

## LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, January 12, 1990.

The House met at 10 a.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**Mr. Edward Helwer (Chairman of Committees):** Mr. Speaker, I beg to present the Second Report on the Committee of Municipal Affairs.

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

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

**Mr. Clerk (William Remnant):** Your Standing Committee on Municipal Affairs presents the following as their Second Report.

Your committee met on Tuesday, December 19, 1989, at 10 a.m. and 8 p.m.; Wednesday, December 20, 1989, at 8 p.m.; Thursday, December 21, 1989, at 10 a.m. and 8 p.m.; Wednesday, January 3, 1990, at 10 a.m.; Monday, January 8, 1990, at 3 p.m.; Tuesday, January 9, 1990, at 10 a.m., in Room 255; Tuesday, January 9, 1990, at 3 p.m. in Room 254; Tuesday, January 9, 1990, at 8 p.m. in Room 255; and Wednesday, January 10, 1990, at 3:15 p.m. in Room 255 of the Legislative Building to consider Bills referred. On December 19 and 21, 1989, at 10 a.m., your committee elected Mr. Helwer as Chairman. On December 20, 1989, at 8 p.m., your committee elected Mr. Pankratz as Chairman.

Your committee heard representations on Bill No. 79, The Municipal Assessment and Consequential Amendments Act; Loi sur l'évaluation municipale et modifications corrélatives, as follows:

Mr. Peter Meyer, Private Citizen  
Mr. Winston Smith, Mr. Kevin Olmstead and Mr. John Duda, Canadian Pacific Limited  
Mr. Rhine Olyniuk, Canadian National Railways  
Mr. Ross Nugent, Administrations of Grace General Hospital, St. Boniface General Hospital, Seven Oaks General Hospital, Concordia General Hospital and Victoria General Hospital; Private Citizen  
Mr. Frank Ryrplenski, St. Boniface General Hospital  
Mr. Jim Hayes, Grace General Hospital  
Mr. Peter Sloggett, Victoria General Hospital  
Mr. Michael Mercury, Private Citizen  
Mr. John Cook, Springfield Agricultural Ratepayers Association  
Mr. John Kuzminski, Private Citizen  
Mr. Jack Fotheringham, Manitoba Seed Growers  
Mr. Earl Geddes and Mr. Alan Ransom, Keystone Agricultural Producers Inc.  
Mr. Manson Moir, Union of Manitoba Municipalities

Mr. G. Les Balneaves, Private Citizen  
Mr. Terry Turcan, Manitoba Government Employees' Association (MGEA)  
Mr. Dave Brown, Deputy Mayor, City of Winnipeg Law Department  
Mayor Bill Norrie, City of Winnipeg  
Mr. Bill Poole, Ducks Unlimited  
Mr. Taras Lasko, Private Citizen  
Councillor Al Golden, Private Citizen  
Mr. Don Mitchelson, Ward Councillor, City of Winnipeg  
Mr. Henry Wiebe, Mr. Donald Melnyk and Ms. Doreen Demare, Manitoba Association of Urban Municipalities  
Councillor Sieg Peters and Mr. Les Schroeder, Rural Municipality of Hanover  
Mayor Richard Borotzik and Mr. Robyn Singleton, City of Brandon  
Ms. Brenda Leslie, Manitoba Association of School Trustees  
Mr. Brunel Jutras, Rural Municipality of Montcalm  
Reeve Jake Schroeder, Rural Municipality of Rhineland  
Reeve John Giesbrecht, Rural Municipality of La Broquerie  
Mr. Bill Martens, Rural Municipality of Morris  
Reeve Francis Benoit, Rural Municipality of Ste. Anne  
Reeve Fernand Berard, Rural Municipality of De Salaberry  
Mr. Charles Chappell, Private Citizen  
Mr. Kenneth Emberley, Private Citizen  
Mr. Tony Dalmyn, Manitoba Home Builders Association  
Mr. Garry Grant, Private Citizen  
Mr. John Petrinka, Private Citizen  
Mr. Philip Fontaine and Mr. Jack London, Assembly of Manitoba Chiefs  
Reeve William Roth and Mr. Charles Chappell, Rural Municipality of Dufferin

#### Written Submissions:

Mr. Ed Scrapneck, Kildonan Tennis and Canoe Club

Your committee has considered Bill No. 79, The Municipal Assessment and Consequential Amendments Act; Loi sur l'évaluation municipale et modifications corrélatives, and has agreed to report the same with the following amendments:

#### MOTION:

THAT the definition of "assessed value" in section 1 be amended by striking out "under subsection 17(1)" and substituting "under Part 5 or as revised on an application or an appeal under Part 8".

#### MOTION:

THAT the definition of "board" in section 1 be amended by striking out "subsection 54(2) or subsection

54(4)" and substituting "subsection 38(1) or subsection 54(5)".

**MOTION:**

THAT the definition of "hospital" in section 1 be amended by striking out the text that follows clause (b) and substituting the following:

but does not include

- (c) the Selkirk Mental Health Centre, the Brandon Mental Health Centre or the Eden Mental Health Centre;
- (d) an institution under The Mental Health Act;
- (e) a hospital that is owned or operated by the Government of Canada; or
- (f) an institution that is owned or operated by the Sanatorium Board of Manitoba; ("hôpital")

**MOTION:**

THAT section 1 be amended by adding the following definition in alphabetical order within the section:

"prescribed" means prescribed by regulation;

**MOTION:**

THAT the definition of "railway roadway" in section 1 be amended

- (a) by striking out "cinder and" before "service"; and
- (b) by adding "hot box and dragging equipment detectors and other stationary equipment, appliances and machinery used in the operation of trains," after "protective appliances,".

**MOTION:**

THAT the definition of "reference year" in section 1 be struck out and the following definition substituted:

"reference year" means, other than in subsection 17(2), the year following the year of the previous general assessment under subsection 9(1);

**MOTION:**

THAT the definition of "registered owner" in section 1 be struck out and the following definition substituted:

"registered owner" means, in respect of land, a person who

- (a) is registered under The Real Property Act as an owner of land,
- (b) where the freehold is not subject to The Real Property Act, is a grantee in a conveyance of land registered under The Registry Act, or
- (c) is registered under The Condominium Act as an owner of a unit, as defined in The Condominium Act; ("propriétaire inscrit")

**MOTION:**

THAT section 1 be amended by adding the following definition in alphabetical order:

"value" means, in respect of property being assessed under this Act, the amount that the property might reasonably be expected to realize if sold in the open market in the applicable reference year by a willing seller to a willing buyer; ("valeur")

**MOTION:**

THAT clause 5(1)(e) be amended by adding "related" before "duties".

**MOTION:**

THAT subsection 6(2) be amended by striking out clause (c) and renumbering clauses (d), (e) and (f) as clauses (c), (d) and (e) respectively.

**MOTION:**

THAT clause 6(2)(d) be amended by adding "related" before "duties",

**MOTION:**

THAT section 6 be amended by adding the following subsection:

**Retroactive regulations for 1990**

6(3) A regulation made under this section may, for purposes of assessments for 1990, be given retroactive effect and come into force on January 1, 1990.

**MOTION:**

THAT section 9 be amended by adding the following subsections:

**Conservation property breakdown**

9(7) Where applicable, an assessor shall, in a notice of assessment sent under subsection (6), indicate the portion of the assessed value that relates to conservation land.

**"Conservation land"**

9(8) For purposes of subsection (7), "conservation land" means land that

- (a) is Farm Property;
- (b) is not used for an agricultural purpose; and
- (c) is, during the applicable reference year and the two years preceding the applicable reference year, left in an undeveloped and natural state by the registered owner or occupier of the land for the purpose of preserving or restoring the quality of the land as a natural environment or habitat.

**MOTION:**

THAT section 11 be amended by adding the following:

**Classification of properties**

11(6) In doing an assessment, an assessor shall classify the property being assessed in accordance with the prescribed classes of property.

**Allocating assessed values**

11(7) Where property being assessed falls within two or more prescribed classes of property, the assessor shall allocate the assessed value of the property to the classes in portions that, in each case, reflect the part of the assessed value attributable to the portion of the property falling within the class.

**MOTION:**

THAT subsection 12(1) be amended by adding "or, in respect of land in the City of Winnipeg, to the City Assessor" after "municipal administrator".

**MOTION:**

THAT subsection 12(3) be amended

- (a) by adding "or the City Assessor" after "municipal administrator"; and
- (b) by adding ", in the case of a municipal administrator, the municipal administrator" after "the subject land and".

**MOTION:**

THAT subsection 13(1) be amended

- (a) by striking out the words that precede clause (a) and substituting the following:

**Amending assessment rolls**

13(1) Where, in a year for which a general assessment under subsection 9(1) is not required,

- (b) by striking out "the property" in clause (a) and substituting "assessable property";
- (c) by adding, in subclause (b)(iv), "or in the physical characteristics of property that is in close proximity to the property" after "of the property"; and
- (d) by striking out "assessed" in clause (b).

**MOTION:**

THAT clause 13(1)(b) be amended by striking out "or" at the end of subclause (v), by adding "or" at the end of subclause (vi), and by adding the following after subclause (vi):

(vii) in the case of assessable property that is residential property containing not more than 4 dwelling units, any significant factor that affects such property and that is external to the property,

**MOTION:**

THAT clause 13 be amended by adding the following after subsection (1):

**Application for amendment**

13(1.1) A person in whose name property is assessed who is of the opinion that any of the circumstances referred to in subsection (1) exist with respect to the property, may apply to an assessor to amend the assessment roll in accordance with that subsection, and the assessor shall, within 60 days of receipt of an application,

- (a) amend the assessment roll or refuse to amend it; and
- (b) give written notice to the applicant of the decision taken under clause (a).

**MOTION:**

THAT section 13 be amended by adding the following subsections:

**Conservation property breakdown**

13(6) Where an amendment under subsection (1) alters the assessed value of property that includes conservation land, the assessor shall, in a notice of the amendment sent under subsection (5), indicate the portion of the assessed value that relates to conservation land.

**"Conservation land"**

13(7) For purposes of subsection (6), "conservation land" means land that

- (a) is Farm Property;
- (b) is not used for an agricultural purpose; and
- (c) is, during the applicable reference year and the two years preceding the applicable reference year, left in an undeveloped and natural state by the registered owner or occupier of the land for the purpose of preserving or restoring the quality of the land as a natural environment or habitat.

**MOTION:**

THAT section 14 be amended

- (a) by striking out "or the City Assessor";
- (b) by striking out the heading and substituting "P.M.A. may amend rolls";
- (c) by renumbering the section as subsection 14(1); and
- (d) by adding the following as subsection 14(2):

**City Assessor may amend rolls**

14(2) The City Assessor may at any time, for the purpose of correcting an error or omission not described in subsection 13(1), amend an assessment roll.

**MOTION:**

THAT section 17 be amended by adding the following subsections after subsection (1):

**Farm Property: farming purposes**

17(1.1) A registered owner of Farm Property may request an assessor to determine the Farm Property assessed value of the property on the basis of its use for farming purposes and where so requested, the assessor shall thereafter, and for so long as the property is used for purposes that are prescribed as farming purposes, determine the Farm Property assessed value of the property, in relation to the applicable reference year, solely on the basis of use for farming purposes as prescribed under subsection (1.7).

**Applicable reference year**

17(1.2) For purposes of subsection (1.1), the applicable reference year is the reference year of the current general assessment under subsection 9(1).

**Farm Property assessed value**

17(1.3) A Farm Property assessed value determined under subsection (1.1) applies in respect of taxation for the year following the year in which the request is made under the subsection and may be the subject of an application under subsection 42(1).

**Change in use tax payback**

17(1.4) Where the registered owner of occupier of Farm Property to which a Farm Property assessed value under subsection (1.1) applies changes the use of the property from a prescribed farming purpose to a purpose that is not a prescribed farming purpose, the registered owner shall,

(a) in respect of each year for which taxes are levied against the property on the basis of a Farm Property assessed value under subsection (1.1); or

(b) in respect of the five years that immediately precede the year in which the change of use occurs;

whichever is the lesser period, pay to the municipality an amount of taxes that represents the difference between the taxes that were levied in respect of the property on the basis of the Farm Property assessed value under subsection (1.1) and the taxes that would have been levied in respect of the property had a Farm Property assessed value under subsection (1.1) not applied.

**Endorsement on tax certificate**

17(1.5) Where the registered owner of Farm Property requests determination of a Farm Property assessed value under subsection (1.1), the subject municipality shall not issue a tax certificate in respect of the property without stating on the certificate that the property is subject to subsection (1.4).

**Lien on land and collection**

17(1.6) Where a registered owner of Farm Property, in respect of which taxes are levied on

the basis of a Farm property assessed value determined under subsection (1.1), becomes liable under subsection (1.4) for payment of an amount of taxes in respect of the Farm Property,

(a) the amount of taxes is a lien upon the land that forms part of the Farm Property and

(i) the lien has preference and priority over other claims, liens, privileges or encumbrances in respect of the land, other than a claim, lien, privilege or encumbrance of the Crown,

(ii) the lien does not require registration against the land to preserve it, and

(iii) a change in the ownership of the Farm Property or a seizure by a sheriff, bailiff or landlord does not defeat the lien;

(b) the municipal administrator of the subject municipality shall add the amount of taxes to the taxes shown on the tax roll to be charged and levied against the Farm Property; and

(c) the municipality may collect the amount of taxes in the same manner in which taxes upon the Farm Property are collectible under The Municipal Act or, in respect of the City of Winnipeg, under The City of Winnipeg Act, and with the like remedies.

**Farm Property assessment regulations**

17(1.7) The Lieutenant-Governor-in-Council may make regulations

(a) defining farming purposes for purposes of subsection (1.1); and

(b) respecting any matter that the Lieutenant-Governor-in-Council considers necessary or advisable for the purpose of carrying out the intent and purpose of subsections (1.1) to (1.6).

**MOTION:**

THAT clause 22(1)(1) be amended by striking out "section 23" and substituting "subsection 23(1)".

**MOTION:**

THAT subsection 23(1) be amended

(a) in clause (e), by adding "primarily" after "charitable organization"; and

(b) in clause (f), by striking out "1918 of the Second" and substituting "1918 or the Second".

**MOTION:**

THAT section 26 be amended by adding the following subsection:

**Hospital building exemption**

26(3) In respect of real property that is used for a hospital, and that exceeds 4.047 hectares, an exemption otherwise applicable under clause 22(1)(e) applies in respect of a building that is located on the excess land where the building is used for a hospital.

**MOTION:**

THAT subsection 31(4) be amended

(a) by striking out clause (c) and substituting the following:

“(c) is farm produce or cordwood that is held in storage by a person who is not the producer of it and for the sole purpose of later shipment and sale”; and

(b) by striking out “or a steamboat” in clause (f).

**MOTION:**

THAT subsection 38(3) be amended by striking out “subsection 54(2)” and substituting “subsection (1)”.

**MOTION:**

THAT subsection 38(3) be amended by striking out “subsection 54(4)” and substituting “subsection 54(5)”.

**MOTION:**

THAT subsection 42(1) be amended by striking out “or” at the end of clause (b), by adding “or” at the end of clause (c) and by adding the following after clause (c);

(d) a refusal by an assessor to amend the assessment roll under subsection 13(1.1).

**MOTION:**

THAT subsection 43(1) be amended:

(a) in the French version, by striking out “puor” and substituting “pour”;

(b) by striking out clause (b) and substituting the following:

(b) set out the roll number and legal description of the assessable property for which a revision is sought;

**MOTION:**

THAT subclause 43(1)(d)(i) be amended by adding “or causing it to be delivered” after “delivering it”.

**MOTION:**

THAT section 51 be struck out and the following substituted:

**Recording of evidence**

51(1) Where a party at a hearing requests that the hearing or part of the hearing or the testimony of a witness testifying at the hearing be recorded, the board conducting the hearing may direct, by order, that the hearing or a part of the hearing or the testimony of a witness be recorded by a person appointed by the board, with or without production of a transcript copy of the recording.

**Liability for cost of recording**

51(2) Where a board makes an order under subsection (1), the board may, at the time of making the order or after deciding upon the application, charge against the party who requested the recording the costs or a part of the costs of

(a) recording the hearing, a part of the hearing or the testimony of a witness, including the cost of the services of the person appointed to make a recording;

(b) producing a readable transcript of a recording; or

(c) making copies of a recording or a transcript.

**MOTION:**

THAT section 54 be struck out and the following substituted:

**Order by board or panel**

54(1) After hearing an application, a board or, where the application is heard by a panel, the panel, shall, by order,

(a) dismiss the application;

(b) allow the application and, where applicable, direct a revision of the assessment roll,

(i) subject to subsection (3), to raise or lower the assessed value of the subject property, or

(ii) to change a liability to taxation or the classification of the subject property;

as the circumstances require and as the board or panel considers just and expedient.

**No action except on application**

54(2) A board or panel shall not exercise a power under subsection (1) except as a result of an application.

**No change if fair and just relation**

54(3) A board or panel shall not change an assessed value where the assessed value bears a fair and just relation to the assessed values of other assessable property.

**Panel report to board**

54(4) After a panel makes an order under subsection (1) in respect of an application, the presiding officer of the panel shall report to the board with respect to the application.

**Mailing of board or panel order**

54(5) After an order is made under subsection (1), the secretary shall, by registered mail, send to each party and, where the secretary is not also the municipal administrator, to the municipal administrator,

(a) a copy of the order; and

(b) a statement informing the party of the rights of appeal available under section 56 and the procedure to be followed on an appeal.

**Board report to council**

54(6) Upon completion of the revision process in respect of a year, the board shall report to council that the revision process for the year is completed.

**Revision of assessment roll by assessor**

54(7) Where an order is made under subsection (1) directing revision of an assessment roll, the assessor shall revise the assessment roll accordingly.

**MOTION:**

THAT subsection 57(2) be amended by striking out clause (a) and substituting the following:

(a) sets out the roll number and legal description of the assessable property that is the subject of the appeal; and

**MOTION:**

THAT subsection 57(3) be struck out and the following subsection substituted:

**Filing fee on appeal**

57(3) When filing a notice of appeal under subsection (2), the appellant shall pay the applicable filing fee prescribed under The Municipal Board Act.

**MOTION:**

THAT section 57 be amended by adding the following subsection:

**Appeal fee refund**

57(3.1) Where an appellant is successful on an appeal, the filing fee paid under subsection (3) shall be refunded to the appellant.

**MOTION:**

THAT subsection 75(5) be amended by striking out clause (be) and substituting the following:

(b) the roll number and legal description of the assessable property to which the appeal relates;

**MOTION:**

THAT clause 60(1)(c) be amended by striking out "subject to subsection (3),".

**MOTION:**

THAT subsection 60(3) be struck out.

**MOTION:**

THAT subsection 61(2) be amended by striking out "municipal administrator, after receiving a copy of the order, shall" and substituting "municipal administrator

of the subject municipality or, in the case of the City of Winnipeg, the City Assessor, shall, upon receiving a copy of the order,".

**MOTION:**

THAT clause 65(1)(b) be amended

(a) by striking out subclause (v);

(b) by renumbering subclauses (vi) and (vii) and subclauses (v) and (vi) respectively;

(c) by striking out "S.M. 1971, c. 105,"; and

(d) by renumbering the provisions of The City of Winnipeg Act, S.M. 1971, c. 105, referred to in clause (b), to reflect the numbering of the same provisions where found in The City of Winnipeg Act, S.M. 1989-90, c. 10.

**MOTION:**

THAT subsection 65(2) be amended by striking out "1971, c. 105" and substituting "1989-90, c. 10".

**MOTION:**

THAT section 98 be struck out and the following substituted:

**Retroactive:** January 1, 1990

98(1) Subject to subsection (2), this Act is retroactive and upon receiving royal assent is deemed to have come into force on January 1, 1990.

**January 1, 1991**

98(2) Subsections 9(7) and 13(6) come into force on January 1, 1991.

**MOTION:**

THAT Legislative Counsel be authorized to change all section numbers and internal references necessary to carry out the amendments adopted by this committee.

All of which is respectfully submitted.

\* (1005)

**Mr. Helwer:** I move, seconded by the Honourable Member for Minnedosa (Mr. Gilleshammer), that the report of the committee be received.

**MOTION presented and carried.**

**ORAL QUESTION PERIOD**

**Thompson General Hospital  
Bed Closures**

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, Manitoba's health care system continues to be threatened by the style of the Minister of Health (Mr. Orchard), who believes only in crisis management and not anticipating any difficulties that might arise within his portfolio.

Mr. Speaker, the shortage of health care staff in our northern communities has been raised on many occasions. The shortage has now reached a crisis proportion in the City of Thompson. The Thompson Hospital is in danger of having to close 18 of its beds. That is the equivalent of 200 or more beds in Winnipeg and represents almost 20 percent of all beds in the City of Thompson.

Will this Minister advise this House what steps he will take to ensure that these beds are not closed at the Thompson General Hospital?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, the issue of recruitment of nursing staff to Thompson is a long standing difficulty.- (interjection)- It was raised, my honourable friend the Member for Thompson (Mr. Ashton) indicates, some six months ago. Had my Honourable Member for Thompson been doing his job whilst in Government, he would have raised it as a backbencher in Government to his Health Minister, because—

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

**Mr. Speaker:** Order, please. Order. The Honourable Minister of Health.

**Mr. Orchard:** Mr. Speaker, the management at the Thompson General Hospital have been pro-actively recruiting nursing staff, and they have not got a full complement of nursing staff. The budget exists and I have been assured this morning that any management decisions made by the Thompson General Hospital will offer to the residents of Thompson the same patient-day capacity that they have been operating on for the last number of months and indeed years. We are continuing that recruiting operation with the Brandon General Hospital because we need not only the nursing complement in Thompson that is needed, but we need additional nursing staff for the kidney dialysis that this Government committed to the northern community of Thompson to serve those residents in northern Manitoba.

\* (1010)

### Staff Recruitment

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, the management at the Thompson General Hospital is in crisis. They are looking at all possible alternatives to solve this problem, including hiring nurses from private corporations here in the City of Winnipeg, flying them to Thompson, housing them temporarily in order to get over this shortage, and they do not know if they can even do that. What is this Minister going to do to make sure that this interim measure does not have to exist for any length of time and there is a permanent solution to the problems facing Thompson General Hospital?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I regret that my honourable friend, the Liberal Leader, on behalf I presume of her caucus because

she seems to speak only for them, says the management in Thompson General Hospital is in crisis, that they are in crisis management, that they have no action plan, that they are not in control of the facility. I have met on two occasions recently with the Thompson General Hospital. I do not consider their management to be woefully inadequate as alleged by the Leader of the Liberal Opposition.

**Mrs. Carstairs:** Mr. Speaker, it is the Minister who is woefully inadequate. He is getting lots of help from his Tory cousins in Ottawa.

### Federal Equalization Payments Manitoba Reduction Totals

**Mrs. Sharon Carstairs (Leader of the Opposition):** We have asked the Finance Minister before to tell us what kind of transfer payment cuts for Health we can expect in 1990 and '91. He either does not know, Mr. Speaker, or he refuses to tell us.

Other provinces are getting much more up front information. Quebec says in its most recent budget that all cash payments from the federal Government for health care will cease by 1997-98. New Brunswick is indicating it might be the year 2010; Newfoundland, the year 2014. This year we experienced the first cash shortage in this province from transfer payments in Health. Will the Premier tell us what the cash shortage will be in 1990-91? When can we anticipate that his federal cousins will kill Medicare in Manitoba?

**Hon. Gary Filmon (Premier):** Mr. Speaker, the Leader of the Liberal Party knows full well about cutbacks in transfer and equalization payments because, of course, it was the Government of Pierre Elliott Trudeau, whose shrine she continues to worship at, who began that terribly unfortunate process in this country. It was they who changed the equalization formula to reduce payments coming to the more needy provinces unilaterally against the wishes of the provinces. It was they who began the great round of cutbacks in transfer payments.

She speaks from a great deal of experience. She speaks on behalf of the Trudeau Liberals who she learned her very policies and practices from. We know from where she comes on this issue. She comes from a viewpoint of supporting the reduction because she believes in the strong central Government and its desire and its reasons for doing it.

**Mrs. Carstairs:** Mr. Speaker, this is the first year we saw a cash decline. Many Canadians today have more faith in the constitutional vision of one Pierre Elliott Trudeau than the master whose feet he sits at, one Brian Mulroney.

\* (1015)

### Unemployment Rate Manitoba Statistics

**Mrs. Sharon Carstairs (Leader of the Opposition):** I have a new question to the Premier. Can the Premier

explain, in very simple terms, why there were 17,000 fewer jobs in Manitoba in December of 1989 than in December of 1988?

**Hon. Gary Filmon (Premier):** I am delighted that the Leader of the Opposition has raised the issue of the information that is contained in year-end Statistics Canada averages on the labour force, because the year-end information indicates that our labour force in Manitoba during the year 1989 increased versus the year 1988; that our employment in Manitoba in 1989 increased over 1988 in Manitoba; that our full-time employment in Manitoba increased in 1989 over 1988; that our part-time employment in Manitoba in 1989 increased over 1988; that our unemployment decreased in Manitoba in 1989 over 1988 and, in fact, that our unemployment rate decreased in Manitoba in 1989 over 1988.

We believe that the Statistics Canada year-end review is a good news year-end review for Manitoba and it does in fact, on all counts, indicate that Manitoba is moving in the right direction. I would hope that she will review that information from Statistics Canada, which is the most accurate information available, and not go at some other information that is partial and inadequate to the situation.

**Mrs. Carstairs:** Mr. Speaker, no one is more blind than the person who will not see the facts in front of them. The facts in front of them are that in one year, the City of Winnipeg has gone from fifth in ranking in this nation to eighth in rank in this position.

Why will this Government not get their head out of the sky and the clouds, and see the reality of what is happening in our province and 17,000 fewer people employed in one year alone?

**Mr. Filmon:** Mr. Speaker, I will read from the Statistics Canada information which is the most accurate information available on the labour force in Manitoba provided anywhere in this country. It is the Bible of information from which most people, most thinking, rational sensible people take their information. I know that does not include the Leader of the Opposition (Mrs. Carstairs), but for those who want to know the accurate facts, Statistics Canada provides that information.

Employment in Manitoba in 1989 increased by 4,000 persons over 1988. Full-time employment increased by 2,000, part-time employment by 3,000 persons. The labour force increased by 3,000 persons. This is year-over-year information provided by Statistics Canada on their annual year-end review. I will give her additional information if she likes, but I suggest to her that her information is inaccurate, and therefore her conclusions are inaccurate.

**Mrs. Carstairs:** All Members of this House were given a copy today of the Manitoba Bureau of Statistics for January 12, 1990. That document shows clearly that in December of 1988, 409,000 were employed full-time. It shows that in November '89, 397,000—12 fewer—were employed in November of '89. December of '89

it shows 392,000 as opposed to 409,000. That is 17,000 fewer jobs. I want to know what this Government is going to do about it.

**Mr. Filmon:** Mr. Speaker, if she will spend some time dealing with the Manitoba Bureau of Statistics and finding out about rounding off and averaging procedures and everything else, she will recognize that the only accurate information—

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

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

**Mr. Filmon:** Mr. Speaker, no matter how hard they shout, it does not make their information accurate. Statistics Canada has the only accurate data base year over year on the information, and they confirm that the labour force in Manitoba has increased by 3,000 persons in the year 1989 over 1988, that employment has increased by 4,000 persons in Manitoba 1989 over 1988, that full-time employment has increased year over year 1989 over 1988, that part-time employment has increased 1989 over 1988, that the unemployment in Manitoba has decreased 1989 over 1988, that the unemployment rate in Manitoba—

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

\* (1020)

### Health Care Funding

**Mr. Gary Doer (Leader of the Second Opposition):** Mr. Speaker, it is worth noting that Manitoba and Winnipeg used to be second lowest in unemployment rate under the former New Democratic Government. Now it is seventh in Canada, and the facts speak for themselves. It is also worth noting that in 1982 the Medicare was around 48 percent from the federal Government, and when Trudeau left office it was down to 42 percent. I think the facts speak for themselves that both Mulroney and Trudeau have shafted Medicare which the New Democratic Party established in this country.

My question to the Premier following on that point is that we have lost—

**An Honourable Member:** Nothing.

**Mr. Doer:** —a hundred million dollars. Well, the facts speak for themselves. The Liberals in Saskatchewan voted against Medicare, let the record show, when Tommy Douglas established it. Thank you, Mr. Speaker.

Mr. Speaker, in the last Wilson budget—

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

**Mr. Speaker:** Order, please. Order. I am having great difficulty in hearing the remarks of the Honourable Member for Concordia (Mr. Doer). The Honourable Member for Concordia.



**Mr. Doer:** Thank you, Mr. Speaker, for bringing order to this Chamber.

In the last federal budget, Mr. Speaker, the continuation of the Liberal policy of cutting back on Medicare was continued by Michael Wilson with \$100 million cut in Medicare. Now there is speculation that 38 percent of federal payments to Medicare, that Michael Wilson's budget again will have major cutbacks in post-secondary education and Medicare, something we have raised in this House continually in November, in December and January.

Can the First Minister (Mr. Filmon) tell us whether there is going to be another set of cuts on our Medicare program consistent with the rumors coming out of the rest of the country? What is he going to do to ensure that Medicare does not go anyway below the 38 percent that we are getting from the federal Government, which is a far cry from the 50 percent promise that Brian Mulroney made in 1984?

**Hon. Gary Filmon (Premier):** Really, Mr. Speaker, this Government has shown its commitment to Medicare. In two successive budgets we have increased the funding to health care in this province by more than double the rate of inflation.

In the most recent budget, the one that the Liberals voted against, Mr. Speaker, not only did we increase funding to health care at more than double the rate of inflation, but we brought in the most ambitious, the largest capital budget in spending in health care in the history of this province. The Liberals voted against that as well.

We as a province will make our commitment and keep our commitments to health care because we believe it is a high priority. We believe it is a service that people most depend upon in this province, and it is most important for us to support.

**Mr. Doer:** A supplementary—we will see when the Michael Wilson budget comes down, Mr. Speaker.

### **Solvit Resources Inc. MPIC Claim Status**

**Mr. Gary Doer (Leader of the Second Opposition):** My question is to the Minister responsible for the Public Insurance Corporation (Mr. Cummings). It is reported today that the Public Insurance Corporation is still investigating the owners' claims on the Solvit fire. It is further reported today that one of the owners believes that arson was involved in the explosion.

Could the Minister advise the people of Manitoba on the status of the claim on the Solvit explosion, whether in fact there has been any settlement of that claim eight months after the explosion, or whether the Public Insurance Corporation believes arson indeed was the cause of the fire and is not settling the claim?

**Hon. Glen Cummings (Minister responsible for the Manitoba Public Insurance Corporation Act):** Mr. Speaker, the Leader of the NDP Opposition knows full well that the corporation operates in the same manner

as any insurance company on personal and commercial insurance and takes every precaution to investigate accidents of this magnitude where their insurance coverage is involved.

I do not think it is appropriate to debate the conditions of that investigation other than to say and to confirm that it is my understanding that that investigation is not completed.

\* (1025)

### **Hazardous Goods Guideline Review**

**Mr. Gary Doer (Leader of the Second Opposition):** Again, in two media reports this morning, there is confirmation—the question is to the Minister of Environment (Mr. Cummings)—that a number of hazardous waste operations are applying for licences in the hazardous waste field to the Minister's own department. In fact, there are going to be ads accepted and printed by his own department on this weekend in some of the papers.

Will the Government and the Department of Environment agree to hold all approvals of these recycling and solvent and toxic waste corporations pending recommendations on the guidelines that are reported from the Government's own Workplace Safety and Health Advisory Council?

**Hon. Glen Cummings (Minister responsible for the Manitoba Public Insurance Corporation Act):** Mr. Speaker, I have indicated that the Department of Environment has reviewed the conditions of the licence on the Solvit plant. I am not sure what the Member is talking about when he says there are a number of applications. I am sure that he is referring to the fact that there is an application whereby one of the principals in the company was also a principal in Solvit, and they have applied for a licence for a transfer station.

The request that the Member is making, saying that we should freeze all applications until study is completed by the Workplace Safety and Health Committee, I think does a great injustice to the fact that we do have to handle hazardous materials in this province. Does he want them dumped down the sewer?

**Mr. Doer:** I think the Minister should check his files. He will find there are two applications forward. I do not know how many more, Mr. Speaker.

### **Licensing**

**Mr. Gary Doer (Leader of the Second Opposition):** My question to the Minister is: 1) how can the Government approve these licences when we do not have the results of the Workplace Safety and Health Advisory Committee; and 2) where does the Government intend these hazardous wastes to go in relation to the non-profit hazardous waste Crown corporation that was established by the previous Government? Is it going to be having these things on an ad hoc basis, in a profit basis, or are we going to

look at the lead taking place through the non-profit corporation?

**Hon. Glen Cummings (Minister of Environment):** Well, Mr. Speaker, the Member wants to advocate on behalf of the Hazardous Waste Corporation. I am not sure if he understands what the mandate was that they gave them when they were in Government. The responsibility of the licensing of handling of these materials will have to continue so that we can get on with properly managing disposal, re-use, recycling, or reduction or elimination of a multitude of hazardous goods.

The transportation of it is very carefully monitored, and we have dedicated our departments, particularly the three departments that are most closely related, Environment, Workplace, and the Fire Commissioner's Office, to make sure that we in the immediate term do everything we can to improve the cross referencing and the correlation between the departments, because we cannot simply ignore these goods. We have to continue to deal with them and deal with them responsibly, and that is what this Government will do.

### Place Promenade Construction Costs

**Mr. James Carr (Fort Rouge):** Thank you, Mr. Speaker, with a question to the Minister of Urban Affairs. What were the construction costs of Place Promenade?

**Hon. Gerald Ducharme (Minister of Urban Affairs):** Mr. Speaker, first of all, I can give the vicinity of what the amounts were, but he has to remember that we are in the process of negotiating at the North of Portage with the original developers, and other people are reviewing the options that are available. Any information that I give the Member on the total costs that were in the process, I can tell him how much of North Portage put in, including the land; they put approximately \$7 million. However, to start getting involved in the total cost of the project would be very, very unfair to the negotiations going on at the present time.

### Developer's Costs

**Mr. James Carr (Fort Rouge):** Mr. Speaker, with a supplementary question to the Minister. How much money did the developer put into the project?

**Hon. Gerald Ducharme (Minister of Urban Affairs):** Mr. Speaker, again, in the original agreement there were substantial amounts put in for the parking garage by North of Portage. There were substantial amounts put in by the North of Portage in regard to the commercial aspect. There was a mortgage loan out of \$18.5 million put out by MHRC. My main concern at this present time is to carry on the insurability that was set up at the time of that agreement by the previous Government, and my main responsibility now is to protect that \$18.5 million investment.

**Mr. Carr:** None of those people are the developer.

With a final supplementary question to the Minister: how much money the developer take out of the project?

\* (1030)

**Mr. Ducharme:** I cannot give him the exact figures if the developer took out any amount at this specific time. All I am saying to him is that my three representatives that were not part of this agreement when it was set up in 1986 have been briefed. They will attend the meeting on Monday. They will come back to this Minister with their considerations. They will look at all options that will be made available.

The main concern I have, as expressed to them, is come back with what is of the best arrangements for the taxpayers of Manitoba and then also take into consideration what our responsibilities are on our mortgage of the security we have invested.

### Health Care Respiratory Technician Shortage

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, we have learned that patient care is being compromised because of a shortage of respiratory technologists in our hospitals. To give you an example, for the last few days, St. Boniface Hospital is running at full capacity in all critical areas with only two technologists on staff handling ICU patients, ICS patients and also attending all the life-threatening "99" situations.

Mr. Speaker, can the Minister of Health tell us, why do we have a shortage of respiratory technologists in our hospitals?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I can neither confirm nor deny my honourable friend's implication of the question. I will take it as notice.

### Ventilator Shortage

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, not only is there a shortage of staff, St. Boniface had to borrow one ventilator from Seven Oaks Hospital, because they do not have enough equipment. Can the Minister of Health tell us why do we have a shortage of ventilators at one of our major teaching hospitals?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, my earphone is not working. With some background noise I missed the question. I would appreciate my honourable friend reposing it and maybe somebody could fix the—

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

**Mr. Speaker:** Order, please. Order. The Honourable Member for Kildonan.

**Mr. Cheema:** Mr. Speaker, there is not only a shortage of staff, but also St. Boniface Hospital had to borrow one ventilator from Seven Oaks Hospital. Can the Minister of Health tell us why a major teaching hospital does not have enough numbers of ventilators?

**Mr. Orchard:** No, Mr. Speaker, I cannot answer that. I will ask the management of those hospitals and provide an answer to my honourable friend.

### **Carbon Monoxide Poisoning Out-of-Province Treatment**

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, during the holiday season one Manitoban lost his life and another was transferred to Minneapolis due to carbon monoxide poisoning. My simple question to the Minister is: why do we not have the specialized services to treat patients with carbon monoxide poisoning?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I know my honourable friend urged action in that regard and that investment on behalf of taxpayers, because the bereavement and the death of that individual was a most unfortunate circumstance.

I have been in this Legislature for 12 years and that is the first instance that I have heard where someone had to be referred out of the province for the circumstance of carbon monoxide poisoning.

Now it would be ideal to have every available service in the Province of Manitoba, but that has not been today, and has not been in the past, the affordable provision of health care. For instance, we refer heart transplant patients out of the Province of Manitoba because the service is not available here. We have provided bone marrow transplant in Vancouver and other areas of Manitoba. As of this year we are going to make bone marrow transplants available in the Province of Manitoba.

Mr. Speaker, not every single available medical service is available in the Province of Manitoba and, where it is not, we pay full cost for referral out of province.

### **Radiation Protection Program Status**

**Mr. Harry Harapiak (The Pas):** Mr. Speaker, my question is to the Minister of Workplace Safety and Health (Mrs. Hammond). The previous administration, in 1987, developed a radiation protection program to deal with emergency response situations and environmental radiation concerns and X-ray safety in Manitoba. That administration hired radiation physicists in August of '87, and they purchased \$15,000 worth of survey grade monitor equipment to support that position.

Can the Minister of Workplace Safety and Health, therefore, tell the House why workers and employees calling her department in regard to radiation are being told to contact a consultant when they call in regard to radiation problems?

**Hon. Gerrie Hammond (Minister of Labour responsible for Workplace Safety and Health):** Mr. Speaker, I will take that question as notice.

### **Program Staffing**

**Mr. Harry Harapiak (The Pas):** Mr. Speaker, this is a "day after" Minister. Unfortunately, every question that she is asked she has to take the question as notice. I wonder if—

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

**Mr. Speaker:** Order, please; order, please. The Honourable Member for The Pas.

**Mr. Harapiak:** This position has been vacant for several months. Can the Minister tell us when this position will be filled?

**Hon. Gerrie Hammond (Minister of Labour responsible for Workplace Safety and Health):** Mr. Speaker, I will take that question as notice as well and get back to the Member.

### **Workplace Safety and Health Radiation Training**

**Mr. Harry Harapiak (The Pas):** Mr. Speaker, I have a final supplementary to the same Minister. In the interests of protecting Manitoba workers from possible exposure to radiation problems, would she today commit to have her departmental staff be retrained so they can deal with some of the issues that workers are being faced with until she hires that person?

**Hon. Gerrie Hammond (Minister of Labour responsible for Workplace Safety and Health):** Mr. Speaker, the Department and Workplace Safety and Health do everything possible with the staff that we have who are very well trained. I had mentioned that I would take the question as notice and I will get back to the Member.

### **Sustainable Development Site Announcement**

**Mr. Harold Taylor (Wolseley):** Shortly before the 1988 federal election, the Prime Minister in his speech before the United Nations promised to establish a sustainable development centre in Winnipeg. Citizens of Manitoba, Canada and the world are wondering what happened to that much touted international centre.

Why has the Minister of Environment (Mr. Cummings) not put pressure on his federal counterpart to put some substance to this election promise, or does he not know the meaning of terms such as pro-active, initiative, carry through or leadership?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, I too would look forward to the establishment of the centre for sustainable development in this province. As recently as the First Ministers' Conference, the Prime Minister reaffirmed their intention to establish that centre here. I look forward to an announcement as soon as possible.

\* (1040)

### **Federal Funding Commitment**

**Mr. Harold Taylor (Wolseley):** Mr. Speaker, the funding of the sustainable centre has not been forthcoming. Only \$150,000 of seed money has been set aside.

The question, Mr. Speaker, is will the Environment Minister meet with Mr. Bouchard to guarantee that there is a federal commitment to the necessary capital and that there is a follow-through on the promised \$5 million included in this impending federal budget?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, I have met with Mr. Bouchard recently, and I have talked to him on the phone most recently. I can assure the Member that we are as anxious to get on with the development of this centre as anyone else.

**Mr. Taylor:** Mr. Speaker, I guess the Minister was using the Rafferty-Alameda hotline there.

### Funding Negotiations

**Mr. Harold Taylor (Wolesey):** Mr. Speaker, the original plan called for the United Nations, for the nations of the world and the western provinces to help with this funding. Can the Minister tell us how negotiations are going with Saskatchewan, Alberta and B.C. to secure four-province funding for the sustainable development centre, or he has not started yet, maybe?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, I can assure the Member and assure the House that we are working and have worked and are very close to fruition in completing the plans for putting the sustainable development together, the financing of it. He need not worry about our efforts to make sure that it is brought to this province.

### Thompson General Hospital Nurse Recruitment

**Mr. Steve Ashton (Thompson):** Mr. Speaker, earlier in Question Period, the Leader of the Liberal Party (Mrs. Carstairs) asked a number of questions on the Thompson General Hospital. I am glad the Liberals have recognized there is a problem.

On January 13, 1989, I asked for an urgent review from the Minister, nearly one year ago today, of the critical situation in terms of understaffing in terms of doctors and nurses at the Thompson General Hospital.

On August 29, 1989, a memo was issued by the head of nursing of the Thompson General Hospital. I raised this one year ago. It is the Liberals-come-lately on this issue. On August 29, a memo was issued by the nursing supervisor which I would like to table, Mr. Speaker, which had indicated that due to the critical shortage of nursing staff, they were planning to cut back on the number of emergency beds at the hospital. I would like to table that if I could.

Mr. Speaker, as was indicated in the memo, there was a critical shortage of nursing. It was only through action on behalf of the Thompson General Hospital that they were able to avert those closures.

My question to the Minister of Health (Mr. Orchard) is: now, one year later, what action has the Minister of Health taken to deal with the nursing shortage which I had indicated was going to be a problem one year

ago today, and has turned out to be a major problem, since more than 50 percent of the nurses at the Thompson General Hospital have resigned since I made the call for the Minister to take action? What action has he taken?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I wish my honourable friend had not raised it, because it appears as if he drove 50 percent of the nurses in Thompson away.

Mr. Speaker, that is making very light of a serious situation. I simply say to my honourable friend, the Member for Thompson (Mr. Ashton), that without his rushing out of Question Period today when the issue was raised about Thompson to find out the facts, the management has been working with the commission in a very, very deliberate and progressive way to resolve the problems. Not only do we have to attempt to assist management at the Thompson General Hospital in recruiting staff nurses, but we have to find three nurses to run the new dialysis program that we have decided to put in Thompson to serve northern Manitoba.

### Pay Equity

**Mr. Steve Ashton (Thompson):** Mr. Speaker, the Minister has indicated that he has done nothing, taken no action. What I would like to ask as a follow-up question is, one of the major problems that has been identified by the Thompson General Hospital is the current salaries that are paid to nurses. What I would like to ask the Minister is, will he now take action on pay equity to ensure there are improved salaries, particularly for nurses, so that we will not run into the situation where 50 percent of the nurses at the Thompson General Hospital have resigned in the last year?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, nursing salaries are subject to negotiations. My honourable friend was part of a Government that signed the last contract with the MONA in which they provided some 3 percent increase. I know my honourable friend would have been urging more from his administration, his Government, his Minister of Health, his Treasury Board when those negotiations were going on on behalf of the Thompson nurses. The money has been set aside for pay equity and, at a moment's notice from management, the money will flow to those nurses to provide them the money as provided in pay equity.

### Funding Review

**Mr. Steve Ashton (Thompson):** I have a final supplementary, Mr. Speaker. I would like to ask, a year ago I indicated problems also in regard to the shortage of positions and in terms of the funding at the Thompson General Hospital. In September they asked the Minister for a review by MHSC of the hospital, the hospital asked for that. Will the Minister now commit to a review of the funding situation at the Thompson General Hospital so that we do not have to continue yearly to raise this issue in the House?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, the Thompson General Hospital is in regular communication with the Manitoba Health Services Commission. That is why we were able to provide, in co-operation with the Thompson General Hospital, their ability to provide, 24-hour emergency physician services under the first arrangement of its type in Manitoba to serve the residents of northern Manitoba and Thompson out of the Thompson General Hospital, a very progressive initiative by the commission. Thompson General Hospital is fully supported by this Government and I hope by my honourable friend from Thompson.

### VIA Rail Cutbacks Manitoba Job Loss Statistics

**Mr. Speaker:** The Honourable Member for Assiniboia (Mr. Mandrake) has time for one short question.

**Mr. Ed Mandrake (Assiniboia):** Thank you, Mr. Speaker. Last Monday the Minister of Labour (Mrs. Hammond) took a question by our Leader as notice with regard to VIA Rail job losses. Could she provide this House today with the answer as to how many jobs are going to be lost in Winnipeg and rural Manitoba please? -(interjection)-

**Mr. Speaker:** Order, please. The Honourable Minister of Labour.

**Hon. Gerrie Hammond (Minister of Labour):** Mr. Speaker, I answered that question, I believe, yesterday or the day before.

**Mr. Speaker:** The time for Oral Questions has expired.

### INTRODUCTION OF GUESTS

**Mr. Speaker:** Prior to Orders of the Day, I would like to draw Honourable Members' attention to the gallery where we have with us this morning from the Lord Selkirk School Division Junior Parliament, forty Grades 7, 8 and 9 students. They are under the direction of Mr. Phillpot. This school is located in the constituency of the Honourable Member for Selkirk (Mrs. Charles).

On behalf of all Honourable Members, I welcome you here this morning.

\* (1050)

### NON-POLITICAL STATEMENT

**Hon. James McCrae (Minister of Justice and Attorney General):** Mr. Speaker, I would like to ask leave of the House so that I might briefly make a non-political statement.

**Mr. Speaker:** Does the Honourable Minister of Justice have leave to make a non-political statement? Agreed. The Honourable Minister of Justice.

**Mr. McCrae:** I thank Honourable Members for that, Mr. Speaker. I know they will want to join with me in congratulating Angela Chalmers of Brandon who has

successfully broken the Australian Open record for the women's 1500 metres recently in Canberra.

Angela Chalmers, this was a tune-up meet for the Commonwealth Games to be held later this month in Auckland, New Zealand. I would ask all Honourable Members to join with me in wishing Angela well and congratulating her on her achievement.

### ORDERS OF THE DAY

#### REPORT STAGE

#### BILL NO. 79—THE MUNICIPAL ASSESSMENT AND CONSEQUENTIAL AMENDMENTS ACT

**Hon. James McCrae (Government House Leader):** Mr. Speaker, would you call report stage, please, on Bill 79, with the leave of the House?

**Mr. Speaker:** Is there leave to call the report stage on Bill 79? Leave.

**Hon. Jack Penner (Minister of Rural Development):** Mr. Speaker, I would like to, at this time, move an amendment as agreed to in committee, which would clarify the wording in Section 23(1).

I move

THAT Bill 79 be amended in subsection 23(1) by striking out clause (f) and substituting the following clause:

- (f) is owned by or is held in trust for and is used by an association that is established for the benefit of soldiers, as defined in The Soldiers' Taxation Relief Act, for the purposes of the association, to the extent that the improvements are not used as licensed premises within the meaning of The Liquor Control Act, to a maximum exemption of 0.81 hectare;

#### (French version)

Il est proposé que le paragraphe 23(1) soit amendé par remplacement de l'alinéa (f) par ce qui suit:

- (f) appartiennent à une association ou sont détenus en fiducie pour une association établie au bénéfice de soldats au sens de la Loi sur le dégrèvement de l'impôt foncier des soldats et sont utilisés aux fins de l'association dans la mesure où les améliorations ne servent pas de locaux visés par une licence au sens de la Loi sur la réglementation des alcools, la superficie maximale exemptée étant de 0,81 hectare;

That is seconded by the Minister of Agriculture (Mr. Findlay).

#### MOTION presented and carried.

**Mr. Allan Patterson (Radisson):** Mr. Speaker, should it not be moved in both languages? I think that was amended—

**Mr. Speaker:** It has been. The Honourable Member for Radisson.

**Mr. Patterson:** The motion was not made for both languages.

**Mr. Speaker:** Is there leave to start the Report Stage process over again? Agreed. The Honourable Minister of Rural Development.

**Mr. Penner:** I would move, Mr. Speaker,

THAT Bill 79 be amended in both languages, and subsection 23(1) by striking out clause (f) and substituting the following clause:

- (f) is owned by or is held in trust for and is used by an association that is established for the benefit of soldiers, as defined in The Soldiers' Taxation Relief Act, for the purposes of the association, to the extent that the improvements are not used as licensed premises within the meaning of The Liquor Control Act, to a maximum exemption of 0.81 hectare;

**(French version)**

Il est proposé que le paragraphe 23(1) soit amendé par remplacement de l'alinéa (f) par ce qui suit:

- f) appartiennent à une association ou sont détenus en fiducie pour une association établie au bénéfice de soldats au sens de la Loi sur le dégrèvement de l'impôt foncier des soldats et sont utilisés aux fins de l'association dans la mesure où les améliorations ne servent pas de locaux visés par une licence au sens de la Loi sur la réglementation des alcools, la superficie maximale exemptée étant de 0,81 hectare;

The motion is seconded by the Minister of Agriculture (Mr. Findlay).

**MOTION presented and carried.**

**Mr. Harold Taylor (Wolseley):** Mr. Speaker, on debate on the motion, I would like to say that the Liberal Caucus will be supporting this amendment brought forward by the Honourable Member for Rhineland (Mr. Penner) in presenting his Bill and amending it in this fashion.

What we have here before us this morning is the revamping of what was my motion brought in at the committee stage and was tabled so that the Legislative Counsel of the Minister could further refine the motion.

The intent of the motion is to make certain, Mr. Speaker, that all veterans groups have the ability to take benefit of this provision, this exemption within Bill No. 79, which is an exemption to taxation on premises for veterans.

The original clause within the Act unfortunately was very, very dated, and like many of the clauses, we found out as we went through the Act, have been lifted right out of older legislation, the existing Municipal

Assessment Act, the original Municipal Act of Manitoba, in fact, going way back to 1916 in which the language we have found by 1990 to be nothing short of archaic. The problem was that if the clause had been left as it was, the probability was, as veterans died off from the two great wars, the remaining veterans would not have been able to take advantage of this exemption.

In summary, Mr. Speaker, I would like to say we are very pleased that the Minister did bring forward this amendment in this fashion, and we will be supporting it. Thank you.

**Mr. John Plohman (Dauphin):** Just very briefly, to support this amendment but also to emphasize the point made by the Member for Wolseley (Mr. Taylor), this did reflect an amendment that was brought in by the Opposition Liberal Party at the committee stage, and the wording is somewhat reworked, but in many cases there have been amendments that were initiated by the Opposition Parties but moved by the Minister and in many cases not reflected in terms of the origin of those amendments.

I think it is important that the Minister—although the record will show he moved the amendments and the Government brought them in, the reason for those and the thought and the background to those amendments came from the Opposition Parties working on some of the improvements to the Bill.

**QUESTION put on the amendment, MOTION carried.**

**Mr. Penner:** I would like to, Mr. Speaker, move at this time in both languages that The Municipal Assessment Consequential Amendments Act, amended and reported from the Standing Committee on Municipal Affairs, be concurred in this Legislature. The seconder is the Minister of Urban Affairs (Mr. Ducharme).

**Motion presented and carried.**

**POINT OF ORDER**

**Mr. John Plohman (Dauphin):** . . . an opportunity to speak or ask a question on this at this time.

**Mr. Speaker:** The Honourable Member for Dauphin, on a point of order.

**Mr. Plohman:** By leave, there was a motion presented. It was passed and then another motion put before the House. I would ask at what point I could ask about another issue that was raised at report stage, that was raised with me and I brought forward to the Minister's attention insofar as amendment that could be made at report stage. I just want to ask the status of it. At what point should I ask that?

**Mr. Speaker:** On the point of order raised by the Honourable Member for Dauphin (Mr. Plohman), it is quite clear that this is not a debatable motion.

As to his question, the Honourable Member would have an opportunity at third reading of the Bill. The Honourable Minister, so long as he has not closed

debate, will have an opportunity to respond to your queries at that time.

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**Mr. Speaker:** On the motion of the Honourable Minister of Rural Development (Mr. Penner), agreed? Agreed and so ordered.

### THIRD READINGS

#### BILL NO. 79—THE MUNICIPAL ASSESSMENT AND CONSEQUENTIAL AMENDMENTS ACT

**Hon. Clayton Manness (Minister of Finance)** presented, by leave, Bill No. 79, The Municipal Assessment and Consequential Amendments Act; Loi sur l'évaluation municipale et modifications corrélatives, for third reading.

**MOTION presented.**

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**Mr. John Plohman (Dauphin):** Mr. Speaker, by leave, I would ask for an opportunity to ask a question of the Minister, but not to speak at this point to this Bill. I do wish to speak to it though at third reading.

**Mr. Speaker:** Is there leave? Agreed. The Honourable Member for Dauphin.

**Mr. Plohman:** I thank you and thank the House and Members for that leave.

I would ask the Minister, yesterday I had delivered to his office a submission by the Canadian Union of Public Employees, Local 500, dealing with some amendments they had asked for regarding the Accredited Assessors Association and their involvement in the training and education and standards for all assessors in the province. I asked whether the Minister would consider that, through his assistant, and we have had no reply to that and of course no amendment. I ask the Minister whether he has considered those amendments, and why he has not brought forward any statement on that or any amendment on those?

The other question I would like to ask, in the interest of time, is the total number of amendments on this Bill that have been passed during the committee stage and the report stage.

\* (1100)

**Hon. Jack Penner (Minister of Rural Development):** Mr. Speaker, in response to the observations raised by the Honourable Member for Dauphin (Mr. Plohman) in regard to the assessors of the City of Winnipeg, I did receive a copy of the presentation of the Canadian Union of Public Employees, Local 500, yesterday.

As the Honourable Member might, hopefully, have some sympathy to the time schedule that we have set for each other, he included, during the last three or

four days, it has been virtually impossible for me to meet with staff to properly assess the impact or the meaning of the amendments that were being presented in the presentation. Therefore, I would ask that we might have the opportunity to pursue this properly over the next period of time. I would also like to commit myself to the Honourable Member that I would be more than willing and pleased to look at some proposals similar to this for an amendment at a future date, if that is with his concurrence.

I believe this is a fairly important issue that has been raised by the association. Had they raised it with us sooner it would have given us the opportunity and the ability to properly analyze the proposals that are being put forward here and also investigate the impacts to the association, as well as the total assessment procedures and abilities of assessors to assess properly in the future. I think that is important. It is an important enough issue that I think we should spend adequate time to investigate how we would do this if we, in fact, made this type of an amendment.- (interjection)-

Pardon -(interjection)- no, I do not have, Mr. Speaker, the total number of amendments.

You must remember that if and when—and I want to reflect back on some comments made by the Leader of the New Democratic Party (Mr. Doer) during the debate process of this Bill when he indicated clearly that Members should be careful in amending this Bill because it was like a Rubik's Cube. When you amend one section of the Bill in order for other sections of a large Bill, a huge Bill like this, to concur with an amendment that is being made you need to pose numerous amendments of concurrence in other sections, and therefore there are quite a substantial number of amendments to this Bill to reflect some of the amendments that had an impact on this Bill.

**Mr. Plohman:** I thank the House for leave to ask those questions. I understand the Minister could not answer the question regarding a number of amendments. Legislative Counsel has indicated I believe in the neighbourhood of 64 amendments have been—and I think that clarifies that.

**Mr. Gilles Roch (Springfield):** Mr. Speaker, it is interesting to note that there were 64 amendments done to this Bill, a Bill which the Minister thought was so perfect, had very few flaws. I think it vindicates the Opposition's concern that the Bill was introduced far too late in the Session and had far too little time for public input.

Already we hear the Minister talking about wanting more amendments. Well, Mr. Speaker, I would like to put a few comments on the record which may or may not have been made at committee stage.

Mr. Speaker, let us go back to the introduction of this Bill to a certain degree. One question, as to why the Bill was not introduced sooner, the Minister stated it could not have been done. After that we learned that drafts were ready in June. We could have had hearings throughout the summer, committee hearings held throughout the province. Here we have a Government,

a Cabinet dominated by farmers and rural Members, that did not want to go out to the farming and rural areas for the input.

Then when asked why this Bill could not have been introduced in the fall, the Minister replied it was because it would have been an impediment to the municipal elections that were held, yet the municipal officials who appeared in front of the committee to support this Bill were questioned whether that would have interfered in the municipal elections, and they all replied no.

Mr. Speaker, I believe that there was an intent to have the Bill passed as quickly as possible without, or limited, public input, limited Opposition input. First we were told the Bill had to be passed by the end of December. Then the Minister admitted in writing that January 15 was acceptable. I have found out since then through officials in the department that although it may get processed late it would not have hindered the matter to have the Bill passed even later than the 15th. However, we have gone through numerous presentations, I have gone through a lengthy process of clause-by-clause amendment, and I think we have significantly improved this Bill.

Mr. Speaker, it was not really a new Bill, well it is technically a new Bill, but it was basically a combination of old Acts with much of the old wording still left in it. There were some minor amendments done to update it. There were some significant amendments too, substantial ones. Some were attempted to be made, some were not. For example, it was discovered, unfortunately after the amendments were being proposed, that if you try to exempt certain deserving people, deserving organizations, that we could not, because we were not Members of the Executive Council that handle that recommendation of His Honour the Lieutenant-Governor.

One of the—although there were several areas of concern, there were six significant ones, for example, farmers with farm buildings which are used to store produce, equipment, feed. Indeed the very large livestock operations are going to be extremely hard hit when this Bill comes into effect. There should have been some provision in this Bill to cushion the impact. There should have been some attempt to encourage good farming practices instead of penalizing good farming practices by taxing equipment and storage buildings, storage buildings which are often constructed not because farmers want to, because they have to due to quota restrictions by the Wheat Board.

(Mr. Harold Gilleshammer, Acting Speaker, in the Chair)

Mr. Acting Speaker, we also wanted to reform the whole process of the Board of Revision, who wanted to have a process whereby we could have looked at the elimination of the Board of Revision to eliminate one layer of bureaucracy, to allow property owners and taxpayers to appeal directly to the Municipal Board after consultation with local officials and have it implemented at some time in the future, three, four, five years. That was not possible. Therefore, we had to make our statements on the record and table some suggestions for the Government's perusal. Hopefully

they will come back with some suggestions later. Possibly it will be one of the amendments that the Minister is considering to this Bill already.

\* (1110)

Mr. Acting Speaker, we wanted to propose exemptions for ecological or environmental purposes as in the case of preserving wetlands, tree stands and the like. Again we could not. Several potential amendments at that time were ruled out of order because it was the opinion of legal counsel that by allowing these amendments to go through, it would force the Government to its consolidated fund, to spend monies. Therefore we were unable to make some very major improvements to this Bill, because of a technicality.

However, Mr. Acting Speaker, we did have some major victories. I think one of the major ones, and that was done amongst all three Parties, was that we obtained a system of dual assessment for the farming properties in the urban shadows of major urban centres and major towns. I think that was a desire on the part of all three Parties to have this done. It may not have been done to everybody's satisfaction, but it was done. I am very happy to see that, very happy that was acceptable to both the Government and the third Party. I think it is going to be very, very encouraging for people who own farm land and want to farm but happen to be located by an urban centre such as Winnipeg or Brandon, rather than a hundred miles away where the potential for development does not affect the assessment as it currently is, as the legislation currently stands.

One major disappointment I had was in regard to a reference here. The whole purpose and intent of this Bill was to modernize, update, the assessment process. Unfortunately here we are with a Bill which, upon receiving Royal Assent, will take effect as of January 1 of this year, based on land values of 1985.

This Bill has been worked on for some 10 years or more now, and notwithstanding the objections, the criticisms of our position by the Government and third Party spokespeople on this issue, we are still of the opinion that if the political will and the desire had been there, the whole system of land values could have been more updated. Our preference was 1989. The information is loaded. Maybe, just maybe it was not technically possible, but I am still not convinced.

However, I do take the Minister at his word that by 1993 or before there will be, between or within two to three years, the assessment year. Ideally, hopefully, we will, prior to 1995, or at least by 1995, have the previous year's land values as the basis for assessment for the following year. It is done in other jurisdictions in this country where land values fluctuate far more than Manitoba, therefore I believe it can be done. As has been pointed out at committee stage, it was not perfect there, and I am referring specifically to British Columbia, but it is still far better than what we have here. Nevertheless, our concerns are on the record, and the Minister has said the objective is to move towards that. Therefore I commend him for at least accepting our proposal in principle, if not in practice at this point.



Mr. Acting Speaker, another major victory that we scored was to have the right for taxpayers who appeal their assessments to have their fees refunded if they are successful. Under the current Act and in the Bill as originally proposed there was security for costs. Security for costs means there can be a refund. When one puts down a security, security deposit by its very nature, by its very meaning means, it is there for a purpose, but it may be refunded as we know in rentals, et cetera.

However, the Minister proposed an amendment to change that to fees, fees that by nature are a cost. It can be refundable and, yes, it was pointed out to us by the Minister, they have been indeed refunded by the Municipal Board when fellows have been successful. But there seems to be reluctance on the part of the department and the Government to have it in the Act. Fortunately the Opposition was able to put it through 6 to 5. The five Government Members, the five Conservative Members in the committee voted against the people's right to have their fees refunded if they were successful. Quite frankly, Mr. Acting Speaker, I was appalled.

It seems the Minister and his colleagues have forgotten where they come from, especially the rural ones, the ones that are by trade, by profession farmers. They seem to have been manipulated by the bureaucracy. I realize it is a trap that is easy to fall into, but you have to resist that. You have to get out of your office from time to time and go back and listen to what the people are saying. It was not a big deal. The fee is only—

**An Honourable Member:** That is what they say about Springfield. They have a Liberal candidate.

**Mr. Roch:** Well, Doctor Death is speaking from his seat again, making comments, but I will ignore them.

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

**The Acting Speaker (Mr. Gilleshammer):** Order, please; order, please.

**Mr. Roch:** We are just wondering that if this Bill comes to a vote again, if the Member for Pembina (Mr. Orchard), the Member for Arthur (Mr. Downey), the Member for Lakeside (Mr. Enns), the Member for Tuxedo (Mr. Filmon) will abstain from voting again as they did yesterday. It seems to have been a little bit deficient. Well, I agree with the Member for Concordia (Mr. Doer) that this is an important Bill.

Unfortunately the Government front benchers seem to treat it as they have throughout the process, with little relevance. They are so arrogant. They do not believe that this is important enough to be discussed, on what was done at the committee level. I find that disrespect and arrogance for the whole democratic process distasteful. I think they learned a bit of a lesson yesterday. I was hoping they would, but the Members who intentionally abstained from voting do not seem to have gotten that through their thick skulls.

Going back to the people's rights which the Government Members voted against, there were other

rights which the Liberal Caucus tried to enshrine in the legislation, and that was the right to have reasonable notice given to the property owner prior to an assessor showing up. Although I practise—again it has been customary for homeowners, property owners to be notified well ahead of time. There have been occasions, specific examples cited to me where an assessor has shown up in the middle of harvest time and told the farmer that he wanted to assess, go around the property right then and there to assess, in other words, drop everything and come with me. That is not fair notice.

I would have liked to have seen this enshrined in the Act. Unfortunately, on this occasion the third Party did not support us. They felt that the way it was going was good enough. Therefore, it was defeated. However, given the fact that the Minister is already talking about amending his Act which was deemed so almost perfect a few weeks ago, but thanks to the combined Opposition was delayed so the public had input - (interjection)- The Minister says from his seat, it was delayed so the public could not have input.

If the Minister had wanted input, he would have introduced the Bill last May or June. He would have had hearings throughout rural Manitoba. He would have allowed farmers and rural people a better opportunity, instead of telling them to come in cold December and to come in here when it damn well pleases me, to come now in Winnipeg. A very poor attitude for a rural Member, I would say.

We had to also let the Government House Leader (Mr. McCrae) know what a minority situation is by not showing up one morning, to let them know, to emphasize the point that they are outnumbered on the committee as they found out yesterday, as the Minister of Finance (Mr. Manness) and indeed the Member for Minnedosa (Mr. Gilleshammer), Mr. Acting Speaker, that when there is a majority on the committee, irrespective of the committee's majority, Mr. Acting Speaker, the fact remains that because the combined Opposition was able to convince the Minister that December 31 would not spell the end of the world, the Bill could be postponed to January. The Minister acknowledged that in writing, that January 15 was acceptable. Many, many organizations were not aware of the implication of the Bill.

As a matter of fact, the Manitoba Association of School Trustees were calling for several exemptions which we wanted to propose but could not. They notified the Minister of Education (Mr. Derkach), who never passed the message on to Rural Development.

Mr. Acting Speaker, the Government front benchers—

\* (1120)

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

**The Acting Speaker (Mr. Gilleshammer):** Order, please.

**Mr. Roch:** —carry on private conversations. I think they should be called to order. I know they do not consider this Bill very important. They take everything

lightly, which is why -(interjection)- Well, Dr. Death says, we do not consider me important.

**The Acting Speaker (Mr. Gilleshammer):** Order, please; order, please. We are having some difficulty hearing the Member. The Honourable Member for Springfield.

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

**The Acting Speaker (Mr. Gilleshammer):** Order, please.

**Mr. Roch:** Mr. Acting Speaker, it appears that they are acting in contempt of your order here.- (interjection)- You sit beside the Minister of Education (Mr. Derkach), well, of course, that would not help it anyways.

Getting back to the issue at hand and the Bill under discussion -(interjection)- Well, the Member for Gladstone (Mrs. Oleson) says, oh please do. If she finds it that important that we do, possibly she should quit interrupting me and let me continue.- (interjection)- Well, the Member from the other side says, order, order. Will he vote for the Bill today or will he move chairs again?

Anyhow, Mr. Acting Speaker, as has been pointed out, by delaying the committees into January, all the different various organizations, at least some of them that wished to make presentations, were able to, individuals and organizations. It is a good thing that was allowed, because many potential flaws, many actual flaws and many very real flaws were pointed out by these people.

I am sure the Minister appreciates now that the process is over, because I believe that he has now a better Bill than the one he introduced. Far from being perfect, it still needs improvement, he has admitted that when he said he would bring in more amendments, but he is the one who will bear the ultimate responsibility for the Bill, both the good points and the bad points.

We will certainly try to take our credit for our input, but, however, politics being politics, he will try and take all the credit for the improvements that we have made to this Bill.

Mr. Acting Speaker, as I said at the beginning of my comments, after 64 amendments—and there would have been more if we would have had the constitutional authority to present more exemptions for those deserving organizations, but we could not. Therefore, we have made recommendations to the Minister. Hopefully he will take them seriously and they will be part of the package of amendments he is proposing for later on.

Mr. Acting Speaker, I would also suggest that when the Bill becomes law and the residents and taxpayers receive their tax notices, and some will be less than pleasantly surprised, that those concerns will be taken into consideration and that the proper amendments that the Opposition Members were not allowed to introduce, which were ruled out of order, will come back with the recommendations from His Honour, that we can indeed have true and real assessment reform in Manitoba.

The Minister of Finance (Mr. Manness) says, nonsense. He does not want true and real assessment reform in Manitoba. I think, despite our little differences of opinion, shall we say, at times in the committee, that by and large there has been a generally co-operative attitude. We were able to get this Bill through.

The Minister mentioned the other night he had been Minister for nine months. I mentioned to him, well, finally your baby is born. Despite the fact that he is a Mennonite, he did agree to have it baptized in his office.

Having made these comments, Mr. Acting Speaker -(interjection)- it is a private joke between the Minister and me.

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

**The Acting Speaker (Mr. Gilleshammer):** Order, please.

**Mr. Roch:** The Member for Pembina (Mr. Orchard) does not understand.

Mr. Acting Speaker, having said that, I think there were some Opposition amendments adopted on their own merit by both the Liberal Caucus and the NDP Caucus. The Government presented some amendments that were adopted. There were some all-Party amendments adopted under the Minister's name. By and large, the Bill was improved to a certain degree.- (interjection)- Is the Member for Pembina finished his comments from his seat, Mr. Acting Speaker? He does not seem to find this Bill very important. He has had -(interjection)-

**The Acting Speaker (Mr. Gilleshammer):** Order, please.

**Mr. Roch:** I certainly agree with the Member for Dauphin (Mr. Plohman) that he wants to have a chance to speak and I will do so, but he should tell his colleague from Pembina who said earlier today—

**An Honourable Member:** Will you get on with the Bill?

**An Honourable Member:** He has not anything to say.

**Mr. Roch:** The Member for Concordia (Mr. Doer) is upset. I was in the process of concluding, Mr. Acting Speaker, but the Member for Concordia and the Member for Pembina (Mr. Orchard) keep interrupting me. I will be forced to keep on speaking until they quit interrupting me.

Mr. Acting Speaker, can I—

**The Acting Speaker (Mr. Gilleshammer):** Order, please. I understand there is some urgency to this debate. The Member for Springfield.

**Mr. Roch:** I would like to conclude, Mr. Acting Speaker. I understand the Member for Pembina (Mr. Orchard) has had a very bad week and he is looking forward to another bad one next week, but I would just like to say that, having gone through the whole process of

the Bill before us, we are ready today to have it go to third reading and on to Royal Assent and it becomes law, and we will monitor its progress and come back with the necessary amendments to improve it further. Thank you, Mr. Acting Speaker.

**Mr. Elijah Harper (Rupert's Land):** Mr. Acting Speaker, I wish to address this Bill at its third reading. It is a very important Bill in respect to the assessment reform, but I must criticize and chastise the Government in terms of all this legislation, was brought about in respect to the treatment of the aboriginal people.

It seems to me, in my opinion, the rights of the aboriginal people have been not taken into account. This legislation has left out a provision which has exempted any tribe or body of Indians for over a century. In 1873, the first Parliament of Manitoba, an exemption was provided for Indian people in which their real estate, or real estate vested or held in trust for any tribe or body of Indians, was enacted. It seems to be, to me, a little bit hasty to leave this section out, which has existed for well, I guess, 117 years.

The Minister who is responsible for bringing in this legislation has not done enough to consult with the aboriginal people. As a matter of fact, he was criticized and the Government criticized, for not consulting with the aboriginal people. At the committee the Leader of the Assembly of Manitoba Chiefs, along with their legal advisor, Jack London, had written a letter to the Government on June 14 to express some concerns, and also to ask for a meeting, and they indicated to the Government that they did not even get a courtesy of a response to that letter.

\* (1130)

This is certainly an indication of where the priorities lie with this Government. This is an important piece of legislation and the rights of the aboriginal people have been affected, and certainly I have written a letter to the legal counsel asking them of an opinion as to whether the Province of Manitoba has violated the rights of the aboriginal people, which I believe are contained in the Constitution and, to this date, I have not received that reply.

Because of all their rights, whether it be aboriginal or Treaty rights recognized in 1882, and I believe, in my opinion, those rights were also acquired prior to 1882, and recognized in 1882, enshrined in that Constitution. I tried to look, tried to research as to why the Government of Manitoba at that time had enacted that provision. Unfortunately, Hansards were not available at that time and I was not able to read the comments of the Members in the Legislature at the time or the intent of the legislation. Certainly the rights of the aboriginal people extend beyond reserve boundaries and that has been confirmed by the court decision made by Justice Jewers recently, I believe, which indicated that the rights of the aboriginal people were meant to apply, not only on reserve lands, but outside the reserve boundaries and I am very concerned that this right that has existed can be done away with in a matter of a few months, while these rights have been recognized for well over a century.

The aboriginal people are outraged and angered by the process and by the treatment they have received from this Government in regard to this piece of legislation. Some of the bands have written letters to the Premier. I know that the chief from Cross Lake, Chief Sidney Garriock, had written a letter to the Premier (Mr. Filmon) dated November 6, 1989, concerning the Municipal Assessment Bill and also the Interlake Tribal Council had written a letter November 10, expressing the wish that they keep intact the rights that the aboriginal people have. Yesterday I was advised the Minister responsible for assessment had been invited to attend a meeting with the Interlake Tribal Council to discuss some property that Indian people had and he did not attend. There are a number of actions that can be said are not taken seriously by this Government.

I believe that the action that they have taken will not be in the best interests of this Government. I believe they will pay for this decision. I think the Government should have taken more seriously the rights of the aboriginal people and done more research. I asked the question in committee as to what right the provincial Government had to remove the section. I believe the rights that were recognized in that section are as a result of the special status that the Indian people enjoy in this country.

By special status I do not mean that we should be treated in any special way, but rather a unique relationship we have with this country called Canada. Certainly, we have not been beneficiaries of any positive results of that relationship. Even to look at it from a straight point of view, to be treated as citizens of Manitoba we have been discriminated against as citizens of Manitoba, because there is no provision anywhere in the legislation that would exempt Indian people from taxation that is enjoyed by other citizens of Manitoba.

I can refer to a section in the Act which is only mentioned once in the whole legislation. I believe it is in Part 6, Liability to taxation, on page 27, item 23(1)(g) under section, that is exempted for, (g), it says here "is used for a missionary purpose or other charitable or educational purpose in connection with Indian missions, to a maximum exemption of 0.81 hectare."

To me an Indian Mission is an old term that has been associated with colonial times, at which time we were supposed to be educated and were supposed to get civilized, and assimilated to be Christianized, so to me that is the only place where an Indian is granted a mission—not necessarily to an Indian, but a mission. To me there should be some objective to achieve that, and it is ironic that this legislation is mentioned in there because it is actually discriminatory, and we are not even afforded any kind of recognition as other citizens of Manitoba should be afforded. If you want to be treated equally, we should be treated equally and treated fairly.

We have contributed to the tax in this province, either sales tax, or other taxation are in place. We want to pay our fair share, and certainly we are being discriminated against in terms of not being exempted anywhere in The Municipal Assessment Act. There were

provisions in the Act, and I believe those rights have been violated, and I have asked the opinion from the Legal Counsel to recognize that.

Just to give you an example, in the cities that the Indian students go to when they come from the northern remote areas, go into Thompson, whether they go into the City of Winnipeg, we pay the tuition fees. We pay the school boards from \$4,300 to \$8,600 to the school divisions. I know in Cranberry Portage where a number of students go from reserves, they pay \$8,600.00. There should be provisions which are afforded the other citizens, to pay resident fees only, because other people who come from northern Manitoba or Thompson, if they go to school in the City of Winnipeg, they only pay resident fees. They only pay 25 percent of the full costs. We are not even afforded that.

Indian students that come into the City of Winnipeg, or whether they go to the City of Thompson, have to pay the full tuition fees which may run from \$4,300 to \$8,600.00. I believe in the City of Thompson it will be about \$4,900 that the students pay. So they pay into the school divisions not only that, but when they live in Thompson they spend their money and contribute to the tax in those communities.

On top of that, the Thompson or other people would like to see the Tribal Council pay for the municipal tax on top of their paying for the education levy in respect to that building, so there is a double tax on that.

We as aboriginal people, as Indian people who come from those communities, have to pay into the coffers of other municipalities. We are the least group of people who can afford those costs. When we go to school we have to pay for the transportation costs to go from and to schools, so there are no provisions in this Municipal Assessment Act which Indian people can enjoy.

I do not believe that this Government deliberately took out our right that the Indian people have enjoyed, which are recognized in the Constitution. I believe they did not do that, but I believe that they felt that they did this within the authority that they have. But to deny any kind of rights that the Indian people have had that have existed in the Constitution, I believe they did not do that. I believe they felt that they did this within the authority that they have. To deny any kind of rights that Indian people have had that have existed in the Constitution, to do that deliberately would be an outrageous act by this Government. I do not think Indian people would stand for that.

\* (1140)

I have not had the privilege to appreciate a position from this Government, whether to explain to the aboriginal people as to why they took this section out. I know the court case decided the aboriginal people were exempt from paying taxes not only on reserve lands but outside the reserve boundary line.

I can show some of the legislation that existed in 1873, 1884, and 1891. Those provisions in there were enacted by the provincial legislative Government at that time so that Indian people could enjoy the special

relationship that they had with Governments in this country. All of a sudden they will come forward and withdraw this legislation, I think that was motivated by other reasons.

I believe the provincial Government wanted to dispel the inequity that existed there, but they have not come forward and explained to me or to the aboriginal people as to the reasoning behind their decision to remove that.

The Keewatin Tribal Council, which won the court case in Thompson, wanted to negotiate with the city so that they can pay grants in lieu of taxes. The Thompson council refused that invitation without an explanation.

The organization also wanted to meet with the provincial Government. The provincial Government refused. The Indian organizations do not necessarily want to—not necessarily totally do not want to—pay taxes, but they would pay taxes that they feel they are obligated to pay and the services that they received from the municipality.

In the City of Thompson the Keewatin Tribal Council has some 40 housing units of which, I believe, some of them were purchased from CMHC, which were publicly owned by Canada. At that time the city did not collect taxes from CMHC, because they could not. What they did was they paid grants in lieu of taxes. Basically all that does is transfer those housing units over to the Keewatin Tribal Council in the sense of public housing units and they should be afforded the same kind of rights or else assessment that they can pay grants in lieu of taxes.

(Mr. Speaker in the Chair)

The Keewatin Tribal Council do not necessarily come into the city to make profit, but they are there to provide some service to their constituents. I do not know whether they are afforded or taxed the business tax that is there to the Indian organization, but they are certainly not there to make money.

Some of the housing units and the apartment buildings in Thompson are utilized by the students that come in from the surrounding areas. They attend school there. We need to look at that. As citizens of Manitoba we pay taxes. We certainly take part in the democratic process in the Province of Manitoba. If that was not the case I would not be here.

I know we were only afforded that right in 1960, only less than 30 years ago, I mean thirty years ago to this year, I guess. For the very first time 30 years ago we were able to vote and able to put our comments—able to effect some change in some legislation that we were not able to speak to or to protect the rights of Indian people.

I believe this Government has acted not in the best interests of the aboriginal people. They have insulted the aboriginal people for not consulting with them fully. I believe the answers still have to be answered by this Government.

They have not done the full research as to the intent of the legislation, whether this piece of legislation also

violates the rights of the aboriginal people which are enshrined in the Canadian Constitution. I believe there has to be a lot of explaining to be done by this Government to the aboriginal people.

When you talk about education, I know this Government has supported a resolution in respect to getting the federal Government to respond to the needs of the aboriginal people. One way of taking this action is to make sure the people that are going to school in municipalities should at least not pay for the full tuition costs, but they should pay non-resident fees, which add up to only 25 percent, so that more students can go to school from those reserves. That is one way of supporting that. They certainly have the authority to reduce that.

People that go to school from those isolated areas which are a part of the Northern Affairs district unorganized territories have money to pay school boards. They probably are afforded the non-resident fees in their school divisions. Basically, it is not increasing the total expenditure of money within the Province of Manitoba as appropriated in legislation, but transferring between divisions of schools, that is all. What we do as Indian people is we actually increase the coffers of the school divisions when we go in to attend schools in the City of Winnipeg or in the City of Thompson.

What we are looking for is a fair treatment, so that we would be recognized as citizens of Manitoba, which you afford to other citizens in Manitoba, and certainly this Bill does not address that.

I am talking strictly from the citizen's point of view as a Manitoban. The other question of aboriginal rights, we still have to get a legal opinion and it is my own opinion that those rights have been violated. Certainly if the provincial Government has erred, certainly they will be instructed to put the clause back in to uphold the rights. The Constitution being the supreme law of this country, they would have to abide by the decision.

From that point of view I have problems, not necessarily from the concerns that were raised by other people who made submissions, from the municipalities, from farmers, from other groups of people. I believe I support that and I do. In terms of, if I was not interested, I would not have sat through the committees late hours trying to be a part of the whole committee process if I did not care. I was only interested in trying to protect the rights of aboriginal people.

I believe I have that responsibility in this Legislature, to uphold the rights of all citizens of the Province of Manitoba, and I wish that recognition, that same kind of courtesy would be upheld by other Members of the Legislature here in the Province of Manitoba and other Parties so that the rights of the aboriginal people and those, whether they be rights or privileges that have existed for 117 years, would still be maintained by this Government.

I hope that the Government will see fit to further discuss with the aboriginal people as to the exemptions that they may be afforded. Certainly the aboriginal people have been shown discourtesy as to not being

consulted with, as to not being met with by this Government, and I believe the rights have been violated. I hope this Government will talk to the aboriginal people and negotiate with the aboriginal people. If this is law, and I would assume that this will receive Royal Assent today and would become law, if the aboriginal people, if their rights have been violated, I would believe this would be going to court. I believe the interest of Manitobans will be, I think the municipalities would be less well served, because if they are upheld it means that they would be losing revenue.

Rather I think the best option would have been for this Government to negotiate with the aboriginal organizations. They certainly recognize the services that they receive within the municipality and they would be reasonable and pay the taxes. We are not unreasonable. Then when the thing was negotiated a long time ago in regard to when we had the biggest real estate transaction many years ago, we did not envision these kinds of problems and certainly we had not identified so many of the problems in today's world.

\* (1150)

I believe the lands of people were not subject to taxation because of that special relationship we have had with the federal Government and other Governments. This exemption has been lifted by this provincial Government. Certainly other provinces have exemptions for aboriginal people, and I would very much like to see what the reasoning is behind this for other provinces. It may be the same reasoning why the legislation was included here since 1873, which is shortly after this province became part of the Confederation, when Manitoba became a province.

Although I realize this assessment reform has been required for many years and is out of date, that we needed a new assessment reform, I must say that in dealing with this assessment reform, this outrageous act by Government in removing this clause has insulted the aboriginal people and certainly has not provided the answers that have satisfied the aboriginal people, rights that have existed for 117 years, that they have enjoyed. I think this Government should pay more attention to Native people as to what their rights are. I think it is sometimes out of ignorance that people react to when people are calling for their rights and I am sure that every Government and every citizen would want to maintain the rights that were negotiated a long time ago to uphold that those rights would be maintained and not necessarily withdrawn. Certainly, this piece of legislation, by removing that section, has certainly in my opinion withdrawn the rights of the aboriginal people which it had been continued to be maintained, those exemptions.

I said earlier that it is discriminatory in a sense that it does not afford a group of Indian people as other citizens of Manitoba. I think this has to be addressed by this Government, to provide that. Inequity, unfairness, they talk about fairness. We have just gone through to try to resolve the whole issue about racism and discrimination and those things under the Aboriginal Justice Inquiry. The Government needs to talk to aboriginal people more and also maintain the rights that they have had.

Mr. Speaker, I am trying to make a point here, trying to convince the Government that they should talk to the Native people and also reinstate that clause that they have omitted in this legislation. We did make a motion in committee, but we were told that the amendment was not in order. In that sense, I hope the Government sees fit that they would reintroduce, I do not know whether the Government has done any work or is soon to provide to write more answers as to what the costs might be. I think they will be surprised to find that the costs are not that enormous. As a matter of fact, Indian people contribute into the municipal taxes, I think they would find that.

By being bullheaded not to talk to the Native organizations in the long run, I think it will cost them more. I think they should be talking to the Native organizations to come to an arrangement of paying grants in lieu of taxes. I think they were willing to do that. I think in the long run, by not sitting down with the aboriginal people, it will cost the cities or the municipalities more money.

In concluding my remarks, I believe that this Government has violated the rights of the aboriginal people. I believe that it has breached the Constitution, violated the Constitution in the sense this right has existed for well over a century, that the Indian people have enjoyed. Certainly rights that have existed prior to 1982 were enshrined in the Constitution. To remove anything of those rights that were enshrined at that time would be unconstitutional. I have asked for the Legal Counsel to come with that legal opinion, to provide me with that legal opinion whether this Legislature has breached that right of aboriginal people.

Also, I mentioned earlier that the province has selected deliberately to exclude Indian people from any kind of tax exemptions. They are citizens of Manitoba and they should be afforded the same kind of rights that you afford other Manitoba citizens in this province. We are, I think, obligated to provide equally to all citizens of Manitoba, and that is why from that point of view the Minister should insert that provision back into the Act. I believe this Government has to speak to the aboriginal people, to the aboriginal leaders, to rectify this situation.

Mr. Speaker, it is my obligation, as elected by predominantly my electorate who are aboriginal people, to argue and also to get the Government to listen to the concerns of my constituents and the aboriginal people. I hope that they would listen to their concerns and also their rights that they may have. They should be given the courtesy of being responded to and of at least answering their letters and of sitting down with this Government.

So I would urge the Government to rethink their position, hopefully to reintroduce that section that has been in existence since 117 years ago so that the rights and the privileges are enjoyed by other people in the Province of Manitoba, that they be afforded the same here in Manitoba.

So with that I thank the people who listened to me. Hopefully the Opposition and the other Opposition and also the Government would listen to the concerns of the aboriginal people. Thank you, Mr. Speaker.

**Mrs. Gwen Charles (Selkirk):** Mr. Speaker, in lieu of the desire to pass this Bill today I will keep my comments very brief, but I would like to begin by congratulating the staff that worked on this Bill for so many years, as well as the legal staff, and I would also like to add to that congratulations and appreciation, which I am sure that the Minister extends as well to the Hansard staff, that worked so hard in trying to keep up with our deliberations in the Bill, which were often very heated and confusing, I am sure, to them. So I think, as people we often do not recognize and see in the forefront, they probably have worked hard to figure out how to put all our statements in Hansard correctly, to the best of their ability.

I would also then like to go forward in speaking on the Bill and say that as a past town councillor, and certainly I do not claim to have been an expert as a town councillor of short term, a year and a half, almost two years on town council, but in that time we were very excited about the promise of this Bill coming forward, that we knew tax assessment was coming forward. There was anticipation by all rural municipalities, I believe, to have this Bill forward and I hope they will find no disappointment in that.

\* (1200)

I wish to direct to the Minister and to his staff my hope that they will understand that there are many new town councillors out there and many changes that have taken place in process in rural Manitoba, and that with a complicated Bill that we discussed in such detail and still at times had trouble understanding in its whole ramifications—and I think even the Minister himself will admit that at times it was the staff that had more comprehension of some complexities in the paragraphs than perhaps he did himself—we cannot expect that all municipal councils will understand this Bill and all the ramifications that are included therein.

So I would ask the Minister to direct his staff to perhaps be able to put forward a briefing paper and even further to put forward a touring committee that will help the town councils understand how to go forward with this Bill and what the differences will be.

I know I will represent many of the present and past town councillors in the Town of Selkirk in saying that we continue to have problems as a town council, or they continue having problems as a town council. I do not think this Bill has changed anything with the aspect of having to collect taxes for school divisions. I am not saying I have the answer for that, but I think it would be better after this Bill and that they will be separated, and the taxpayers will have more information as to where their taxes are being paid.

At the same extent, when councils have to make up their tax rolls, they can only raise or alter taxes to a certain degree. If the school boards come in with a momentous increase in their budget then town councils have to adjust their tax rolls accordingly. Therefore, sometimes they cannot go forward with projects that in the long run would have saved the town money if they had have. I think in the long run it is not cost beneficial in allowing school boards to dictate what

projects will be undertaken by the town councils, merely by the fact that councils have to adjust according to what school boards put forward and not being able to set their own budgets independent of the school board.

I would like to direct that to the Minister, and perhaps his staff and caucus will have a decision to come forward as soon as possible on how that difference can be made, because if we are interrupting projects it certainly is not beneficial to any Manitoban. In the long run, the taxes and projects have to go forward.

With these very brief comments, and certainly there is the matter of the whole process that I think has indicated how minority Governments can work for the people. There were pressures to shove this Bill through and yet, at the same time, we are still within a time frame that, perhaps, is a little bit delayed than what the Government would ask, but in the scheme of things, co-operation was the name of the day, and we got it through.

I, again, would congratulate all Members on the committee for working so hard with the legislative staff, legal staff, as well as the departmental people themselves. The Minister, in most cases, was co-operative. I hope that this Bill will be something that all Manitobans will be able to understand, and that they will understand it was meant for fairness and equity for payment in Manitoba. I would hope that we will see a prospering Manitoba from which we can raise taxes easily without putting people in straits where they cannot continue to progress in their own households.

**Mr. Plohman:** In the brief time that we have in order to accommodate others, I will keep my remarks very short. I can indicate to this House that over the last number of weeks the Opposition, particularly the New Democratic Party, has put forward a number of amendments to improve this Bill. The fact that 64 amendments were passed by the committee, some 20 hours of work, indicates that the Opposition position, on holding this over and giving more time for the public, has been vindicated. Clearly it was necessary and there should have been more time.

It was the rushing at the end, in this Bill, in terms of the process, by the Government that we object fundamentally with, and we consider that a fatal flaw in the way they have handled this. We know that staff and others have worked for years to prepare the principles for this Bill, but the fact is at the end the Government was very flawed in the way it approached this. It does, to a certain extent, Mr. Speaker, update and make assessment, and therefore property tax, more fair in this province.

Ironically, when it is doing that, it also impacts and perpetrates injustices, unfairnesses and inequities in the province as well. That is the kind of thing that we try to work against and guard against. The issue that my colleague from Rupertsland (Mr. Harper) raised is one fundamental example of where unilateral injustice has been perpetrated on people without proper consultation.

There are other examples in this Bill that we tried to guard against. One was the compulsory phasing

amendment that we introduced so that we could — because we do not have the information on portioning, the Government is going to have the responsibility ultimately for how this impacts—ensure fairness through this Bill by requiring phasing in of the increases so that the shock of the impact would not be as great as it would otherwise.

We heard from the reeves and municipalities who took a very hard-nosed position in many cases, that they thought this should all happen at once, that there has been an unfairness over the years, and now the people should pay fairly, as they would say, to correct the injustice. But that creates other injustices, as I said at committee, and we would have wanted to have that phased in, and that has not been supported by the Government and not by the Liberals.

They will have to be responsible when the decisions are made as to how this is going to impact some one-third of the people paying more. They are going to have to be accountable and responsible for that impact on those people. We will hold them accountable. Let there be no mistake about that. We attempted to make improvements which would have eased that.

I want to just conclude, Mr. Speaker, by indicating that although this has made several strides towards fairness, the unfairnesses that are remaining will be the responsibility of the Government in the months ahead as this Government takes effect. We will, at that time, raise those on behalf of our constituents with the Government.

**Mr. Harold Taylor (Wolseley):** This is a Bill which has taken quite a bit of an effort, I think, on all sides of the House. All three Parties put a lot of hard work into it. Maybe it is not surprising a lot of hard work was required, because we are still working at what I would suggest is dated legislation. It is not just dated because it extracts many, many sections and clauses from the 1970 legislation, but goes all the way back to 1960 in the original Municipal Act of Manitoba. Much of it had to be cleaned up, and I am pleased to say that the Liberal Party initiated numerous amendments to improve this piece of legislation.

I said to a number of the Government Ministers that I very much consider Bill 79 not to be a reform Act for assessment, but a transitional Act, a transitional Act to what, I think, true reform will be. Unfortunately, it looks like we will be waiting a little while for that.

I have put on notice to the Tory front bench that this did not go the full distance, and that our hope is that we will be the Party to bring in new legislation by 1993 to have a true reform Bill. There is no reason in this world that we should have an assessment Bill that has a freeze incorporated into it. Just because the City of Winnipeg was tardy in doing its revisions, is no way that this should be incorporated and enshrined in a piece of legislation in this fashion. I was a member of the City Council at the time and moved motions which unfortunately were defeated by Tory councillors of the day to try and bring forward that revision. That is in the record, Mr. Speaker.

\* (1210)

We have the situation where we have an archaic device called the Board of Revision of which some 90 percent, 90 percent of the Board of Revision's decisions are appealed all the way to the Municipal Board. We want to see a consultation process take place over the next couple of years, so that we see either the replacement of the Board of Revision or its elimination. We also want to see the elimination of reference years. We want to see annual reassessment one year late, only one year behind. It can be done with computerization, and it can be done with new organization, a new structure within what was called Municipal Affairs and now the Rural Development Department.

That is the sort of thing that is required and we are pleased to say that many of the amendments that we did initiate were supported and became part of this legislation. It certainly needed a lot of cleaning up. In fact after the legislation was produced the Minister himself had to bring in 50 amendments and there were some 14 others that were accepted as well, not from the Minister.

Unfortunately there were a number of exemptions proposed by both Opposition Parties and, in particular, by the Liberals which, unfortunately, were ruled out of order by the nature of this Act and that they, of course, not being Government initiated, did not have royal recommendation from the Lieutenant-Governor of Manitoba. That will be corrected, of course, when there is a Liberal administration and we will see fair assessment, a fairer system of exemptions and fairer taxation for all.

The situation is that we do not fully recognize the role of our institutions, whether they are educational institutions, whether they are health institutions or whether they are philanthropic institutions. As such we think the whole revamping of this area is required, Mr. Speaker. In summary, I look forward to more consultation with the public of Manitoba and the organizations in this province so that we can get forward in the next year or two a true piece of reform legislation. I do not think there should be too much back-patting by the Government in the passing of this somewhat flawed transitional Act, Bill No. 79. Thank you.

**Hon. Harry Enns (Minister of Natural Resources):** Thank you, Mr. Speaker, I do not want to prolong the debate on this important Bill, but I think it is evident to all of us that, despite the fact that this Bill talks of numbers and percentages and properties, it is nonetheless one of the most important pieces of legislation that has been passed in this Legislature for many years. It is a landmark piece of legislation and I compliment the Minister. I compliment his staff, a staff that will have to accept the very heavy responsibilities of implementation of this Bill.

My purpose in rising for but a moment is to place on the public record, on the journals of this House, the work that was done to make this possible to some extent by a former colleague, friend of mine, former Premier of this province, the then Honourable Walter Weir. It is, after all, on the basis of a very significant work which we refer to as the Weir Commission that

the former Premier, now deceased, deceased I might say far too early, in the mid-fifties of his life, a man who in many respects had an unassuming air, in my judgment a much underestimated Premier of this province, who nonetheless put in a great deal of work when he was charged with the responsibility of bringing about what we hope we are accomplishing here today, a fair, more equitable taxation system with respect to land and property in this province. I would like the public record to show and to acknowledge the work of Mr. Walter Weir in this respect. Thank you, Mr. Speaker.

**Mr. Steve Ashton (Thompson):** Mr. Speaker, there are a lot of things that could be said about municipal assessment; unfortunately time is very short. I did want to say that I feel that from the Opposition standpoint our case has been made on this Bill already. We argued back in December that we needed further consultation with the public, that we needed more time to deal with this as Members of the Legislature. The fact that 64 amendments were introduced, many of them incidentally either introduced by the Government, or supported by the Government, indicates that was the case.

We have seen some major improvements in terms of the appeal measures, definition of market value, the two-market system. There have been a number of amendments that have improved this Bill. Unfortunately there were a number of amendments that were moved that were not acted upon, and I think that is something the Government will have to accept the consequences for.

We believe the Bill could have been made better, and indicated that, whether it be in terms of portioning, whether it be in terms of phasing or dealing with the tax dispute involving municipalities and Native organizations. We do feel that the proper process was not followed and that there will be consequences, in many cases, for the people, for whom the Government who had intended to bring in action, to deal with.

The bottom line, Mr. Speaker, is that we feel this Bill could have been a better Bill if the Government had listened. We have expressed continuously in this Legislature about those needs. We tried our best; 64 amendments have been brought in. More amendments could have been brought in to make it a better Bill, but the Government has chosen this route. The bottom line is that there are some good principles in this Bill. It is a flawed Bill. The proof will be in the upcoming months and years, whether it be in terms of the impact on the individual taxpayer, which I think is the main thing, the impact in terms of the portioning, the whole question of phasing—that will be something we will be seeing—and what happens in terms of the legal challenge the Native organizations will be launching.

As I have said in this House before, we were concerned and expressed a concern about the impact on municipalities. We will see if the route the Government has chosen will be the appropriate route. It may result in tax losses for the municipalities. I think that would be most unfortunate.

With those few comments, Mr. Speaker, I think the Opposition has done its job to the fullest extent possible.



We would like to have done more to change the Bill, but the responsibility is now with the Government. Let them rest with it. I think they could have made it a better Bill if they just had listened a bit more carefully to the Opposition. Thank you, Mr. Speaker.

**Mr. Allan Patterson (Radisson):** I will just make a few brief comments. There is no need for me to reiterate many of the comments that have been made, both by our own people and the New Democratic Party on the Bill.

I would just like to say that this has been an educational process, a very rewarding one for myself. I guess all Members of our committee, but many Members on the Government side and on the other Opposition Party have had many more years of experience in dealing not only with general House matters but with assessments, so they are much more knowledgeable. The Members in our Party who have had previous experience with city council, of course, do bring some knowledge and expertise.

What struck me, Mr. Speaker, was the somewhat arbitrary deadlines that were imposed on such an important Bill. After decades of legislation that over time becomes out of date, then with the Weir Commission report, and some years of ability to address the report on the part of the then NDP administration—I do not want to lay all the blame at the current administration—to have to rush this through so rapidly was to my feelings very dysfunctional. It should have been, say, a good six months or even more, to have hearings throughout the province, say at Dauphin, at Brandon, Flin Flon, The Pas, and so on, to listen to various individuals and groups make presentations and then to have more time for sober reflection and discussion amongst all Parties on the committee to move the Bill further along to the perfection we seek but of course will never completely attain.

\* (1220)

One day, during the recess, three of us from my Party, who were on the committee, went a few miles out of Winnipeg and visited two farms and a seed cleaning plant. The people out there are very concerned, they are worried, what is going to be the effect, and these are top farmers, they were not the ones that are just keeping their nose above water, a little bit under and struggling along. These are good progressive well-run operations. These Manitoba citizens who have been suffering for many years under increasing costs and decreasing prices are very concerned about how this is going to affect them. People need the opportunities to get the input and have it given proper thought.

I will close with that, in the interests of time, and turn it over to the Minister. Thank you.

**Mr. Speaker:** The Honourable Minister will be closing debate.

**Mr. Penner:** Mr. Speaker, I had hoped that there would be a few more minutes remaining to make a few closing comments.

First of all, very quickly and very briefly, I would like to thank my colleagues for the support that they have

given me throughout this process in bringing this Bill forward and bringing it to the stages that it is at today. I would also like to thank all Members of the Legislature for bearing with me in, again, the time spent in my deliberations of this Bill. Most of all I would like to congratulate my staff and I would like to thank individually my Deputy Minister, Mr. Gerry Forrest, who has worked for more than 10 years on this Bill to ensure that the assessment legislation will be brought forward at some point in time that would give more equity and fairness to taxation and the raising of tax dollars for all of Manitoba. I would also like to thank the Chief Provincial Assessor for the Province of Manitoba, Bob Brown, for the many hours they spent burning the midnight oil. Also Marie Elliott, who has spent countless hours, I know away from home, away from her family, to bring this legislation forward and to ensure that we would have a computer system in place that would allow us to do this.

There are many other things that I would like to say at this time. I believe that we have, for the people of Manitoba, a system of assessment that will be brought forward by this Bill that will ensure the fairness and the equity that we have all waited for, for a long, long time. Therefore it gives me great pleasure to be able to close debate on this Bill at this time, and I will be commenting on some of the things that have been said at this House and some of the accusations that have been made and some of the criticisms that have been brought forward on this Bill at later days, mark my word.

**QUESTION put, MOTION carried.**

**Mr. Speaker:** I am advised that His Honour the Lieutenant-Governor is about to enter to grant Royal Assent to Bill No. 79.

### ROYAL ASSENT

**Sergeant-at-Arms (Mr. Cliff Morrissey):** His Honour the Lieutenant-Governor.

His Honour, George Johnson, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the Throne:

Mr. Speaker addressed His Honour in the following words:

**Mr. Speaker:** May it please Your Honour:

The Legislative Assembly, at its present Session, passed a Bill, which in the name of the Assembly, I present to Your Honour and to which Bill I respectfully request Your Honour's Assent:

(No. 79)—The Municipal Assessment and Consequential Amendments Act; Loi sur l'évaluation municipale et modifications corrélatives

To this Bill the Royal Assent was announced by the Clerk of the Legislative Assembly as follows:

**Mr. Clerk (William Remnant):** In Her Majesty's Name, His Honour the Lieutenant-Governor doth assent to this Bill.

**Friday, January 12, 1990**

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His Honour was then pleased to retire.

**Mr. Speaker:** Is it the will of the House to call it 12:30?

**Hon. James McCrae (Government House Leader):**  
Mr. Speaker, it is dangerously close to 12:30. Might I suggest we call it 12:30?

The hour being 12:30 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. Monday.