. They realized that it was a problem not only for the former Minister, but the new Minister. The new Minister of this particular government has managed over a period of time to go ahead and develop an amiable solution which will see the arsenic moved out of the Province of Manitoba and I think that that is to the benefit of all people of Manitoba. It wasn't an easy decision to arrive at but he has done it and he is going to clean up that particular problem.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: Mr. Chairman, if I just might make one or two observations. I believe that the former Minister will recognize that when this issue came up in the House last year, I did not at that time criticize the previous government for their inaction. They did not at that time criticize us for not having resolved the problem, because the former Minister recognized how serious it was. I apologize for saying that he procrastinated, Mr. Chairman, but I must say that I was driven to make that kind of comment because of the incredible performance from the Member for Wellington. I apologize to the former Minister for that.

MR. CHAIRMAN: The Honourable Member for Wellington.

MR. CORRIN: Mr. Chairman, I might say at the outset that I have considerable respect for the members of this House. Particularly, I have considerable respect for the Member for Inkster, the former Minister in this regard. I have for a very long time held him in very high esteem and have

a very high regard for him.

But in response to the Member for La Verendrye, I would say that he very much miscalculates my motives. My motives are not to play political games, nor have they ever been. I am sorry to say that my world is not black and my world is not white. I see our job as being considerably more complex than that and I very much regret that he is unable to have that perspective; I wish I could share it with him.

I would suggest to him, and I don't like to attribute motives but he attributed motives to me, I would suggest to him that in his unholy alliance with the former Minister is predicated principally on his need to defend his own position, his own inaction, his own inability to direct his mind in the interests of his community, the constituency he represents in this problem in the years since 1970. — (Interjection) —

MR. CORRIN: I would suggest that whether it is or whether it isn't, they are all our citizens and those problems belong to all of us.

Now, Mr. Chairman, I want to address the Honourable Minister and those members who have participated in this debate from the seat of their pants, I want them to address themselves to their Estimates and I want to see where the priorities of this government really are because here I think we have a very demonstrable, a very graphic illustration of what sort of priorities lie with this government.

I would ask you where the money would better be invested? Would the money have better been invested in the removal, even at provincial expense of 300 tons of deadly arsenic chemical from that village or would it better be invested in \$136 million of highway construction and reconstruction in our province? Would it be better that a tornado should strike the village of St. Pierre and hundreds of citizens should die in their beds? Or is it better that we should spend a relatively small sum of money, remove the risk and spend a few hundred thousand dollars less on the reconstruction of highways? I ask you, because that is relevant, that is a salient question and that is what this activity, this is what this endeavour is about.

I suggest to you that I for one place the emphasis on the priority on human life and well-being. Now if that is playing crass, cheap politics then I am a crass, cheap politician and I am not ashamed of it. But I would suggest and I would recommend you read what Councillor Gregoire, who I presume is representative of the Village of St. Pierre, what Councillor Gregoire of that village had to say about you as opposed to what you have to say about me last summer. Councillor Gregoire said that the villagers are angry because they feel that the federal and the provincial governments are first considering who will get stuck with the bill rather than considering the safety of our community. That's what a representative elected to the Council of the Village of St. Pierre had to say about your government. Now I ask you to put that in perspective and give that some consideration as well.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: If I might be allowed to put that in perspective, Mr. Chairman, that was before Councillor Gregoire had been informed by this government that his Council had the authority to pass a by-law to order the removal of the material from St. Pierre.

MR. CORRIN: Perhaps in closing Mr. Chairman, it was also before Councillor Gregoire was made aware of the fact that the Honourable Minister and his government could have taken affirmative action with respect to the problem presented to his village.

MR. CHAIRMAN: The Honourable Member for Churchill. **MR. COWAN:** Thank you, Mr. Chairperson. While on this subject I just a couple of non-political questions. I'd like to clarify something the Minister said earlier. He suggested that there was a problem with the removal process because, I believe he said that some of the arsenic had been frozen, and I'm wondering if he could elaborate on that briefly for a moment.

MR. RANSOM: Yes, unfortunately they've encountered some difficulties in the material that had been previously attempted to dispose of by burying it somewhere and eventually had to dig it back up and there was a substantial amount of gravel mixed in with it, and as I guess we might expect, that pile of material is now frozen solid and cannot be placed in the containers that are required in order to be able to transport it safely.

MR. COWAN: Thank you, I would then ask the Minister approximately what is the status of the removal now, how much has been removed, and how much arsenic remains in the community at

the moment?

MR. RANSOM: My information, Mr. Chairman, would be that perhaps two-thirds or thereabouts has been removed and that there probably was not the total tonnage that they had expected and hopefully when spring and summer returns to our Province again that it will melt and they'll be able to get it containerized and complete the job.

MR. COWAN: Then I would ask the Minister if he can confirm that the actual removal process isn't ongoing at the moment but will be reinstated during the spring after it's defrosted.

MR. RANSOM: That's correct.

MR. COWAN: I wonder if the Minister could inform us as to which company or who in essence is doing the actual removal process.

MR. RANSOM: The contract for the removal of the material is between Poulin Exterminators and a gentleman by the name of Cram from Cobalt, Ontario, and the material is being refined at a plant in Cobalt.

MR. COWAN: The reason I ask that, Mr. Chairperson, is a while ago I recall seeing a picture in the paper of some of the removal of the arsenic in the community, and I was looking at the workers working there and I noticed that they didn't have on what one would normally consider protective equipment for people working around arsenic. In other words, they didn't have on gloves and they didn't have on masks and I'm just wondering if the Minister can assure us that the removal of the arsenic in the community is being undertaken in such a manner as to assure the safeguard of the workers who have to work around that very toxic chemical.

MR. RANSOM: My understanding, Mr. Chairman, is that the people who were removing the material have had some experience in handling this kind of material previously and that they have had some special protective clothing - - I don't know perhaps the picture you saw was taken after the work had actually been done - - and our environmental people have been, I won't say supervising, but have been available to advise when advice was asked for.

MR. COWAN: Yes, I'm wondering if the Minister would know if the Workplace Safety and Health Division has carried out any inspections - - I know it's not his Department but it is a concern that is related to this particular item - - if the Workplace Safety and Health Division has carried out any inspections of that removal process in reference to safeguarding the workers?

MR. RANSOM: I don't know, Mr. Chairman, whether there has been or not, except that all I know is our Environment people have been on the scene.

MR. CORRIN: Thank you, Mr. Chairman. I'd asked the Honourable Minister if he could advise members present of the safety standards that are being followed with respect to the removal, whether the standards for instance have been imposed by federal regulation or whether those standards have been imposed by provincial regulation? I would ask him whether his department or any other department is inspecting and supervising the removal of that product, of the deadly chemical, in order to assure that no accidents in its transportation should take place?

MR. RANSOM: My understanding, Mr. Chairman, is that there really are not, what you might call adequate guidelines or regulations in place for the transport of this sort of material. The Federal Government is now examining the possibility of bringing in regulations for governing the transportation of hazardous waste, but I can assure the Honourable Member that one of the reasons for the alleged procrastination was that we were attempting to be certain that all of that sort of problem, all of them were taken into consideration, and that we had the necessary approvals from the Department of the Environment in Ontario, and that the federal people had been consulted with. Our environmental people have been closely involved with the situation giving advice at every turn, Mr. Chairman, and that's all I can say about it. If the honourable gentlemen wish to place some specific question then I will attempt to get an answer to it.

MR. CHAIRMAN: The Honourable Member for Wellington.

MR. CORRIN: Yes, I would be interested, Mr. Chairman, in response to that answer in knowing whether or not then it is true that the Province of Ontario has through its Department of Natural Resources and Environmental Management been able successfully to establish guidelines for the transportation of that sort of very deadly chemical. I am wondering whether or not the same standards currently pertain within our Province. I am wondering whether or not, if that is not the case, whether it is indeed and whether it was indeed advisable to remove the product, to transport the product prior to establishing sufficient environmental protection and safety guidelines.

MR. CHAIRMAN: The Honourable Minister.

MR. RAMSOM: Mr. Chairman, this is incredible. Now the honourable member is telling me that we should have left the material in St. Pierre while we worked out the regulations as to how it should be transported. Mr. Chairman, I have no response, I'm afraid, I have no explanation.

MR. CHAIRMAN: The Honourable Member for Wellington.

MR. CORRIN: Mr. Chairman, as I pointed out to the Honourable Minister before, under the Clean Environment Act he needn't have initially removed the deadly contaminant. He could have well decided to have the Clean Environment Commission consider the problem and they could have taken steps to safeguard the situation. In other words, they could have required that the contaminant be housed in concrete bunkers in the immediate vicinity until such time as appropriate standards were established. I am not saying this to be difficult or to be prolix or to be facetious.

MR. RAMSOM: I'd like to ask the honourable member a question. How would we move it from the warehouse to the bunker?

MR. CHAIRMAN: The Honourable Member for Wellington.

MR. CORRIN: I think that is indeed a very facetious question. That is a facetious question, because as you well know ...

MR. SPEAKER: The Honourable Minister.

MR. RAMSOM: The question is asked in all seriousness. That is not a facetious question. There is a very real problem. The material is stored in a warehouse. Now, we are getting questions on the workplace, is the workplace safe while we're moving that? And, when we're moving it, have all the regulations been taken care of? Then the Honourable Member comes up with the solution that maybe it should have been put in concrete bunkers. I ask him, how do you move it from the warehouse to the concrete bunkers without having to move it?

MR. SPEAKER: The Honourable Member for Wellington.

MR. CORRIN: That is why the Clean Environment Commission was delegated responsibility and here again I have to refer to the Minister's own legislation. This why this Legislature delegated responsibility to the Clean Environment Commission to establish these sort of limits and conditions. You see the very purpose of having a body of experts on hand within the Province to whom you can delegate this sort of very difficult question is to answer and make response to that sort of question. What I'm suggesting though, that it is not my responsibility as a member of the opposition to stimulate this sort of thought for the Minister. The Minister has a department, he has a Clean Environment Commission he can delegate questions to. He has governmental responsibility and authority and jurisdiction, all of which I do not have. And so I suggest to the Minister that when a problem like this presents and I'm not trying to be paternal and paternalistic, but when a problem such as this presents, it is his responsibility to logically and systematically approach it on a problem solving basis. So, it's him who has to deduce and best assess and evaluate how he will come to grips with this sort of problem.

He has resources at his command. He has inspectors in his department; he has the Clean Environment Commission to delegate responsibility to; he has a considerable amount of jurisdiction and authority. So I would suggest to him that knowing that such deadly contaminants do exist within the Province and may well still exist because we're now debating in this House at the same time and I'm sure it will soon rear its ugly head, we're debating the question of PCBs, another very deadly contaminant, I'm advised.

So we're not just talking about the arsenic in St. Pierre, we're talking about contaminants that we don't know how to handle. Soon we're going to be talking about deadly radioactive wastes, perhaps from nuclear reactors. They're already talking about it in the Province of Ontario. In the Province of Ontario they already have to deal with it. They're already forced to cope with the problem. And, as I'm sure the Minister will be aware, they've had very serious problems. They've had leakage, they've had PCBs getting into the water system and so on, in Saskatchewan. So, the problem does present right now. I'm not suggesting something to the Minister that is insoluble or that is purely hypothetical or speculative. I'm suggesting something that presents around this country, on the face of this continent today. So, I ask him to consider, rather than facetiously ask me how I would move the arsenic in St. Pierre from the warehouse to the bunker, I would ask him to consider what he is going to do about PCBs; what is he going to do about the nuclear waste problem. What representation is he going to make to his government relative to that form of hydroelectric power. These are the questions, these are the questions of the next three years. These are the questions of the next generation and decade.

Stop worrying about what the Honourable Member for Inkster did in 1972 and start worrying about the other problem. That's what relevant.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: Mr. Chairman, I'd be quite prepared to discuss those matters under the appropriate section if I might be allowed one observation and that is that none of those problems will be solved through indignation.

MR. CHAIRMAN: The Honourable Member for Elmwood.

MR. DOERN: Mr. Chairman I want to just ask a couple of brief questions of the Minister. Because of Clean Environment Commission orders, there has been a tendency in the City of Winnipeg to substitute land fill in place of incineration and I am in particular interested in the opinion of the Minister or his department on the relative safety of land fill sites versus incineration. For example, in the last few weeks, it has been announced that the City is closing its incinerator and there has been some concern expressed that the burial of hospital wastes and other material may be a health hazard.

Also, the Amy Street Plant which services a large area in downtown Winnipeg as well as a series of provincial buildings, and I mention in passing to the Minister, that I have submitted an Order for Return in this regard that's going to be enlivened on Monday that the replacement of that plant by a series, one or more, of land fill sites I believe is a backward step and a wrong decision on the part of City Council because what they are doing in effect is closing, they're closing in that particular instance a steam plant that is burning coal, etc. and they're going to simply go to other methods of heating in the downtown area when they have before them proposals to burn garbage in the downtown area, to incinerate the garbage which would then produce heat, which would then produce steam and heat the buildings in the downtown area.

If they proceed with that particular plan it will cost the province millions of dollars to replace what was in one case just an access to the steam heat, and we will then have to pay for oil burning equipment or gas fired equipment to heat our buildings. This will be at a considerable cost. The municipality, the City of Winnipeg will have to also pay a considerable amount of money to provide new heating capacity, and maybe a hundred or more private buildings in downtown Winnipeg will have to then, each and every one put in their own heating equipment. In many cases I suggest also to the minister in passing, that those buildings will find it more difficult. In some cases, there will be bankruptcies because of the fact that they will be unable to make their buildings economic given the additional costs of putting in that kind of equipment. Now they have no investment in heating equipment; now they will have to, as a result of this decision, invest considerable sums of money.

So, I say to the minister that as a result of provincial policy— and I realize that the minister and the government is not trying to embarrass or coerce the City into a series of false moves — but as a result of a provincial position, and I believe it is a correct position, namely that those plants,

the incinerator and the Amy Street plant must meet environmental standards. That, I believe, is a correct position.

The minister, as a consequence of his action, has elicited a decision by city council to close both of those facilities and to go to land fill. So my question is simply this, does the minister have any environmental concerns about land fill, because this is the route that the City of Winnipeg is going and maybe other towns and villages in the province? I believe that that will be a decision that is cheaper in the short run, but more expensive and more dangerous, potentially dangerous in the long run. So, I'd ask the minister for his view in regard to the safety, short term and long term of land fill sites.

MR. CHAIRMAN: The Member for St. James.

MR. MINAKER: Thank you Mr. Chairman. I rise during the debate on the Estimates to raise a question to the Honourable Member for Wellington that the Honourable Minister of Health and Fitness raised the question to the honourable member with regards to his personal or private interest in the Borger affair. And, I believe it's very important to the House, Mr. Chairman, because in my five years in the House I've always felt and I think it's important that we clarify this question, that when a Member of the House had any personal interest in something, either representing a client — if I represented a client I wouldn't get involved in raising any questions or any suggestions in the House that might be advantageous to the person I represented or to myself — I think it would be in the interest of the House, Mr. Chairman, and also in the interest of the Honourable Member for Wellington, and the people he represents that he should clarify that question that was raised by the Honourable Minister of Health and Fitness.

MR. CHAIRMAN: The Honourable Member for Lac du Bonnet.

MR. SAMUEL USKIW: Mr. Chairman, I'm sure the Minister will appreciate my contribution in light of what he has been subjected to over the last several minutes. He has had ample time to receive all of the up to date reports since a year ago, and I refer him to the problem of the water pollution at the East Selkirk area of the last two years, and I would like to know just what stage the investigations are at or what the conclusions are, if any, and what is currently being done in that connection.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MERCIER: Mr. Chairman, with respect to a few of the remarks from the Member for Elmwood, and the safety of land fill sites, Mr. Chairman, there's no doubt the Member for Elmwood is well aware the city did go through a problem with a land fill site in St. Boniface, which was sold to private interests on which certain buildings were built. The city is attempting, I believe, to make compensation to some of the owners, and I don't want to go too far in that area because frankly in the last 14 months I'm not sure whether any of those matters are before the courts or whether any actions have been started. But, it was a situation in which the former City of St. Boniface authorities felt there was no danger that would result from the sale and ultimate use of this land for industrial purposes. The city, having gone through that experience, Mr. Chairman, in the development of land fill sites, particularly the one in south Winnipeg south of the Perimeter Highway — I think they call it the Brady site — and the one in the northeast section of the city are now developing land fill sites so that they can be ultimately used for parks purposes.

In the northeast section, eventually in 12 years I believe, there will be a golf course, and assorted other recreational activities going there and building will simply not be allowed on those sites. I think the problem of any danger of land fill sites in the city of Winnipeg has been resolved, Mr. Chairman, perhaps through the difficult experience the city went through with the St. Boniface site, but with the planning that they have now implemented on the use of sanitary, light land fill sites in the future.

With respect to the steam heating plant, Mr. Chairman, no doubt the Member for Elmwood and the Member for Seven Oaks will recall, particularly his advice to the City of Winnipeg, that the previous government was not prepared to participate financially in the new waste disposal concept that was developed by the City of Winnipeg, unless the federal government indicated that they would be prepared to participate financially in what was a good concept, and one which I would certainly support in principal. The problem is, as the former Minister of Finance and Urban Affairs recognized — and the city has apparently recognized having received no positive response from the federal government — that the existing dollars simply are not available to be able to support that kind of a development.

The city has apparently taken the position that they will phase out the Amy Street plant. My understanding is that a great deal of notice will be given to users. The major users are the federal government and the provincial government who have buildings in this particular area. I know the Minister of Government Services is considering this particular problem at the present time.

So, Mr. Chairman, it's important too, I know from people who have been buying buildings in the downtown core area of the city, particularly the older buildings, who have had plans to renovate them, that a decision be made on whether they could rely on a steam heating plant, because there would be many plans for reconstruction in the downtown area, and a lot of decisions have been delayed pending the determination as to how the buildings would be heated in the reasonable and foreseeable future.

Mr. Speaker, I think on a couple of points raised by the Member for Elmwood, in view of the experience of the City of Winnipeg, I don't anticipate any difficulty in the City of Winnipeg developing landfill sites as they are presently doing. Our government and the city government are having to deal with the prospect of the closing of the Amy Street plant and is a decision that has been made by the city as a result of no favourable response from the Federal Government in what would have been an innovative but an experimental project to a great deal and a very expensive one.

MR. SPEAKER: (1)—pass—The Honourable Minister.

MR. RANSOM: Mr. Chairman, the Honourable Member for Elmwood had asked, I think it was a question of principle really more than one of specifics, because of course we don't have a specific item in the Estimates that deals with the problem he raises. He raises an area of concern that is certainly emerging as a major issue across the country, not just specifically the question of whether you got landfills or not, but the disposal of waste, generally as over the period of development, cities and people and industries have felt they could simply throw things away and they'd be gone. We're discovering that that is no longer the case now and these issues have got to be addressed. We have, as one of the items in the Estimates that we do have some additional, be it small, amount of money budgeted to do some work in the area of hazardous waste and we are co-operating with the Federal Government in attempting to come up with a safe means of transporting, of storage. We've proposed to the Federal Government that we have a storage site, a different one than we have now. We're looking at facilities for destroying things like PCBs, so it's a question that's being addressed.

The Honourable Member from Lac du Bonnet raised the question about the East Selkirk situation and I can say that some of the potential sources of contamination there have been dealt with. The run-off from right-angle farms has been channeled away. It is no longer a potential. The lagoon at the school, the holding pond, has been relined and surface surveys are under way to assist the municipality in making any changes in surface run-off. When that's done, they'll be able to address What to do with the quarries. The contamination in the wells still exists in a small number and the residents are still being advised to boil the water, so we're still going to be some months yet, at least until they positively identify where the source of contamination is coming from and it may still not be positively identified.

MR. CHAIRMAN: The Honourable Member for Lac du Bonnet.

MR. USKIW: Well, Mr. Chairman, I've two questions, then, to follow up on the Minister's comments. One is: does the Minister know what kind of contaminants were, indeed, found in the water, because as I recall it, he was not certain as to the source or what it was. Perhaps that has been clarified at this point in time. The other is: a year ago, the Minister indicated that there were certain design changes that were going to be recommended with respect to the holding lagoon at the Right Angle Farm and that the department was going to insist that some changes be made or recommended or whatever the term was and I'm just wondering whether that has taken place. Now, the Minister, just a moment ago, suggested that the drainage from that farm has been rerouted and as I understand it, it is now following the highway ditch along Highway 59 into the existing creek and I question the Minister whether he is satisfied that farm drainage, carrying tremendous proportionality of pollution from animal waste, should be channeled into rivers and streams; whether that is, indeed, his policy, given the fact that he's acknowledged the change in the drainage-route from the drain leading into the lagoon or into the old quarry, rather, but rather into the creek going through the village at the present time, which is, by the way, a recreational area.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, I just want to ask a few detailed questions of the Minister. I would say in passing to the Minister of Urban Affairs that I intend to raise some questions about the availability of federal funds in regard to the Amy Street plant because my impression is that there is money available, millions of dollars available and that it may be necessary to aggressively go to Ottawa and ask for that money and if worse comes to worse, we could always ask for the intercession of St. Lloyd, who has very good connections and may be able to come up with the money. He has the ability to stop projects, perhaps he also has the ability to start them.

I want to ask the Minister about the Clean Environment Commission in regard to landfill sites, if he could indicate how many studies or inspections of landfill sites were made in the province and in particular, in the City of Winnipeg in the last fiscal year.

I'd also like to know whether there were any landfill sites that were given orders to improve their operation and finally, was the Clean Environment Commission in any way involved in the closing down of the — was it the St. Boniface Industrial Park? What was the name of that park? —(Interjection)— Yes, I'd like to know whether it was because of Clean Environment action that that park was closed down, or did it come about in another way, because it would seem to me that the sequence is quite important in regard to the ability of the CEC to find problems and act on them before there are serious consequences.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: I would have to take as notice his question concerning a specific Order by the Commission. The Orders are up into the hundreds; I'm not familiar with each Order, at all, and Terms of Inspections and that sort of thing, it really is more appropriately dealt with under the Environmental Management Division. I have people here then who can perhaps provide some specific information. The Commission, of course, does not do the inspections, they only pass the Orders and the same with the Honourable Member from Lac du Bonnet questions of policy and such with respect to environment, really are more appropriately dealt with under The Environmental Management Division. But seeing that he has asked that question, I will respond by saying that the action that has been taken there was taken to remove any possibility of contamination of the groundwater there. Now, his additional concerns, that's the surface drainage patterns there are being looked at now and surveys are being carried out and I assume the municipality will have some recommendations when those are done.

MR. CHAIRMAN: The Honourable Member for Lac du Bonnet.

MR. USKIW: Well, Mr. Speaker, I think that it's reasonable to ask of the Minister for the benefit of the community, whether or not it is going to be, if it is not yet established, the policy of government, to allow the drainage and surface runoff from large animal holding pens into adjacent rivers and streams and especially where it is near a substantial village in terms of numbers of people that are involved. To me, that presents quite a concern and the people in the area are terribly upset about the fact that quite often, each year, the stream that goes through that village is just coloured red from the runoff from that farm, and —(Interjection)— yes, it's a reddish or rusty-coloured water that is flowing through the village and the logic of it is that it is of course, pollutants coming into the stream from the farm itself, from the feedlots. So that in essence I think it is a real concern of the community and they are entitled to know what it is that the government's policy is today, or will be soon after they have done the studies that were necessary, of course.

The other part is, the Minister did not indicate what the pollutant was and I wonder whether he is in a position to tell us at this stage what the pollutant actually was under analysis that they have carried out over the last year.

The third point is, and I would like him to, if he can't answer the question now, hopefully, in due course, respond to it, and that is, what is the policy of the government with respect to the continuation or renewal of environmental licences to those kinds of operations which are extremely close to villages or towns, after there has been a suspension of those kinds of operations. In other words, Mr. Chairman, I'm really, putting the question whether it was wise for the Commission to issue a new licence after the particular farm in question had discontinued a livestock operation a few years ago or whether that would have been the time to simply indicate that that would be an undesirable form or type of agriculture in the community and that whoever the person that wants to take over that farm would be, that that new person would be restricted to some other kind of agricultural production. There are times when this can be done without penalty or with minimum penalty to the farm unit, in itself. These are the kinds of considerations that I think are worth looking at because the community is complaining and not only are they complaining because of the water pollution, but they are complaining because of the air pollution and I would like to know from the

Minister just what kind of measures are being enforced with respect to control of air pollution where we have a feedlot so close to a large community such as that.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: Well, I think that the honourable member may be aware that we recognize the problems that exist, potential problems that there are with respect to intensive livestock operations and that is why I asked The Clean Environment Commission last summer or last spring, to proceed to hold hearings, general hearings into that problem — not a specific problem, but the problem generally. As of yet I have not received that report, although, I understand it is close to being completed and hopefully that will provide us with some basis for establishing a policy because we have had input from operators and we've had input from municipal people and individuals who are interested, etc. He also probably knows that there are hundreds or thousands of individual operations that are in violation of the letter of The Clean Environment Act right now and it would be an impossibility to expect to enforce the law as it exists.

As far as any Order that The Clean Environment Commission has issued, it is not for me to say whether any action of the Commission is wise or unwise. The Commission does not operate under my control. An application is made, the Commission sits on the application and makes an Order. It's not for me to judge whether their Order is wise or unwise.

MR. CHAIRMAN: The Honourable Member for Lac du Bonnet.

MR. USKIW: Well, Mr. Chairman, I think that the relevance of the Minister's role in that connection, of course, lies within his discussions with his colleagues, in that, under The Planning Act, we have fairly extensive provisions with respect to the kind of things that can be done in different parts of the province, and in different locales. And there is a great deal of facility within that Act to license or not to license, to zone or not to zone, certain kinds of activities, keeping in mind the wishes of the community and the environmental interest that are predominant in the community. So that, in that context, notwithstanding the fact that the Clean Environment Commission has a role to play, that from a planning point of view, and in particular if you're looking at the future, then there is obviously scope for some intervention to make sure that mistakes of the past are not being repeated, with respect to new facilities or, if not new, to a situation where a large-scale, intensive livestock operation has been closed down to perhaps not allow it to re-open. If it is one of those kinds of situations which contravenes common sense, common sense and the rule of thumb that we would apply under the Planning Act.

MR. CHAIRMAN: (1)—pass. The Honourable Member for Flin Flon.

MR. THOMAS BARROW: Mr. Chairman, while we're on pollution, I'd just like to say a few words about how it affects my area, and being as the Minister is relatively young and new, as Russ Pauley would often say, "A Johnny-Come-Lately", I'd like to just give him a short history of the pollution problem in Flin Flon. Flin Flon, of course, as you know, is a mining town, and the pollution problem is both air and water. And it seems to me, Mr. Chairman, you know, the trade-offs we have, we ram them with Churchill Forest and they hit us with Manitoba Hydro. I'd like to agree to let them things lay which will never happen. It would make me very happy to forget the past and just go on with the present and the future, which is almost impossible in this House, because they keep referring to our eight years in government — hat we did wrong and what we didn't do.

Well, here's a little short history of pollution that shows their policy towards mining areas out of the main stream. They had done nothing about pollution at all, in thirty years the situation was completely ignored, both air and water. And the answer was simple. They didn't want to kill the goose that laid the golden egg — HBM and S — they had to have some financing for the campaigns.

You know, Mr. Chairman, the eclipse was a big event here in Winnipeg. In Flin Flon we had lots of eclipses, lots of days if the wind was right and at certain times the sun was right, we had a total eclipse. So it was nothing spectacular to us. And I'd like to say what former politicians, when they were asked about pollution, it was much same as the Member from Lakeside had on safety. We are not interested in safety. We are interested in production. And this is their philosophy, this is their feeling, they say the little fellow, the little guy, the guy that suffers from lung diseases. But in a way, Mr. Chairman, we started putting pressure on in 1969. We went to the company. I was there and asked them "what are you going to do about the pollution problem?" And he said, "Nothing". And I said, "Why?" And he said: "It cost too much." Well, we put pressure on, Mr.

Chairman, they decided they would do something. They would build a stack 350 feet, which would put the pollution from Flin Flon onto Creighton, that's in Saskatchewan.

And then things got a little tougher, so they decided, "We'll change from 350 to 450, which then puts it into Cranberry and some in The Pas, or whatever. So I asked one question in this House, Mr. Chairman, and my question was this: "If they don't meet the standard of .08 in air pollution, what will you do?" And that question was asked to Rene Toupin, and he said simply, "We'll give them time to remedy it and if they don't, we'll shut them down". The next day headlines, the stack went to 820 feet, Mr. Chairman, 820 feet stack. So my question, Mr. Chairman. So, you know, we can say we did something in eight years. We did this pollution. But my question to the Minister is this - the labour people, the people have no faith in the company taking tests. And what I want the Minister to assure me, does the government through their controls, do monitor these tests and these controls can not be tampered with.

MR. CHAIRMAN: (d)(1) —pass. The Honourable Member for Churchill.

MR. COWAN: Yes, Mr. Chairperson. While reading through the annual report, I notice that it said that the limits for emission of contaminants in the atmosphere are prepared and submitted to the Clean Environment Commission. The limits, when written into Clean Environment Commission orders become the section's responsibility for monitoring and enforcement, which brings us to a subject of topical debate in this House, and that's lead.

I'm wondering if the Minister could inform us as to what orders are written, what Clean Environment Commission orders are written in reference to lead pollutants, atmospheric pollutants, coming from the lead-using industries in the province, and also in Flin Flon.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: I would have to determine what orders are in existence, Mr. Chairman. As I said before there are over 800 orders been issued by the Clean Environment Commission and I'm not familiar with each of them. I'll undertake to find that out.

MR. COWAN: Yes, Mr. Chairperson. I wonder if it would be in order to ask the Minister if he'd be willing to table all pertinent Clean Environment Commission orders in reference to atmospheric pollution resulting from lead-using industries before the House, so that we might have that information for our perusal.

MR. RANSOM: It is my understanding, Mr. Chairman, that that information is public information in any case.

MR. COWAN: Yes. I was looking through the Votes and Proceedings just a moment before, and notice that the annual report of the Clean Environment Commission has not been tabled as of yet before the House. I'm wondering if the Minister could inform us if he has any approximate date when it will be tabled so that we can look it over before these Estimates are out of the House and can comment on it at that time.

MR. RANSOM: I believe it will be available shortly, Mr. Chairman.

MR. COWAN: It also says in the annual report this year that specific air pollutants are continuously monitored downwind of certain industries in areas directly affected by a pollution source. Now, I'm wondering if the Minister can inform us as to what monitoring stations, or what areas are being monitored now in reference to lead-using industries, in other words are there any monitoring stations downwind of industries currently using lead in the city?

MR. RANSOM: Well, I'm sure there are, Mr. Chairman. If the honourable members would like to discuss these issues under the appropriate section of the estimates, then I will have my people here who can provide some of the technical answers about which they're asking. The Clean Environment Commission issues orders, they do not enforce them, they do not test for them. They do not test for the compliance. That is under the Environmental Management Division.

MR. COWAN: Yes, Mr. Chairman. Well, also looking through the annual report, I noticed it mention that a Clean Environment Commission hearing had been held in Snow Lake to examine the pollution that might result from the mill being built there, pollution of the Wekusko Lake in that area, and I'm wondering if the Minister can report as to what the results of that Commission were, and to

inform the House as to what safeguards, or what orders have been issued in this regard to ensure that this very fine recreational and commercial fishing lake will not be polluted, either intentionally or accidentally, by the new mill that is currently being built in Snow Lake, and that the Minister can further tell us as to what the status of that mill is now. Is it operating? If not, when is it expected to be operating, and also what testing, what sort of testing program is going to be ongoing in the Wekusko Lake area to assure that the — I believe it's the Grassy River system — to ensure that the Grassy River system is not polluted by effluents flowing from the mill.

MR. CHAIRMAN: (d)(1) —pass. The Honourable Member for Churchill.

MR. COWAN: The reason I brought that up, Mr. Chairman, is that it was before the Clean Environment Commission, I believe. Maybe the Minister can correct me if it wasn't before the Clean Environment Commission, and if the Minister wishes, I will be more than willing to pursue it later during, I believe, it would be Environment Control, but I'd like the assurance of the Minister at that time he will be willing to discuss the results of that Commission during that particular section of the estimates.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: Mr. Chairman, it is my understanding that all Clean Environment Commission orders are available. They're available to the public. The Honourable Member can look up the order and see what limits were imposed. I am not in a position to discuss the limits as such, that the Commission imposes, in that I do not issue the order. We want him to discuss the enforcement, the testing and any cases where there has been an appeal, and I have dealt with an appeal, that sort of thing, then fine. But most of those items would better be discussed under the Environmental Management Division.

MR. COWAN: Yes. Reverting back to lead for a moment, Mr. Chairperson. The Honourable Minister of Labour in Monday's question period, in answer to a question from the Member for Logan said: "The fact is that there was a study performed on school children in 1976, and those facts and figures were raised Friday . . . "Oh, excuse me, in 1976, "and those facts and figures were turned into the Clean Environment Commission at that particular time". I'm wondering if the Minister can indicate if this study was concerned primarily with lead and if so, what schools were studied in what proximity of lead-using industries?

MR. RANSOM: I repeat again, Mr. Chairman, that when we come to the Environmental Management Division, then that is the appropriate place to answer, to respond to those questions. If you're talking about some appeal, I suppose one of the things that might be appropriate under the Clean Environment Commission, but if there is an order that has been made, it is available for you to see. We're talking about the other items, I'll discuss them under Environmental Management.

MR. COWAN: Yes, well, perhaps and I'm not trying to be antagonistic, I'm just trying to sort this out. I understand from the reply by the Minister of Labour that this study was turned in to the Clean Environment Commission. I would ask the Minister what the Clean Environment Commission did in regard to the study that was turned in to them in 1976? /

MR. RANSOM: I don't know what they did with it, Mr. Chairman. I don't know whether there was a specific hearing and an order was issued or not. If an order was issued, then it is available. Otherwise, if we're talking about the information that was collected by the Environmental Management Division for some reason, we can discuss that under that division.

MR. CHAIRMAN: (1) —pass; (2)—pass; (d)—pass. (e)(1) Salaries—pass; (2)—pass; (e)—pass. Resolution 82.

The Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, I wanted to deal with (e) which you have just passed.

MR. CHAIRMAN: The Honourable Member for Inkster on Item (e).

MR. GREEN: Right. (e), Mr. Speaker. I would like to know from the Minister just what this secretary is doing?

MR. RANSOM: The position is vacant at the moment. As the member may be aware, there was a subcommittee of Cabinet established last spring some time to deal with matters concerning land claims of one type or another and we appointed a secretary, Mr. Al Murray, who had been serving as Associate Deputy Minister. He, unfortunately left to take employment in British Columbia in October and we have not refilled the position since.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, there are two aspects of Indian land claims that I would like some clarification about. One relates to how the province is dealing with the acreage. The difficulties I know that were experienced in the past is that some bands did not have their land claims settled for many years. I'm not going to try to assess who was responsible, but the effect of not having them settled created some confusion as to how the settlement should take place, whether it was acres at the date that the treaty was made or a date fixed by that time or what became sort of the slogan was based on today's population. I do remember being involved in a settlement where we based it on a population some years back, I think the 1920s — I can't remember the exact year — which we then thought would act as a standard for future settlements. Because, Mr. Chairman, basing it on today's population, it becomes the delay. One can then understand the delay because there were some settlements that we wanted to make but couldn't make. And the position of some of the bands, and I'm not criticizing this, I mean I would think that they would take the position that was strongest from their point of view. That doesn't mean that the province generally has to accede to that. But they were taking the position that the land claim is settled with population as at today's date and if you wait a couple of years, as at that date. Is that question resolved and if so how has it been resolved?

The second item which was equally important, Mr. Chairman, is that one of the problems associated with land claims and land entitlements was the one that was run into with the Churchill River Diversion and at Nelson House and more recently and predictably, Mr. Chairman, and I am certainly glad it has come out, because it's exactly what I said would occur, that the federal government paid money to some committee to negotiate land claims in the Northwest Territories with the federal government. But then the federal government said if they don't settle it the way we want to settle it, we're going to take the money away which proved to me, Mr. Chairman, that the federal government was acting with a great deal of duplicity and was really trying to compromise the people that were being paid the money and that it was not a generosity on the part of the federal government and the moment of course that the militancy of the bands expressed itself, there was a threat to take away the money which put the people in a worse position in my opinion than they would have been in in the first place.

But, nevertheless, the problem that rises to the surface is how do you settle a land claim? What provision do you make for what will happen if and when there is a public project which may affect that land? And, Mr. Chairman, let me make myself perfectly clear. I have absolutely no objection, as a matter of fact I am quite in favour of when the federal government uses land, or the provincial government, which belongs to an Indian reserve that they should have to compensate the reserve for that land, generously, if necessary.

But I am not ready to accept the principle that if a public project proceeds in an area in which there are Indian lands, that they cannot proceed with the project unless they first obtain the consent of the band. And particularly am I concerned with settling Indian land claims until there is some understanding vis-a-vis that particular position. And I know that when we tried to get an understanding vis-a-vis that particular position with the federal government, that we ran into the most obtuse federal policy that I can think of, that they just refused to consider the question.

Now, historically there was no problem. The federal government was the owner of land belonging to the Indians. If there was a public project there was a removal of some and a replacement of lands that had been taken. The federal government stopped exercising its responsibility in that connection with the Churchill River Diversion and some other claims which brought the problem to a head. I want to know from the Minister, whether the Province of Manitoba is going to be transferring land to Indian bands without some understanding with the other jurisdiction, and I'm not talking about the band, I'm talking about the federal government, which has jurisdiction in this country respecting native Indians, treaty Indians, which would provide for certainly just treatment if the public required a piece of land but which would not put anybody in the position of vetoing a public project.

Now, the only means of dealing with the question is to deal with it in advance. Because if land claims are settled without the question being dealt with, and I note that there have been some settlements that you've announced through government services, and I therefore was going to ask about this, that I think that you are looking for trouble. Mr. Chairman, I want to give all credit to

the Indian people. They certainly have had the lower end of the totem pole or the lower rung of the ladder economically in our province and I say that that has been a blot on the way in which these people have been dealt with.

But, let us also recall that essentially that blot was to deal with them as if they were never to be part of our society and that the reservation system which started a hundred years ago was essentially a statement that we will give you a piece of land, there will be a certain number of acres; we will provide certain rights for the next hundred years and then we will say that we made this deal with your leaders and we have no responsibility for you. I believe that this has been the major cause of some of the misfortunes that have resulted and some of the conditions which are prevalent on many Indian reservations to this day. I wouldn't like to repeat now on the specious basis that these people are to be treated as a nation given a certain little bit of territory plus some federal pledges to their leaders and then they can live their own life in their own way and we will not be concerned because that's not what will happen, Mr. Speaker. They will lose both ways.

The civilization which we are ostensibly protecting is not insulated from western civilization and will not be sustained and isn't sustained if you will examine what has occurred where most of these populations are living in dependency situations. —(Interjection)— Well, that's a misfortune that reflects the advance, or if you don't want to call it advance, the march of western civilization. Now that's a misfortune, that's a problem.

The second problem is that they are not ministers, doctors, lawyers, teachers. They have not been given the same opportunity to become a part of the mainstream for those who would wish to do so. And I was heartened, Mr. Chairman, last year when I heard the president of the Indian Brotherhood saying that, "We want some Indian millionaires, we want Indians in the mainstream of the Manitoba population." Well, they're not going to get it Mr. Chairman, if we adopt a specious assumption that if we have a little enclave and territory which they can call their own and suggest that they have some treaty rights and then say that we wash our hands of the problem of native peoples in the province of Manitoba.

So, I ask the Minister, when settling these land claims, is there going to be an understanding as to what happens? Because in the absence of an understanding, Mr. Chairman, to the Minister, it is in the interest of the native people to try to select locations where they can predict that something may happen in the future and then to adopt a kind of bargaining that was adopted by D'Arcy McCaffrey who listed the fourteen points including special hydro rates, special taxation provision, special economic development, with the last number being on his list. The above list is not exhausted. You can add to it. There's no choice but to have that type of negotiation if there isn't an understanding in advance as to how this will be dealt with and I wonder whether these problems are being given consideration by this secretariat.

MR. SPEAKER: The Honourable Minister.

MR. RANSOM: They certainly are being given consideration, Mr. Chairman. That's one of the reasons, of course, that the subcommittee was established and that a secretary was appointed in order that we would first of all be able to understand what had gone on in the past and on the basis of that information, put together some policies on which we could attempt to bring about settlements. And that is why we issued in October a set of guidelines, nine points, which we said this is the way that we interpret our responsibility to the federal government to provide land in order that they may fulfill their entitlements to the Indian people and we set out nine points, which perhaps the honourable member has seen. We communicated these to the federal minister and asked for their response and we communicated them to the Indian Brotherhood as well. Perhaps, Mr. Chairman, you could just pass that over.

We have said that these are points that we think should guide how we make land available and the first of those — now I'm without the sheet — the first is that the population date would be the date of first application or first survey, which is the same date that the previous administration was using. We examined that question and thought perhaps our real obligation would be 1930 when the natural resources were transferred to the Province, the Province would have said, be prepared to make lands available in order that we can fulfill our entitlement, but because the previous administration had adopted a somewhat more lenient or generous date, we said: "Fine, we will do the same thing. We will take the same position so that you're not in the position of saying your government changes its position on this." So that important remains the same. Then some of the other issues were, I see, established by practical things, somewhat things, like the transfer of mines and minerals.

The other one was the question of expropriation. We have said to the Federal Government the same as you had said. We don't like your policy with respect to the application of Section 35 of the Indian Act, which says that the Federal Government may expropriate, but the policy of the Federal

Government has been that they will not take land unless they have the agreement of the Indian people, which of course is not expropriation at all. So we have made that very clear to the Federal Government. We have made it very clear to the Indian Brotherhood and to their Entitlement Committee, and I can say that there is agreement with the four Western Provinces and with Ontario on that item. I'm in communication with the Federal Minister now and at least they're willing to discuss it at this stage because I'm pointing out, we're pointing out to the Indian people, that so long as we do not have the right to take land back for public works then we must be extremely careful in what we transfer to you. We will not make land available that we feel may at some time be needed for power development or for a pipeline, or that sort of thing. We say it is not in your interests that we do not have this right to expropriate and I believe there is some, perhaps some understanding of that position.

With respect to those that we already have transferred, we have done that because those things were in process and we were not about to hold them up. Our general policy is one that we believe that the Federal Government has been attempting to unilaterally back off from their responsibilities to Indian people. We do not think they should be doing that; the Brotherhood does not think that they should be doing that either, and we are attempting to pursue the tripartite negotiations and we're having great difficulty in getting the Federal Government to sit down and enunciate what their policies are going to be. But as a result of Western Ministers with responsibility for Indian land matters and others getting together, we have worked out some common positions, we've forwarded those to the Western Premiers, they will be discussing them at their next meeting, and I assume at some point, will be brought to the attention of the Prime Minister, and I would hope for the sake of the Indian people themselves, particularly the Indian people, that we can get some resolution of these problems because it is a difficult thing for us to be in the position of recognizing the plight of the Indian people and still having to be responsible for the interests of the public generally.

MR. McBRYDE: Mr. Chairman, in regard to the tripartite nature of the negotiations that the Minister has indicated this government would like to have, between the Federal Government, the Provincial Government and the Indian Brotherhood, or the Indian people in Manitoba, I wonder if he could tell us what effect on this type of negotiation in terms of, I suppose establishing a relationship between the three people in a tripartite negotiation, what effect on these negotiations the unilateral action of the Minister responsible for the Manitoba Housing and Renewal Corporation had when the Minister unilaterally ended a program that had always applied to reserves since its inception, when he unilaterally cancelled the program that applied to all Manitobans including Treaty Indians on reserve. Did that effect the negotiation? Did that make the Indian brotherhood a little bit suspicious of the actions of this government?

MR. RANSOM: The unfortunate thing, Mr. Chairman, is that although the Federal Government has the responsibility to Indian people they have been abrogating that responsibility over the years, to the point where the Province now pays \$30 million-\$35 million net cost for services to Indian people, which is not our responsibility and which the Brotherhood says is not our responsibility. Now, the one place where that is clearest, is on the delivery of services to reserves, and by not delivering that service to the reserve we simply are pursuing a policy that the Indian people themselves say is, in general, is and should be the case, that the Province does not have the responsibility on reserves, the Federal Government has responsibility on reserves. So we are saying those services then will not be delivered to reserves. It has nothing to do, it is not a discriminatory thing against Indian people, it is a service to reserves.

Now we also feel that in addition the Federal Government has responsibility for Indian people off reserves, but clearly the Province has been and is assuming responsibilities off reserve and we will continue to do so even though we're going to be vigorously negotiating with the Federal Government to have them try and assume their responsibilities and at least state what their policy is. At the moment we don't know what the Federal Government's policy is.

MR. McBRYDE: Mr. Chairman, then I wonder if the Minister is giving some indication that there was some agreement between the Province and the Indian Brotherhood as to exactly what attempt both the Province and the Indian people would agree to put a joint position to the Federal Government in terms of "that is your responsibility Federal Government." Was there an agreement in this particular case?

MR. RANSOM: If you're speaking about a specific agreement on the Critical Home Repair Program, no. What I'm saying is that there is agreement between the Indian Brotherhood and our government that it is the Federal Government responsibility to deliver services on reserves. Therefore, that is one program that we will not deliver on reserves, and we agree with the Brotherhood that we should

not be providing those services. The Federal Government should be providing those services. So in terms of the general policy direction there is agreement.

MR. McBRYDE: Mr. Chairman, I wonder then if the MIB came to the Province and asked them to stop the Critical Home Repair Program applying to reserves as it did to other regions in Manitoba?

MR. RANSOM: Of course not, Mr. Chairman, but the policy statement of the Brotherhood remains, and our policy agrees generally with that approach. Now, I believe that what has got to be done is that the positions of the Indian people, of the Federal Government and of the Provinces, all have to be established. We have attempted to establish what our position is. We have put out guidelines and said these are the circumstances, and we're taking positions on other issues as well, and we want the Federal Government to take a position also. And when they all have established what those positions are, then maybe we're going to be able to get together and resolve some of these issues, but as long as the Province continues to provide services which are not their responsibility, we are going to continue to increase that amount which is now in the neighbourhood of \$30 million to \$35 million. And if the positions are to be strict interpretations of Treaties and Acts, we have no responsibility in that area.

MR. McBRYDE: I wonder if the Minister could then indicate if there are other areas in which the Province presently provides services to reserves, what Provincial programs do apply to reserves that the Province is planning on pulling out of?

MR. RANSOM: We have no specific plans to withdraw from services at this stage, Mr. Chairman. Naturally services that have been established are very difficult to terminate that sort of thing. I think perhaps it has been a mistake to deliver services to reserves in many cases, where the Province had no obligation or responsibility.

MR. McBRYDE: Yes, Mr. Chairman, I can understand and sympathize with the direction that the Minister has indicated in a general direction that they would like to move.

In regard to land claims, and in regard to other matters of negotiation, and one of the problems is that when you are in negotiation things tie together, you negotiate wages, you also negotiate health benefits, you also negotiate working conditions, and the three become tied together. And if you're negotiating land claims, you're talking about negotiations that are tripartite. If you're negotiating services to Treaty Indians in terms of Treaty obligations of the Federal Government, the items under negotiation are tied together, and what we were attempting to do in government, and what the Minister is saying he would like to do, is to negotiate and reach agreement so that there's no misunderstanding as to which service should be provided by the Federal Government, and which services, if any, should be provided by the Province. And those negotiations were under way.

The problem, Mr. Chairman, arose when the Federal Government was unilaterally withdrawing from programs that they had traditionally provided to the reserves, and since a number of those programs were in areas of Provincial responsibility such as certain types of health care, mental hospital, etc., etc., that in fact the Province had to pick up the bill because the people were in Provincial institutions or in institutions that the Province paid for. And that's where the problem came up, when the Federal Government began to unilaterally pull out of programs and the Province was forced to pick up the cost. The Indian people of Manitoba were very dissatisfied with that; the Province was very dissatisfied with that. The direction that we were moving was in fact the Province had already, because of unilateral action, was in fact providing services to Treaty Indians in Manitoba to the extent that the Minister mentioned, in the neighbourhood of \$30 million.

Our position was, when we were in government, that if in fact we could get the Federal Government to resume some of those responsibilities, that would free the Provincial funds up that were tied into federal obligations and we would be willing to look at economic development with funds that were freed up as a result of those types of negotiations, that we would in fact be willing to assist with economic development on reserves because the reserves are such an important part of a number of communities. Mr. Chairman, I'm sure you're well aware, and the Minister is aware, that many communities up north are half treaty people on the reserve, and half non-treaty people, it's really the same community but there is a separation because there is the treaty obligations to the Treaty Indians. But what has happened, Mr. Chairman, and it has affected the negotiations between the Manitoba Indian Brotherhood and the province, because I was at their last annual meeting when the subject came up for discussion, as an observer. It has affected the negotiations, the fact that the province has done the same thing as the federal government has been doing,

and that is, a program that had been applied equally to reserves, was unilaterally withdrawn without any discussion with the MIB, without any negotiation with the MIB, even, Mr. Chairman, without any notification to the MIB that this was going to happen. With letters going out to applicants who were living on reserves, saying, "You are no longer eligible because you live on a reserve. That is how the representatives of the Treaty Indian people, that is how the representatives of this House found out that the program had in fact been unilaterally withdrawn.

So that's the type of situation I'm talking about, and as the minister would be aware, that has damaged the ability to negotiate, it has hindered the ability to negotiate, and to bring about the tripartite negotiation that he is wishing and saying that the government would wish to move into.

The other aspect of this particular item, Mr. Chairman, my opinion at the time that the Land's Claim secretary position was created, was it was part of the previous minister's move to get rid of a civil servant, to demote him and hopefully to get him out of the department. And that would seem to be substantiated by the fact that the minister now says that the position has been vacant, has been vacant since the incumbent left, been vacant since last October, and if there is in fact a function for a secretary, I wonder if the minister could explain how that function is presently being carried out, or how the committee now operates, or if there is any negotiation going on at this time, or whether it's a defunct committee.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: I think the Honourable Member for Inkster had made a point with respect to land claim settlements, that it was rather difficult to negotiate them after they already had provided the land, and it's somewhat a similar situation here. I must say that the relationships that we have had with the Indian Brotherhood have been very good. I've met a number of times, and our problem is negotiating with the federal government. No difficulties with our relationship with the Indian Brotherhood. With respect to the committee itself, the committee continues in place, and the work is temporarily being done by Dave Tomasson, from the Northern Affairs Department who has considerable experience in this area. I do not anticipate that he will be able to fill it on a part-time basis in a continuing fashion.

MR. CHAIRMAN: The Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, there are still some items that I would like to raise on this item. I just wonder whether this committee couldn't rise at this time.

MR. JORGENSEN: If we're through with item 81. . .

MR. GREEN: No, there would still be some items to be discussed on this one item, the last item (e), which I would hope we could come back and deal with tomorrow.

MR. JORGENSEN: Committee rise.

MR. CHAIRMAN: The Honourable Member for St. Johns.

MR. SAUL CHERNIACK: I was just wondering, I've been waiting because I couldn't come down the steps quickly enough when you were reading through some of the earlier items to ask one question that would have come under Administrative Services, had I been able to come down quickly enough. I am wondering if I would be allowed to ask that question now, or if I have to wait until the minister's salary comes around again.

MR. CHAIRMAN: . . . the honourable member, we've passed that, and you will have your opportunity under the minister's salary. Committee rise. Call in the Speaker.

The Chairman reported upon the Committee's deliberations to Mr. Speaker and requested leave to sit again.

IN SESSION

MR. DEPUTY SPEAKER: The Honourable Member for Radisson.

MR. KOVNATS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Dauphin, that the report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. JORGENSEN: Mr. Speaker, I move, seconded by the Member for Springfield that the House do now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 10 o'clock tomorrow morning. (Friday)