

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, February 28, 1990.

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Mr. Harold Gilleshammer (Chairman of Committees): Mr. Speaker, I beg to present the First Report of the Committee on Private Bills:

Mr. Clerk (William Remnant): Your Standing Committee on Private Bills presents the following as their First Report:

Your committee met on Tuesday, February 27, 1990 at 9:30 a.m. in Room 254 of the Legislative Building to consider Bills referred.

Your committee has considered:

Bill No. 89—An Act to Amend An Act to Incorporate United Health Services Corporation; Loi modifiant la Loi constituant la "United Health Services Corporation";

And has agreed to report the same without amendment.

All of which is respectfully submitted.

Mr. Gilleshammer: Mr. Speaker, I move, seconded by the Honourable Member for Swan River (Mr. Burrell), that the report of the committee be received.

MOTION presented and carried.

TABLING OF REPORTS

Hon. Glen Cummings (Minister charged with the administration of the Manitoba Public Insurance Corporation Act): Mr. Speaker, it is my pleasure to table the Manitoba Public Insurance Corporation Annual Report for 1989.

INTRODUCTION OF GUESTS

Mr. Speaker: Prior to Oral Questions, may I direct the attention of Honourable Members to the Speaker's Gallery where we have with us today Messrs. Chande and Kayuza from the Dar Es Salaam Technical College in Tanzania where a three-year twinning agreement exists with our Red River Community College.

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

Also with us this afternoon, we have from the Fort Alexander Band High School seventeen Grade 9 students. They are under the direction of Penny Blatz. This school is located in the constituency of the Honourable Member for Lac du Bonnet (Mr. Praznik).

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

ORAL QUESTION PERIOD

High School Education Government Strategy

Mrs. Iva Yeo (Sturgeon Creek): We are now into our fourth year of study and review, Mr. Speaker, with expectations high and the anxiety level even higher as the days and the months tick by. First a committee called the High School Review Committee and then a booklet called Challenges and Changes at a cost to the Manitoba taxpayer of some \$170,000; then came the review of the Review.

In the meantime our high school graduates, although the Manitoba statistic is, I think, somewhere around 25 percent of our students dropping out of the system, increasingly find their applications to universities in other provinces turned down. Will this Minister finally make even two or three decisions regarding Manitoba high schools to relieve educators and parents and students and help them feel that some attempt is made to take at least some action?

* (1335)

Hon. Leonard Derkach (Minister of Education and Training): Mr. Speaker, I am happy to indicate to the Member for Sturgeon Creek (Mrs. Yeo) that the Policy Advisory Committee on High School Review has reported to me and that indeed the Department of Education and Training is at the present time putting an action plan together that will encompass the recommendations that have been made by the Policy Advisory Committee. It indeed has been some time since we have had a proper high school review.

One of the emphases that this Government had indicated that we needed to place on the study was that we needed to take a careful look at quality and standards. That was the charge that was given to the Policy Advisory Committee, which was made up of experts in the educational field as well as representatives from all community and education groups.

Mr. Speaker, I have to indicate that I am very pleased with the report that has come down. Within the next short while Members of this House and this province will receive the action plan for high school education into the '90s.

Report Costs

Mrs. Iva Yeo (Sturgeon Creek): I think when most people think of action, Mr. Speaker, they think of some speed in the action. Four years is hardly a speedy action decision. What will the cost be to the taxpayers for this review of the review?

Hon. Leonard Derkach (Minister of Education and Training): I have to indicate to the Member for

Sturgeon Creek that there was not a significant cost associated with the committee members who gave of their time very freely and willingly to spend many hours poring over the recommendations and the responses. I do not have the exact figure, but certainly I will get it for the Member for Sturgeon Creek.

It was not a significant amount of money that was spent on the Policy Advisory Committee. The work that the Advisory Committee did was basically volunteer. There was some remuneration given to them for perhaps meals or coffee and that sort of thing, but certainly it was not a significant cost.

Report Release

Mrs. Iva Yeo (Sturgeon Creek): At any rate, Mr. Speaker, it is public money and it is a public review. Why was the decision made not to release the results of this particular review of the review?

Hon. Leonard Derkach (Minister of Education and Training): The Policy Advisory Committee was struck to look at the challenges and changes and the responses that came to the recommendations. The Policy Advisory Committee was instructed to go over these and to advise the Minister and the Government on the High School Review. It is not a public document. It was meant for advice to the Minister, and the public document will come in the form of an action plan that will be announced in the next short while.

Government Strategy

Mrs. Iva Yeo (Sturgeon Creek): I have a new question, Mr. Speaker, to the same Minister. The content of programs has not been addressed in either review; the content and the curriculum have not been addressed in either of the reviews. Weaknesses in the high school programs become weaknesses in our universities, Mr. Speaker. Many professors are terribly upset with the increasing number of remedial classes needed for their students, especially in the areas of math and language arts.

The Manitoba Association of School Trustees, The Manitoba Teachers' Society, the Manitoba Association of School Superintendents, all of these people have stated concerns with various programs. How are these programming concerns going to be addressed by this Minister?

Hon. Leonard Derkach (Minister of Education and Training): Mr. Speaker, I am happy to see that the Member for Sturgeon Creek and perhaps the Liberal Party are finally beginning to understand the importance of establishing the Policy Advisory Committee. Indeed, in the report Challenges and Changes, one of the shortcomings of that entire report was the fact that there was not enough emphasis placed on the content.

Mr. Speaker, that mandate was given to the Policy Advisory Committee. In looking at standards and quality of education, they could not ignore the content of the high school programs. This will be addressed as we move into the action plan.

Report Release

Mrs. Iva Yeo (Sturgeon Creek): I would like to ask the Minister of Education if the committee members have each received a copy of the report of the review of the review?

Hon. Leonard Derkach (Minister of Education and Training): Mr. Speaker, as I indicated to the Member before, the Advisory Committee was struck to report to the Minister and to give their report to me. That was done. They do not have a copy of the final draft of the report that was handed to me by the committee. However they will be advised as to what the action plan is going to be, and they will be consulted with before the action plan is made public.

Committee Representation

Mrs. Iva Yeo (Sturgeon Creek): If these people have given hours and hours of their time and hours and hours of their particular resources to help to make this particular report and there is an action plan for programs, something that the people of Manitoba want, what provisions have been provided by this particular Minister to help these people report to the agencies that they represent so that they can share the results with these agencies that they have been appointed by?

Hon. Leonard Derkach (Minister of Education and Training): Mr. Speaker, the Member for Sturgeon Creek should know that we had representation from the Manitoba Association of School Trustees, The Manitoba Teachers' Society, who reported to their groups as the process went along. They received input from their organizations as the process went along.

The process is complete, Mr. Speaker. It is finished. The report has been handed to me, and I have the report in my hands. My department is presently putting an action plan to the recommendations that have been put forth by the Policy Advisory Committee.

* (1340)

Free Trade Agreement Corporate Mergers

Mr. Gary Doer (Leader of the Second Opposition): Mr. Speaker, we have run about 14 months now in the Free Trade Agreement in Manitoba. We have seen a situation where -(interjection)- Of course the slavish agreement between the Filmon Conservatives and the Mulroney Conservatives is quite evident to Manitobans on this issue.

Mr. Speaker, there has been about—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. Order.

Mr. Doer: A Tory is a Tory.

Mr. Speaker, there has been \$12 billion worth of mergers—there is \$12 billion in corporate mergers this

year and in 1988 there was only \$3 billion. Today Campbell Soup has announced that it will combine the U.S. and Canadian operations into a single North American division, proving as we have said all along that jobs are being lost in Manitoba because of the Free Trade Agreement.

My question to the Minister of Industry, Trade and Technology is: Given that he said it had nothing to do with free trade in terms of the loss of those jobs before at Campbell, and given now that we clearly see the corporate decision is consistent with the Free Trade Agreement, what is the Minister's strategy to prevent the loss of jobs in the food processing industry in Manitoba in the future so that people do not have to be put out in the street because of the Government's willingness to go along with the Mulroney Free Trade Agreement?

Hon. Jim Ernst (Minister of Industry, Trade and Tourism): Mr. Speaker, in the case of Campbell Soup, the company is competing with Heinz Soup. That is their major competitor. That company operates one plant and provides soup for the entire market from that one plant. If Campbell is to be competitive, then they are going to have to streamline and consolidate their operations. That much was indicated at the time I met with Campbell Soup last fall, and the indications were at that time from the president of the company that they consolidate their operations and they in fact closed plants, four plants in the U.S., including the original Campbell Soup plant where the company started some hundred years ago. They closed that plant in Camden, New Jersey. In addition, they closed the plant in Montreal, and they closed another plant in Toronto. So that to be competitive in a market, particularly a very flat market as far as soup is concerned, and to compete with a company like Heinz, they have to have a consolidated operation.

Mr. Doer: Mr. Speaker, whether it is Varta Batteries, Ogilvie Mills, Campbell Soup, on and on and on, the best apologist for the Free Trade Agreement is the Minister of Industry, Trade and Technology.

Food Processing Industry Plant Closures

Mr. Gary Doer (Leader of the Second Opposition): I would ask the Minister what strategies he is developing to prevent the loss of jobs in Manitoba and the food processing industry, Mr. Speaker, when we have the president of the U.S. company now saying that this Free Trade Agreement and the merger and the closing down of plants address the exciting and enormous potential of an American, not a Canadian-American, but of an American common market. What strategy is he going to develop so that we can prevent the closing of plants rather than getting just business as usual, as the jobs are lost in Manitoba?

Hon. Jim Ernst (Minister of Industry, Trade and Tourism): Mr. Speaker, first of all the Member for Concordia (Mr. Doer) stands up here day after day after day spilling off a litany of companies that have allegedly

in his view closed because of free trade. He has yet to produce in each of those cases any kind of proof at all that it has related to free trade one iota.

As a matter of fact, most of those operations, if not all of them—and I have not investigated every single one, but I can tell you this—in most of those operations there is a very legitimate economic or business reason why companies have done what they have done. For example, Mr. Speaker, in the case of Ogilvie Oats where the Member has constantly referred to that situation, you had a company where there was 120-year-old plant operating in Manitoba, totally uneconomic. They decided, for whatever their reason, to construct a new plant, not in the United States, and he claims it is free trade. They constructed a new plant in Toronto, not in the United States.

Mr. Doer: Well, Mr. Speaker, that is the point. The Minister does not understand it, but \$12 billion worth of mergers in Canada since the Free Trade Agreement came in compared to \$3 billion in 1988. The jobs are being lost in western Canada and they are going to eastern Canada as part of free trade.

Free Trade Agreement Corporate Mergers

Mr. Gary Doer (Leader of the Second Opposition): My question to the Minister is: How can he say that the free trade did not have anything to do with the Campbell Soup Company when in fact when the jobs were closed the company official stated that free trade did play a role in the decision to close the Portage la Prairie plant?

Secondly, Mr. Speaker, has the Minister provided any analysis of the B.C. fishery decision in terms of the sovereignty of the province in terms of trade disputes with the federal Government?

* (1345)

Hon. Jim Ernst (Minister of Industry, Trade and Tourism): Mr. Speaker, we could go on and on and have a great debate with regard to what happens in terms of company consolidations, whether they relate to free trade or whether they do not. Our information is, by and large, Mr. Speaker, that they have not.

At the same time there have been corporate mergers in 1989 and 1990. There have been corporate mergers for a hundred years before that, Mr. Speaker, some large, some small, and I do not think you can compare one year versus another and blame it all on the Free Trade Agreement. The economies of the world today, the trade today is global. I attended a conference in Toronto produced by the Canadian Manufacturers' Association back in January wherein the top business leaders of the country were present and their indications were very clearly, it is a global economy we are in today. We have to compete on a worldwide basis. In order to do that, we have to be competitive, and resulting from that will be consolidations for the sake of efficiency.

Mr. Doer: Mr. Speaker, the fact that the Minister of Finance mentions reality, the fact that the mergers are

over four times more in terms of corporate mergers in Canada this year compared to a year ago is, I guess, a fact that they do not consider.

Natural Resource Protection

Mr. Gary Doer (Leader of the Second Opposition): My question is to the Premier. There was a decision made by the Canadian Government behind closed doors with the U.S. Government to deal with a major resource in British Columbia without any consultation with the Canadian Government and the B.C. Government of the Day. Has the Premier registered this issue with the Prime Minister and has he protested the precedent that has been established where the Canadian Government can cut a deal with the United States neglecting the resource considerations, the conservation considerations in terms of the province affected? Will he table his objective concerns in this issue in terms of standing up for Manitoba and our resources so we do not have that kind of precedent under the Free Trade Agreement?

Hon. Gary Filmon (Premier): Mr. Speaker, the Member for Concordia (Mr. Doer) has come here today and alleged that every single job loss that has happened in this province in the last year and a half has been as a result of free trade. I want to lay out for him just some of the plant closures that occurred during the last four years of the NDP administration, when there was no free trade agreement, when he was and his colleagues and cronies were in charge of the economy—Canada Packers, 825 jobs lost in this province; Marshall Wells, 56 jobs; Dominion Stores, hundreds of jobs lost during that period; Citadel Life Insurance, 112 jobs lost; Yamaha Canada Music, 78; Harco Electronics, 75; Teledyne Canada, 71; AEL Microtel, 80; GWG, 245; Shell Canada Limited, the refinery closure, 176 jobs. I could go on and on.

POWA Agreement Immigrant Exclusion

Mr. Speaker: Order, please; order, please. The Honourable Member for St. James.

Mr. Paul Edwards (St. James): Mr. Speaker, my question is for the Minister of Labour (Mrs. Hammond). Finally, on December 31 of last year, I believe, this Minister signed an agreement with the federal Minister of Labour with respect to a program for older worker adjustment for Manitobans. Mr. Speaker, however, that agreement states for a worker to qualify they must and I quote, have been attached to the Canadian labour force for at least 15 out of the prior 20 years. This exclusion will mean that most of our immigrant population in Manitoba will be excluded from this agreement. Why was that exclusion, which amounts to a racially based exclusion, acceptable to this Minister? Surely, Mr. Speaker, in this country and in this province in particular, we treat all Canadian citizens like Canadian citizens, just as our Charter says—

Mr. Speaker: Order, please. The question has been put.

* (1350)

Hon. Gerrie Hammond (Minister of Labour): Mr. Speaker, I totally reject the premise of that question. This agreement was based on long-time workers who are in a position of not being able to secure other work, and these are the people that we are trying to protect with this agreement.

Mr. Edwards: Mr. Speaker, this agreement deals with older workers who may be long-term and they may be not. They may be new to this country; they may be not. The fact is, this agreement excludes them based on how long they have been here and where they came from.

My supplementary question to the Minister is: why was it acceptable to this Minister, given that the only way out of this exclusion is if the Government happens to have signed an umbrella reciprocal agreement with another country, that Manitobans would be treated differently depending on whether or not they came from a country that was reciprocating?

Most of these immigrants came to this country to get away from those unreasonable regimes. Why are we hitching our wagon to theirs?

Mrs. Hammond: Mr. Speaker, what we are doing with this agreement is supporting Manitoba workers who are out of work, who do not have an opportunity to get other jobs. There are certain criteria that will be met, but the main thing is that we have some money released to help some of the workers from Canada Packers. I am pleased to be able to report that.

Mr. Edwards: Mr. Speaker, there is no question that after many, many years this agreement—it was good to get some money out of the federal Government, but this Minister agreed to an exclusion.

My question is: Will the Minister of Labour get this exclusion, which does amount to a discrimination based on place of origin, out of this agreement and bring home to her federal counterpart that in Manitoba we do not discriminate against people based on where you came from or how long you have or have not been here?

Mrs. Hammond: Mr. Speaker, the Member for St. James is reading things into this agreement that are not there. The basis of this agreement is to help older workers to be able to have some support until they reach the age of 65. That is what we have done with this agreement.

Mr. Speaker: The Honourable Member for St. James, on a point of order.

Mr. Edwards: On a point of order, the Minister is implying that I have not read this agreement, I have not done my—

Mr. Speaker: Order, please; order, please. The Honourable Member does not have a point of order.

It is a dispute over the facts. The Honourable Member for—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. Order.

Manitoba Public Insurance Corp. Research and Training Centre

Mr. John Angus (St. Norbert): Thank you very much, Mr. Speaker. My question is to the Minister responsible for MPIC. This is the day, and all Manitobans should be reminded—and I thought the Minister might make a Ministerial statement—that they should be putting their Autopac stickers on so that they do not get in jeopardy of compromising their rate payments.

Mr. Speaker, my question concerns the Research and Training Centre. On October 31, 1989, at the last committee meeting of MPIC, I had a brief opportunity to ask about this training centre, and there was very basic information. I would like more specific information from the Minister as to how much it costs and why it is necessary. If he could just advise the House at this particular time of those things, I would be appreciative.

Hon. Glen Cummings (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): Mr. Speaker, I would be glad to provide the details. I cannot immediately call to memory the figures involved. The concept that is being employed at this research centre is to make sure that the cost of repairs is kept reasonable within the repair industry, and so that the corporation is correctly reimbursing the industry for keeping the repair cost down. It is in no way, as there was a number of rumours started over the last year or so, there is no way that this is anything other than training and research and will not be doing anything that would in any way impinge on the private sector to do repair and facilitate in the maintenance of the vehicles after an accident.

Mr. Angus: Mr. Speaker, automobile repair, repair techniques and painting methods, things of that nature, are best left to the private sector. My question is, why would this Minister be building at considerable expense, millions of dollars, a facility on Plessis Road, when we have adequate training facilities at Red River Community College which could use and implement these particular things and save the Autopac ratepayers money to boot?

* (1355)

Mr. Cummings: Mr. Speaker, the corporation attempted to work with the community college to establish what it was that they were working toward and were unable to make the two ends come to the same point. The fact is that this is also a part of the corporation's operation where an awful lot of the estimating was done outdoors. Quite simply, we were not getting a worthwhile productivity out of employees who were trying to estimate work in 40 below weather, so a combination of the two requirements meant that this was an economical solution.

Mr. Angus: Mr. Speaker, based on the fact that there are drive-in centres throughout the province for estimating repair work inside, based on the fact that surely he has open lines of communication with the Minister of Education (Mr. Derkach), who is responsible for Red River Community College, will this Minister undertake to review this investment of several million dollars and reconsider with his colleagues the practical possibility of utilizing Red River Community College as the training centre so that we can avoid the continuous escalating capital costs on this corporation?

Mr. Cummings: Mr. Speaker, the research that needs to be done is not the same as training which is done in the automotive industry to provide people with qualifications under body work apprenticeship. Quite frankly, I would be more than prepared to share all of the information on the reasons for the development of this research centre. The Member should know that one of the largest problems that the corporation has to deal with annually is negotiating rates with the body repair industry in this province, very specific negotiations where a dollar or two on each small item makes a significant difference to the corporation. One way that we will be able to control costs is to make sure that we adequately reimburse the repair industry but do not exceed what would be normal reimbursement for the job that they are doing.

Day Care Space Commitment

Mr. Bill Uruski (Interlake): In the absence of the Minister for Community Services I will direct this question to the Premier (Mr. Filmon). Our children are viewed as -(interjection)- Mr. Speaker, I understand that the Minister is not well and is not here. Her chair is empty, so I apologize that I cannot use that statement.

Mr. Speaker: Order, please; order, please.

I remind the Honourable Member that we do not make reference either to a Member being present and/or away. Out of order.

Mr. Uruski: Mr. Speaker, I certainly apologize and do not want to cast any aspersion. I do not think I did, in terms of my comments, Sir.

We all recognize, Mr. Speaker, that our children are our future and our most valuable resource.

Following on the questions raised yesterday by my colleague, the Member for St Johns (Ms. Wasylycia-Leis), the Premier (Mr. Filmon) brought us through a litany of a public relations exercise dealing with the question of day care. A large portion of the increase in salaries that the Premier talked about for day care workers, who have been leaving the industry, will be borne on the backs of the parents who are part of these spaces.

I ask the First Minister, since that announcement said that there were 400 new spaces to be created, how many of those 400 spaces that were announced are brand-new spaces that have not already been committed in previous exercises?

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* (1400)

Hon. Gary Filmon (Premier): Mr. Speaker, I want to ensure that the Member for Interlake does not leave any false impression on the record or does not stir up concerns with his preamble, concerns he might unknowingly be stirring up, because the fact of the matter is that, although a larger portion of the cost of day care is going to be picked up by families, it is income tested.

In fact, those who are in low-income circumstances, people who are referred to in, for instance, a newspaper article today as being single parents with modest incomes, will not be suffering an increase, because for the most part their fees are being paid out of the subsidies of the provincial Government. In fact, I believe that of the increase in rates to families more than 60 percent will be picked up by the provincial Government in terms of increased subsidies.

He should not leave the impression the fact that all of a sudden a major transfer has gone onto the backs of the parents. It is only to those who can afford it and are of an income that—

Mr. Speaker: Order, please.

Rural Day Care Space Commitment

Mr. Bill Uruski (Interlake): Mr. Speaker, in view of the fact that the Minister eluded my question—and he may want to answer it again about the 400 spaces—I am making the assumption that a large portion of those spaces are in fact recycled. I ask the First Minister how many of those 400 spaces will be for rural Manitoba since in the last year only 36 spaces for rural Manitoba were approved while there are 1,100 on the waiting list?

Hon. Gary Filmon (Premier): Mr. Speaker, I will say two things. Firstly, I will get the specific details on both the 400 spaces and the commitments to rural Manitoba.

As the Member should know, as a Member for rural Manitoba, the formal types of day care arrangements that are often most appropriate for the City of Winnipeg are not necessarily as appropriate for rural Manitoba, which is why a greater emphasis has been placed on family day care.

Many of the spaces that we have been increasing and expanding in rural Manitoba have been in family day care. They were a partner to this working group that came up with the proposal. They have lauded the proposal that we put forward because they know that we make commitments not only to greater funding for family day care but in fact for greater financial support and spaces for family day care.

On both sides, we have been attentive to the needs of those people, many of whom, in fact, most of whom, are in rural Manitoba. They have gained the greatest benefit out of that. I will get for him the specifics, Mr. Speaker, but I know that he is not the normal critic for day care and so much of this information would not—

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

Mr. Uruski: Mr. Speaker, the First Minister should be aware that of the applications and the centres that are waiting, 24 of the 70 are from rural Manitoba. Almost 35 percent of the centres are from rural Manitoba for 1,100 spaces.

Funding

Mr. Bill Uruski (Interlake): Sir, I want to ask the First Minister specifically, can he assure my constituents, the people of Fisher Branch, who have been given an undertaking in the fall of 1988 that they would receive funding for their day care centre and are now in a process of being put in the position of winding down, because they cannot afford to continue a community non-profit operated day care centre?

Hon. Gary Filmon (Premier): I might say, Mr. Speaker, that we have expanded far more in our two years of Government the numbers of spaces available and therefore the accessibility to day care than was done for many years under the NDP.

Mr. Speaker, when we put in funding during the past budget for additional day care spaces, we got criticized by the New Democratic Critic who suggested that instead of putting the money into expanding spaces in the system, we should only have been dealing with the salaries of day care workers. We said that we needed to have accessibility as well as affordability of day care in this province.

Quality day care needed to be both accessible and affordable, and we were working on all fronts, Mr. Speaker. That drew the scorn and the criticism of the New Democratic Party, who said forget about the increased funding for spaces and give it only to the workers and forget about—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please.

Mr. Filmon: —the accessibility to the system. Now we see the situation that he finds himself in, and he ought to go and talk to the Member for St. Johns (Ms. Wasylycia-Leis) because she did not know what she was talking about.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. The Honourable First Minister, take his seat. The Honourable Member for Wolseley.

West Broadway Family Centre Funding Review

Mr. Harold Taylor (Wolseley): Mr. Speaker, a year ago this month the Minister of Family Services (Mrs. Oleson) finally informed the West Broadway Family Centre that there were no funds available in fiscal'88-89.

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Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. The Honourable Member for Wolseley.

Mr. Taylor: I will begin again. A year ago this month, the Minister of Family Services (Mrs. Oleson) finally informed the West Broadway Family Centre that there were no funds available in fiscal '88-'89. She then further stated that her department would review funding for '89-'90 for this much required respite day care. On Monday, the First Minister stated in response to my question that his Government was considering funding for this operation.

Mr. Speaker, my question to the First Minister is in that the family centre heard this sort of a story in '85, '86 and '87 from the NDP, then in '88, '89 and now '90 from the Tories, how long does it take a Tory Government to conduct a review, or are they trying to beat the NDP's record for inaction?

Hon. Gary Filmon (Premier): Mr. Speaker, as I responded on Monday, I respond again. Regrettably, the Minister of Family Services (Mrs. Oleson) is home ill, and she will—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. Order.

Mr. Filmon: I will take that question as notice on behalf of the Minister of Family Services and have her respond in full to the Member for Wolseley's comments and questions.

Mr. Taylor: The question that I have for the Minister is that given the response he gave on Monday, that there was a changing of position going on with the Conservatives, could he explain why it was that the family centre and their board were in no way informed of a reconsideration of a review or anything like this, or is this just another—

Mr. Speaker: Order, please; order, please. The question has been put.

Mr. Filmon: I do not know what the Member for Wolseley is referring to, but he is absolutely, as usual, dead wrong. I did not talk about a re-evaluation; I did not talk about a reconsideration. I talked about a matter that was referred to in a meeting with the Board of the West Broadway Day Care and the Day Care Office of Family Services, which confirmed that the funding for the eight infant spaces would be considered along with other requests for day care funding. That matter was referred directly to the board of that centre. They have known about it since their meeting of February 14. I simply put on the record what they already knew and the Member for Wolseley was obviously not informed about.

Mr. Taylor: Apples and oranges, Mr. Speaker. One is infant day care, the other is respite day care. Can the Premier (Mr. Filmon) answer the question that was posed?

The Tories oft repeat the rhetoric that only they are good managers. Therefore, can the Premier explain why the Tories push away so consistently from funding an operation like this, which will not only save human suffering but save further social services cost, further police cost and further court costs? Where are the economic managers now?

Mr. Filmon: They are not in the Liberal Party that cannot even manage their time so that they went through 240 hours of Estimates review in this Legislature and missed out five departments completely. Mr. Speaker, five departments completely. They did not spend any time on Executive Council. They did not spend any time on Finance. They did not spend any time on Government Services. They did not spend any time on Justice. They could not even manage their own time in 240 hours to get a few minutes to discuss five key areas of Government. That is total incompetence. I tell you, we will not find any assistance in terms of management from that side of the House.

Some Honourable Members: Oh, oh!

Ducks Unlimited Canada Corporate Headquarters

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

Mr. Harry Harapiak (The Pas): My question is to the Minister of Natural Resources (Mr. Enns). On December 19 and January 11, this Minister was asked whether or not the Government and his department were joint proponents of the Ducks Unlimited proposal to build an interpretive centre and a corporate headquarters in the environmentally sensitive Oak Hammock Marsh. The Minister said on January 11, and I quote: "Neither my department nor this Government are the proponents of this project."

Does the Minister stand by his statement that neither his department nor the Government are proponents or partners in the Ducks Unlimited project?

Hon. Harry Enns (Minister of Natural Resources): Mr. Speaker, I am pleased to make this statement, and make it very clear that the proposed development at Oak Hammock Marsh was initiated solely by Ducks Unlimited Canada.

I also want to take the advantage of this opportunity to indicate that because my department is currently operating an interpretive centre there, at the cost of some \$165,000 a year, at which I am pleased to report some 81,000 visitors came and visited the marsh last year, that we see it as an opportunity to incorporate our services in the interpretive centre with the proposal that Ducks Unlimited has, should the Ducks Unlimited approval receive the necessary environmental approvals and licensing. So, to that extent, I modify that statement. We would indeed be involved if approval was granted, but let me be very clear, Mr. Speaker, that the initiative was solely that of Ducks Unlimited Canada.

* (1410)

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Mr. Harapiak: Mr. Speaker, to the same Minister, in information being sent out currently by Ducks Unlimited—and I state that I will table this bit of information being sent out by the centre covering the centre's operation—is a board of eight directors with equal representation by the joint partners, Ducks Unlimited, Canada and Manitoba Natural Resources. Given that it is clear that the Government is in fact a partner to the proposal, will the Minister make a commitment that the centre will not go ahead if the environmental impacts are proven to be negative?

Mr. Enns: Mr. Speaker, I am delighted to make that abundantly clear, that the proposal will not move forward, should the environmental assessment review, which I understand is scheduled for public hearings on April 26, I believe, the first date for the hearings—should that review reject the application by Ducks Unlimited Canada, then of course the project would not proceed.

Mr. Harapiak: Mr. Speaker, there are several environmental groups, including the Manitoba Naturalists, the Fort Whyte Centre, the Manitoba Eco-Network and others who are on record as opposing building a building of this size in an environmentally sensitive area. Given that this Government is indeed a partner of the project, will this Minister agree to have an independent environmental impact study carried out in addition to the one that was carried out by Ducks Unlimited?

Mr. Enns: Mr. Speaker, I am—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. The Honourable Minister of Natural Resources will respond to that question. The Honourable Minister.

Mr. Enns: Mr. Speaker, I suggest perhaps it is my colleague, the Minister of Environment (Mr. Cummings), who may also wish to respond to that question, because I reject categorically the insinuation implied, implicit in that question that the Manitoba Clean Environment Commission is not capable of carrying out a study with integrity and one of absolute independence. Certainly, it is not beholden to Ducks Unlimited in any way.

Mr. Speaker: Time for Oral Questions has expired.

HOUSE BUSINESS

Hon. James McCrae (Government House Leader): Mr. Speaker, I would like to call the attention of Honourable Members to an error that appears on page 11 of today's Order Paper with respect to a couple of the committees that have been called. If I have it right, I believe that Bill 84 was to be referred to the Public Utilities and Natural Resources Committee. The Bills, as indicated on the paper for the Public Utilities and Natural Resources Committee, were to go to the Law Amendments Committee. I hope that is clear to all Honourable Members. I believe it is strictly a clerical, typographical error.

Mr. Speaker: I thank the Honourable Government House Leader for that clarification. The Honourable Government House Leader.

Mr. McCrae: Mr. Speaker, would you be so kind as to call the third readings as listed on page 1 of today's Order Paper.

ORDERS OF THE DAY

THIRD READINGS — AMENDED BILLS

BILL NO. 83 — THE OZONE DEPLETING SUBSTANCES ACT

Hon. James McCrae (Minister of Justice and Attorney General) presented Bill No. 83, The Ozone Depleting Substances Act; Loi sur les substances appauvrissant la couche d'ozone, for third reading.

MOTION presented.

Mr. Harold Taylor (Wolseley): Mr. Speaker, I would move, seconded by the Member for Inkster (Mr. Lamoureux), that debate on this Bill be adjourned.

MOTION presented and carried.

THIRD READINGS

BILL NO. 81—THE ENVIRONMENT AMENDMENT ACT

Hon. James McCrae (Minister of Justice and Attorney General) presented Bill No. 81, The Environment Amendment Act; Loi modifiant la Loi sur l'environnement, for third reading.

MOTION presented.

Mr. Harold Taylor (Wolseley): Mr. Speaker, on debate on the Bill.

It is with pleasure I rise to speak on third reading for The Environment Amendment Act, Bill No. 81.

This is a Bill which has been addressed by a number of speakers in the Chamber, not because of what is wrong with the Bill itself, but because it flies in the face of the Tory record on this very issue which is enforcement of The Environment Act of Manitoba, an Act that I have said has some problems with it.

The Environment Act of 1988 has loopholes you can drive a D-9 Cat through. It is a Bill that should have been amended further to close those loopholes, Mr. Speaker. What we have before us instead is a Bill that in essence has about four clauses of substance, each of which is the amendment of the level of fines which may be imposed under the existing Environment Act, nothing wrong with that in itself, but when is this Minister of the Environment (Mr. Cummings) ever going to enforce that Act? Where are the charges that should be laid for infractions? When are the Tories going to reach out and grab by the collar the polluters of this province? They have not and I do not believe they will. I do not believe they will at all.

I am really, really fit to be tied, as are most of the people of this province, as are the environmental organizations of Manitoba, because this Government does not enforce the environmental laws of Manitoba as they stand. Yet, it has the effrontery to bring forward an Act that will increase those fines five and tenfold. Those fines should be there. How about using the fines that exist? Fine, how about using those? Those infractions are never laid, there are no charges there.

I hear hooting and hollering from the other side, particularly from the Member for Portage la Prairie (Mr. Connery), the former Minister of Environment, who was no better at enforcing the Act. We notice of course he is not Environment Minister any longer; thank God for small mercies. Thank God for small mercies.

An Honourable Member: How about the environmental study on the Kildonan bridge when you were a member of Winnipeg City Council?

* (1420)

Mr. Taylor: The interesting thing is the Member asks about the environmental impact study on the Kildonan bridge when I was in council. It indicates that the environmentalists on the Tory side know not of which they speak. First of all, the bridge was not approved while I was in council. Second, it was not law at that time to have environmental impacts. And third, I said the bridge was in the wrong location.

I guess I have companionship here, Mr. Speaker. We will reserve a seat here for hecklers from Portage la Prairie right beside me, because obviously he was not making the point from his seat. The proximity of one metre, I guess that was supposed to have some sort of an impact on my speech. Well, I will not be silenced as easily as that.

These matters are of too great an importance to Manitoba's environment and to the people of Manitoba. I will say again, Mr. Speaker, that the people of Manitoba, when it comes to the environment, are much further ahead than unfortunately most of our political leaders. I would say, unfortunately, that can be underlined in the case of the Government benches.

I have been active in the environmental movement for a mighty long time. I set up environmental committees of the Woiseley Residents' Association when I was involved with that group a decade back. I participated in those groups. I did research with those groups. When we talked to the scientists at the university, we talked to officials of the city and we talked to officials of the province and when we could to officials of the federal Government, and we did some learning. I wish I could say that the same would be going on by Members opposite, but until very, very recently I do not think environment was in the vocabulary of the Members on the Government benches. Instead what we have here is Johnny-come-latelies to the environmental scene.

That is most unfortunate, but it shows the lack of depth on the environment, whether we are talking about the Environment Minister now, the Environment Minister

previously, as he walks behind me mumbling, or the Minister of Natural Resources before or the Minister of Natural Resources present. There is no real concern for the environment. But, my gosh, the terminology that is available and is used regularly by those gentlemen is wondrous.

I understand that they have a brand new environmental buzz-word generator working full tilt over in the Tory Caucus offices, and that is why they are spouting out all the right words at the right time. The rhetoric is there, the substance is not, the substance is not in amendments to this Act, Mr. Speaker. This Act should have had a thorough review.- (interjection)- Why not? Why has it not had a review, why has not the review, even it is late, been at least started? - (interjection)- I do not know. People of Manitoba do not know.

The environmental organizations who asked the questions either directly or through the Manitoba Environmental Council, the Environmental Advisory Group of the Minister, they get no answers, no answers at all. They ask the question about enforcement of the provisions of the existing Environment Act before amended by this Bill right here. What is the answer they get? There still is no answer.

The sort of comment is the one like it was passed to me in the hall by the Member for Ste. Rose (Mr. Cummings). Our Environment Minister (Mr. Cummings) and our Deputy Premier, pretty high up in the ranks of the Government benches says, what did you expect me to do, when I queried him on the fact of this 45,000 litre diesel oil spill at the Conawapa dam site? He said, what did you expect me to do, Harold? It is going to cost them some tens of thousands to clean up the mess. Did you think I should fine them more than the \$196,000 on the two charges? I said, you are darn right. There should be no question about that obviously, a firm that pollutes in the fashion that company did, when it set up an illegal tank farm. I say illegal, because it did not follow the provisions of that same Act in five different ways.

(Mr. William Chornopyski, Deputy Speaker, in the Chair)

There were three major charges that could have been levied. There were two minor charges that could have been levied. At first all five were laid. Then what happened is officials of the Environment Department, and I have yet to find out and I would love to know whether it was on their own, or I assume it was with the concurrence of the Minister of the Environment beforehand, maybe it was only after the fact and he was informed of the recommendation and the decision.

In any case, the magistrate in Thompson stayed the three significant charges. That to me makes a political statement. It makes a political statement with much greater impact than the Bill that is before us today. Bill 81 says that certain fines should be altered, altered in the range from 100,000 to a million, 5,000 to 50,000, things of that nature. That makes a political statement. I would suggest, Mr. Deputy Speaker, the statement of action, the statement of follow-through, that statement to the polluters of the Province of Manitoba and the

potential polluters of the Province of Manitoba is a much stronger, a much more profound and a much more needed political statement than that which we have seen to date. There have been almost no charges laid whatsoever.

In the case of the notorious diesel fuel spill at Conawapa, what have we got, a staying of the three significant charges and an imposition on an arranged basis of \$196 times two. I guess it might interfere with that corporation's spending money, pocket money, I should say for a day. Less than \$400, that was the penalty.

You know what I call a little fee like that? A little fee like that is a licence. It is a licence to pollute, and that is exactly what it is because the Minister of the Environment (Mr. Cummings), the Deputy Premier was wringing his hands in the hall, what did you expect me to do, Harold? I expected him to insist that the company clean up the mess. Three-quarters of it is still in the ground. They have only cleaned up between 25 percent and 30 percent of that oil. The rest of it is still in the ground. What are they going to do, wait for spring runoff? The water running across the ground will float that oil back up and carry it down into the water courses. That is a brilliant thing, to leave all that oil in the ground. That should have been out. If the company could not get the logistics of the dollars to do it fast enough, and they could not get their financiers to cough up the dollars to get the equipment and the men in there to do it, then the Government should have gone in itself, done the clean-up and billed the firm because you cannot afford to leave messes like that go. We know very well what happens in spring runoff. Oil tends to float on water, and that is exactly what is going to happen here.

Mr. Deputy Speaker, we have a firm that is fined a whopping \$392.00. That is the message the Minister of the Environment (Mr. Cummings) and the Deputy Premier of Manitoba has given. You can spill 45,000 litres of fuel, you can do a partial cleanup, not even the likelihood that it is going to be cleaned up properly and completely and we will charge you \$392.00. If that is not a licence to pollute, I do not know what is and I would hang my head in shame if I was that Environment Minister, because we can do without that sort of leadership and that sort of abdication of responsibility. That is astounding and that in this day and age is unacceptable to Manitobans, and it is time the Tories learned that. It is time they learned that and learned it well because the population of Manitoba is way ahead of the Government when it comes to the environment.

* (1430)

One does not have to deal with any environmental groups themselves. Just talk to the general population. It comes up in conversation in the coffee shops. You bump into people in an office, waiting for an appointment, you run into people in the grocery store pushing your cart, and what subject comes up, Mr. Deputy Speaker, again and again and again? The environment comes up in conversation, and not surprisingly because the public are educating themselves. They are becoming informed. They are

becoming impatient, and they are becoming demanding. That is exactly what they should be. They should be demanding the public be protected, and that the public have the leadership that is necessary. They are demanding political responsibility and political service when it comes to the environment. Unfortunately we are not getting it from that Tory administration over there.

We are getting all the wonderful buzzwords of sustainable development. We are getting the lip service to the environmental impact assessment. Except when one looks at the environmental impact assessment we see an abdication of leadership. When it comes to Rafferty-Alameda then there is a reversal position, and not an hour after the new Minister of the Environment speaks down in Melita, the Member for Arthur (Mr. Downey) in his home town says, now we have done that, let us get on with the project. Let us get on with the environmental impact assessment, not let us get on with the project.

We look at Island Falls, Mr. Deputy Speaker, a dam built some time ago where there has been significant impacts. There has been inundation -(interjection)- My goodness. We have touched a rough nerve. The Minister for Northern Affairs (Mr. Downey) and the Minister who occasionally advocates for Natives from his seat mouths off because he does not understand the situation. He mouths off saying, get on with this dam and get on with that dam, and we know the Tories wish to drought proof Manitoba except they do not know how to do it. It is, push dirt and pour concrete, but you do not study a darn thing, because you might find out the facts before you did it, and that would be terrible. That would be terrible, but that is the way these people operate. They do not know what they are doing when it comes to the environment, and they are not very good managers to boot. I really find it astounding. I really find it astounding.

We have correspondence you know from the Premier (Mr. Filmon) of this province that talks about the environmental impact assessments in general. In this correspondence, in response to a query to him by a concerned citizen, he says that the Tories come out in favour of EISs at the approval stage, not environmental impact assessments, Mr. Deputy Speaker, at the planning stage when you should know whether you are going that way or not and whether you should commit significant Government resources, particularly in the sense of people and departmental budgets.

I am talking before the capital monies. That is when you should be doing your EISs, not at the approval stage where it is just lip-service. That is exactly what is going on. The EISs under these Tories and under the federal Tories are lip-service, lip-service, lip-service. We have made the political decision, we have approved the monies, now we just have to mitigate against it and make it not quite so bad.

Yes, well when those mercury-laden fish start to come floating down the Souris and down the Assiniboine, I will see where the Member for Arthur (Mr. Downey) is. I hope he is having a fish dinner, Mr. Deputy Speaker. I am hoping he is having a fish dinner, because that is going to be the sort of thing that we will be putting

on the plate of Manitobans, contaminated fish and poor, poor-decision making.

Some Honourable Members: Oh, oh!

Mr. Deputy Speaker: Order, please; order, please.

An Honourable Member: They will have to walk down the river, the river is dry.

Mr. Taylor: And it is going to get drier. It is going to get drier because I hear comments from the front bench from the Minister of Finance (Mr. Manness) and the Honourable Minister of Agriculture (Mr. Findlay) and the Member for Arthur (Mr. Downey), there ain't no water, but there is going to be even less water because it was a Tory Premier in 1959, John George Diefenbaker, by the Interim Partition Agreement signed away 50 percent of those water rights to Manitoba to Saskatchewan for this ill conceived project.

If this Government had any leadership, if this Government had any backbone, they would ask this federal Government to review that Interim Partition Agreement and look at whether that 50 percent is what it should be, because Saskatchewan is not satisfied with 50 percent. You know what they want? They want 60 percent, and you know why they want 60 percent? Because they do not have enough water to fill their dam. That is the problem. Because they do not have enough water to fill their dam, they want to pump contaminated ground water from west of Estevan, ground water pumping that was already starting to go in place into the existing reservoir which I tripped them up on last winter.

Well that is the sort of thing that is going on in a project, by the way, that the blind eye had been turned by agencies of the Saskatchewan Government, including SaskPower, including the Saskatchewan Water Corporation, the regulatory body. They turned a blind eye, did no EIS work on the wells, did no EIS work on the water entering their existing boundary reservoir. Guess what, there is a pipeline tap from the now built pipeline containing that contaminated water, and guess where the connection is. Right at the Rafferty reservoir, because they are going to pump more in. We finally got an admission out of Saskatchewan there will be more of that contaminated water entering into the Souris through the Rafferty if it ever gets built—duplicity.

Well you know, you sure have to do a lot of education, Mr. Deputy Speaker, of the Tories on the environment. The mercury is naturally occurring to the Honourable Minister of Finance (Mr. Manness) and the problem is there is a design flaw in the dam that allows the water to stratify and the mercury becomes more predominant and that contaminates the fish.

So I invite him to go there, because he can fish to his heart's content. He can get himself a fishing licence in Saskatchewan, but according to the federal preliminary EIS, which was done together in a great hurry this summer, they said, fish all you want, but do not eat it. That they call the moderate impact: Do not eat the mercury-laden fish. Read your own federal Government reports. You will be astounded at the

information there, absolutely astounded. You may not like what you read, I know I sure did not, and if they read it and do not like it, maybe then we can commiserate on this on how we can better do environmentally sensitive projects like Rafferty-Alameda.

I hope to heck, Mr. Deputy Speaker, we are not going to see that sort of thing happen in Manitoba, but I do not have great confidence in that Government over there. I think they will try projects in that same insensitive fashion. The goals are not necessarily wrong; it is the way they are carried out. They do not understand the need for serious, consistent and thorough environmental review process, and that is what is required.

What this province needs desperately, Mr. Deputy Speaker, is an environmentally sensitive Government, one that will treat the environment with respect, one which will examine it first before it tampers with it, one which will listen to concerned citizens and environmental specialists from all disciplines of science before proceeding, because it is fine to have commendable goals, but it is downright stupidity to proceed without preparation. That is what we have seen out of Tory administrations in Ottawa, we have seen out of a Tory administration in Saskatchewan and we see lip-service environmentalism over here.

We will be waiting to see the other major environmental projects here in this province and see if they are carried out properly, but when we see the spectre of Repap where the environmental assessment was not carried out properly and where that Deputy Premier and that Minister of Environment now has to review a licence because the scientific evidence presented to and accepted by the Clean Environment Commission was not state of the art. Now his own advisory groups, the Manitoba Environmental Council, said two things to him. They said, Mr. Minister of the Environment, you are rushing the Clean Environment Commission. It is unconscionable the time lines that you have given them for the hearings to listen to people, for people to prepare, and then to turn the report around and come back with a recommendation.

Well that has been proven out, it has been proven out in spades, and what we have instead is now the evidence that, yes, the Clean Environment Commission Review of Phase 1 of Repap was rushed, and that is very, very unfortunate, because this project is probably about the biggest economic project any of us will ever see for this province—

An Honourable Member: And you are against it.

* (1440)

Mr. Taylor: —it is that big. The Minister of Finance (Mr. Manness) from his seat says I am against it. What a load of nonsense. We took a position before the election, we took a position after the election that said, we agree in principle that Crown corporation should be sold off to the private sector. We have never been opposed to that, but you are not just selling off a Crown corporation, because if it is a straight sale you should

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be looking at it primarily from an economic viewpoint, but we do not have a straight sale, Mr. Deputy Speaker. What we have is first of all a sale that would appear to have an awful lot of cash incentives. It seems to me we are using \$92 million of our own money for them to buy our assets, and then what we are doing is we are taking some very significant portion of our land area, some 40 percent of the land area of the province and putting that under forestry licence for commercial cutting -(interjection)- and no, it was not all under licence, the Minister of Finance (Mr. Manness) says from his seat.

There is very significant changed boundaries and types of trees. The boundaries are not the same. There are very significant changes in the south and northeast. In addition, what we have is a very, very profound change in the manufacturing process.

The present plant does two things. It harvests trees, first of all, for lumber production, and then it harvests trees to make into pulp for the creation of what is I believe, unchallengeable, the best quality brown kraft paper in all of the world. Those slow growing northern trees with their very close fibres and with the frottation process used within the mill produce a brown paper 25 percent stronger than anything else available.-(interjection)-

The Minister of Finance (Mr. Manness) says from his seat, it cannot be sold. Maybe one should start looking at why the world demand for white bleached paper is as high as it is, when we know that is environmentally unsound. Where the hell is the leadership, Mr. Deputy Speaker? It is not there.

It is time to say, take a mixture of brown paper and some white paper and produce a paper that gives you somewhat of the qualities of both and it is more environmentally sound. Take paper and recycle it. That is easier to deal with than cutting trees for the first time from a harvesting viewpoint and then from a chemical processing viewpoint. Let us do those sorts of things, but none of those things are there. What we have is this plant that is producing lumber, which I think is something that is commendable.

It annoys me when I have a project in my home and I have to go and buy studs and boards that are all stamped on it Saskatchewan produced, B.C. produced. Why are we not producing our own lumber? My goodness we have enough forests. We should be providing our own basic elements for the building trade. It has nothing to do with fancy woods like oak and mahogany or cedars. I am talking about basic spruce, fir, those types of lumbers, which we can produce on our own.

Why is it that Saskatchewan has a long history of producing a form of wafer board, Mr. Deputy Speaker, that goes back almost 25 years. It is called aspenite. What did it do? It took aspen trees and for the first time it chipped them. It did not put them into wafers like plywood, and it did not start experimenting with particle boards. It was the earliest of the chipboards.

Today that is a product that is used across Canada. It is used on the sheathing of houses. It is even used

in marine use in boat building. It is used for roofing. I used some of it myself when I rebuilt my home 10 years back. It is a fantastic product, but what happened?

It was a Liberal Government in Saskatchewan that worked with the private sector to develop that product. The reason I know it is that my uncle, who was living in Saskatchewan, was involved in the building product industry and it was his firm that was working with the then Government in Saskatchewan to develop this. It is a fine product.

We have many variations of that today, but we do not have that sort of thing going on. We have had the wafer board mill in Swan River effectively killed by this operation. We have had the Sprague lumber operation die in the southeast, and we have our own lumber operation—I say our own, because it is owned by, has been owned by, the people of Manitoba—at The Pas about to cease. That is the significant point. We will not have lumber production and we will not have brown kraft paper production. What we are going to have instead is white pulp production.

I did not say pulp and paper because there will not be any paper produced. It will be white pulp produced in there. The pulp instead of then becoming more of a value added commodity within Manitoba, which would create more jobs and create more dollars flowing into Manitoba—and this is very simple economics—it will be shipped out and we will be the old hewers of wood and drawers of water as has been wont for the Tories to give us, as has been wont for our Prime Minister to give us, because that is the gentleman with the branch plant mentality.

We will have instead the White Paper produced and the value added produced, guess where—Wisconsin. That is where the plant that Repap will have the production done of all the pulp that is produced here in Manitoba. We will not have any more, Mr. Deputy Speaker, paper production in the northwest part of the province. We will not have any more lumber production, which I might add that under new management in 1988 became a cost-effective operation.

It was shown that with good management in that lumber production it could be made efficient, it could make dollars. I might add it was in a year that had one of the coldest winters going. Why I mention that is that those trees that are coming in to feed that lumber mill are frozen, and they are frozen hard. When it is minus 40 degrees out there, those softwoods are not so soft. It is very, very hard, Mr. Deputy Speaker, on the equipment in the mill. Through careful management, careful preventative maintenance programs within that plant, good use of the staff—guess what?—production went up, maintenance problems went down, the plant became cost-effective.

The only thing is, it was not in the cards for Repap, because Repap does not like dealing in lumber. It does not want to diversify in that, so there was not a requirement by this Government to retain lumber production whatsoever, whether it was by an offshoot of Repap, whether it would be a companion company that would be independent from, but co-located with, Repap. No, that was not there. We will just cease this.

We are going to buy more lumber products from outside the province which means more outflow of dollars, and it means potentially some fewer jobs in that type of an operation, which brings me to the other aspect which is the quantum leap in scale of production at the Manfor-Repap plant, Mr. Deputy Speaker.

We are looking at first of all a cessation of production of the lumber operation, we are looking at a conversion of the mill, and we are looking at somewhat of a scale increase. That is Phase 1, scale increase in the pulp mill. The next one will be a Phase 2 which will be a quantum increase in scale of some threefold. With that sort of a situation going on, that says you need one heck of a lot of trees.

That is why that forest licence was altered. That is why the forest licence boundary, the far eastern portion, the northeastern portion, hived off with its smaller trees, its sparser trees, its fewer roads for forestry harvesting and added instead the much richer, more mature forest in the southern area some distance south of The Pas in the Swan River area.

The forests in there are quite a bit different. They are much more dense. They are much more mixed. You have one heck of a lot more poplar trees there than you do have in the North. The North are almost entirely coniferous trees within that licence area. You also have larger trees in the sense it is a little more southerly climate, and also the area has not been forested as much.

In fact, that is the area that the federal Tories had originally intended to use for the waferboard mill in Swan River which would have meant, one, cutting jobs and, two, industrial jobs in the waferboard plant. Now what we are going to have instead is we are going to see cutting jobs but for another purpose. Many of those trees will be hauled straight up to The Pas for chipping and pulping there. Some might be done in Swan River, but we await to see that operation come to fruition.

In any case, I have now laid out the whole project. We will look at the environmental wisdom of how this was carried out by this Government. Instead of saying, we think there is some relationship here between the first process, which is the change in the type of chemical processes within the plant and the starting of the increase of production tied within a massive increase of production with a new process which is going to mean rather significantly different and more varied chemicals used in the process, which of course entails aspects of dangerous goods transportation, dangerous goods storing, dangerous goods handling on the site, emergency response, the potential for incidents, the potential for pollution of the ground water and the surface water in the area, we have in addition some potential problems with water temperature and fish kill. We have the potential of airborne pollutants as well.

It would seem, first of all, a good idea to make a good thorough study of this. In that it is an integrated operation, you are not going to make the conversion without having a scale increase in Phase II. The financiers in the company do not really regard the two phases as unrelated, they are just different stages to the same end point. There could be a third phase as well.

* (1450)

Instead the Environment Department and the Environment Minister (Mr. Cummings) view them as totally separate issues. They are not related, it is just the same company applying. What lack of wisdom, what lack of foresight, what idiocy.

Instead now, we have had a rushed Phase I environmental impact assessment conducted, one that would appear to be flawed, one that is being challenged, one that is not of a current state of the art scientifically speaking.

On the other side we have the lack of relationship. The suggestion that you do not need to juxtapose the Phase II with the Phase I, that once you convert the plant to use all these other different chemicals, the fact that you will first increase it by a small amount, and then you will increase it threefold makes not one bit of difference—absolute tripe. That is absolute nonsense to see that sort of a thing suggested and suggested in all sincerity by Government yonder.

I wonder what the Minister of Environment (Mr. Cummings) was thinking when this would even be advised to him. I know if I were in that position I would send that advisor back to do his homework. Maybe it was the suggestion of the Minister himself. Maybe I should not say nasty things about the messenger here. Maybe that is the originator of that thought. For what purpose? For what purpose? I suggest to do a job that was not thorough.

We also have the spectre of this Minister not only rushing the time lines for people to prepare to present to the Clean Environment Commission, but then rushing the Clean Environment Commission itself in the reviewing of what has been presented to us and the preparation of a recommending report. We have the spectre of him issuing a licence that is not required.

One really has to ask about the wisdom of this Environment Minister and the sincerity of this Environment Minister.—(interjection)—The Minister of Finance (Mr. Manness) says from his seat, there were triggers, there were conditions within the contract. If there were conditions, Mr. Deputy Speaker, in the contract of that nature which could detrimentally affect the environment, then that contract should not have been written in that fashion. Having authored many contracts myself, I can tell him there are many ways that you could do something like that to provide the necessary aspects from a commercial viewpoint while at the same time giving the protection necessary. We do not see that here.

We see instead the need, an ideologically need, sell the plant, sell the plant, sell the plant. It does not matter that there are environmental risks. It does not matter that it does not make environmental sense to conduct an EIS in that fashion.

We have the very interesting situation where the Al-Pac plant in northern Alberta was just reviewed by the federal Government as a presenter to their review process. The federal Government said, this plant is environmentally unsound. It is environmentally unsound, because you do not have base line data as it impacts the fishery.

We are all well aware that the fishery is a federal responsibility, notwithstanding in most cases there has been some delegation of authority to the provincial level. The federal Government said the impacts on existing fish and the impacts on the reproductive capability of those fish is such that the risk is far too great, the base line did not exist on the river that was going to be flowing by that plant and would be impacted by that plant. Here we have a plant, almost identical technology, we do not have any more base line data on the Saskatchewan River than they did in Alberta.

We do not have sufficient data on the impacts of temperature on fish. We do not have sufficient data on the organochlorine impacts in that water. It is admitted by the firm in the Clean Environment Commission's Hearings that there will be organochlorine compounds reaching the water. It will reach the water.

We have at the same time the Great Lakes Advisory Group, which is advising the Province of Ontario and the states on the American side, all those Governments advising them, on what to do in the cleanup of the Great Lakes, coming out and saying we should, as a society, not be entering any dioxins into any of our water courses for any reason, from any process.

It is admitted in the Clean Environment Commission Hearings, Mr. Deputy Speaker, there will be some levels of dioxins reaching the water course. That to me should be a warning flag. The red flag should be flapping back and forth, and people say, well, how can we guarantee that will not happen? How can we guarantee there will not be temperature impacts?

It is admitted that the standard for impact of temperature on fish that is currently in use by Environment Canada is grossly outdated and was incorrect in the first place. They use an old standard that is a joke, quite frankly, and say, well, it meets that standard, so everything is okay. That is not good enough. That body of water is a water source for people. It is a means of transportation. It is a recreational body. It also is a body of water that has a commercial fishery on it. What sort of fish are going to come out of that after a few years?

We already know there were environmental problems coming from that Manfor plant because of inaction and ineptitude by the NDP Government in monitoring that Crown corporation. There were a number of different issues, whether you talk about the asbestos contaminating the workplace within the plant itself, whether you talk about the airborne pollutants, whether you talk about the fuel spill, or whether you talk about the brown sludge seeping through to the Saskatchewan River. You can talk about all four of those, Mr. Deputy Speaker, all of them were problems that should have been caught.

I have to say that I have heard this Government say some good things on that. I think that is the right thing to do. They have gone in, and they are going to clean up those four messes. They should not have faced them when they got there. They should not have been there anyways when they took over Government, but when they came in they found those four messes, they did some further study. I do not think sufficient study on

the oil spill one, but they did do some further study and they have committed politically to clean them up. That is what they should be doing.

When I hear comments in the hall by the Minister of Environment (Mr. Cummings) the other day—when I raised questions about this sort of thing and about the impacts of the new converted operation on our environment, be it water, be it air, and he makes comments about cleaning up the old NDP messes, then I would suggest, Mr. Deputy Speaker, in all fairness he has missed the point. That is the sort of environmental track record that we have in this province, and that is why I rose to speak on Bill No. 81, because I agree with the thrust of this Bill which is the increasing of fines.

When I see the abysmal track record on the environment by both this Minister and his unfortunate predecessor, I have to say, why do you bother increasing the fines by amending The Environment Act this way when you choose not to use the existing fines, almost not at all? You also choose not to take an Act that has some good aspects to it but has some terrible loopholes and cover in those loopholes, fill them in so it is an even better Act. Why did you not do that too? That is the reason I have trouble with this initiative.

Mr. Harry Harapiak (The Pas): Mr. Deputy Speaker, I would like to take the opportunity to speak on Bill No. 81 for a few moments. I think it is a Bill that is extremely important, dealing with increasing the fines for polluters or people who are breaking The Environment Act.

While we are talking about The Environment Act I just want to mention that last night at the committee meeting dealing with endangered species there was a presentation made by Jack Dubois, who is the president of the Manitoba Eco-Network. During his presentations to the Clean Environment Commission he mentioned on several occasions that the Clean Environment Act that is in place right now was working well and made it possible for people to be consulted on a wide basis. He was very pleased with the way the environmental groups were being affected by the Act and he was pleased that there was widespread consultation before the Act was brought in.

* (1500)

I think quite often the Member for Wolseley (Mr. Taylor) makes disparaging remarks about the Clean Environment Act, but he should be aware that when the Clean Environment Act was brought in we were defeated shortly after the Act was brought in and all the regulations were to be brought forward at a later time. If there are some shortcomings in the Act it is because the regulations have not been brought forward.

Just when we were speaking about the environment, Mr. Deputy Speaker, I think that the public is becoming very environmentally conscious. When you ask people if they are willing to make more of a financial or any other type of contribution toward cleaning up the environment, a good majority of the people say they would be willing to pay more to make sure that our environment is a cleaner place.

As a matter of fact, about 82 percent of the people who were recently surveyed were prepared to accept the requirement that they would like to play some part in improving the environment. One of the areas that they addressed during that survey was the recycling. A good portion of the people who were surveyed said they would be willing to play more of a role in recycling their household trash or taking part in a Government sponsored recycling program. I think that there is a pretty well universal acceptance for a program of that sort in the City of Winnipeg. I know with the success that we are having in Wolseley that if more people had an opportunity to deal with that then I think—Mr. Deputy Speaker, just on a point, our House Leader wants to make a few committee changes. Would you allow leave to let our House Leader make a few committee changes?

Some Honourable Members: Leave.

COMMITTEE CHANGES

Mr. Steve Ashton (Second Opposition House Leader): I also believe the Conservative Whip has some changes that might also be allowed and allow the Member for The Pas to continue his speech.

First of all, I would like to move, seconded by the Member for The Pas, that the composition of the Standing Committee on Industrial Relations be amended as follows: the Member for Churchill (Mr. Cowan) for the Member for Rupertsland (Mr. Harper).

I move also, seconded by the Member for The Pas, that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: the Member for Elmwood (Mr. Maloway) for the Member for the Interlake (Mr. Uruski).

Finally, I also move, seconded by the Member for The Pas, that the composition of the Standing Committee on Law Amendments be amended as follows: the Member for Rupertsland (Mr. Harper) for the Member for Flin Flon (Mr. Storie).

Mr. Deputy Speaker: Agreed? Agreed and so ordered. The Honourable Member for Gimli.

Mr. Edward Helwer (Gimli): Mr. Deputy Speaker, I move, seconded by the Member for Lac du Bonnet (Mr. Praznik), that the composition of the Standing Committee on Industrial Relations for the Wednesday evening, 8 p.m. sitting be amended as follows: Enns for Pankratz.

I move, seconded by the Member for Lac du Bonnet, that the composition of the Standing Committee on Industrial Relations for the Thursday, March 1, at 10 a.m. session be amended as follows: Pankratz for Enns.

I move, seconded by the Member for Lac du Bonnet, that the composition of the Standing Committee on Law Amendments for the February 27, 8 p.m. session be amended as follows: Findlay for Helwer.

I move, seconded by the Member for Lac du Bonnet, that the composition of the Standing Committee on

Public Utilities and Natural Resources for the Thursday, 10 a.m. session be amended as follows: Neufeld for Ernst.

I move, seconded by the Member for Lac du Bonnet, that the composition of the Standing Committee on Law Amendments for the Thursday, 8 p.m. session, March 1, be amended as follows: McCrae for Gilleshammer.

Mr. Deputy Speaker: Agreed? Agreed and so ordered. The Honourable Member for The Pas.

Mr. Harapiak: Mr. Deputy Speaker, as I was saying, there is universal support to the City of Winnipeg for the recycling program that is presently in place. I think the Government should continue the move that they started and supporting that program in Wolseley, that they should expand that program to take in the rest of the city. I know there is some difficulty in finding a market for all of the so-called waste when it comes through that program, but it is a waste if it goes to the garbage dump. I think there is an opportunity for some people to start up a new industry, and I know that in the whole area of paper, that Abitibi-Price is now accepting paper to a degree for putting in their paper. So right now they are doing some testing utilizing recycled paper.

I know that there are many other markets out there. The scrap and metal industry is an example of what can happen when you recycle. The Selkirk Rolling Mills are an example of a recycling plant that has been operating for years and years. Rather than many of these materials that are laying around the countryside, they are brought in. They have now been put to use in that recycle mill and they are being used rather than laying around the country and rusting.

There are many other examples that can be used. I think an example of that was in the Province of Alberta where the province themselves have gone into recycling oil. They are using it on their own, and they could not produce enough for their own use. There are a lot of opportunities out there and I think that more and more there are industries springing up which will be utilizing some of these materials that are out there rather than hauling them to the waste disposal site, because not only are you filling up those landfill sites at a very quick pace, but we do not know what kind of damage it is going to be doing to our ecosystem in later years. Are there going to be gasses coming from these disposal sites? Is there going to be a contamination of our ground water?

There are many consequences that we are not sure at this stage of what will be happening when those disposal sites are left there for many years. I know there is one example of where there was a housing project in the City of Winnipeg built on a former disposal site and there was radon gas coming up from it, so they could not live in that area. I think that is an example of where we are never sure what will happen with those disposal sites.

Another example of maybe a good idea gone bad is in Ontario at this present time where those rubber

tires are burning out of control. The oil coming from that burning rubber is seeping into the ground water in that area and contaminating the ground water. It is better that we recycle whatever materials that can be recycled. I think that there are many materials now they are finding out that there is a process for them.

I am pleased with all of the research that is being done by many corporations in the Dominion of Canada and North America which shows that there is a use for some of these materials after they have served in their traditional area. I know that rubber tires in some cases can be used into the asphalt and it makes a very good base for the road. I think that is one area they can be utilized.

Mr. Deputy Speaker, one of the other areas that seems to be gaining a lot of interest—and I know that when we went out with our environmental task force throughout the province this was raised in practically every meeting we had, and that was the use of disposable diapers. I know when this particular subject was brought up during the surveys that some people are not very open to the idea, but yet over 50 percent of the people supported the idea that they were willing to use disposable diapers. That interestingly enough was a similar response to that both from men and women who were surveyed throughout the province. It shows that there is a very healthy majority of the people support moving into utilization of cloth diapers.

I guess when my wife and I were raising our five children we did not have the luxury or maybe could not afford the luxury of using the disposable diapers, so we were not making that contribution to the garbage cycle of disposable diapers. I know that now it is such a convenience to people that if they are not aware of all of the possibilities in using the cloth diapers, then they sort of shy away from it because of the fact that it is more work. I think if you look at it, not only is it healthier, but no matter how you dispose of those disposable diapers, they are still garbage and it takes a long time for them to biodegrade. I think there is some figure being used, it could be 500 years. I know that there are ways of simulating time so that it could be tested over a 500-year period, but I know that disposable diapers have not been around that long a period.

I just hope that the industry will spring up to handle the new-found interest in using cloth diapers. I know that my second grandchild is coming along in a few months, or less than two months, and I am going to make my contribution. I am going to contribute the first three months of that child's use of cloth diapers. I hope that I am in some little way making a bit of a contribution there.

* (15 10)

Mr. Deputy Speaker, in getting back to dealing with some of the fines that are being imposed on people who are breaking the Clean Environment Act, I was disappointed in the Member for Wolseley (Mr. Taylor) that he did not raise the subject of intervenor funding at all in his words when he addressed this Bill 81.

I raised this subject during the time that we were in committee dealing with Bill 81. I thought that the Liberals

would support it, especially seeing as the Liberal Government in Ontario brought forward intervening funding in dealing with hearings when it comes to Clean Environment Hearings. I think it would have been a move in the right direction. We are coming to a time in our history when people are becoming more and more aware of what damages are being done to our environment.

I think there is a lot of expertise out there, and quite often the people are willing to come forward and contribute this on a voluntary basis, but there is still a need for compiling the expert information that is available. In dealing with the presentations, maybe it is not any more effective to have lawyers making your presentation than a layperson, but I think quite often people feel much more comfortable to have a professional presentation made. I think that there should be funding for bringing the experts in, because I think, when you are dealing with an issue that is that important and it affects the lives of all people, then we should be willing to make a contribution towards that.

I think it would have been possible for the Government to take a portion of the fines that were being levied to the people who were breaking this Act, and it could have been put towards an intervenor fund. I think the intervenor fund could have been either a part of the surcharge that was being put against these fines, or else it could have been a 10 percent additional surcharge put on the people who had contravened the Act. Then the fund would have been put in there.

If a person, or a group of persons, wanted to make representation to the commission during any hearings, then they would have to go to the Clean Environment Commission and make a presentation. Then the Clean Environment Commission would have made the decision that this group should qualify for funding.

I think that this would have been removed from the Government, so they could not be accused of only giving funds to their friends. I think it would have been a proper way to go. I think there is an example right now of the hearings that were held with Repap. The Member for Wolseley (Mr. Taylor) goes into again a long dissertation on what we did when we were Government.

Mr. Deputy Speaker, there is no question about it. We knew when we were Government that there were some difficulties environmentally with the operation at Manfor and we also knew that we, as a Government, did not have the necessary financial resources to make the necessary changes in that plant. That is one of the reasons we knew that there had to be some modernization in the whole area of environmental operating and also there had to be an expansion in order to make that a viable plant, but very clearly we did not have the resources.

We quite often get accused of spending too much money as it was when we were in Government, although the Minister of Finance (Mr. Manness) should be sending the previous Treasury Board and the previous Minister of Finance a thank you letter for the \$150 million that he was able to put in his sock, and that is probably going to be his political salvation in this coming year when it becomes necessary for him to salvage some

of the programs that are so necessary to us as Manitobans because of the fact that the federal Government is cutting back on the funding and the transfer payments dealing with health and education.

So therefore, the Minister of Finance who is responsible for the sale of Repap, I am sure knows that there were some environmental improvements that needed to be made at Repap, but it was not that we were not aware of it, it is just that if you were going to be making that investment it was going to be taking years to recover your costs. Mr. Deputy Speaker, Repap has lived through that process before in the plant that they purchased in Appleton, Wisconsin. They received that plant for a very nominal fee.- (interjection)-

Mr. Harapiak: Well, they bought it for a very nominal fee.

An Honourable Member: They bought it at the market value.

Mr. Harapiak: The plant in Appleton.

An Honourable Member: They bought it at the market value.

Mr. Harapiak: Well, there were no other interested buyers. They got it at a very good price because there was nobody else interested in making the environmental improvements that needed to be made to the water that was being used at that plant, but they made the improvements that were necessary and now the water they are putting back into that river, in the Fox River, is cleaner than the water they take out of the river. So I think it is an example of what that corporation will do, and I think they have proved, in that instance, of how environmentally sound a corporation they are and in that instance they made the improvements that were necessary and I have every confidence that they are going to make the same improvements here in the plant at The Pas.

Mr. Deputy Speaker, the Member for Wolseley, who talked about the lumber division at Repap, very clearly the operation had already made a great deal of improvements in their operation when we were still in Government and we were still responsible for the operations of that plant. They had found some new markets and they were coming to the point where they were breaking even in their operations.

I know that in recent times they are operating at overcapacity and you have to give the employees and the supervisors credit for the work that they are doing. They are certainly making some great improvements and I think the way it is operating right now, they are leaving it to other people who have some expertise in the marketing of the lumber, so therefore they can dispose of the lumber at a very profitable rate, so there is even a possibility that they may continue to operate for a number of years.

One of the things I am sure that Members are aware of that the people at the lumber division have been guaranteed a job, so therefore if they do not proceed with Phase 1 of that plant and the additional employees

are not required, then it makes sense to continue to operate the sawmill. I want to put it on record that there has been progress made in the negotiations with the unions that are responsible for the sawmill. They have made it possible to bring in a higher percentage of large logs from the southern part of the province, from the Swan River area, from the Porcupine and Duck Mountains, which makes it possible to operate at a much improved rate.

Mr. Deputy Speaker, I think the sawmill will continue to operate for many years. They are still looking at some improved pieces of equipment which will make it much more efficient yet, because they are having some difficulty in dealing with the frozen logs that are coming into the plant and make it very difficult to handle. I know they are looking at some equipment that will make it much more efficient.

Mr. Deputy Speaker, the first phase that Repap has received their licence for could proceed this spring. I know that there has been an appeal by the organization known as TREE, which is a representation of about 13 different organizations. They have some concerns and they have brought the information forward which shows that there will be dioxins and furans put into the water system which will affect the fish population in the Saskatchewan River.

I think that it is important that we put on the record that we cannot afford to lose the fish industry that is in that area now. Not only are the Saskatchewan River fishermen affected by that fishing industry, but also all the sports fishermen. A large amount of tourists come into northern Manitoba and fish on the Saskatchewan River. Not only that, but the water runs into the Moose Lake area where Easterville fishermen, the Moose Lake fishermen and the Grand Rapids fishermen are also affected by the water system that is in the Saskatchewan River. It is important that we make sure that we know what will be happening with that operation.

* (1520)

I know that the system they are going to be putting in is the most modern, up-to-date system that exists in the pulp and paper industry. Therefore I know that it will be improved a long way from where it is now, but one thing we have to keep in mind is there were no dioxins going into the Saskatchewan River during the time that there was the kraft pulp being produced.

Mr. Deputy Speaker, when the first phase is completed, there will be a bleach kraft produced at The Pas which will mainly be going to their plant in Appleton, Wisconsin. It is Mr. Petty's plan that there will be eventually a paper plant located in The Pas. I believe that George Petty is a man of his word. He said there will be a plant located in The Pas, and I believe within the next 10 years we will see a paper plant operating in the northern part of the province in The Pas.

I also predict that Repap will be utilizing recycling material. I know with the progressive people that this corporation has in their management team, it is just a matter of time before they move into recycling. I know that they cannot continue to operate in the area that

they are operating in of supplying paper for the United States Government which is requiring now that if the mill is producing paper for the United States Government there is a requirement to use a certain percentage of recycled paper. I know that Repap supplies a lot of materials to that operation, so it will be a matter of time before Repap starts to recycling as well. I am sure they will be moving in that direction very shortly.

Mr. Deputy Speaker, one of the other areas that I think we should be looking at very carefully when you are dealing with the environment and the whole Repap question is the forestry division itself. I know that in the past they have been primarily cutting in northern Manitoba, and they have been using the clear cut system. I think that we should be looking very clearly at the operation, and I think that the Minister of the Environment (Mr. Cummings) and the Minister of Natural Resources (Mr. Enns) should have a close look at the public relations effort they have going out there right now dealing with the forests.

The way the meetings are set up, there is no senior person on those hearings, no senior bureaucrats on those hearings. All they do is send a couple of people out there and give them a short presentation. There is very little time for questions or very little time for input. All they are doing is carrying out a public relations effort, and they are not really interested in finding out what the public of Manitoba feels about the role that the forests play in our province.

I think that the Minister of Environment (Mr. Cummings) and the Minister of Natural Resources (Mr. Enns) should have a good look at what those hearings are contributing and set it up in a way where people are given an opportunity to make more of a contribution rather than just rush them through and let the people have a say in what they see as how the changes should be made in the forestry, harvesting of trees and what role the forest itself plays in the replenishing of our oxygen in our society.

I think that there should be a study done on how we can look at the whole silviculture operation in utilizing selective cutting. I know that previously we were cutting mostly in southern Manitoba where there was all one species of trees growing in an area. I know that it is a lot cheaper to be bringing in the mill operations in a place like northern Manitoba where they can walk in and clear cut many acres of forest and take them out at a much cheaper rate. They are moving into an area whereby moving the boundaries that they have for harvesting, they are moving further south where there is a mixed growth of forest, Mr. Deputy Speaker.

In that operation that lends itself to selective cutting, I know that the poplar tree or the aspen grow at a much quicker rate than the spruce trees do, so even if there is a forest fire or any other natural way of— if there is a natural destroying of the forest, the poplar will grow at a much quicker rate than softwood, so therefore it would lend itself to selective cutting. The poplar trees could be taken out when they come of a size where they are useful for sending to the bleach kraft plant, and then in later years they could take out the softwood.

One of the other areas that we should be paying more attention to is the whole area of reforestation. I know that when we were the Government there was a great effort made to make sure that there was enough capacity to produce trees so we can replace a tree for every one that was cut.

Mr. Deputy Speaker, I think we have to be moving beyond that. Because of the natural losses of the forest and the fires and the diseases that are out there, I think we have to be planting about three for one. For every one that we remove, we have to plant three trees in order to carry on with the same amount of trees that are existing at this time.

So therefore, Mr. Deputy Speaker, I think that the Government is going to have to move in the whole area of silviculture. They are going to have to bring on more of a capacity or else they are going to have to give the opportunity for some entrepreneurs to move into this area.

At this present time we have no capacity in this province for growing hardwood trees. I think that we have to look at this. There are species of hardwood that grow at a much faster rate than even our existing hardwood, even though our existing hardwoods grow much quicker than the aspen. Pardon me, than the spruce trees and jack pine, but I think that if there is an opportunity there, many of the entrepreneurs that are in our province will take the opportunity to plant small seedlings on a small scale where they can supply the need that is there.

One of the other areas that this Government should be looking at, and I hope that they would address it during their forestry meetings, is the whole idea of wood lots in private hands. I know that there is a lot of interest being expressed in that concept in the Swan River area, but with the way the meetings were set up with such little short notice, there was no opportunity for the people to become organized and make presentations at those meetings. So they should have given more notice so the people could have been organized and went out there and made presentations. I know that there are people who are interested in going into the wood lots. I hope that when they are dealing with the Crown lands that they will open up their thinking and allow the people who are interested in starting up small wood lots to let them go ahead and develop those wood lots and treat them as a farming operation.

Part of the problem we have had in the past, Mr. Deputy Speaker, is there was some incentive to clear a lot of the land that was marginal land. I think that was a mistake. When we were Government we cut out those grants that gave people the incentive to clear the marginal lands. I think we should move with the next step and plant trees that are going to be much more use to all of us as citizens of the Province of Manitoba and replant them and let them grow.— (interjection)— I think I have about seven minutes left.

Mr. Deputy Speaker, I know that the present Government will look at this idea. I hope that they will accept it, because I know that there are people in the Swan River area who are interested in setting up wood lots. So I would hope that they would take an

opportunity to be a little innovative and look at the success that the Province of New Brunswick has had in this type of an operation and look at doing that as well.

* (1530)

Mr. Deputy Speaker, when you talk about The Environment Act and dealing with some of the hearings that are necessary before the Clean Environment Commission can make a decision that will allow proposals to go ahead, I think you cannot overlook what happened in Rafferty-Alameda. I think that Rafferty-Alameda was a—(interjection)— Well, the Minister of Finance (Mr. Manness) says, let us get on the Bill. Well, very clearly, the Rafferty-Alameda deals with The Environment Act.

An Honourable Member: It is not our dam.

Mr. Harapiak: It certainly is our dam. It is going to be affecting quality and quantity of our water in Manitoba, and peopleneed to be reassured that there is not going to be any detrimental damage, no damage, to the environment.

With the federal Government's own information package they brought forward, they very clearly stated that there would be some damage done to our plants and animals, and also to the quality and quantity of our water supply.

So I think the Minister of Finance (Mr. Manness) is unduly sensitive to this subject, because very clearly he nor his Cabinet have made the right decisions. When they had an opportunity to deal with the Rafferty-Alameda, they did not make a strong representation to the federal Government in opposition to the Rafferty-Alameda project going ahead when clearly the required licences were not in place. They chose instead to turn a blind eye and let the construction proceed.

Mr. Deputy Speaker, I think that is an example of what you should not do with a major project. If they would have had all the proper hearings carried out, if they would have given all the interested parties an opportunity to make presentations, and if they would have given intervenor funding, as I had mentioned earlier, I think we would have had all the information out on the table. Then that project would have been dealt with, and more than likely the fears of the people who have concerns about the environment would have been dealt with, and we could have been proceeding with that project. If it is a right project, then we could have been proceeding with it without having to disrupt many people's lives in the middle of a construction project that was started without the proper licensing.

I think, Mr. Deputy Speaker, that is an example of what we should not be doing in this Province of Manitoba. I hope that the Minister of Environment (Mr. Cummings) has learned a lesson from it, and I hope that they are going ahead with the environment hearings dealing with Conawapa. I know that this is an extremely important project to the economy of Manitoba. I think it is important that we continue on with the tradition that we as New Democrats have started in this province

and dealt with hydro-electric as a major economic development in the province. We had excellent success with it when we were in Government.

I have to give this Government credit for changing their mind on hydro-electric development, and now they are going to go ahead and develop the Conawapa plant, which is required. Then they are going to be selling the hydro-electric to Ontario Hydro, a deal that was negotiated by the New Democratic Government, and they have completed the negotiations. I have to again recognize that they did complete those negotiations, but very clearly, the Minister who was previously responsible for Hydro, the Member for Flin Flon (Mr. Storie), was the one who started out those negotiations. They were very close to being completed when we met our untimely defeat in 1988.

Mr. Deputy Speaker, I just wanted to raise a bit more some of the intervenor funding on that issue. I think it is high time that we moved into a time in our thinking that we need to support people who are making presentations dealing with the environment. In the amendments that I had proposed on Bill No. 81, I was extremely upset that the Liberal Party did not see fit to support us on the amendments that we had brought forward on Bill No. 81.

I really thought the Liberals, who speak a good story when it comes to dealing with the environment, the Member for Wolseley (Mr. Taylor) always stands up and expounds some of the shortcomings that we had when we were Government when we were dealing with the environment. Unfortunately he does not carry on the story and tell us about his shortcomings when he was a city councillor and had the responsibility of dealing with the environment. He was dumping snow in the waterways. He was allowing waste to continue to go into the sewer system. There are many parts of the pollution that are going into the Red River now that he could have shown some leadership and stopped it when he was on City Council, but he did not do it. I was surprised, Mr. Deputy Speaker, when they did not support me during the committee's dealing with Bill No. 81 when I tried to move an amendment supported by the Member for Interlake (Mr. Uruski) that we would allow for intervening funding.

The way that intervenor funding would work is when a person is convicted of an offence under the Clean Environment Act a surcharge of 10 percent of the amount of any fine paid is deemed to have been imposed against a person and shall be collected in the same manner as the fine. Mr. Deputy Speaker, very clearly this is not dealing with funding that the Government presently has in their kitty, so we are not taking anything away from the people of Manitoba. We would be getting this funding from the surcharge that was being fined. It would be new money that would be coming in. It could be earmarked for that purpose. I think the surcharge could have been imposed under Subsection 1 of the Act and it would have been paid to the Minister of Finance. It would go into an environmental assessment intervention fund which would have been there for that purpose.

Mr. Deputy Speaker, the way the people could access that fund is when there is an environmental hearing

dealing with whatever project was being proposed. There is right now the Repap operation. There is Phase I. The licence has been granted, but there is an appeal by both, Repap itself is appealing the regulations that were placed upon them. Also the organization known as TREE is appealing, because they feel there is new information that has to be brought forward. The Minister is going to have to deal with those appeals. Even then, once he makes that decision then the next phase of the operation—Mr. Deputy Speaker, how much time do I have left?

Mr. Deputy Speaker, then the next phase of the hearing will be starting very shortly and I know that if there was intervenor funding then the process would work much quicker. There are people out there with expertise who can make a contribution. I think that if they were all allowed to come and make the best presentations with the technology that is available today, once those presentations are made to the Clean Environment Commission, then Clean Environment can make a decision knowing that they have all the information that is out there.

I know of an example in Ontario where the Ontario Hydro changed the route of their line because of some environmental groups that brought some information to their attention. They moved that hydro line rather than being faced with all this difficulty years down the line.

It is the same with this operation here at The Pas, Mr. Deputy Speaker. I think if we provide for intervenor funding then the people who have some expertise in dealing with the water, dealing with air or dealing with the operation itself—then very clearly the Clean Environment Commission would be making a decision on the best information that was available.

I would hope that the Minister would take off his philosophical glasses. Just because he is opposed to it in principle then he would see the wisdom of how well it is working in the Province of Quebec, in the Province of Ontario, and he would convince his Cabinet colleagues that, yes, let us bring this in. Let us bring this in and allow the people who have environmental concerns in the Province of Manitoba to make presentations to the Clean Environment Commission. That is how we would handle it.

Very clearly, the Clean Environment Commission is removed from the Minister, so they would be making their decisions and they have the information about the project. If someone is asking for intervenor funding then the Clean Environment Commission is in a position to make the decision if there should be intervenor funding or not.

I would hope that the Minister of Natural Resources (Mr. Enns), who is a very learned man, and the Minister of Environment (Mr. Cummings), who has been doing an excellent job on the environment compared to the last Minister of Environment, would have another look at this proposal that was put forward—

* (1540)

Mr. Deputy Speaker: The Honourable Member's time has expired.

Mr. Harapiak: —so I would hope that they would support this intervenor funding as it was brought forward during the committee. Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: The Honourable Minister will close debate. The Honourable Minister of Environment.

Hon. Glen Cummings (Minister of Environment): Mr. Deputy Speaker, I will keep my remarks brief, despite the inflammatory remarks that have come from both sides, both critics opposite, regarding the performance of this Government vis-a-vis the environment.

I would simply want it on the record that the operations of magnitude that require environmental impact studies—and where there has been studies done and no hearings called for them to receive licences, but where developments of a nature that attract attention from the public and say that they are dissatisfied or wish to be heard on matters related to the development—and particularly I am thinking in relationship to development of the magnitude of Repap.

We have just heard both Opposition Parties indicate that they were dissatisfied with the hearing process which this company was put through, which this proposal was put through. Very clearly, this is something that would not have been even considered for a hearing a couple of years ago. In fact I have correspondence on file that indicates that the previous Government would have been prepared to license the changing of the mill without any public hearing simply by the provision of a director's licence with restrictions on it.

(Mr. Speaker in the Chair)

All of this discussion, Mr. Speaker, has been brought forward on the basis that in amending The Environment Act we have done it for a very specific purpose and that is to increase the fines and the penalties that can be applied thereunder. There is no question, as environmental law and environmental legislation grows, that this is a growing and fluctuating area. One that 10 years ago I think very few people would have been able to predict what would happen in this area and certainly could not have predicted the awareness and the concerns that are being expressed today.

I take some considerable umbrage at my critics opposite using this opportunity to talk about their lack of appreciation for the opportunity that is presented to the people of this province through the proposal that Repap brought to Manitoba with their purchase of the Manfor operation.

Environmentally, and I will keep my remarks in that vein, Mr. Speaker, we have eliminated from the future of this province a polluting company, a company that could not and was not being forced by Government to conform with and follow environmental guidelines that were laid down for it and restrictions that were laid down for it. The fact is that this Government committed itself to the cleanup of that plant site, the fact that we went to the Clean Environment Commission with all of the attendant examination that was done in the licensing of that process.

Well, Mr. Speaker, the Members are trying vainly to make it look on one side that they are environmentally

conscious and on the other side to say that they believe that without saying it that this is a bad deal for Manitoba, that this deal should never have been consummated and that environmentally and business sense, everything else, they have tried to condemn this Repap deal.

By making some of the oblique challenges that they have regarding the environment process, they are virtually inviting every organization that is opposed on any grounds, particularly those who believe philosophically against any development in the boreal forest area, to attempt to do everything they can to destroy the credibility of the licence that was issued by my department to this company.

I will not stray into expressing an opinion upon the licence and the appeals thereto, because I will be the appeal body as a result of those appeals that come forward, but I do want to defend the process. The process was a very painful process for the company, a very painful process for the Department of Environment in the amount of work that was done in evaluating the assessments and crosschecking and making sure that all of the available information was correct and properly considered in the development of a licence. That does not mean that there may not have been some oversights or some corrections that can be made within the licence, but I can assure you, Mr. Speaker, that this province has a pretty good record in relationship to the environmental licensing process and the federal Government process.

The Government of Alberta has run into considerable difficulty with the licensing process, particularly at their Daishowa plant, but the fact is, Manitoba has a pretty clean process in recognition of all the responsibilities of our jurisdiction and the responsibilities of municipal and senior Governments as it relates to environmental matters.

Mr. Speaker, I simply want to put on the record that it seems to me that whenever Opposition Parties would decide to filibuster and discuss on third reading of a Bill, it usually indicates that they are philosophically opposed to what is happening.

I can remember my days of opposition, Mr. Speaker, that we had a Bill that we did not want to see passed, we filibustered it on third reading. We made sure that the public knew how opposed we were to what was happening. That is what we are seeing happen here today. We saw both Opposition Parties filibustering an increasing of the fines under this Act and taking the opportunity to put on the record how desperately they are opposed to the Repap deal in this province.

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

Mr. Taylor: Accusations are being made that filibuster is under way. Motives are being imputed.

Mr. Speaker: Order, please. What is the Member's point?

Mr. Taylor: One Member from each of the Opposition Parties has spoken their time. If that is a filibuster, I think this Minister needs a new definition.

Mr. Speaker: Order, please. It is a dispute over the facts. The Honourable Member does not have a point of order.

QUESTION put, MOTION carried.

* (1550)

BILL NO. 82—THE DANGEROUS GOODS HANDLING AND TRANSPORTATION AMENDMENT ACT

Hon. Clayton Manness (Minister of Finance) presented Bill No. 82, The Dangerous Goods Handling and Transportation Amendment Act; Loi modifiant la Loi sur la manutention et le transport des marchandises dangereuses, for third reading.

Mr. Speaker: It has been moved by the Honourable Minister of Finance (Mr. Manness), seconded by the Honourable Minister of Industry, Trade and Tourism (Mr. Ernst), that Bill No. 82, The Dangerous Goods Handling and Transportation Amendment Act; Loi modifiant la Loi sur la manutention et le transport des marchandises dangereuses, be now read a third time and passed. Agreed?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed—oh, the Honourable Member for The Pas.

Mr. Harry Harapiak (The Pas): Mr. Speaker, I wanted to make a few comments on this. This Act is pretty well—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please.

POINT OF ORDER

Mr. Speaker: The Honourable Member for Inkster (Mr. Lamoureux), on a point of order.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, on a point of order, I believe the question was already put, and the Bill was passed. It is unfortunate that the NDP did not put up a speaker on this particular Bill, either in second reading or third reading. It is their fault. We are following procedures.

Mr. Speaker: Order, please. On the point of order raised by the Honourable Member for Inkster, the question before the House was third reading of Bill 82. Then I asked, "Is the House ready for the question?"—question. Order, please. I had just said, "Agreed," and I was listening for the House. I had not said, "Agreed and so ordered." I had not followed through on the complete question. The Honourable Member for The Pas (Mr. Harapiak) was on his feet. The Honourable Member for The Pas.

Wednesday, February 28, 1990

Mr. Harapiak: Mr. Speaker, it is obvious the Liberals are still smarting—sleeping on Monday night. They wanted to—

An Honourable Member: You missed second reading of the Bill.

Mr. Harapiak: Yes, Mr. Speaker, I missed second reading of the Bill because it was passed after 12:30. The Member for Wolseley (Mr. Taylor) was speaking after 12:30, and I left this room and that Bill was very clearly passed. It has a record that it was passed after 12:30.

Mr. Speaker, I am disappointed in the words of the Minister of the Environment (Mr. Cummings) who said that we are filibustering the previous Bill. I think it is appropriate that we as critics of the Environment should be putting our concerns on the Bill, and that is we were putting forward.

This Bill very closely mirrors Bill 81. It was passed with 81. It deals with increasing the fines of corporations that deal with The Dangerous Goods and Handling Act. I, as a member of the transportation industry, am very interested in dealing with this subject. I think it is appropriate that the Minister should be increasing the fines of people who are found to contravene this Act, and it mirrors very closely what is happening with the clean Environment Act, Bill No. 81, that we just passed.

I think it is very appropriate that we pay particular attention to the handling of dangerous goods because in this day and age, we are more and more dealing with more and more goods as we come into a society where there are more goods being handled. I think with the whole Manitoba Hazardous Waste Corporation, the effort is being made by that organization to locate plants somewhere in this Province of Manitoba.

I think we as a society have to recognize that those wastes have got to go somewhere and someone has got to accept them, be it in the City of Winnipeg, where most of them are coming from because over 50 percent of the population is in the City of Winnipeg so it would make sense that it would be located close to the City of Winnipeg, or it could be located in some area outside of Winnipeg because the transportation is not that big a part of it.

I think it is important that we move and have a place for the hazardous waste to be treated in this province. We cannot be burying our head in the sand and transporting our goods to jurisdictions outside of this province. We have a responsibility as a society to deal with some of those goods and I think that we have to put regulations in place which deal with the - (interjection)-

Mr. Speaker, very clearly I recognize the responsibilities we have when we are building dams as well. He wants to talk about The Environment Act, the building of the dams is important, but I think it is also important that we not be draining all of the potholes that are existing out there, and I think those are some of the mistakes that have been made by the agricultural

industry. They thought they should be utilizing every acre of land that is within their area that they hold. I think it is important that we start turning that around and educating people of the value of the potholes on our land, not only for the preservation of water, but also for the preservation of our wildlife that went a long way to preserving that.- (interjection)-

Yes, I did see the news conference on Monday and I think it is a step in the right direction. I think we should continue to move in that -(interjection)- that is true, it does require many, many parts of our society to take an active part in the roles that they can each contribute in some little way.

I think when you are talking about The Environment Act that is one area that we need to look at. What role does the forest play in the whole good for society when it comes to recreation, or when it deals with wildlife, or preservation of water, retention of water? What role does the forest play in that? I think that we should be looking at that very carefully rather than draining every possible piece of land that exists so we can get another acre into production.

Mr. Speaker, in dealing with this Dangerous Goods and Handling Act, I think it is important that we have the capacity to implement some of these penalties that are being put on corporations and the penalties that are dealing with individuals who contravene this Act as well as corporations. I think that it is appropriate the changes that have been made to increase the fines that are being brought forward. I think that as someone who has worked in the transportation industry I think it is important that the people who are working in this industry are aware of, not only for the sake of corporations that are moving the dangerous goods, but also for the safety of the public, and also for the safety of the employees who are working in that field.

I know that when I was working as a Member of the United Transportation Union in The Pas, there was a great effort made to educate the trainmen who were involved in handling the containers that were carrying dangerous goods. I think that CNR, as a corporation, did an excellent job of educating their employees. I think the public needs to be educated more of what is involved when it comes to dealing with the handling of dangerous goods.

There are a lot of people who are extremely concerned over the handling of hazardous waste, but in speaking to the people from Manitoba Hazardous Waste Corporation there is more danger in the handling of some of the gasolines and other commodities that are being handled by the transportation industry at this time.

I am saddened to see that the federal Government has not supported the railroads to the point that they should be supporting them because I think that they are a much safer way of transporting dangerous goods than by trucks. I know that when you go and travel down No. 1 Highway you can see the damage that is being done, carried out to our highways at this time. Mr. Speaker, the changes that are occurring in our highways are going to have to be corrected by the provincial taxpayers because the federal Government,

outside of one small piece of highway co-operated on, on the Yellowhead, have not been putting money into the highway system here in Manitoba. Even though they are doing it in the Maritimes, they are not doing it here in Manitoba.

So when you talk about the rail bed, the federal Government was looking after the rail bed so, therefore, once again the tax burden is being transferred from the federal taxpayer to the provincial taxpayer. I think it is important that we look at this Bill and support those changes that have been brought forward by the Minister. It follows some of the changes that are brought forward in Bill 81. I support this Act and I am pleased to put those few comments on the record.

Mr. Harold Taylor (Wolseley): Mr. Speaker, it is with pleasure I rise to speak on third reading of Bill 82, The Dangerous Goods Handling and Transportation Amendment Act.

An Honourable Member: You said you were not going to speak.

Mr. Taylor: Well, the situation has changed slightly, to the Government House Leader (Mr. McCrae). I find it interesting that the other Opposition Party chose to rise on third reading to speak to this Bill, because we certainly did not see any evidence of their input on second reading.

Mr. Harapiak: Mr. Speaker, on a point of order.

Mr. Speaker: On a point of order.

Mr. Harapiak: The Member for Wolseley (Mr. Taylor), once again, rises and puts on the record that I did not speak on Bill 82. I very clearly intended to speak on Bill 82 during second reading and it was passed after 12:30, after the hour of—

* (1600)

Mr. Speaker: Order, please. On that point of order, the Honourable Member does not have a point order, it is a dispute over the facts.

Mr. Taylor: I certainly made no mention of the performance specifically of any Member of the NDP. I just said the NDP was not there. I think the record stands for itself.

I will go on, Mr. Speaker, to say that I thought that given that situation we would have rather a more profound set of pronouncements here in debate on third reading on an important piece of legislation, but we certainly have not and in particular in that the Environment Critic for the New Democratic Party has had a career in transportation and is not unfamiliar with dangerous goods amongst the other materials that obviously he was a part of the handling of in the railroad industry. In any case, we did not get too much on that.

What we have with this Act is something similar to the Act we just passed a little earlier this afternoon, Bill 81, which is The Environment Amendment Act, in which we saw the existing Environment Act thereby amended by having the fines contained within it increased rather significantly. That is the basic aspect of this Act as well. There are no other changes to the existing dangerous goods handling and transportation legislation other than this one aspect which is increasing of fines that can be levied. I would speak in agreement to those fines being increased.

I think it is appropriate to send a message to those that are handling goods of this nature, that if there is something that runs afoul of the law, the regulations are not followed, the protocols are not kept, materials are handled in a way that is unsafe and imprudent, then I think stiff penalties need to be there for the regulators to impose if necessary. I think the idea of discouragement of the unsafe handling of many of the dangerous commodities that a modern society has to consume and therefore transport is absolutely essential. I think that is the right sort of thing that has to be done.

Dangerous goods handling is not something that has been a subject matter that has been dealt with thoroughly over an extensive time. It is not saying we have not had dangerous goods that we have had to handle, but history has been in this country like most other countries. It was treated in a pretty casual fashion. Yes, you dealt with it a little more carefully, but there was not a whole understanding of it. There was not a body of literature. There was not a means of dealing with it between jurisdictions.

We now have that in Canada, just since 1986, when a protocol was finally established between the 10 provinces and the federal Government. I think it was a major step forward. It dealt with the dangerous goods handling with whatever mode that was being used, whether it was road, whether it was rail, whether it was sea or whether it was air.

I can say that in a small way I was a party to it for the air mode and studied it for those handling of dangerous goods in the other modes just as a personal interest. What I do fail to see though, and I think it is unfortunate in that we are seeing an amendment to that earlier legislation, is that some years have passed by now. There has been an opportunity to have experience under our belt in the handling of dangerous goods in all of the modes and between the jurisdictions as well as within Manitoba, but we do not have before us today, Mr. Speaker, any other amendments to the existing dangerous goods transportation and handling legislation, nor have we heard any pronouncements on how the protocol itself, the non-statute aspect. But the protocol that exists between the 11 jurisdictions, we have not heard anything on how it may be amended. The protocol and the legislation are quite obviously linked.

The protocol was recognized as a very good first cut, but it was never in 1986 considered to be the be-all and end-all. It was something that took 10 years to get together. The problems of doing things differently between different jurisdictions, different philosophies,

jealousies, our sharing not wanting to be done, that sort of thing, but we have it as of '86. It has been in place for some three and a half years now. I would have thought it would have been time to say, how well is our legislation working? How well does it mesh with that of the legislation of adjacent jurisdictions, the federal Government? How is the protocol, the way in which the officials interact amongst themselves, how is that working because it was recognized there were some shortfalls? It was assumed that gaps and loopholes would turn up after the protocol was put in use and after each of the provinces put legislation in place.

What I am saying I guess, Mr. Speaker, is a review of this area of concern of the Environment Department, dangerous goods handling and transportation, both of those were things that should have been reviewed before this very parsimonious piece of legislation was brought forward because it is only dealing with the fines. It does not talk about any of those other aspects.

We know that there are problems in paperwork amongst officials between the jurisdictions to make certain that dangerous goods being handled interprovincially are handled properly, but that is not addressed. We know there have been technical improvements on how best to handle goods. We know there have been improvements on how best to handle dangerous goods that are involved in an incident. None of those things were addressed, Mr. Speaker, and it is unfortunate, because the opportunity was there.

What we have here is a very small piece of legislation that does some of the right things but goes nowhere near as far as it might, that does not serve Manitoba well. What we will have is a piece of legislation with what I expect will be the passing today of Bill No. 82 and shortly its Royal Assent and proclamation, a piece of legislation that does a little bit of the right thing but a whole lot of the right thing was not even attacked. No attempt was made to deal with this area of concern and I would suggest a very serious area of concern for any modern society.

The Tories in the next election will be able to say we amended The Dangerous Goods Handling and Transportation Act, and we are going to say back on the hustings yes, you did, but you only did that much when a heck of a lot was required. Where were the changes to the protocol? Where was the updating and the review of the protocol? Where were the changes necessary on making certain that the formal arrangements by statute between jurisdictions be put in place that make more sense than what the original draft was that we have been working on under the nearly four years since that went in place. These things are not there. When this was brought up with the Minister we got quite frankly a great Conservative shrugging of the shoulders.

We will be looking forward to other legislation should there be the opportunity to look at further environmental legislation before the next election, but I quite frankly doubt it. The record will stand as the right things said, the right words used. The needed action in a comprehensive fashion, Mr. Speaker, is not there and is not there at all.

I was really quite taken aback by the lack of understanding that the Minister had in this whole area of concern when he introduced the Bill later, in response to my address in second reading to this and in private conversations I have had. It would appear to be an area that the Tories seem to be very, very superficial on.

I do not think dangerous goods transportation or dangerous goods handling should be dealt with in that fashion. I think it is an area of serious concern that deserves full attention and not just the lip-service environmentalism evidenced by the changing of the fines.

Of course the fines here now are consistent with The Environment Act, which has just been amended by vote a little earlier this afternoon. I think that is good. I think these Acts should be consistent with one another.

* (1610)

However, we have another consistency here, Mr. Speaker. The consistency being that of the lack of enforcement of this Act, almost as bad as a lack of enforcement of The Environment Act itself, of which I spoke very vociferously earlier this afternoon in the House and which provoked such reaction from Government Ministers such as the Finance Minister (Mr. Manness), the Agricultural Minister (Mr. Findlay), the Northern Affairs Minister (Mr. Downey), the former Minister of the Environment and the present Environment Minister (Mr. Cummings). I notice they are being a lot more quiet now. The point is that the enforcement of the existing legislation, this legislation, is almost as bad as the lack of enforcement of The Environment Act.

So while standing here in support of this legislation I do point out the fact that it is in direct contrast to the track record of this Government on the piece of legislation that is being amended. That is to say that the existing fines are almost not used at all. That is really unfortunate, because that says it is quite all right to not handle things properly and to not deal with dangerous goods with the intention and the seriousness that they quite frankly deserve and that this population of Manitoba deserves.

I do not think we are going to make environmentalists out of this Government overnight, Mr. Speaker. It takes a sea change, a major change in thinking, for that to happen. They are not going to become environmentalists overnight, but it is quite true that when close examination is given they are not environmentalists. When one scratches the surface and the environmental paint that is put on is shed, underneath it is a glowing Tory blue. I think the public in this province understands that.

So we are doing the right thing here, but we have missed an opportunity, a serious opportunity. We have had this Legislature in Session almost two years. We said earlier that the legislative agenda in the first Session by this Government was weak; it was ill prepared; it was housekeeping matters for the most part. Almost nothing of substance came through.

What we have now is something rather different. We have a rather long number of pieces of legislation, Mr.

Speaker, but what we have is two things happening. We have legislation that is relatively heavy legislation coming forward ill-prepared, Bills like Bill 79, Bill 64, Bill 42. Why did Bill 79, The Municipal Assessment Act, require 64 amendments, almost all of which were from the Government itself? It indicated a piece of legislation hitting the Legislature that was not prepared.

We have Bill 64 and Bill 42 that are pieces of legislation that look like they were drafted by the previous Government. I am talking about The Unfair Business Practices Act and The Landlord and Tenant Act. What we have here with this type of legislation now is something a little different. It is not that it is ill-prepared in itself, it is not. It has the right things there, but what it is, it is lacking in substance and volume. You are not dealing, this Government is not dealing with other matters of substantive concern in the same area, specifically dangerous goods handling and dangerous goods transportation. The other matters were not addressed at all that should have been addressed.

Ditto that for the Bill just before us earlier today which was the amendments to The Environment Act. You are increasing the fines. You do not deal with the other loopholes in that Act. You do not deal with the other troublesome matters on dangerous goods handling and transportation. We could have in this one. Instead we just change the fines, and that of course anybody can place in juxtaposition with the track record is, they do not use the fines in the existing legislation. Why do they really bother going through putting in the new fines? They are at the right levels, because the matters are serious. Instead we have fines applied at a very low level which in effect act as licences to pollute and licences to improperly handle dangerous goods.

It is with regret, Mr. Speaker, that I will be voting in support of this piece of legislation, not because it is wrong but because it is incomplete. That is a profound sadness that I think thinking Manitobans all over this province will note in the next election is that we have lip-service environmentalists in power over here. We have people who are truly not concerned and not sincere about the environment, because if they were, after almost two years in power, we would have seen more substantive environmental legislation.

Mr. Jay Cowan (Churchill): I indicate to the Minister, Mr. Speaker, I will be short in my comments. I had not intended on speaking until I had heard the comments from the Member for Wolseley (Mr. Taylor). I thought there were a couple of aspects of those comments which I wanted to reinforce to ensure they were not lost in the general debate. The first of those was his last statement, and I think it shows the real ambivalence of the Liberal Party and the problem of being a Liberal when you really do not have any basic principles around which to judge actions, formulate policies and make decisions, because we heard the Member for Wolseley finish off his speech by indicating that, and I quote, it is with regret that I will be voting for this legislation.

If he regrets voting for something, then he does not have to vote for it. He can happily vote against it if he so wishes. That is the type of ambivalence that we see

so often among the Liberals in that they really do not know what they want. If they do know what they want, they really do not know how to get it in this Legislature. I did have to make note of that, which is more a style issue than a substance issue.

An Honourable Member: There is no substance in the Liberal Party in Manitoba, I will tell you.

Mr. Cowan: Excuse me, Mr. Speaker, I think the Member for Inkster (Mr. Lamoureux) wants to ask a question now. He has such limited opportunities to do so in this House that I would not want to in any way prevent him from taking advantage of whatever opportunity he may have, so if he does wish to ask a question we will certainly allow for that to happen by leave and be quite pleased in hearing, even if it is in question form and not in statement form, some of his thoughts and comments.

The Member for Wolseley (Mr. Taylor), who is becoming more animated by the moment, is somewhat distracting, because I know he does not want me to come to the next point with respect to what he had to say during his speech. I have to put that point in the proper context, Mr. Speaker. I have sat in this House for two years not that far away from the Member for Wolseley never having heard him say a positive thing about the New Democratic Party and the environment and what happened to the environment and environmental legislation and environmental policies and programs under a New Democratic Party regime.

An Honourable Member: You did not listen very well, I gave kudos where kudos were due. You just were not here to listen.

* (1620)

Mr. Cowan: Well, he says he gave kudos where kudos were due and that I was not here to listen to them, to put his comments directly in the record. Well I would certainly sit down by leave and allow him to reiterate and repeat those kudos if he so wished so that I could be fully aware of all the nice things he has been saying about us, but I cannot recall very many, nor can I recall being informed of very many. I think he would be hard pressed to find in the record those nice things that he had to say about the New Democratic Party with respect to environmental matters.

He did say something by implication today which I believe is worth repeating. He said in 1986 there was a protocol developed among the 10 provinces and the federal Government which he said was a very major step forward with respect to the handling and transportation of dangerous goods. I want it to be made note of that, although he did not in his comments, and perhaps it was by oversight rather than intention, that it was a New Democratic Government that was in power in the Province of Manitoba at that time and that it was according to him, and I took his words down verbatim, a very major step with respect to protecting the environment.

Well, he said from his seat it took 11 Governments to do it and he said it took 10 years in his speech

earlier to get together to do that, which I think recognizes in large part the problem in putting together strong environmental legislation when you want to have a consistent and a coherent policy across all the provinces. Quite frankly, I think that sometimes we as a province wait too long and have waited too long in the past for the other provinces to come forward, because I think we have generally been more progressive with respect to environmental protection and sometimes have been pulled behind in what we wanted to do because we felt it was necessary to get a consensus among all the provinces. I think that is the case with the handling and transportation of dangerous goods. I think that is also the case with WHMIS, with the workplace hazard information management system, where perhaps it would have been better for one province to have struck out ahead of the others and set the example and pulled the others along rather than be pulled behind by the others. I make that as a general comment with respect to this Bill and other Bills, because those are decisions that the Government is going to have to come to grips with in the future. I know there is going to be a tremendous amount of pressure on them to ride the tide with respect to having a consensus develop across the country before taking action in Manitoba. I know all the arguments for that.

I also know that there are circumstances and times when those arguments, as powerful and as persuasive as they may be, have to be put aside with respect to the greater interests of the citizens whom we are elected directly to represent. We are not here to represent those in other provinces. We are not here to represent the federal perspective or viewpoint. We are here to represent Manitobans. Manitobans want environmental protection that is strong. Manitobans want environmental protection that works.

I have to agree with my friend the Member for Wolseley (Mr. Taylor) to the extent that he says what is important about this legislation and other environmental legislation as well as many other Bills that are presently on the books is that the enforcement component be aggressive, be fair but be aggressive, be consistent and be implemented effectively so as to ensure that what we speak about in this House and what we intend to happen does in fact happen once the Bill leaves our direct responsibility and becomes more the responsibility of the bureaucracy and the Government departments themselves to enforce.

For that reason, the penalties, the increase in the penalties, is a step in the right direction, but they will be much less valuable to Manitobans if they are not enforced to the fullest extent when that is required in the public interest. We would like to see the follow-through on this legislation be aggressive, fair, consistent and comprehensive. If it is that, then our work when it comes to future amendments will be that much easier. Those who have to look to legislation to determine how to shape their own work, whether it be the transportation or the handling or the manufacturer or the disposal or the storage of dangerous goods, they will know that what we say in the legislation is what actually happens in the field.

It will make their job easier, because they will have clearer standards upon which to base their decisions.

It will make our job easier in the future, because they will know that when the Manitoba Legislature speaks and supports something, even if it is with some regret for whatever reason, it does so in a forceful way knowing that what is happening here is going to have a ripple effect all throughout the Province of Manitoba. I can agree that this increase in penalties is a positive step forward. I can agree that the true test of our work here over the past few months with respect to this Bill will only be known after we see how those penalties are enforced in the field.

I can also agree that there is a lot more that needs to be done with respect to the protection of the environment and particularly with respect to the transportation and handling of dangerous commodities and dangerous goods.

I think to go back to some comments from the Member for Wolseley (Mr. Taylor), that it probably took at least 10 years for that protocol to get together. I do not want that to be used as a benchmark for how long it should take for the next major step to be taken. I do not think it need be used for that sort of a benchmark. I believe what we have now that we did not have in the mid-70s when we started talking about the transportation and handling of dangerous goods and a protocol that would work is a public awareness, a momentum that can carry legislators forward beyond what they could normally do, because it is the public that is directly asking for major pieces of legislation and major protective programs and policies to be put in place. I think as legislators we are probably behind the general public with regard to environmental issues.

However, I also know as do other Members—and I am not telling anyone anything that they do not already know—that issues ebb and flow in this society and that at times, and we are in one of those times, there may be a very overwhelming and powerful issue out there such as the environment that is forcing action by legislators and I welcome that pressure. I think it helps us be better legislators, but with the way the economy is going, with the way the tax burden is being increased at the federal level with the goods and services tax, with the way in which we see a recession looming on the horizon, with the problems that are going to affect the pocketbooks of Canadians directly in a more and more direct way over the next little while, we are going to see this issue wane a bit as people become more involved in trying to maintain their quality of life and their standard of living.

I think that will be the true test of us as environmentalists and legislators when that happens, because we are then going to have to get out ahead of the general public, where at the present time we are being pulled along by them. I hope that we have the courage of our convictions at that time and the ability to withstand the pressures that are going to be coming at us from a different direction to continue the momentum that started way back perhaps 20 years ago.

I think probably if one goes back to the early sixties one would have seen a similar type of period where environmental issues were a major concern, but we now know that we are in a period of momentum where

we can take some fairly aggressive action, some very comprehensive action, and we will have the public support behind us. I do not want us to lose that opportunity.

So having given that sort of encouragement, which I have given before to the Minister of Environment (Mr. Cummings), with respect to not only doing what he has done, which is helpful, but carrying on further and knowing that he has the support, that is why I am speaking today, shortly, but I hope in a comprehensive way to indicate to him that he still has that support even though we are critical of some aspects of what he is doing. He still has our general support as long as we believe he is moving in the direction in a timely way of increasing environmental protection for all Manitobans and in his other work for those in other provinces as well.

We will be supporting this Bill. I will not indicate whether it is with regret, glee or whatever. We are supporting this Bill because we believe it is a step in the right direction. We want to encourage that momentum and that forward movement from our perspective. We look forward to seeing more and stronger and more comprehensive legislation in the future. We stand ready to help the Minister of Environment (Mr. Cummings) to bring that forward where he feels that might be helpful. We also stand equally ready to criticize him when we believe that he has not acted in as forceful a way as he should.

INTRODUCTION OF GUESTS

Mr. Speaker: Before recognizing the Honourable Minister of the Environment (Mr. Cummings) who will be closing debate, I would like to draw Honourable Members' attention to the loge to my right where we have with us this afternoon, the Honourable Bud Smith, who is the Attorney General for the Province of British Columbia and also the MLA for Kamloops.

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

BILL NO. 82—THE DANGEROUS GOODS HANDLING AND TRANSPORTATION AMENDMENT ACT (Cont'd)

Mr. Speaker: The Honourable Minister of Environment will be closing debate.

* (1630)

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, I will keep my remarks brief. I want to indicate that when the New Democratic Critic extends the hand of support, sometimes I am prone to count my fingers. At the same time I have to appreciate that.

Mr. Speaker, I want to in my own backhanded way express my appreciation for the fact that this Government has gone to considerable extreme to make sure that we have continually put our best foot forward in environmental concerns. These Bills that have been debated here this afternoon are really three quite minor adjustments to The Environment Act.

It seems to me, Mr. Speaker, that we can expect from this Government, given the commitment to sustainable development and to the responsibilities in the area of environment, that what we will put forward is reasoned and reasonable legislation in the area of environmental concerns. The issues that were raised around -(interjection)- the Member from the Liberal Party talks about sustainable rhetoric. He can entertain himself with those kinds of comments if he wants. I am more anxious in getting these Bills into law so that we can get on with doing some of the things that are required for environmental protection in this province.

Mr. Speaker, they talk about interjurisdictional co-operation on transportation of dangerous goods, and that is important. What we are doing here is putting in place one more brick in the defence that we have in terms of protection for the general public and protection of those people who are working in the area of handling dangerous goods and transporting them.

I commend this Bill to the Legislature and to the public, Mr. Speaker, and hope for speedy declaration of it.

QUESTION put, MOTION carried.

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Mr. Speaker do now leave the Chair for the House to go into Committee of Ways and Means.

MOTION presented and carried and the House resolved itself into a Committee to consider of Ways and Means for raising of the Supply to be granted to Her Majesty with the Honourable Member for Minnedosa (Mr. Gilleshammer) in the Chair.

COMMITTEE OF WAYS AND MEANS

Mr. Deputy Chairman (Harold Gilleshammer): The Committee of Ways and Means will come to order, please. We have before us for our consideration, resolutions respecting the Main and Supplementary Supply Bills. I would remind Members that as the 240 hours allotted for consideration of Supply and Ways and Means resolutions has expired, pursuant to Rule 64.1(1), these resolutions are not debatable.

SUPPLY—MAIN SUPPLY

Mr. Deputy Chairman: The resolution for Main Supply reads as follows:

RESOLVED that towards making good Certain Sums of money granted to Her Majesty for the Public Service of the Province for the Fiscal Year ending the 31st day of March 1990, the sum of \$4,321,794,800 be granted out of the Consolidated Fund.

Shall the resolution be passed—pass. The resolution is accordingly passed.

SUPPLY—SUPPLEMENTARY SUPPLY

Mr. Deputy Chairman: The Committee of the Whole will next deal with the resolution relative to The Supplementary Appropriation Act:

RESOLVED that towards making good Certain Further Sums of Money granted to Her Majesty for the Public Service of the Province for the Fiscal Year ending the 31st day of March 1990, the sum of \$69,250,000 be granted out of the Consolidated Fund.

Shall the resolution be passed—pass. The resolution is accordingly passed.

Committee rise. Call in the Speaker.

IN SESSION COMMITTEE REPORT

Mr. Harold Gilleshammer (Deputy Chairman of Committees): The Committee of Ways and Means has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the Honourable Member for Lac du Bonnet (Mr. Praznik), that the report of the committee be received.

MOTION presented and carried.

INTRODUCTION OF BILLS

BILL NO. 99—THE APPROPRIATION ACT, 1989

Hon. Clayton Manness (Minister of Finance) introduced, by leave, Bill No. 99, The Appropriation Act, 1989; Loi de 1989 portant affectation de crédits, to be ordered for second reading immediately.

BILL NO. 100—THE SUPPLEMENTARY APPROPRIATION ACT, 1989

Hon. Clayton Manness (Minister of Finance) introduced, by leave, Bill No. 100, The Supplementary Appropriation Act, 1989; Loi de 1989 portant affectation supplémentaire de crédits, to be ordered for second reading immediately.

SECOND READINGS

BILL NO. 99—THE APPROPRIATION ACT 1989

Hon. Clayton Manness (Minister of Finance) presented, by leave, Bill No. 99, The Appropriation Act, 1989; Loi de 1989 portant affectation de crédits, for second reading, to be referred to a Committee of this House.

MOTION presented.

* (1640)

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, it gives me indeed great pleasure to stand here this afternoon to debate this particular Bill that the Minister of Finance (Mr. Manness) has decided to bring forward. Although I might not be able to put forward the questions I would have loved to have been able to put forward in concurrence, but the combined Government, the NDP and the Conservative Government, cannot prevent me from putting remarks regarding the Bill that is before us. I thought maybe I would take this opportunity to speak on some of what I felt, questions that should have been addressed, during concurrence.

One of the primary concerns that I have, Mr. Speaker, is the education. We have seen this provincial Government's and the previous administration's neglect of the north end schools, and the educational process in the north end of Winnipeg in particular, but I would imagine that could probably be carried further in saying the Province of Manitoba.

I have put forward questions to the Minister of Education (Mr. Derkach) regarding this particular neglect of overpopulation in the Tyndall Park, Garden Grove and Meadows West school. He, like this Government has done on so many issues, does not take the issue seriously. Indeed, Mr. Speaker, this is a concern that has been brought up time after time in my riding from many of my constituents.

I am currently circulating a petition in the riding, and a large number of those petitions that are being returned to me refer to the need to concentrate more effort on the education, to put the education on a higher priority than it currently is. Mr. Speaker, this Government does not treat education in this province as a high priority.

An Honourable Member: That is not true.

Mr. Lamoureux: We have seen it. The Minister of Natural Resources (Mr. Enns) says it is not true. What was the Premier's (Mr. Filmon) and the Minister of Finance's (Mr. Manness) remarks when it came to education and the potential damage that this federal budget is going to have? You know what their response was, Mr. Speaker? They did not allow us to ask questions, by trying to ram through Concurrents with their friends from the New Democrats. The Member for The Pas (Mr. Harapiak) should be very sorry that he rammed through the Concurrents vote, because he had an opportunity to ask questions on education, to ask questions on our health care, to ask questions of this Government, to hold this Government accountable. The New Democrats in this Chamber, along with the Conservative Government, did not allow the official Opposition the opportunity to ask this Government questions regarding the priorities on education, regarding the priorities on health care.

An Honourable Member: Listen to him wail now.

Mr. Speaker: Order, please; order, please. The Honourable Member for The Pas, on a point of order.

Mr. Harry Harapiak (The Pas): Mr. Speaker, on a point of order. The Concurrents were read on Monday evening and the Member for Inkster (Mr. Lamoureux) was in the House. No one prevented him from asking a question; he just did not have any questions.

Mr. Speaker: Order, please. The Honourable Member does not have a point of order.

Mr. Lamoureux: As usual, Mr. Speaker, I did not expect the Member for The Pas (Mr. Harapiak) to have a point of order. Even though I was wanting to ask questions, we know none of the New Democrats wanted to ask questions. Why did they not want to ask questions? Because they treat the issues that Manitobans hold dear to their heart in the same manner in which this Government treats it, and he should be ashamed of himself in the sense that he did not have the guts, the tenacity—any Members of that caucus—to stand up—

Mr. Speaker: Order, please; order, please. I must ask the Honourable Member for Inkster to withdraw his remarks.

Mr. Lamoureux: Mr. Speaker, I would withdraw my remarks if the Member for The Pas felt them—

Mr. Speaker: I would like to thank the Honourable Member for Inkster.

Mr. Lamoureux: Mr. Speaker, every time I think of the actions that were taken it upsets me to such a degree, because I see a coalition that will in all likelihood survive, I would figure, four years. No doubt the third Party of this Chamber supports what this Government is doing. Time after time they have stood up, and they said they support it.

They even support the slush fund, and they take pride about supporting the slush fund. They do not even call it a slush fund, they call it a Fiscal Stabilization Fund. How ludicrous can one be? It is not a Fiscal Stabilization Fund. This is a fund that is set up as a Tory slush fund and no matter what the Government of the Day, or the New Democrats, or the Member for The Pas (Mr. Harapiak) wants to call it, it is a Tory slush fund. Mind you, maybe this slush fund that was created by the Tories last year, which created a debt—we could have had a surplus.

The Minister of Finance (Mr. Manness) could have been the first Minister, I believe, since—the last Government was the Liberal that had a balanced budget in this province. The Minister of Finance could have brought forward a surplus in a budget, but no, Mr. Speaker, instead he says, no, that is not going to look too good if we go to a surplus. If we have a deficit and we go to a surplus, that will not look too good. Let us put up a little bit of the Manness magic; the Manness illusion. What did we come up with? We came up with a Tory slush fund of \$200 million. The Government borrowed \$150 million in order to create that slush fund, and what did the third Party in this Chamber have to say about it? The third Party said, it is not a slush fund. We support what the Government is doing.

Mr. Speaker, that along with other aspects—you know, we can go to the federal budget. We have to ask why the third Party in this Chamber, why this Government, is not being aggressive when it comes to the treatment that we have seen from the Government in Ottawa. They have brought down a budget that is unacceptable in terms of our health care, in terms of our education, in terms of our environment. The list goes on.

We had a prime time to ask questions, to put forward questions to this Government, and Mr. Speaker, what did the NDP do? They put the tail under their legs and they ran to a corner. They had absolutely no questions to put forward to the Government of the Day.

This is the third Party. The Members, the people of this province, are going to be well aware of what this New Democratic Party did Monday evening. They shut down the concurrence. They had an opportunity to put forward questions of this Government that would have addressed the needs of Manitobans, that would have addressed the needs of health care and that would have addressed the needs of education, but no, they backed down like gutless—I am sorry, Mr. Speaker, that is unparliamentary—

Mr. Speaker: Order, please; order, please. I will remind the Honourable Member for Inkster (Mr. Lamoureux), for a second time, that word is unparliamentary. I would ask the Honourable Member for Inkster to withdraw those remarks one more time. The Honourable Member for Inkster.

Mr. Lamoureux: Mr. Speaker, again, I apologize—

Mr. Speaker: I would like to thank the Honourable Member for Inkster.

Mr. Lamoureux: —for using the phrase gutless. I should maybe talk about a jellyfish that has no spine, or something of that nature, Mr. Speaker.

The NDP can say and do whatever they want, but Manitobans—and I can assure them—the residents of the north end, wherever possible, the people of this province will know what the third Party in this Chamber did.

I can understand somewhat why the Government would want to do it, Mr. Speaker. For the life of me I cannot understand why the third Party in this Chamber would do such a cowardly act. It is amazing. The Government—as I say I can understand why. They are embarrassed. They do not like what is going on in Ottawa. I am sure they would like to see that mean Tory, cruel Government in Ottawa defeated.

Mr. Speaker, what the Conservatives have been doing to this province, both at the federal level and at the provincial level, is in fact heartless. I brought forward in the form of a grievance regarding education and the expenditures of the Department of Education and the capital costs to build new schools that are indeed in need -(interjection)- everyone seems to want to get my opinion on why they perceived I voted for concurrence.

An Honourable Member: You were here.

* (1650)

Mr. Lamoureux: I did not vote for concurrence. Concurrence passed, Mr. Speaker. They have one thing on mind, and if I was the NDP or the Government I would try and forget about Monday evening. I do not plan to let Manitobans forget, I plan with every opportunity I get to let people know that the third Party in this Chamber was a jellyfish, because I cannot use the phrase gutless. They were a jellyfish when it came to being put forward questions on this Government.

I think the best example is through Workers Compensation. The Minister of Workers Compensation was inside this Chamber when the Workers Compensation Estimates came up. What did the NDP say? No, no, Mr. Chairperson, we do not want to ask questions on Workers Compensation. That is what they said during the Estimates. Then what happens? The Minister responsible says that he would be willing to answer questions. If the NDP does not want to ask them, he is willing to answer questions from the Liberal Party, from the official Opposition. What was the response from the NDP? No, no, no one can ask questions about Workers Compensation. They say they represent the workers of this province. Hogwash, Mr. Speaker. That is not the Party that represents the workers of this province. It is the Liberal Party that represents the workers of this province. It is the New Democratic Party that represent a few when it comes to the union brass and that is about it.

No doubt they can say whatever they want, but when it comes to representing the workers in this province, it is the Liberal Party that represents the workers of this province. I am hoping that the NDP will see the light in this Chamber and realize that this too is an opportunity that they can put on the record comments regarding this Government's budgetary expenditures.

Their failure to agree to go into concurrence and ask questions—

POINT OF ORDER

Mr. Cowan: Point of order.

Mr. Speaker: Order, please. The Honourable Member for Churchill, on a point of order.

Mr. Cowan: Thank you, Mr. Speaker. I rise on a point of order even though we are happy to see the Member for Inkster (Mr. Lamoureux) awake, and we are surprised to see him actually understanding what is happening around him. He is violating the rules in respect to Citation 316 of Beauschesne's which says: "Besides the prohibition contained in S.O. 35, it has been sanctioned by usage that a Member, while speaking, must not reflect upon the past acts and proceedings of the House."

Now we have allowed him a bit of latitude because we know he has to get it out of his system. I think that he has gone beyond the point where we can sit idly by and let him so blatantly abuse the rules of the House, and we should call this matter to his attention.

Mr. Speaker: Order, please. The Honourable Member for Thompson.

Mr. Steve Ashton (Second Opposition House Leader):

I am also rising on the point of order, because I do believe that the Member for Inkster (Mr. Lamoureux) has broken another rule, which is not to revive debates that have already been concluded. I just reviewed Hansard from Monday night. I just want to remind the Member for Inkster (Mr. Lamoureux) that he was present when the concurrence motions were—he is registered in Hansard as indicating—

Mr. Speaker: Order, please; order, please. That is a separate point of order. We have one point of order on the floor right now, and we will deal with that point of order first of all.

The Honourable Member for Osborne (Mr. Alcock), on the same point of order raised by the Honourable Member for Churchill (Mr. Cowan).

Mr. Reg Alcock (Opposition House Leader): No, I will speak on the point order for the Member—

Mr. Speaker: Order, please. The Honourable Member for Thompson (Mr. Ashton) does not have a point of order.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. Do you want to speak to the point of order raised by the Honourable Member for Churchill (Mr. Cowan)? The Honourable Member for St. Norbert.

Mr. John Angus (St. Norbert): Mr. Speaker, it seems to me that you should take under consideration that we are deliberating the passage of a very important Bill, and it is not unusual for Members of the House to discuss the historical significance of these Bills and how that Bill has arrived at this particular position. I am sure that you will find that the Member is in order.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. We will dispose of the point of order raised by the Honourable Member for Churchill (Mr. Cowan), which was according to Beauschesne's Fifth Edition, Citation 316, which says: "Besides the prohibitions contained in S.O. 35, it has been sanctioned by usage that a Member, while speaking, must not refer to any debate of the same session on any question not then under discussion."

I remind the Honourable Member for Inkster (Mr. Lamoureux) that what he is referring to was passed the other evening. I have recognized the Honourable Member to speak to Bill No. 99, and I would ask the Honourable Member to keep his remarks relevant to that.

Mr. Speaker: On a new point of order, the Honourable Minister of Finance.

Mr. Manness: Mr. Speaker, my apology for regaining your attention through a point of order, but I am

wondering if there might be leave of the House to waive the Rules and to continue this good debate on Bill No. 99 through till six o'clock. I wonder if there might be leave to do it.

Mr. Speaker: Is there leave to waive Private Members' hour? No, there is no leave.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order. Order, please. On that point of order, the Honourable Member for Osborne.

Mr. Alcock: Mr. Speaker, there are a number of Bills that stand before the House that we have been wanting to raise. I had been speaking to the Minister about that very matter a few minutes ago and until we hear what is going to happen with them we would like the opportunity to debate them.

Mr. Speaker: Order, please. The Honourable Member does not have a point of order. There is no leave granted to waive Private Members' hour.

Mr. Speaker: The Honourable Member for Churchill, on a new point of order.

Mr. Cowan: Mr. Speaker, on a new point of order.

Mr. Speaker: On a new point of order.

Mr. Cowan: I appreciate the fact that the Liberals do want to muzzle the Member for Inkster (Mr. Lamoureux) in his speech by not granting leave. However, I refer back to the point of order by the Member for St. Norbert (Mr. Angus). I missed part of his comments respecting the speech on the part of the Member for Inkster and I would just asked him to clarify, did he say that speech was a historical analysis or a hysterical analysis?

Mr. Speaker: Order, please. I have already ruled on that point of order.

Mr. Lamoureux: I think we have really hit a nerve on the third Party of this Chamber. The Member for Churchill (Mr. Cowan) has had to go into Beauséjour's and had to dig really far and sure enough the Member for Churchill came up with the resolution. He came up with a citation which he can quote from in which the Member for Churchill refers to many different Bills that have concluded in this Chamber. I do not want to reflect on your ruling in fact, Mr. Speaker, but I will remind the Member for Churchill that what applies to one Member applies to all Members in this Chamber even though I know what I am saying hurts the Member for Churchill and the third Party in this Chamber.

* (1700)

Mr. Speaker, the third Party in this Chamber really wants five o'clock to come quick. They are asking for

the hook and the whole nine yards. They are really irked.

Mr. Speaker: Order, please. The hour being 5 p.m., I am interrupting the proceedings according to the Rules. When this matter is again before the House, the Honourable Member for Inkster (Mr. Lamoureux) will have 20 minutes remaining.

PRIVATE MEMBERS' BUSINESS

Mr. Speaker: The hour being 5 p.m., time for Private Members' Business.

ORDERS FOR RETURN, ADDRESSES FOR PAPERS REFERRED FOR DEBATE

Mr. Speaker: On the motion of the Honourable Member for Churchill (Mr. Cowan), standing in the name of the Honourable Minister of Housing (Mr. Ducharme). Stand.

Is there leave that this matter remaining standing? Leave. Agreed.

Mr. Speaker: On the motion of the Honourable Member for Osborne (Mr. Alcock), standing in the name of the Honourable Minister of Rural Development (Mr. Penner), who has 14 minutes remaining. Stand.

Is there leave that this matter remain standing? Leave. Agreed.

The Honourable Member for Inkster, who has six minutes remaining. The Honourable Member for Inkster.

Mr. Kevin Lamoureux (Inkster): Thank you, Mr. Speaker. I wonder how long we are going to have to wait before the Government stands up to address this particular order for address, but like many other Bills we find in this Chamber they seem to want to procrastinate and procrastinate and procrastinate and sneak around in different manners. The Member for St. Vital (Mr. Rose) uses the word "arrogance," and I think it fits quite well.

The goods and services tax is going to have a very dramatic effect on the province here in Manitoba. Several weeks ago I had met with a group of my constituents. One of the discussions we had was going to be the impact on the goods and services tax on the daily lives.

Some Manitobans are of the opinion that this 7 percent goods and service tax is what the province was bringing forward, that it is just the same thing as the provincial sales tax.- (interjection)- The Minister of Finance (Mr. Manness) has asked me if I corrected him. Yes, I did. I did correct him. I did tell him it was a federal Conservative Government in Ottawa that was putting in that particular tax. The Minister of Finance might be also interested in knowing we also talked about the Fiscal Stabilization Fund too. Needless to say, they were not impressed about either of them to be quite honestly and frank.

The GST is a tax that is going to affect every Manitoban, not only every Manitoban, it will affect every person in Canada. We are now going to be looking at an additional tax that is going to be put on virtually all items that we purchase no matter where we go, to get a haircut, to go to McDonalds, to buy a couch, to buy a car, services, lawyers fees, whatever it might be. We are now going to have to start paying a sales tax.

The tax itself was brought in by the Government, and they were asking to bring in this tax. This tax was to replace the manufacturing tax. They are going to drop the 13 percent manufacturer's tax, replace it with the at one time 9 percent that has been dropped down to 7 percent and call it as a much fairer tax, give the business people a break.

Mr. Speaker, I think all Parties in this Chamber have recognized, or at least at the national level have recognized, the manufacturing tax as somewhat of an unfair tax even though the Leader of the third Party in Ottawa has come out somewhat unclear in terms of what she thinks of this particular tax. It was actually reported on when she was down here. The Member for Concordia (Mr. Doer) could probably elaborate on that if he so chooses.

Mr. Speaker, the bottom line is that what we are asking for is the Minister to bring forward some papers that have been requested from the Member for Osborne (Mr. Alcock). We look at really what the Member for Osborne is asking for, and it goes: a copy of the report on the impact of the goods and services tax on the provinces recently prepared jointly by the provincial Deputy Ministers of Finance, and a copy of the study commissioned by the provincial Finance Minister from the Conference Board of Canada on the regional impacts of the goods and services tax.

I would have to put forward the question of why this Government does not feel it is proper to have an informed Opposition in this Chamber. Are they trying to hide something, Mr. Speaker? Is there something that has gone on that might be in this report that the Member for Osborne (Mr. Alcock) has requested that they might agree with, but they do not want us to have it because if we have it, we could ask questions regarding it to the Minister of Finance (Mr. Manness)? He might feel he is in an awkward position. We know at the onset there was a bit of an awkward position between the Minister of Finance and the Premier (Mr. Filmon) of the province.

Mr. Speaker, the Member for Osborne (Mr. Alcock) does have a very legitimate question. I would like to know why the Government refuses to give us the answers. It is now before us for debate. It has been before us for debate, and it has been sitting in the Minister of Housing and Urban Affairs' (Mr. Ducharme) name for quite some time now. I have to ask why the Government, if they do not want to answer the question or they do not want to supply us the information, they do not want to stand up and tell us why they are denying us access to this information.

They sure know how to balk if we are holding up any business, Mr. Speaker. Does not the same principle apply to the Government of the Day, that they should

be speaking also on Orders for Return, on resolutions, on Bills? We are not asking for much. I think it is a very reasonable request. I think it will help the official Opposition. I do not know if anything will ever help the third Party in this Chamber.

I am sure, Mr. Speaker, Manitobans would benefit by this Government being a bit more open, by this Government telling us a bit more what they do know about the goods and services tax. Why do they not want to tell us? The Minister of Finance (Mr. Manness), I believe, does not want to tell us because he does not want us to know—

Mr. Speaker: Order, please. The Honourable Member's time has expired.

PROPOSED RESOLUTIONS

RES. NO. 37—SUPPORT OF SMALL BUSINESSES

Mr. Speaker: Resolution of the Honourable Member for Elmwood, Resolution No. 37, Support of Small Businesses. The Honourable Member for Thompson.

Mr. Steve Ashton (Thompson): Mr. Speaker, I was wondering if I might have leave to introduce this resolution on behalf of the Honourable Member for Elmwood (Mr. Maloway).

Mr. Speaker: Would there be leave of the House to allow the Honourable Member for Thompson to introduce Resolution No. 37 for the Honourable Member for Elmwood? Agreed? Agreed. The Honourable Member for Thompson.

Mr. Ashton: Thank you, Mr. Speaker. I move, seconded by the Honourable Member for Concordia (Mr. Doer), that

WHEREAS small businesses have created over 90 percent of all new jobs in Manitoba over the past five years; and

WHEREAS a strong small business sector is essential if Manitoba is going to grow and prosper in the years ahead; and

WHEREAS in order for small businesses to succeed in this province there must be provincial acknowledgement and support of their endeavours; and

WHEREAS laws respecting mandatory registration of business names were enacted to protect businesses who have established in this province; and

WHEREAS there have been instances of large firms from other jurisdictions opening branches in this province and then attempting to force Manitoba firms to abandon their hard-won reputable names; and

WHEREAS it is incumbent upon the provincial Government to ensure that the laws of the province are upheld; and

WHEREAS the Minister of Justice has refused, for over a year, to prosecute a national firm which has refused to properly register in this province; and

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WHEREAS Brick's Fine Furniture has been forced to spend thousands of dollars defending its name, despite having been in business in Manitoba for 25 years; and

WHEREAS by abdicating his responsibility to uphold the law, the Minister of Justice is putting in jeopardy the reputation and future of many other small businesses.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba request the Minister of Justice to immediately uphold all Manitoba laws; and

BE IT FURTHER RESOLVED that this Assembly request the Minister to issue a public statement that he will uphold The Business Names Registration Act and the Government of Manitoba will actively support established Manitoba firms.

MOTION presented.

* (1710)

Mr. Ashton: Mr. Speaker, I would like to thank Members of the House for giving leave to allow me to introduce this resolution. It is an important resolution and ironically it is a resolution that deals with small business. I do not believe I am giving away any secrets if I indicate that the Member for Elmwood (Mr. Maloway) is dealing with a small business matter that affects his own small business today, February 28, and that is why he is unable to attend. In fact, unfortunately, it is probably about the worst day of the year in terms of the particular business he is operating on, and of course I refer to the fact that today is the deadline date for Autopac. I appreciate the indulgence of Members of the House in allowing this matter to be raised today.-(interjection)-

I want to indicate, as the Member for Concordia (Mr. Doer) has indicated, that we have a number of small businesspeople in our caucus. We may even have the highest percentage of small businesspeople of any caucus at the current time.-(interjection)-

Yes, for the Minister of Finance (Mr. Manness) in the Conservatives, we have a significant number of our individuals, either themselves or members of their family are directly involved in businesses. I can think of at least five or six, depending on what one defines as a small business. We have half of our caucus through, either themselves or their families, who are involved in small businesses, and that is I think a very high percentage. It has given us a unique insight in terms of the concerns facing the small business sector of this House.

I found it interesting, Mr. Speaker, that we had an individual yesterday at a committee on another Bill who had suggested that Members of this House who did not have two or three million dollars to invest in a globally driven business somehow should not be commenting on the subject matter of that Bill. In that case it was final offer selection. While there may not be many Members of this House who have \$2 or \$3 million to invest in a business, there are many others who, either directly or through their families, have been involved in small business either in the past or are

currently involved. I believe it does give us an opportunity to recognize the unique situation, the unique difficulties that face small businesses in this province.

I am referring in this particular resolution to one particular example.-(interjection)- Well, Mr. Speaker, for the Minister of Energy and Mines (Mr. Neufeld), if he wishes to participate in the debate on small business in this province, I look forward to his contribution. If that Minister does have a concern for small businesses, I hope he will support this resolution.

This resolution deals with the type of scenario that, I believe, most clearly demonstrates the problems small businesses can run into. Just look at the situation that is occurring. You have two firms, an indigenous firm, a Manitoba firm that was referenced in the resolution as having registered its name here in Manitoba, been in business for many years, Brick's Fine Furniture.

I have taken the opportunity, by the way, Mr. Speaker, to visit the particular store in question and talk to the owners. They have taken the time to come to this Legislature. They have talked to the Government, they have talked to the Liberals, they have talked to us about the situation they are facing, an indigenous Manitoba firm, as I said. A national firm that has a similar name, Bricks, has been able to come into Manitoba and force Brick's Fine Furniture, a firm that has been in operation for many years in this province, to have to spend literally thousands and tens of thousands of dollars to be even able to use their own name, their own business name, their own trading name. That is the issue they are facing. It is not unique.

Over the period of time, and thanks in large part to the work of the Member for Elmwood (Mr. Maloway), many other businesses have come forward and said they are in the same situation. It is unfortunate, and I believe if one was to look, there are probably even more that have come forward and identified, were potentially threatened by the type of situation we have seen dealt with in this particular case.

There are many firms who have names they feel are theirs or they have a proprietary name—they even registered those names—who could be threatened by this particular situation. There are even other businesses who probably have taken a name and are not really aware of the fact that someone else may come in and register it.

There are many firms that do not have a registered name in this province. Yet when one looks at the functioning of a small business, the name is in a very large way a very important part of the value of the firm, the goodwill, and they could be threatened by that. That is not uncommon. It is not uncommon for businesses, of course, to pick a name that has been used by another company in another jurisdiction, and so long as there is not a competition, a competing use of that, I do not see a particular difficulty.

The problem you run into, and the problem you have run into in this particular situation in regard to Brick's is here you have a Manitoba firm that has been using the name. You have a national firm that is coming in and attempting to try and surpass the needs of that

particular firm. I raise that because that scenario could happen on an increasing basis.

This resolution was tabled in this House a number of months ago, Mr. Speaker. It references the fact that the Attorney General (Mr. McCrae) has done nothing to deal with the Brick's situation in over a year. In fact, that is a considerably longer period of time at the current time. The Attorney General has steadfastly refused to go to the support of our own small business in this particular case, in terms of Brick's Fine Furniture. The Attorney General in the House has indicated he will not do that.

The Attorney General has indicated in discussions with members of the press that he will not do that despite the repeated attempts of the Member for Elmwood (Mr. Maloway) who understands firsthand what it is like to operate a small business in this province.

Despite that, we are faced with a situation where we have to introduce this resolution today. I would love to see us have no need to introduce this. I would have thought, Mr. Speaker, given the time it sat on the Order Paper, given the time we waited to reach the 37th resolution on the Order Paper in this Session, I would have thought that the Attorney General (Mr. McCrae) could have taken the initiative in particular to enforce the current laws in Manitoba. Enforce the laws to ensure that our local businesses are protected when it comes to name registration. Unfortunately the Attorney General, the Minister of Justice, has not done that and that is why we still need to discuss this resolution.

I look forward, as we debate this resolution, to the contributions of the Liberal Members. I hope that they will support the Member for Elmwood (Mr. Maloway) and our caucus on this particular issue.

An Honourable Member: They likely will.

Mr. Ashton: Mr. Speaker, and the Minister of Natural Resources (Mr. Enns) says, they likely will. I just hope and I look to the Member for Inkster (Mr. Lamoureux) at this time. Now is the time to debate, to the member for Inkster, if he wishes to debate on this. When the Speaker says, are you ready for the question, that means there is a vote and following that, if the Member for Inkster wants to vote for or against the resolution, he is able to do that. I raise that because, based on the speech of the Member a few minutes ago in having gone back and looked over what happened on Monday, I do believe that the Member for Inkster has perhaps forgotten what happened on Monday, if he ever knew what was happening in the first place. I am trying to be helpful to the Member for Inkster.

An Honourable Member: Are you the Member for snarkiness?

Mr. Ashton: I am sorry, I am trying to assist the Member for Inkster, a rookie Member after two years. I am assuring him that we want to make sure they know when the vote takes place on this particular resolution.

POINT OF ORDER

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

Mr. Kevin Lamoureux (Inkster): On a point of order, Mr. Speaker. I believe the Member for Thompson (Mr. Ashton) was here when the Member for Churchill (Mr. Cowan) was giving a point of order, and he cited Beauchesne's, I believe it was 613. I believe you might want to use that same citation from his colleague from Churchill and maybe the Member for Thompson will be somewhat relevant. I know he finds it tough at times.

Mr. Speaker: I would like to thank the Honourable Member for Inkster, and I would remind the Honourable Member for Thompson to keep his remarks relevant to the question before the House, the support of small businesses. The Honourable Member for Thompson.

Mr. Ashton: Mr. Speaker, I apologize. I was just trying to assist the Member in knowing what to do on this Bill when we receive the vote.-(interjection)- Well, the Member for St. Vital (Mr. Rose) says they do not need assistance from the NDP. I think they need assistance from a higher authority after what happened on Monday. They need help; boy, do they need help.

As I was saying, on the resolution on Bill 37 - (interjection)- Pardon me? -(interjection)- I believe my Leader is listening intently to this speech, and I hope the Member for Fort Rouge (Mr. Carr) will listen intently as well. I believe this is an important resolution - (interjection)- Well not likely, says the Member for Wolseley (Mr. Taylor). I know it is not likely. We have seen the Liberals in the last number of days have had some difficulty in paying attention to what has been happening in this House, but this is an important resolution and I would hope that the Member for Fort Rouge, the Member for Wolseley—

(Mr. Helmut Pankratz, Acting Speaker, in the Chair)

An Honourable Member: That is why you ask so many questions—

Mr. Ashton: Mr. Acting Speaker, the Liberals keep wanting to talk about the current—They are trying to distract me from Bill 37 -(interjection)- The Member for Wolseley keeps talking about how many questions we asked on concurrence. They asked zero and they talk about how many questions were asked on concurrence. The Speaker before asked that we stick to the relevancy of the Bill -(interjection)-

* (1720)

If the Member for Wolseley wants to debate other topics, we have given leave. We were willing to give leave to continue the debate so the Member for Inkster and other Members of the House could debate the type of issue that the Member for Wolseley is so concerned about. I am quite willing to do that for the Member for Wolseley. I believe that we can pass this resolution. We can revert to that. I believe, for the Liberal Members, if they wish to deal with this resolution expeditiously, we can do that.

I would note, it is interesting, Mr. Acting Speaker, how vocal they are today on Wednesday, in comparison to their silence a number of days ago. I hope that since they are in the mood to participate, since they seem to have some idea of what is going on, that they will participate in the debate on this resolution, and that they will assist us in passing what is a very important resolution through to the final stage in getting a statement of this Legislature on the matter that affects small business.

I look, Mr. Acting Speaker, not just to the Liberals; I look to the Conservatives as well. I really believe there is some room for them even to support this matter, or even perhaps the best thing would be if the Minister of Justice (Mr. McCrae) could stand in his place.—(interjection)— Well, I am not sure, to the Member for Concordia (Mr. Doer), if he will vote for the resolution, but he could take away the necessity for this resolution if he would stand in his place right now and say that he is going to act on behalf of Brick's Fine Furniture. He could save us the bother of having to debate this resolution.

In fact, I will say right now, if the Minister of Justice wishes to stand on his feet this minute and say that he will follow through on what this resolution says, what I believe it is going to be, what I hope is going to be at least a consensus of this Legislature. I do not believe we even need to put it to a vote, because what is important is not that Resolution 37 be passed, what is important is that the Minister of Justice, who has responsibility for the laws of this province and should have some concern for small businesses in this province, the only important thing is that he act. This is the only way, Mr. Acting Speaker, that we can have this Member put on the spot, the only way that we can have him made accountable, the only way that we can have him take action.

We cannot pass a Bill that says he has to enforce current legislation. It cannot be done. We have asked questions in the House; he has not responded satisfactorily. This is the only mechanism we have. I ask, Mr. Acting Speaker, not for my sake or that of the Member for Elmwood (Mr. Maloway) who moved this resolution. I ask not for the sake of any Member of this Legislature. I ask for the sake of the small businesspeople in this province who are concerned, starting with Brick's. Will the Minister of Justice please act on their behalf? Will he not take action? Will he not act on behalf of the many other small businesses who have indicated concern about their potential losses, the loss of their names, their trading names?

In this case, we are dealing with a name which is the family name, which the family business has been unable to use. Will he not act on their behalf? Will he not act on behalf of the many people in the future that could just as equally be threatened in terms of the loss of their trade in it. We all know, in terms of small business, that the name that one has in a business is identified very much so with the type of business one has. It is a major, significant part of one's good will in any industry, the amount of business that one has developed, the reputation that one has developed and the economic impact that has.

So I ask the Minister of Justice (Mr. McCrae), I ask him in all fairness, and I indicate that if he finds any difficulty with the resolution that is—and I bet it is—critical of him, will he please stand in his place now, commit to act on behalf of Brick's Fine Furniture, act on behalf of the other businesses, ensure this does not happen again? I believe, then, that we can, by leave, perhaps uniquely in this Session, take a resolution and agree not to pass it, not to deal with it, not to vote against it, because it is a good resolution, but we can agree not to deal with this resolution at this point. I would hope, Mr. Acting Speaker, that the Minister of Justice would do that, because I believe it would be a sign that there is some hope in terms of the current Minister of Justice, in terms of listening to the small businesses. Do not do it because it is introduced by us or discussed in this Legislature. Please listen to the small businesses of this province who are saying they support this resolution, and they want the Government to take action. Thank you, Mr. Acting Speaker.

COMMITTEE CHANGE

Mr. Kevin Lamoureux (Inkster): Mr. Acting Speaker, I have a committee change.

The Acting Speaker (Mr. Pankratz): Does the Member for Inkster have leave to make some committee changes? Agreed. The Member for Inkster.

Mr. Lamoureux: I move, seconded by the Member for St. Vital (Mr. Rose), that composition of Law Amendments be amended as follows: Fort Garry (Mr. Laurie Evans) for Wolseley (Mr. Taylor). That is it.

The Acting Speaker (Mr. Pankratz): Okay, all agreed? Agreed. The Member for St. Norbert.

Mr. John Angus (St. Norbert): Mr. Acting Speaker, I would like to speak on this resolution. I have waited and looked for some indication that the Attorney General (Mr. McCrae) might stand to speak on this. More than anything, this resolution baits the question of an explanation as to why he has not done what appears on the face of the resolution as being the proper thing to do. I feel there must be some form of a reasonable explanation. I am sure the Attorney General (Mr. McCrae) is an honourable individual. Even though he is not a lawyer, he has been charged as the Keeper of the Great Seal, as the would-be Premier of the third Party mentions.

An Honourable Member: I could have been Premier.

Mr. Angus: Could have been; never was. Mr. Acting Speaker, I am reminded that the very seeds of democracy are designed to protect the interests of minority groups. We must always remember that we can never, ever afford, as a society, to become slaves to the big corporate interests, to the bottom line interests, nor can we ever afford to become slaves to the unions. There has to be room in the middle of the road for a commonsense approach.

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If we do not want to run the risk of snuffing out the entrepreneurial spirit, if we do not want to totally remove the incentive for individuals to start businesses, to pioneer businesses, to struggle and eventually succeed, with the hopes that they do become larger businesses, we have to stop stomping on the rights of the individual small businessman. We have to encourage them. This province is made up of small business people, and this particular firm simply represents, is symbolic of the small businesses in the province that need the support and the help of Government.

Rules and regulations are in place to protect the interests of the minority groups. I for the life of me do not understand how a firm can have these apparent protections in place and then have them run roughshod by larger business interests. I do not believe that most large business people have that mercenary a heart. I do not believe that they have that much of an effort or that much of a need to support, to prop up their business interests that they have to do it by clambering over the interests of small business people.

* (1730)

Mr. Acting Speaker, the bated question that remains unanswered is an explanation from the Attorney General's Department as to why they are not going to invoke or protect the rights of these individuals. If they have a legal opinion that says that they are not able to protect these people, if they have some legal wrangling that they can hold up that says they do not have to protect the interests of these people, if they do not have any concerns about anybody starting a company and calling it whatever they want, if they have any position on this, it would be better to hear what it is than to hear the vacuum of silence on behalf of small business people that we are getting from the present Attorney General.

Mr. Acting Speaker, it is incredible that they will not stand up and speak on behalf of the best interests of these individuals. For the life of me I do not understand that. So with these few concerns on the record of support for the small businesses in Manitoba and for the Attorney General (Mr. McCrae) to do the right thing in relation to the request from this resolution and to be ever vigilant about the protection of organizations and firms such as the Brick's Fine Furniture, I will close my remarks with encouraging the Attorney General to either comment on this particular resolution and/or pass it. Thank you.

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Acting Speaker, I am pleased to have the opportunity to rise in the debate today in support of small businesses. This resolution speaks about small businesses in glowing terms and talks about Members of this Legislature providing support for that sector of our economy.

While I agree with a number of the sentiments expressed in this resolution, I must say I find it passing strange, somewhat incredible, that such a resolution should stand in the name of the Honourable Member for Elmwood (Mr. Maloway). He begins his resolution by saying that small businesses have created over 90

percent of all new jobs in Manitoba over the past five years. It is those same small businesses that the Government, supported by the Honourable Member for Elmwood, has taxed through the so-called health and education levy, better known as the jobs tax or the payroll tax.

The New Democratic Party is the Party that, on the one hand, wants to put forward resolutions in support of small business, while on the other hand support taxes that are a direct disincentive to the creation of jobs. Now to their credit I have to recognize that the Members of the New Democratic Party, under its new directions and under its new leadership, has seen fit to support this Government in its efforts to remove those kinds of disincentives in our budgets.

I refer specifically to the latest reduction in the payroll tax proposed by the Minister of Finance (Mr. Manness) and supported by the New Democratic Party in regard to our last budget. I wish I could say the same thing, Mr. Acting Speaker, about Members of the Liberal Party in this House who saw fit to vote against that kind of relief for the small business sector in our province. I take it Honourable Members in the Liberal Party are going to be quick to rise in their places to support all of these high-sounding words and phrases respecting the small business sector in our province.

Well, words and phrases are all very nice, and I used to talk about the words and phrases used by the NDP when they were in Government, and maybe I will have an opportunity to get back to some of those words and phrases, but words and phrases alone is not enough. To have the courage of one's convictions one has to be prepared to rise to one's feet to support measures that have the effect of ameliorating difficulties for the small business sector and that have the effect of creating a vibrant small business economy in our province.

So where then were Members of the Liberal Party when they had the opportunity to rise to their feet and vote in favour of tax reductions in the payroll tax for the small business sector. Mr. Acting Speaker, they sat in their seats, they waited for the time to rise and say no to that kind of tax relief, they said no to that. They also said no, we do not want to see people's personal income taxes reduced in this province, we want to see our spending programs go forward, we want to see the people taxed and taxed and taxed some more.

Indeed, with the \$100 million worth of additional spending urged upon us by the Liberal Members each man, woman and child in this province would be subjected to an additional \$1,000 per year of taxation. I say if that is what the Liberal Party stands for, if I had ever voted for the Liberal Party in the past, I sure would not want to be doing that again, Mr. Acting Speaker, because people in this province are paying enough today to support Government services and they are not prepared to see Governments be as profligate as Honourable Members in the Liberal Party would urge us to be.

Now that is a major concern I have about Liberal positions and maybe positions taken by the New Democrats are starting to turn around. Now some of

the things in this resolution are not the kind of thing that I am prepared to go along with, but I do see some indications here that the NDP is learning from the terrible experience it suffered in April of 1988.

The second WHEREAS put forward in the resolution says that a small business sector is essential if Manitoba is going to grow and prosper in the years ahead. Again I say, congratulations to the Honourable Member for Elmwood (Mr. Maloway), he has awakened, he has opened his eyes to a reality in our province, a reality that has been the reason for the existence of this province, for the reality that is the reason for all of the amenities that we enjoy in this province. The reason that we have the quality of life that we have in this province is that there has been a recognition in the past that the small business sector is indeed essential if Manitoba is going to grow and prosper in the years ahead. During those years when the New Democrats were in power there was reason to be concerned about the years ahead, and that is what the 1988 election was all about, a decision to be made about what the years ahead were going to mean to our people.

The third WHEREAS, Mr. Acting Speaker, says that in order for small businesses to succeed in this province there must be provincial acknowledgment and support of their endeavours. Well, here again, I can only refer to the support brought forward in the last budget by the Minister of Finance (Mr. Manness) and other measures of support for the business sector in our province that would help lead to a better future for ourselves, for our children, and even our grandchildren and beyond.

Again, I have to express some dismay at the position taken by Members of the Liberal Party. It is good for the small business community which creates 90 percent of the jobs in this province. It is good for that sector of our economy if we can reduce personal income taxes, if we can keep the deficit down, if we can reduce the payroll tax and if we can hold the line on taxes. That is good. Why then do Members of the Liberal Party oppose such measures? Why do they do that, Mr. Acting Speaker?

Here again I know it is hard for the New Democrats to support Conservative measures. I understand that. We all know about the differences between the New Democrats and the Conservative Party but to their credit, when they see something that is worth supporting, they supported it.

Where were the Liberals and whose interests did they put first? Did they put first the interests of the small business community which fuels our economy, which runs our hospitals, which runs our schools, which runs all of our social services? What attention did the Liberals give to that sector of our economy when they stood to their feet to vote against all of those measures—reductions in taxes, reductions in deficit, holding the line on spending—all of those things that are important to an economy that knows where it is going and is stable, so that plans can be made? Where were the Liberals then, Mr. Acting Speaker? They said, no, we are not going to support these tax cuts. In fact we think you should be spending \$100 million more. I say that means, in terms of taxation and how you

are going to support all of those urgings, it takes \$1,000 for every man, woman and child in this province to finance the demands of the Liberal Party.

It is a real problem for me to understand how Liberals can sit in this House day after day, even rise in their places and even give any kind of lip service, or any kind of service to those sectors of our economy that need the kind of budgeting that we got last year from the Minister of Finance (Mr. Manness). It is very unfortunate indeed that the Liberal Members of this House saw fit to vote in the way they did.

* (1740)

The rhetoric is all lovely, nice to hear. It is music to the ears sometimes, but that is all it is. At least Members of the New Democratic Party, of course the Members of the Progressive Conservative Party, had the courage to say those are the kinds of measures Manitobans want. Those are the kinds of measures we need to ensure a better future for all of us. The Liberals said no, we are more worried about the future of the Liberal Party.

We all know the position of the Leader of the Liberal Party on these issues. I can put it in quotation marks if you like, Mr. Acting Speaker, but that was that Sharon Carstairs does what is good for Sharon Carstairs; we all know that is what is good for the Liberal Party, hopefully, she says. That is the prime motivating factor behind the Members of the Liberal Party. Rather than giving lip service to the small business sector and other sectors of our economy, they might want to stand to their feet once in a while and vote that way, rather than just the lip service.

I see I am being interrupted by perhaps some kind of point of order—

Mr. Angus: Mr. Acting Speaker, I wonder if the Attorney General (Mr. McCrae) will permit a question on why he will not uphold the laws of the Province of Manitoba as irrelevant to the Bill. I ask him that, if he will permit it now or perhaps permit it at the end of his deliberation.

Mr. McCrae: If the Honourable Member and his colleagues in both Parties are prepared to grant leave at the end of my comments to provide the time for me to answer a question by the Honourable Member, I would be more than delighted to answer the Honourable Member's question. I hope he will be on his feet to ask for that leave to be given to me, so that I can answer the question.

Mr. McCrae: Mr. Acting Speaker, perhaps the Member, in his own special kind of way, is trying to ask me to get to the point of some of the other WHEREASES in this resolution. I will take that mild rebuke and his urging and get on with that. It says here also that laws respecting mandatory registration of business names were enacted to protect businesses who have established in this province. No problem with that.

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Whereas there have been instances of large firms from other jurisdictions opening branches in this province and then attempting to force Manitoba firms to abandon their hard-won reputable names. I think this brings us to the point that perhaps the Honourable Member for Elmwood (Mr. Maloway) had in his mind when he drafted this resolution, and that is the situation facing Fred and Cynthia Brick.

I certainly know Fred and Cynthia Brick fairly well, having dealt with them a number of times. I have met with them in my office and listened to their problems. On behalf of Fred and Cynthia Brick, I, as Minister of Co-operative, Consumer and Corporate Affairs, had occasion to travel strictly for this purpose, to Ottawa in March of 1989 to visit with the then federal Minister of Consumer and Corporate Affairs, the Honourable Bernard Valcourt.

It was on behalf of Fred and Cynthia Brick and the principles enunciated in this resolution that the Department of Co-operative, Consumer and Corporate Affairs and the Department of Justice has extended every effort to attempt to be helpful to these entrepreneurs in the City of Winnipeg, who have been in business for many years. It was for those people and the principles that stand behind the resolution before us that both of those departments have done a fair amount of work. Indeed, the work is not finished.

In a very co-operative way with the Bricks, we are seeking the assistance of the court with regard to the difficulties they face. We have deplored the difficulties they find themselves. We have studied this issue in great detail. We have obtained opinions about the federal registration laws, the Manitoba registration laws and the constitution of our country and been given certain opinions. Nonetheless, we feel that more work can be done on behalf of the Bricks and we are indeed doing that work.

(Mr. Speaker in the Chair)

I think it goes without saying that it is incumbent upon the provincial Government to ensure that the laws of our province are upheld. Day in and day out in the operation of my department, it is my responsibility to ensure that the laws of this province are being enforced. I take my duties very seriously and I work very hard at that.

The next whereas says that the Minister of Justice has refused for over a year to prosecute a national firm which has refused to properly register in this province. It is not a question of refusing. It is a question of doing what one can to support the small business sector of our province.

I know Honourable Members, some of the more partisan Members in this House, will take the difficulty that my department finds itself in, that the Government of Manitoba and potentially any other Government in this country would find itself in, in this type of circumstance, and they want to use it for partisan purposes. I suggest that does little to help Fred and Cynthia Brick. I think the best way for us to help Fred and Cynthia Brick is to continue to work with them as we are doing and to attempt by all reasonable means,

to resolve the problems that come between Brick's Fine Furniture and The Brick Warehouse.

Mr. Speaker, it says also that Brick's Fine Furniture has been forced to spend thousands of dollars defending its name, despite having been in business in Manitoba for 25 years. Well, we know that. That is another reason why the Government is being as careful as it can and being as helpful as it can to the Brick's in their present unfortunate circumstances.

I have a little trouble with the next WHEREAS. It says "by abdicating his responsibility to uphold the law, the Minister of Justice is putting in jeopardy the reputation and future of many other small businesses." I really must take offence at such language coming forward in a legislative document like this. I have certainly done nothing of the kind. I have attempted to be as accessible and pro-active as possible when working with the Brick's in attempting to resolve this matter.

Then it says BE IT THEREFORE RESOLVED that the Legislative Assembly request the Minister of Justice to immediately uphold all Manitoba laws. That one is worded a little strangely, but I thought that was what I had been doing since I assume office as Attorney General on May 9, 1988.

Mr. Speaker: Order, please. The Honourable Minister's time has expired. Order, please.

COMMITTEE CHANGE

Mr. Speaker: The Honourable Member for Inkster, with his committee change.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, with a committee change. I move, seconded by the Member for St. Vital (Mr. Rose), that the composition of Public Utilities and Natural Resources be amended as follows: Wolseley (Mr. Taylor) for Burrows (Mr. Chornopyski); Springfield (Mr. Roch) for Fort Garry (Mr. Laurie Evans). Thank you.

Mr. Speaker: Agreed? Agreed. The Honourable Member for St. Norbert.

Mr. Angus: Mr. Speaker, I wonder if I may have leave to ask a question of the Attorney General in relation to the resolution he just spoke on.

Mr. Speaker: Is there leave of the House to allow the Honourable Member for St. Norbert an opportunity to ask the Honourable Minister of Justice (Mr. McCrae) a question? Agreed. The Honourable Member for St. Norbert.

Mr. Angus: Thank you, Mr. Speaker. The resolution, on its face, laid some serious allegations at the foot of the Attorney General (Mr. McCrae). The Attorney General indicated he is doing everything possible to uphold the laws of the Province of Manitoba. It is a simple question. Who is right, and who is wrong? If the resolution indicates that you are not holding up the

laws of Manitoba, and you in fact say that you are holding them up, what are you doing in fact to help the Brick's maintain their credibility in their business and offset those expenses they have had? What action are you taking?

Mr. McCrae: Mr. Speaker, the Honourable Member talks about serious allegations. I take it he means the ones referred to in the proposed resolution, which I am not clear. I believe the Honourable Member, if push came to shove, would be prepared to support a document containing allegations, never mind finding out if they are true, will support allegations. We will support that forming part of the record of the Legislature of the Province of Manitoba, allegations that have not necessarily and, in this case, no foundation in fact. But here we are; we are ready to support allegations. There is nothing more typical of the Liberal Party than their willingness to support allegations. Rumour is enough for them to make all kinds of decisions and proceed in all kinds of paths. Innuendo is one of their favourite things, mere allegation is okay with them, too; as long as it sounds interesting, we can support it.

* (1750)

Mr. Speaker, that is no way to represent one's constituents. That is no way to pretend to the throne of the Province of Manitoba. That is no way to hold yourself out as a responsible representative of the public wheel. We can cite chapter and verse where allegation is the sole reason for being of the Members of the Liberal Party. Innuendo—if it were not for innuendo they might as well stay home, they do not need to be here. I can tell you, of all of the times the Member for St. James (Mr. Edwards) has brought forward information that is patently false, and then asks the Government to run around all over the place trying to follow up the leads he gives us that are nothing more than silly, silly allegations, Mr. Speaker, we are talking of silly. We get to the point of the Honourable Leader of the Opposition and the allegations that she raises in this House. Spurious as they come—

Mr. Speaker: Order, please; order, please. The Honourable Minister has had more than enough time to answer that question. The Honourable Member for Concordia.

Mr. Gary Doer (Leader of the Second Opposition): Thank you, Mr. Speaker. I want to speak briefly on this resolution because I think the House desires a vote. We would not want to stop that process from taking place.

I just want to cite briefly some cases in points in law of why we feel the Attorney General (Mr. McCrae), the Department of Justice has been indeed negligent and on the side of big business, not on the side of little business in terms of the facts of this matter. I would refer the Member to a couple of precedent cases. In John Deere and in Great West Saddlery where it has been proven in case law that the rights of the business name registered in Manitoba can indeed take away the right of the federal company to carry on business in the province.

That is the issue here: why is the Attorney General or Minister of Justice not using the case law in terms of John Deere and not using the case law in Great West Saddlery? In both of those cases, it is clear that the provincial laws can take away the right of a federal company to carry on business in the province. This must be distinguished from the capacity to carry on business which is endowed on the company by the federal legislation. The federal legislation creates a status and capacity of a company and gives it the status of a natural person.

To this extent, Mr. Speaker, the John Deere case, I would suggest that the Minister of Justice read the John Deere case and the Great West Saddlery case because they are good law. They are the most recent authority which does confirm the provincial authority to take away the right to carry on business in the same way that it could take away the right from that individual. I would refer the Member to those two cases and to the assessment of other constitutional lawyers because I think surely the Attorney General or Minister of Justice, the Keeper of the Great Seal would find that not only is he on good grounds legally to protect small business in Manitoba but as we believe he is on very good grounds to protect the small business of Manitoba morally over the large corporate group that is taking away the name or confusing the public on the name of the small business in Manitoba.

I would refer the Member to many of the case laws, and there are cases both legally and morally to proceed. That is why, Mr. Speaker, we are not satisfied unfortunately with the Minister of Justice's explanation. We have said that before. We will say it again. We believe that this House should have a free vote to speak up on behalf of free people and free businesses, small businesses in Manitoba on behalf of the people of this province. So let us vote on this resolution. Let us stand up for small business. Let us reject those corporate ties in big business. Let us represent the average family business in Manitoba and let us vote for fairness. Let us vote for justice. Let us vote with the Brick of Manitoba, and that is why we will support this resolution. Thank you.- (interjection)-

Mr. Darren Praznik (Lac du Bonnet): Well, Mr. Speaker, the Member for Concordia (Mr. Doer) talks about downtown Lac du Bonnet and I am really amused by that. I do not think he gets into Lac du Bonnet too often, because he told me a week or two ago, when the federal budget came down, that the federal budget would result in the closure of the hospital at Lac du Bonnet. There is no hospital in Lac du Bonnet, but then again if he wants to come out to my riding, I would be delighted to show the Member for Concordia around the riding. I have a great deal of respect for him, and I would love to take him around and introduce him to my constituents. It would be a pleasure and I extend that invitation to him.

I very much appreciate the opportunity to contribute to this debate on this particular resolution, because I think that it represents a frustration, not only on the part of the Bricks, on the part of the Member for Elmwood (Mr. Maloway), and indeed I think a frustration that is shared by all of us in this provincial Legislature.- (interjection)-

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Well, Mr. Speaker, I can tell you the Member for Concordia (Mr. Doer) talks about going to all those small french fry places, I will tell you when he comes in my riding and he has dinner in the blueberry patch in Grande Marais or wherever, I know about it usually within the day. So I'll be looking forward to him - (interjection)- Certainly, I will hear about it from my constituents.

Mr. Speaker, I am pleased to contribute to this debate because I think the crux of the issue on the whole Brick's decision or the whole Brick's issue, is what piece of legislation has paramourcy. We have our Business Names Registration Act in Manitoba under which the Bricks have asked that the province prosecute the Bricks Warehouse. There is also federal trademark legislation.

The dilemma that obviously has faced the Minister of Justice (Mr. McCrae) is whether or not a conviction will be upheld. It is my understanding now that there is discussion about a reference to the court in Manitoba, a reference that I think will at least establish whether prosecution will suffice and at least get it through that first stage, even though I would suspect it would end up in the Supreme Court of Canada, or will tell us whether the Government of Manitoba along with the Governments of other provinces will have to go to Ottawa and pursue this matter with the federal Minister of Justice.

It is a difficult question. I think everybody who has looked at this issue is sympathetic to what is happening to the Bricks of the Brick's Fine Furniture. They are very sympathetic to what those people have been through. It is a standard case of where we have this confusion in our legislation, in our law, and it has to be resolved. My greatest regret is it is being resolved by and large on the backs of Fred and Cynthia Brick, which is most unfortunate.

Indeed I say that in this House, from what I have seen of the actions of the Bricks Warehouse, I have very little sympathy for that company. In fact it would be a very long day indeed that I would shop in that store after the kind of actions they have taken as a

corporate citizen in this province. It is not exemplary. In fact it is not appropriate at all. I find it very disturbing. I would hope, Mr. Speaker, that the people of Manitoba, the consumers of Manitoba, are aware of their behaviour in this matter and will take appropriate action and not patronize them for being the kind of corporate citizens that they have demonstrated.

I would hope that this issue is going to be resolved quickly. I have spoken on the Bills that Mr. Maloway, the Member for Elmwood, has introduced into this House, Mr. Speaker, with respect to this matter, changes to Manitoba legislation. I have been very sympathetic to his Bills. I think he is very sincere in bringing this issue forward. I think that it represents a frustration that we have all felt in that we have this problem and this dilemma in our federal and provincial legislation. I would suspect that a court is probably going to uphold the trademark legislation. I have some trouble with that. That is not going to resolve the issue with the Brick's and it ultimately is going to, in my belief, end up before the Parliament of Canada with amendments to The Patents Act, The Trademarks Act, to ensure that provincial jurisdiction in place names is very clear and very well-defined. If that is what can happen and happen quickly, I think that will be a progressive and will be a good step for all of us in this country, indeed all of us in provincial jurisdiction.

Again, Mr. Speaker, I say on this side of the House we have great sympathy for what is happening to Fred and Cynthia Brick. I think we as Manitobans cannot take any solace or any pride in the way this whole thing is played out. Not because the Minister of Justice or the people in the Department of Justice do not want to help Fred and Cynthia Brick. Not because anyone is trying to stand up for—

Mr. Speaker: Order, please. I am interrupting the Member according to the Rules. When this matter is again before the House, the Honourable Member will have nine minutes remaining.

The hour being 6 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. tomorrow (Thursday).