

## LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, December 18, 1989.

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

\* (1335)

### ORAL QUESTION PERIOD

#### Robert H. Smith School Child Care Spaces

**Mrs. Sharon Carstairs (Leader of the Opposition):**

Mr. Speaker, on Thursday of last week, in response to a question from the Member for Sturgeon Creek (Mrs. Yeo), the Minister of Education (Mr. Derkach) stated that there had been no change in his department's policy and the provision of child care spaces in schools. The designed work for the Robert H. Smith School is now already well under way and to date no decision has been made as to whether funds will be available to build the child care; this, despite requests from Winnipeg School Division No. 1 to that effect, and a policy which has been in place since March of 1986. The day care has been trying in vain to get answers from the Minister of Education (Mr. Derkach) and the Minister of Family Services (Mrs. Oleson).

My question is to the Minister of Education. On Thursday he indicated there was no change in school policy and yet, Mr. Speaker, in a letter to the Munroe Day Nursery, the Minister of Family Services (Mrs. Oleson) states that the child care policy in schools is currently under review by both her department and the Ministry of Education. Who are we to believe, the Minister who says there is no change and it is business as usual, or the Minister of Family Services?

**Hon. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, I think the Leader of the Liberal Party (Mrs. Carstairs) just answered her own question because she indicated in her question that the policy is under review, but that does not mean that either department is operating under a new policy. The policy has not changed to date. It is only natural that from time to time departments would want to review policy in order to see whether in fact we are meeting the needs of Manitobans as they should be, and there is nothing wrong with reviewing policy, but the policy as stated has not changed to date.

**Mrs. Carstairs:** Mr. Speaker, if the policy has not changed to date, will the Minister tell the House today and also the parents involved in the child care, why the monies have not been set for the Robert H. Smith Child Care spaces as part of the capital budget for that school?

**Mr. Derkach:** Mr. Speaker, it is normal before any space has been approved for day care that the role of Family

Services is such that they will confirm as to the need that exists in that particular area, or that particular school, and then the Public Schools Finance will evaluate the program and the building project to see whether in fact a day care space should be constructed.

Presently, Mr. Speaker, that is the process that we are following. I will take the specifics of this question under notice, and I will come back to the Member with regard to Robert H. Smith.

#### Education Facilities Child Care Spaces

**Mrs. Sharon Carstairs (Leader of the Opposition):**

Mr. Speaker, the agreement between the school divisions and the Ministry of Education set in March of 1986 clearly states that if it is the wish of a school division for child care spaces to be built with the school construction, that is what will occur. Why is the Minister rejecting the policy that has been in effect since March of 1986?

**Hon. Leonard Derkach (Minister of Education and Training):**

There is nothing being rejected at all. In fact, Mr. Speaker, the policy does not simply state that if a school wants to build a day care centre, then we just open up the chequebook and let them go ahead. I mean, that may be the way the Liberals would like to have it, but there are criteria that have to be followed, and in each and every case those criteria are followed.

**Mrs. Carstairs:** Can the Minister of Education tell us if it is the policy of his department that when new schools are to be constructed, child care spaces are to be attached at that time because that is the most economical way of building child care spaces in the province?

**Mr. Derkach:** Mr. Speaker, that is not necessarily the case. Before that kind of a decision is made, there has to be an assessment made of the request to see whether or not there are facilities in that community that in fact may meet the needs of the parents who have children who require day care.

Mr. Speaker, this is not simply a case of when a school is built that we simply say automatically there will be a day care centre built with that school. That is not the policy and I would suggest that the Leader of the Liberal Party perhaps read the policy to understand that there is an assessment that needs to be conducted before that decision is made.

\* (1340)

#### Robert H. Smith School Child Care Spaces

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, Winnipeg School Division No. 1 has had

a number of new schools built in the last few years. Every single one of those schools has had child care spaces attached to it. Why is Robert H. Smith being singled out for not having child care spaces attached to it?

**Hon. Leonard Derkach (Minister of Education and Training):** Robert H. Smith is not being singled out as a school which has been denied child care facilities. As I indicated to the Leader of the Liberal Party a moment ago, in each and every case there is an assessment done of the needs that particular community has put forth and whether or not day care facilities exist where they meet the needs of the community.

Mr. Speaker, I indicated also that I would take the specifics of this question as notice, and I will inquire with staff as to what the situation is with Robert H. Smith, and I will come back to the Leader with that information.

**Mrs. Carstairs:** Mr. Speaker, the drawings are on the drawing board for this school. They will be confirmed before the end of this year. We are now reaching a deadline point of some two weeks. Will the Minister assure this House that the child care spaces that have been granted to every other school in Winnipeg No. 1 will be given to this particular school?

**Mr. Derkach:** Neither I nor the Government nor the Public Schools Finance will simply hand over a blank cheque for it to be filled out by any school division in this province. Mr. Speaker, what we will do is do a proper assessment of the needs in that particular community and whether or not a day care facility should be built along with that new construction.

Mr. Speaker, Robert H. Smith will not be singled out differently from any other school division in this province.

### Out-Migration Statistics Government Strategy

**Mr. Gary Doer (Leader of the Second Opposition):** We would urge the Government to continue on the leadership position that they inherited in terms of quality child care and using our public school system for public non-profit child care in our province.

Mr. Speaker, I have a question for the Premier. The figures are out again today on out-migration. In 1989, 29,000 people have left the Province of Manitoba, and only 19,000 have joined the province in terms of its population for a decrease, an out-migration of 10,000 people as of this morning.

Mr. Speaker, we have been raising this continually in the Chamber for the last year and a half, and I would ask the Premier whether or not he now admits there is a real, legitimate problem in terms of out-migration and its impact on our population, and does he have a strategy to deal with this real problem or is he going to continue to not admit that there is a problem in this province?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I want to begin by just congratulating, if I may, the Member for Concordia (Mr. Doer) on being singled out and recognized for a national award by the *Chatelaine Magazine*. I know that the other Members, certainly the male Members of this Legislature, are probably as envious as I am of the award that he has been granted by *Chatelaine*. I certainly congratulate him on that recognition.- (interjection)-

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

**Mr. Filmon:** Mr. Speaker, I am being absolutely sincere in this, and I certainly do not want to—other than recognize as I say with envy the award that has been announced for the Member for Concordia.

Getting to the substance of his question, I remind the Member for Concordia that in 26 of the past 28 years, the Province of Manitoba has experienced a net out-migration of population. That is a characteristic that probably has something to do with the balanced make-up of the economy of our province, the fact that we neither go very much up or very much down in terms of growth, the fact that our growth is distributed amongst many sectors and so we rarely have the boom and bust cycles. Net out-migration has been characteristic as I say with 26 of the past 28 years of our province.

**Mr. Doer:** I thank the Premier (Mr. Filmon) for his comments. If Mike Duffy can win that award, I guess anybody can.

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

**Mr. Doer:** I understand Don Orchard was runner up.

\* (1345)

### Manitoba Totals

**Mr. Gary Doer (Leader of the Second Opposition):** This is a very serious matter, Mr. Speaker. The Premier (Mr. Filmon) mentioned selectively the quotes on out-migration. I would ask the Premier, would the Premier acknowledge that Manitoba now has a higher out-migration rate than Newfoundland; the Province of Manitoba is second only in the amount of people we are losing per thousand per capita than Saskatchewan, another Conservative province? Would the Premier now acknowledge we have a serious problem in our population?

We used to average 10,000 increased population through birth, immigration, out-migration, in-migration, per year through the '80s. Since the Conservatives have been in office the population has gone from 1,084,900 to 1,085,300, a growth of only 400 in our population in a year and a half—

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

**Hon. Gary Filmon (Premier):** I think that the Member should recognize a couple of things. He says that I have

used selective statistics. Mr. Speaker, 26 of the past 28 years, that is not being selective. I did not choose the two years that were the exception to the rule. I said 26 of the past 28 years there was net out-migration.

He refers to the fact that we have had indeed a small growth in total population in the past year and a half. He refers to part of the input being birth rate. I remind him that in all of the developed world, birth rates are declining. That is a part of the calculation of that figure. The fact of the matter is that is part of the characteristic of Manitoba.

He also makes a very significant comparison saying that only Saskatchewan is having a greater problem. I remind him that we are very much tied in to the farm economy here in Manitoba and that some of the same things that are happening to the economy and to the out-migration away from the farms that is happening in Saskatchewan is happening in Manitoba.

What I remind him of is that we are doing things that look to the future. Our growth as a province, our economic growth, is expected to be the second highest of any province in the country this year. Next year, according to the Conference Board, we will still be above the national average in growth. Those are because of our policies, reducing income taxes in this province, reducing the deficit in this province, getting away from the short-term make-work mentality that his Government characterized for six and a half years.

### Economic Growth Government Strategy

**Mr. Gary Doer (Leader of the Second Opposition):** Mr. Speaker, why does the Premier (Mr. Filmon) not start telling Manitobans the truth? You have a serious problem in this province. There are 10,000 less full-time jobs now than when you took office—full-time not part-time, full-time jobs. This Party has an economic policy that has part-time people at MacDonalds instead of full-time people in this province.

My question to the Premier is this: does he not admit that there is a serious economic problem in this province and will he not meet with his Treasury Bench and come up with an economic strategy for the 1990s, instead of Manitoba being nine out of 10 in Canada for out-migration numbers?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I will repeat so that the Member knows the facts, 26 of the past 28 years, there has been net out-migration in the Province of Manitoba. We are working on the kinds of things that this -(interjection)-

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

**Mr. Filmon:** —the kinds of economic policies that this province must have because as a result of six and a half years of NDP Government, the short-term make-work jobs did not work. They were not here at the end of six and a half years of priming the pump, of putting it into the Jobs Fund, of putting it into cutting grass and putting up green and white signs, those jobs did

not last, Mr. Speaker. That is the problem that we have to deal with so we are attracting the long-term investment growth in this province.

Real investment increasing in excess of 14 percent, investment in the industrial sector to do with manufacturing increasing by more than 100 percent, taxes going down, deficit going down and economic growth being amongst the highest in the country, that is what we are working on because of our policies.

\* (1350)

**Mr. Doer:** There is a time for the rhetoric and there is time for the bottom line and the bottom line is, Mr. Speaker, you have 10,000 fewer people working on full-time jobs in Manitoba than when you took office. You are failing. There are only 400 more people in Manitoba in a year and a half, when there used to be 10,000 extra people a year. You are failing. I would ask the Premier to admit he is failing and develop an economic strategy for this province.

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

**Mr. Speaker:** Order, please. The Honourable First Minister.

**Mr. Filmon:** There is indeed a time for rhetoric and a time for real answers, and the rhetoric comes every day from that Member for Concordia, Mr. Speaker. The real answers come from the things that are in our budget, reduced taxes, reduced deficit, increased growth, expected to be almost 6 percent according to the Conference Board, the second highest of any province in this country. No more the short-term make-work jobs of the NDP, no more the white wine socialist philosophy that he said was white wine socialist philosophy when he was president of MGEA.

He denounced the philosophies and the actions of the NDP that now he says resulted in something better. The public of Manitoba know that is why they got rid of him as a Government.

### Out-Migration Statistics Federal Support

**Mr. Reg Alcock (Osborne):** Mr. Speaker, I would like to correct the Premier if I could, and I do have a question for him. In fact, net out-migration in this province is at the highest level it has been in 10 years, and it has only been that way five of the last 10 and two of them have been under this Government's administration. Not only that, it is accelerating. At this time last year 5,917 people had left this province and this time this year 6,600, an increase of 719. It will be higher than 10,000 at the end of this year.

We have had two recent meetings with the federal Government. One, the First Minister -(interjection)-

**Mr. Speaker:** Order, please. The Honourable Member has a question.

**Mr. Alcock:** Will the Premier tell us what assurances he has had from Ottawa? What new investment Ottawa

is prepared to make in this province to help offset this trend?

**Mr. Speaker:** The Honourable First Minister.—(interjection)— Order.

**Hon. Gary Filmon (Premier):** Mr. Speaker, just as when he phoned New Brunswick and just as when his Leader phoned Newfoundland, the Member for Osborne brings false information to this Legislature. This province has suffered net out-migration in 26 of the past 28 years. He is wrong and he is dead wrong as he usually is.

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

**Mr. Alcock:** I have a statistics statement that shows it and it is about time you got some decent research.

**Mr. Speaker:** The Honourable Member for Osborne did not have a point of order. The Honourable First Minister.

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**Mr. Filmon:** For the past 28 years, net out-migration—(interjection)—

**Mr. Speaker:** Order, please. The Honourable First Minister.

**Mr. Filmon:** Mr. Speaker, the Member for Osborne knows full well that this province is projected to have the second highest growth rate of any province in the country this year and an above average growth rate next year.

The Member knows full well that we have a commitment of investments by Repap of \$1 billion dollars over the next three years in this province. We have a commitment of \$5.5 billion on Conawapa on a transmission line. Those are the biggest projects in the history of this province, Mr. Speaker. That is part and parcel of the rosy future that people see in this province which we would never get under a Liberal Government.

**Mr. Alcock:** Mr. Speaker, the policies of this Premier are driving people out of this province—6,000 people to date in this year.

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

**Mr. Speaker:** Order, please; order, please. The Honourable Member for Osborne, kindly put your question now, please.

**Mr. Alcock:** Mr. Speaker, we have suffered significant losses under this federal Government. I am asking the Premier, what offsetting investment has Ottawa offered to assist us at this time when we are now ninth out of 10 in this country?

\* (1355)

**Mr. Filmon:** Mr. Speaker, I repeat for the Member for Osborne, the agreement that we signed with Ontario last week, an agreement that we are not sure the Liberal Party supports—they are trying to fight it in their own ways—23,000 person years of employment on the construction at Conawapa, that is real investment, \$5.5 billion over a space of 10 years, the largest commitment of a project in the history of this province.

Our manufacturing capital investment is predicted to increase at 104.6 percent this year over last year. Our average weekly earnings, the best increase among all provinces in the country, at 5.5 percent. Our manufacturing shipments have increased at the second highest level of any province in the country this year.

All of these things are because of the positive policies contained within our budget to lower taxes, to lower the deficit, a budget that the Liberals voted against, Mr. Speaker.

**Mr. Alcock:** Mr. Speaker, our position in this country has been slipping every month that this Government has been in power.

### Forest Fires Federal Compensation

**Mr. Reg Alcock (Osborne):** I have a simple question to the Premier. The fires this summer cost us an awful lot of money. Now the federal Government is responsible for any fires that have begun on federal land. How much money have they offered to put towards the fires?

**Hon. Gary Filmon (Premier):** Mr. Speaker, as the Member may know, it takes a good deal of time to accumulate the costs of such an event—(interjection)—

**Mr. Speaker:** Order, please. The Honourable the First Minister.

**Mr. Filmon:** It takes a good deal of time to put together the facts and the figures on all of the costs that were incurred during those immense forest fires. It was the greatest natural disaster, civil disaster, in our province's history, Mr. Speaker.

As I indicated publicly, the costs are somewhere in the range of \$70 million to \$75 million. Some of those costs were incurred on Indian lands. Some of those costs involved the transference of our Native people. Some 23,000 people were moved out of their homes, most of them Native population. In every case we have to identify and quantify the exact cost, because when you are asking someone to pay a bill you do not work on estimates, you do not work on assumptions.

We just put together all the final figures during the month of November. Those were transmitted to Ottawa, and we have asked Ottawa to pay a generous portion of the costs we had in Manitoba. We are currently in discussion—

**An Honourable Member:** How much?

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

**Mr. Filmon:** Mr. Speaker, I have indicated that the costs are between \$70 million and \$75 million.

**An Honourable Member:** Is that what you asked for?

**Mr. Filmon:** We have asked for Ottawa to pay a generous portion of that share, Mr. Speaker.

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

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

### **Hazardous Goods Storage Information Systems**

**Mr. Paul Edwards (St. James):** Mr. Speaker, my question is for the Minister responsible for Workplace Safety and Health (Mrs. Hammond).

Mr. Speaker, I was truly amused by the response of this Minister to the proposal by this side of the House that lock boxes be mandated for employers in this province storing hazardous chemicals.

The Minister called this proposal, which has been supported by employers and recognized experts in the field, "premature." This from the Minister who after six months has still not come forward with a report on the solvent explosion in St. Boniface, and after three months still has not put standards for carcinogens in the workplace back to where they belong, at the lowest detectable level.

Mr. Speaker, thank heavens someone is putting forward recommendations. Is the Minister not in favour of ensuring that all emergency response teams around this province, not just in Winnipeg where computerized access is in place, have the appropriate information immediately upon arrival at a scene through the use of lock boxes?

**Hon. Gerrie Hammond (Minister of Labour responsible for Workplace Safety and Health):** Mr. Speaker, this issue is being dealt with and is going to be dealt with by the Workplace Safety and Health Advisory Committee. I believe that the Member is premature with his suggestion. Surely we would want experts to be looking at this to give us advice. While we welcome suggestions from Members in the House that is exactly how they will be treated.

**Mr. Speaker:** The Honourable Member for St. James, with a supplementary question.

**Mr. Edwards:** In fact, experts have made this recommendation, and the fact is this Minister's definition of premature must be put in the context of a six month delay with saying anything about that fire.

\* (1400)

### **Workplace Safety and Health Cancer-Causing Substances**

**Mr. Paul Edwards (St. James):** I have a question for the same Minister, Mr. Speaker.

**Mr. Speaker:** Question, please.

**Mr. Edwards:** Why will this Minister not put the standards for carcinogens in the workplace back to where they belong, at the lowest detectable level? She does not need to wait for the labelling recommendations to come down from the committee. She can do it by Order-in-Council now. She should have done it three months ago when the Premier said she would do—

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

**Hon. Gerrie Hammond (Minister of Labour responsible for Workplace Safety and Health):** Mr. Speaker, we are in the process of making recommendations, but we do not wish to go forward to either labour or management in the community with separate regulations that they will have to do twice over when they could do it all at one time.

**Mr. Speaker:** The Honourable Member for St. James, with his final supplementary question.

**Mr. Edwards:** Mr. Speaker, she told employers in this province that she was going to do it three months ago. Talk about confusion, it has not happened—

**Mr. Speaker:** Order, please. Is there a question here?

### **Lynn Lake, Manitoba Compensation**

**Mr. Paul Edwards (St. James):** For the same Minister, Mr. Speaker. Will the Labour Minister ensure that the workers at Lynn Lake at least get the \$1,200 which they have been promised by this Government before the end of this week, in time for Christmas, given that last week a representative from her department told workers that money would not be available maybe—

**Mr. Speaker:** Order, please. The question has been put. The Honourable Minister of Labour.

**Hon. Gerrie Hammond (Minister of Labour responsible for Workplace Safety and Health):** Mr. Speaker, we have already indicated that we are waiving that regulation, and the money will be there this week.

### **Cardiac Care Waiting Period**

**Mr. Steve Ashton (Thompson):** I have a question for the Minister of Health (Mr. Orchard). For months we, in the New Democratic Party, have been expressing concern about the deterioration of our health care system. We specifically raised concerns about waiting lists and, in particular, the waiting list for heart surgery at the Health Sciences Centre. In fact, six months ago we raised the fact that it had doubled in the period of time in which this Government has been in office.

Now we have learned from Dr. James Parrott of the Health Sciences Centre that in the past three weeks,

two more people have died on the waiting list. One person waited as long as nine months for surgery.

I would like to ask the Minister of Health what action the Minister has taken since we raised this matter in the Legislature six months ago to deal with the situation? What further action will he take in light of the various serious situations, with two deaths in three weeks and people waiting for heart surgery in Manitoba?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, two courses of action have been taken this year. Firstly, to establish a committee chaired by Dr. Lyonel Israels to investigate the existence of waiting lists, the criterion, et cetera, et cetera, used in the open heart program at both St. Boniface and the Health Sciences Centre, because my honourable friend might recall there was a significant difference in the length of waiting lists at those two institutions. Despite the fact that last year more open heart procedures were done than ever before in the history of the province waiting lists continue to exist. Waiting lists continue to exist across Canada for open heart surgery.

As a result of that, in this year's budget process we did provide, to the Health Sciences Centre, some additional funding to be dedicated to the open heart surgery program at the Health Sciences Centre to expand the capacity of open heart surgical procedures at that institution. In the meantime I am awaiting the report of the committee chaired by Dr. Israels, which is investigating the cardiac surgery program between the two teaching hospitals.

**Mr. Ashton:** Mr. Speaker, the Minister gave the same answer in May of this year. People are still waiting for surgery, and there have been two deaths in the last three weeks.

I would like to ask the Minister, what action will he take—not what committee will he appoint, the committee that is not reported—to deal with the situation that we pointed out six months ago? There were six deaths on the waiting list last year. There have been two in the past three weeks. What action will the Minister take?

**Mr. Orchard:** The action I have taken is in part increased funding to the Health Sciences Centre. I simply tell my honourable friend that during the 49 hours of debate in the Health Estimates my honourable friend never raised the issue once of the open heart surgery at the Health Sciences Centre. He chooses to do it in Question Period, for whatever reasons I cannot speculate.

I answered the question to my honourable friend that we increased funding for surgical procedures, including open heart surgery at the Health Sciences Centre this year.

**Mr. Ashton:** Perhaps if the Minister would read beyond the headlines in the newspapers, perhaps if he would talk to people, he would not be giving such an answer.

I asked the Minister not for rhetoric but what was discussed in Estimates. This was raised in the

Legislature six months ago. What action is he going to take now to deal with the deteriorating situation with the waiting list at the Health Sciences Centre, which has more than doubled since this Government came into office? What action will he take?

**Mr. Orchard:** My honourable friend does not listen to the answers. I have indicated two courses of action. My honourable friend, from time to time, gets up and says we are not spending enough money, and we spend more money.

That is part of the solution that we have offered to the Health Sciences Centre with increased increased funding to be available to the open heart surgery program at that institution. That is part of the answer. I am sure when we receive the report on cardiac surgery between the two teaching hospitals from the committee, chaired by Dr. Israels, that further answers will flow from that report.

### Experimental Drug Testing Manitoba Totals

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, in fact the question about the Health Sciences was raised during the Estimate process. Mrs. James was a participant in the testing of Volmax, a new asthma drug, when she suddenly passed away.

Can the Minister of Health (Mr. Orchard) tell this House what contact he has made with the national Minister of Health to find about this new drug involved in the study, and how many other new experimental drugs are being used in Manitoba?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, the death of the individual was a most unfortunate and lamentable circumstance and completely, I have to say, beyond anyone's prediction, obviously. Currently the Chief Provincial Examiner is investigating the circumstances surrounding that very tragic situation. I have no comment that I would wish to offer at this time pending the report to my colleague, the Minister of Justice (Mr. McCrae), on that inquiry.

### Monitoring

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, we are asking whether the Minister has made contact with the national Minister of Health about the experimental drugs in Manitoba. Can the Minister of Health tell us what action he has taken to ensure that the other patients, who are participating in this study, are protected before the cause of Mrs. James' death is found?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, before my honourable friend raises unwarranted fears surrounding this unfortunate circumstance, let me explain to my honourable friend, and I ought not to have to do this, but I will. Mr. Speaker, the experimentation or the trial basis of new pharmaceuticals occurs in this province and in every other province across Canada, in terms of blind studies, double-blind studies and other techniques, to assess

the effectiveness of pharmaceuticals that have gone through every licensing procedure. This is the final trial procedure before full implementation and licensing if you will of that pharmaceutical.

Mr. Speaker, those trials go on, on a regular basis in this province and in other provinces and they go on with the full co-operation and knowledge of the individuals who voluntarily sign up to be part of those pharmaceutical trials. The unfortunate circumstances around the James' death are being investigated, and in the meantime full precautions are being taken to assure that no other unfortunate incident similar happens as a result of this trial.

### Guidelines Review

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, my final supplementary. Can the Minister assure this House—will he review the guidelines to ensure that sufficient protection and information is provided to all the participants of all the experiment drugs in Manitoba?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, that is a very easy question for me to answer in the affirmative, because that is exactly the procedure that is followed in every major institution when these blind trials and double-blind trials occur with new pharmaceuticals. Every patient who enlists voluntarily in the program is explained the nature of the program, the expected outcome, the length of time and what the pharmaceutical is designed to do to help them with their particular condition. That is an assurance that I can give to my honourable friend easily, because it is in fact part of the testing procedure that is in this province.

\* (1410)

### Pritchard Place Heating Costs

**Ms. Maureen Hemphill (Logan):** Mr. Speaker, my question is for the Minister of Community Services. Pritchard Place, a drop-in centre that is servicing about 80 youths in the inner city, has been without heat for two weeks due to a broken boiler, and since we know that one of the reasons that so many young people in the inner city are on the streets is that they have no place to go. I am wondering if the Minister is going to respond positively to the request that came in to her today, her department, to help with some of the costs of replacing the boiler, which I think is going to cost about \$12,000.00. Thirty-five hundred dollars in private funding has been presently found and they are awaiting a response from the Minister's office to see if some funding can be found, so that this centre can be kept open for inner city youths. What is her response?

**Hon. Charlotte Oleson (Minister of Family Services):** Mr. Speaker, to the Member, yes we received that request. That is not an agency which is directly funded by my department, so this is not something of course that would be within our budget. I will be responding to their request after I and my department have a chance to look at the situation.

### Emergency Funding

**Ms. Maureen Hemphill (Logan):** Mr. Speaker, while it may not come directly under her department's area, I remind the Minister that this is funded under the Core Area Agreement and they are a partner. As a partner that is concerned, can they not put forward the notion that there should be some emergency funding found now? It is not going to do any good to be found three or four months from now. It is 35 below, the kids are on the street, Christmas holidays are coming up, they have no place to go and that boiler needs to be replaced. Their Christmas dance is going to be tonight. What position, what action, will this Government take to help open that drop-in centre for 80 inner city kids?

**Hon. Charlotte Oleson (Minister of Family Services):** Mr. Speaker, as the Member had indicated, we have just had that request, and I will assure her that we are taking a look at the request.

### Alternative Space

**Ms. Maureen Hemphill (Logan):** Mr. Speaker, my final supplementary question is: I wonder when the Minister is looking at that. If it does not seem plausible to get the heater replaced in a very short period of time, will the Minister be prepared to look at some alternative space?

There is a lot of space around. It just takes a little bit of will to get that centre open over the Christmas holidays for inner city youths. Will she please look at all options—funding options plus alternative space?

**Hon. Charlotte Oleson (Minister of Family Services):** Mr. Speaker, I can assure the Member that we will look at options, yes.

### Conawapa Project Environmental Impact Study

**Mr. Harold Taylor (Wolseley):** Mr. Speaker, Manitobans are daily becoming more concerned with this Government's lip-service to the environment. All the right words are used and little action is taken. The Liberal Party indicated in April of this year that the Repap EIS should be done as a whole and not piecemeal, and the Tories' failure to listen to this sage advice is coming back to haunt them.

Mr. Speaker, to the Minister of the Environment (Mr. Cummings), given the \$100 million penalty Hydro faces for not succeeding with the Conawapa EIS, what assurances can the Minister give to the House that the EIS will be thorough and it will not be rushed in order to dodge the \$100 million in the Tories' new game of environmental roulette?

**Hon. Glen Cummings (Minister of Environment):** Well, I am sorry that the Member for Wolseley (Mr. Taylor) chooses to misinterpret how the Hydro deal is structured in terms of assuring that complete and full environmental assessment is done. I will assure him that it will be done. He should reread the clauses that

refer to the penalties, because the penalties are not substantial until a considerable amount of time has evolved. In fact, reverse onus therefore applies, and the environmental impacts will have ample time to be examined and make sure that this is full and complete in every sense of environmental assessment.

### Work Stoppage Request

**Mr. Harold Taylor (Wolesey):** We have already seen a massive fuel spill occur at Conawapa, work has begun again on the access road, and the cofferdam clearing is complete. Will the Minister order work stopped until all the environmental impact studies have been completed and publically reviewed?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker—

**An Honourable Member:** On one hand they want more jobs and on the other hand they want to stop—

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

**Mr. Cummings:** Mr. Speaker, again we see that the Liberal Party is prepared to sacrifice their principles to try and make political gain. We have just simply said that we are prepared to make sure that all environmental work is done.

The fuel spill that he refers to, the establishment of that tank farm which, albeit a small one, did have an environmental impact work-up done prior to the establishment of it. He can rest assured that we are pursuing the clean-up of that unfortunate accident in a very thorough manner.

The major construction of this dam will not proceed until the environmental impact work is all done.

**Mr. Speaker:** Time for Oral Questions has expired.

### COMMITTEE CHANGES

**Mr. Edward Helwer (Gimli):** I have some changes to make to the committee for tomorrow morning.

I move, seconded by the Member for Minnedosa (Mr. Gilleshammer), that the composition of the Standing Committee on Law Amendments be amended as follows: Praznik for Helwer.

I move, seconded by the Member for Swan River (Mr. Burrell), that the composition of the Standing Committee on Municipal Affairs be amended as follows: Penner for Ducharme, Findlay for Ernst, and Helwer for Connery.

**Mr. Speaker:** Agreed.

**Mr. Kevin Lamoureux (Inkster):** I have committee changes to make.

I move, seconded by the Member for Transcona (Mr. Kozak), that the composition of the Standing Committee on Municipal Affairs be amended as follows: Selkirk

for Osborne, Springfield for St. Vital, Wolesey for Fort Rouge.

I also move, seconded by the Member for Transcona, that the composition of the Standing Committee on Law Amendments be amended as follows: St. Vital for Fort Garry, Kildonan for Osborne, and Transcona for Selkirk.

**Mr. Speaker:** Agreed.

### ORDERS OF THE DAY

**Hon. James McCrae (Government House Leader):** Mr. Speaker, would you be so kind as to call the Bills in the following order, and before I give the order I might indicate there is agreement that at 8 p.m. we would move a motion, or perhaps at 6 p.m. we could move the motion and move into Estimates at 8 p.m.

The Bills would be called in this order: Bill No. 83, 84, 7, 8, 63, 64, 33, 35, 12, 19, 38, 59, 71, 76, 48 and 49. I understand also there might be agreement to waive Private Members' Hour today.

**Mr. Speaker:** Is it agreed that we would waive Private Members' Hour? Agreed.

### DEBATE ON SECOND READINGS

#### BILL NO. 83—THE OZONE DEPLETING SUBSTANCES ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Environment (Mr. Cummings), Bill No. 83, The Ozone Depleting Substances Act; *Loi sur les substances appauvrissant la couche d'ozone*, standing in the name of the Honourable Member for Thompson (Mr. Ashton). Stand.

Is there leave that this matter remain standing? Agreed.

**Mr. Jerry Storie (Flin Flon):** While the Bill may remain standing in the name of my colleague, I would like to speak to this piece.

**Mr. Speaker:** That has been already agreed.

**Mr. Storie:** I think we all appreciate that there are some significant pieces of legislation on the agenda and the fact that we have agreed to co-operate today to spend some considerable time speaking on different pieces of legislation is a recognition of the fact that each of us as individual MLAs have established in our own minds a set of priorities about which Bills we want to speak to and what message we might want to leave our colleagues and the Government with respect to some of this legislation. This is one of those pieces of legislation that I think will receive the blessing of the Chamber.

We are all aware of the impending dangers that are going to accrue to this spaceship Earth as a result of the depletion of the ozone layer. What some people might not know is that the ozone layer is an extremely fragile layer in the stratosphere of the earth. In fact,



despite the fact that ozone can be found in some miles of atmosphere above the earth's surface, if that gas were to be compressed, brought together, if the molecules could be brought together, and we are not talking about super compression but simply brought together, the film of ozone around the earth would amount to millimetres thick. Somewhere, they estimate, between three and five millimetres thick.

We are talking about a layer that is protecting the earth, protecting us from ultraviolet rays and the effects of skin cancer, protecting plants from the effects of radiation. We are being protected by a layer of a substance, a gas, which is some three to five millimetres thick. When you think how fragile that is—I think, when you recognize the relative limited amount of substance that is providing this degree of protection you have to be concerned.

\* (1420)

Mr. Speaker, what should also concern people is that the fluorocarbons that have been released, the substances like Freon and Halon, and so forth that deplete and destroy the ozone, actually have a cumulative affect on the ozone layer itself. This destruction does not occur at first contact necessarily. Atmospheric conditions have to be just right before the actual destruction of the ozone.

What this means, Mr. Speaker—and scientists have been warning us of this for some time. It means that the actual depletion of the ozone is going to continue actually long after we have discontinued the use or the abuse of ozone depleting substances. We may already have created a situation within our atmosphere, within the stratosphere, that will see the eventual depletion of the ozone layer, perhaps even in its entirety. We have no way, at this point in time, of accurately calculating how much damage will be done and over what period of time.

We do know that since 1974, when scientists first established that in fact these substances were depleting the ozone layer, in 1974 the first set of scientists established that there was a hole in the ozone layer over the Antarctic. Since that time we have seen of course the continued depletion of the ozone layer. We now know that there is not only a hole in the ozone layer over the Antarctic, but in fact there is a northern zone, which is becoming larger, which is ozone depleted.

Mr. Speaker, because of the relative recency of this new scientific evidence, no one is able to predict, with any degree of certainty, what consequence there is going to be from this depletion. There are all kinds of suspicions. We certainly believe—and there is some evidence that the number of incidences of skin cancer are on the rise, although it is not certain to what extent that increase can be attributed to the depletion of the ozone layer.

The fact is that more and more people are also taking advantage of warmer climates. There is still a considerable emphasis on tanning. It is still considered a mark of some sort of status to have a tanned exterior, notwithstanding the dangers that people have always known of in terms of overexposure to the sun. The fact

of the matter is that we may be compounding things not only by exposing ourselves to more sunlight but because the ozone layer is being depleted and we are getting more ultraviolet rays.

Mr. Speaker, we should not kid ourselves somehow that we can protect ourselves. The manufacturers of sunscreen blocks and so forth may be making money by attempting to scare people into using their products. I think it also lulls us into a false sense of security, perhaps giving some people the belief that because we can protect ourselves as individuals from the effects of ultraviolet rays, because we can apply a sunscreen, that somehow we are going to prevent any cataclysmic deterioration in our environment. There is no evidence to support the contention that because we can protect ourselves from skin cancer, and the impact of ultraviolet rays on our skin, that somehow we should ignore this problem.

The fact of the matter is, the depletion of the ozone affects more than just human beings. In fact, we may be the last in the chain of organisms affected by the depletion of the ozone layer, in a substantive way.

We may be facing deterioration in the kinds of crops we can grow and the quantities of food we can grow around the world. There is all kinds of evidence that increased radiation leads to deteriorating crops, but no one knows the compound effect of increasing radiation on increasingly deteriorating agricultural lands and inadequate stocks of material for future generations of plant life.

Mr. Speaker, the problem is significant. It is a compounding problem. This particular Bill, Bill No. 83, is a good first step again. It reminds me very much of Bill No. 84, The Waste Reduction and Prevention and Consequential Amendment Act, in that it gives the Government, to a certain degree, a licence to act.

I want to reiterate some of the concerns I raised with Bill No. 84. While it gives the Government a licence to act it is very clear that it gives no commitment to the people of Manitoba. In fact, this Government intends to act, or is going to act, in any way which would give us cause for rejoicing that a solution is at hand. The fact of the matter is, there is a Canadian convention, as well as, an international convention, which commits Governments, states, provinces and countries to a gradual reduction in the production of ozone.

I for one—and I believe many of my colleagues on both sides of the House will agree that convention does not state the problem in stark enough terms. I believe, as perhaps many others do, that this problem needs more immediate action.

Mr. Speaker, some months before the Government chose to introduce its Bill No. 83 my colleague, the Member for The Pas (Mr. Harapiak), introduced a Private Member's Bill asking the Government to act on the ozone problem. In fact, the Member for The Pas' Bill was very similar to the legislation which the Government eventually introduced.

The difference between the Member for The Pas' Bill and this Bill is that the Member for The Pas, along with his colleagues in the New Democratic Party Caucus,

were prepared to act to make this Bill a reality, to implement, to bring to the Bill some intention to act.

This Bill I think falls short in two respects. Firstly of all, in the introductory resolution, something that has become standard in our Bills, the Government identifies ozone as a universal problem. It identifies that ozone in the stratosphere will cause serious harm or injury to the residents of Manitoba and the natural environment of the province.

Unfortunately, it did not go the significant further step and identify that we all have to take responsibility for cleaning up this problem.

Unlike Bill 84 which says, "AND WHEREAS that responsibility includes contributing toward the cost of waste reduction and prevention;" and I think we all agree that we have to share in the burden, this Bill does not make it clear that there is going to be a price to be paid for implementing this legislation.

You know, it is all fine for all of us to espouse the best in terms of the environment, to be statespeople and talk about our commitment to improve the environment, protect the environment, without the concomitant recognition that there is a cost for doing that. Just as there is a cost in reducing our waste; just as there is a cost in protecting our water, protecting our soil, there is a cost in reducing our dependence and our use of ozone depleting substances.

I am not sure why the Government would move away from identifying, in the legislation, that this is a joint responsibility. It is not just the responsibility of the Government, or the responsibility of the Legislature, it is the responsibility of people who produce ozone depleting substances, the people who use them, and yes, the people who are charged with the responsibility of disposing of those substances. It is a joint responsibility, and that responsibility is going to be extremely costly.

Mr. Speaker, the fact that the Government has now chosen to downplay the significance of that responsibility I think is an unfortunate incident. I think it is an unfortunate reflection on the fact that the Government really does not have the will to introduce any strong and significant measures to do any of the things it says it wants to do.

I challenged the Minister of the Environment (Mr. Cummings) when he introduced Bill No. 84, The Waste Reduction and Prevention Act. I challenged him to bring forward regulations. This Bill is all very fine sounding, but until the people of Manitoba know what items are going to be surtaxed, what that surtax level is going to be, who it is going to apply to and how it is going to be applied this is a relatively meaningless Bill. Until the regulations that flow from Bill No. 84 are put before the public, until we know what their intention is, it is only words.

Mr. Speaker, that is my problem with Bill No. 83. Bill No. 83 identifies ozone as a problem, says that it is going to make it illegal, basically, for anyone to make or use an ozone depleting substance. That is in Section 3(1), it says, "Prohibition." Basically he is saying that everything that is ozone depleting will be disallowed,

prohibited. Then it goes on to identify who can search for and who is responsible for enforcing this legislation, identifies the rules for search and seizure, et cetera, of enforcement officers.

Finally, it talks about penalties. It says we are going to impose some fairly significant penalties on users, producers, of these particular products. Now these products are never identified. Nowhere in the legislation are they identified. There is just no muscle in the Bill, Mr. Speaker.

The fines are fairly significant. I am not going to argue with the level that they have chosen. It is an arbitrary level, the level of fines. The penalties can be up to \$50,000, or imprisonment for up to six months, or both in the case of individuals, and even larger, stiffer fines for corporations. Mr. Speaker, we do not know yet what products, what uses, this Bill might apply to.

Then we come to the real problem of this piece of legislation and several others this Government has introduced, that is, the regulations. The regulations here identify, in general terms, what will or will not be allowed. One of them says, "The Lieutenant Governor in Council may make regulations (a) prescribing substances or products as ozone depleting substances; (b) prescribing classes or categories of substances or products as classes or categories of ozone depleting substances;" and it goes on with a list of things that the executive can do in terms of identifying these substances but gives us no hint as to how this Government is going to move.

\* (1430)

What we should be doing is identifying, just for sake of argument if nothing else, which products the Government might be talking about. For example, there are many, many fire extinguishers, which use ozone depleting substances. In fact some of you may have seen a recent television show that was I think poking fun generally at the federal Government, which created sort of an interesting, somewhat humorous situation, where on the one hand the Department of Industry, Department of Science and Technology was handing out an award to a company that was producing fire extinguishers that were using as its propellant ozone depleting substances particularly Halon. While the Government was applauding this company for its innovation, on one hand saying, yes, this is really wonderful, on the other hand the Government was writing legislation, which banned the sale of fire extinguishers using that product.

Mr. Speaker, this legislation is desirable, good legislation, but there is a certain amount of cowardice on the part of the Government in introducing this. They have not raised with the public, on any occasion that I am aware of, what products are going to be targeted, how those products are going to be eliminated, and who is going to pay for the cost.

Let us use an example: every business in this province, virtually every business, air conditions their place of business for the comfort of its customers and its clients. Who is going to pay for the replacement of the current system? Who is going to pay for the

additional cost of introducing air conditioning systems that do not use ozone depleting substances? Who is going to pay for the additional cost for the air conditioning in your car? Who is going to pay for the additional cost for the air conditioning of your residence? Who is going to pay for the cost for the hundreds and hundreds of other uses that these products produce or are used in producing, paper cups, styrofoam cups, plastic goods and materials, insulations, what have you?

The fact is that ozone depleting substances, and the Bill lists the chemical names of those substances on page 2, CFC-11, CFC-12, CFC-113, et cetera, et cetera. I will not try to pronounce the chemical names, but there is a whole series of them and they are obviously in hundreds and hundreds of products.

Is the Government serious? That is the question we have to ask. Is the Minister of Environment (Mr. Cummings) now consulting with groups across the province, the environmental groups, consumer groups and, yes, producers? Is the Minister now conducting those kinds of inquiries? Are we going to be told? Is the public going to be told that, yes, this is fine sounding legislation but there is a cost, and we are all going to share in that cost and we are all going to take some responsibility for it?

I believe that a responsible Government would do that. I believe that a responsible Government would not try and sell itself or buy itself a new mandate based on legislation like Bill No. 84 and Bill No. 83 without telling the people the truth, and the whole truth that while this is necessary, there is a cost.

Let us be honest about this. Let us identify the cost. Let us tell people in what manner we are going to pay for this and over what period of time, because this legislation alone, sitting on the books, is going to do us no good. If we are serious about acting in the best interests of this province and this planet in the near term, if we are going to be honest about it, then we now have to say, yes, there is a cost, here is what it is and here is how we are going to pay for it.

We should start by telling people that as of next year, in the Province of Manitoba, there will be no air conditioners allowed in vehicles unless they meet these criteria. There will be no vehicles operating in the province that use ozone depleting substances, because if we do not take action, if we do not take ourselves seriously as a province, if this Government is using this as a political carrot for those who are really concerned about the environment, then frankly I do not want to be involved in this. I do not want to be involved in this.

When I asked the Minister of Environment to table the regulations that went along with Bill No. 84, he smiled. I am now asking the Minister responsible for Bill No. 83 to table the regulations, to issue a White Paper and say, what is this going to cost? Who is going to pay for it and raise the serious questions that this Bill does not address? If the Minister is not prepared to do it, if this Government is not prepared to do it, then this frankly is a sham.

I do not want to believe that. I want to believe that there is enough collective interest in the environment,

and to protect the environment, that we will actually do something, but I am a little reluctant to pass this kind of legislation, which gives the Government a blank cheque to do nothing. There is no requirement in this legislation for the Government to even come forward with regulations on a specified date or within a specified time period. The Government is under no obligations according to this Act to introduce regulations at a set time and at a minimum. At a minimum, Mr. Speaker, I think the Government should be willing to identify a timetable for the people of Manitoba. It seems to me that is a very reasonable minimum to ask of the Government, a very reasonable minimum.

I am also somewhat disturbed by the fact that when I raised the issue of honesty on the part of the Government, there is no reaction. It leads me to believe that the Government has no intentions of acting on this legislation. If that is the case, then it is even more disheartening than I would have believed possible. It would be nice to believe that at least the Minister of Environment (Mr. Cummings) is genuinely concerned, has his own timetable, and has worked out a timetable with his department and with some of the interest groups that he consults with on a regular basis.

I am prepared to let this Bill go to committee. I know that other people may want to speak on this Bill. As I say the principles in the Bill are important. They are worthy of support. They were worthy of support when my colleague from The Pas (Mr. Harapiak) introduced this Bill many months ago.

We want to see some concrete evidence that this is not just some fluff for election purposes so that Mr. Filmon or the Member for Tuxedo, or the Member for Ste. Rose (Mr. Cummings) can put on their little brochure that they hand out, we introduced The Environment Act and The Waste Reduction Act and The Ozone Depleting Substances Act. Frankly if they do that, without having the intestinal fortitude to introduce regulations, which show what they intend to do and how they are actually going to protect our environment, they will be doing us all a disservice, and of course they will be undermining what little credibility they have on environmental issues.

Thank you for this time and for allowing me to put my thoughts on the record with respect to Bill No. 83. Thank you.

**Mr. Speaker:** As previously agreed, this matter will remain standing in the name of the Honourable Member for Thompson (Mr. Ashton).

#### **BILL NO. 84—THE WASTE REDUCTION AND PREVENTION AND CONSEQUENTIAL AMENDMENTS ACT**

**Mr. Speaker:** On the proposed motion of the Honourable Minister of the Environment (Mr. Cummings), Bill No. 84, The Waste Reduction and Prevention and Consequential Amendments Act; Loi sur la réduction du volume et de la production des déchets et modifications corrélatives, standing in the name of the Honourable Member for Wolseley (Mr. Taylor), who has 26 minutes remaining. The Honourable Member for Wolseley.

**Mr. Harold Taylor (Wolseley):** Mr. Speaker, I hope the Minister of Northern and Native Affairs (Mr. Downey) is as good as his word. He says, he is going to listen with interest. I would hope so. I would hope that the Minister of Environment (Mr. Cummings) will also.

This is an Act that is a very important Act for Manitobans. It talks about waste reduction, it talks about the prevention of waste and the consequences thereof. It is the first piece of legislation of this nature that this province has ever had, and I think in that sense it is rather avant-garde. It is not so avant-garde in some of the detail of its content, however. For example, when one looks at the WRAP strategy, the Waste Reduction and Prevention Strategy Report, which is supposed to be coming before this Legislature, the way the Bill is written the Minister can delay the reporting of that report, a very important report, to people in general but particularly those concerned with waste reduction. What he can do is, he can delay the report until the House is in Session.

I for one will be proposing an amendment to this statute when we do get into committee, to the effect that the Committee on Natural Resources would be empowered to receive that report within two weeks of the report being transmitted to the Minister. In that way we would not have to wait for a sitting of this House to receive the report, to discuss its contents and to talk about which way Manitoba should go further in reducing waste in the province. I think that is very important, and I think that is something that must come about.

\* (1440)

I have some concerns, though, about another study group being set up particularly when there has already been a task force established by the Premier of this province on recycling. It is the same subject area that we are talking about, the same subject area that now the Minister of Environment (Mr. Cummings) wants another study group on.

What is the purpose of the task force on recycling and waste reduction announced in the throne speech by our own Premier? Do we have two groups doing two different things in the same area of concern? I have some concerns about it if that is the case, if not I think it is incumbent upon the Government to indicate, quite clearly, the differences in roles, the differences in the goals that will be attained and the differences in the time lines, not just that one is reporting to the Premier (Mr. Filmon) and one reporting to the Minister of Environment. We will be proposing an amendment in that area, and I think that is important.

I mentioned when I was speaking earlier, on Friday, on this same Bill that we had concerns about the levels of penalties—not that they were there—some concern however on the level of them but more concern when one sees what happens, like the fuel spill of the 45,000 litres of diesel oil at the Conawapa dam site, on which there is a punitive fine of \$198 twice for two very, very minor infractions.

The two major infractions are waived, are stayed, by the local Crown prosecutor on the advice of the

Department of Environment and this Minister of the Environment (Mr. Cummings). That says to me there is no will to enforce environment Acts.

We have a new Environment Act here, The Waste Reduction and Prevention and Consequential Amendments Act, which does have penalties which I prophesied, though there will not be the political intestinal fortitude to carry out with any enforcement of those penalties to ensure that we do achieve compliance. That is unfortunate, but that is the track record that has been established in the last year and a half under the existing Environment Act.

It, quite frankly, makes a mockery of another piece of legislation which we will be dealing with very shortly in this House, that is, Bill No. 81, The Environment Amendment Act. That Act deals with only one thing. It deals with increasing the level of penalties from five times to 10 times what they are in the Bill that was brought in by the former administration.

We are not opposed to the Bill. We are not going to vote against it, but we are going to speak to the hypocrisy of an Act coming forward when you are not using the enforcement clauses in the existing Environment Act. I have a little trouble with that sort of thing.

I did start to mention, Friday past, my concern about the lack of initiatives in this area, the lack of initiatives of joint private-public enterprises, or undertakings, to look at more waste reduction, to look at, first of all, re-use, then waste reduction and then recycling, the three Rs of the environment. We see little of that.

One of the things that gives me the greatest concern when talking about those is not that they are not spoken to, to some extent in the Act. They are, but there is no additional grant money in the Minister's budget, and we raised that point in the Estimates process. There is no additional grant money for private groups to either undertake on their own or in conjunction with other companies or industries, or to undertake in conjunction with public bodies such as this provincial Government. There is no additional grants money at all. It is a couple percent greater than what it was last year. Well, what is that, Mr. Speaker, going to do? That is going to mean that you say the right thing philosophically, you enshrine it in an Act that, if passed by this House after due debate, is given Royal Assent, and then there is no way to apply it, because the dollars are not there to do it.

The dollars are not there for the grants to initiatives with the private sector to carry out new and interesting work to deal with reduction and recycling and reuse of materials. That is a sad statement of the political reality. The right words are there, the window dressing is there, the wherewithal to carry it out are not.

The reference in this Act to the environmental officers, as we have in the other environment Acts before us in this Session, is quite appropriate. What is an environment officer and what are they doing and how many are there of them? That is the most important part of all, how many are there of them. It outlines certain of the responsibilities and the capabilities. In other words, what are they authorized to do?

I would wonder that quite frankly they have the powers necessary. I have seen no discourse from the Minister saying where does he feel the bounds of the authority of the officers under his department should be or the officers that are ostensibly environment officers but operating under other departments such as the Health Department, Agriculture Department, Natural Resources Department, whatever. Any of them that can be deemed to be some form of environment officer, what is the extent of their authority? How will they be recognized and how capable will they be in practical fact to operate?

Those sorts of things have not been discussed at any time by any Minister of the Environment by this administration or the preceding one. I think it is time we understood what an environment officer means. We have some understanding of what a natural resources officer is, we do have an understanding of that. Some of us feel there are some limitations in what that officer can do under Natural Resources.

It is certainly not clear what an environment officer is supposed to do under the Department of Environment, and I think it is incumbent upon the Minister to make that crystal clear to this Legislature and to all Manitobans so we know what that officer can do and what their expectation of performance will be.- (interjections)- I appreciate the supportive comments from the Members adjacent to me.

The environment officers have limitations though that are very profound in one area. That is, how many of them, Mr. Speaker, are there to carry out their responsibilities within our jurisdiction? I hear mumbles and grumbles and ramblings from the former Minister of the Environment from his seat, but not much sense is being made by him, and I do not find that terribly surprising.

The fact of the matter is, we have an undersized Environment Department compared to other ministries within this Government and compared to other Environment Departments in Canada. Other Environment Departments in the provinces of Canada other than Manitoba have been reinforcing that department, have been building up the structure so that it is capable. What we have instead is we have a series of Acts here, 81, 83 and 84, that are potentially good pieces of legislation, but there will not be the wherewithal to carry out the clauses contained within those Acts on the environment.

I think that is a sad testimony to the lack of political will on the part of the Conservative administration, because as I have said before and as I will say again and as others will take up the cry, lip-service environmentalism will do no good. Lip-service environmentalism will do no good, and the hindsight environmentalism of the former administration is really a wonder to behold.- (interjection)-

The Minister for Natural Resources (Mr. Enns) from his seat, Mr. Speaker, says give us the tools and we will do the job. It is up to his Government to provide the tools and then do the job. That is what is missing. All the rhetoric, all the talk and all the right buzzwords—my goodness their buzzword generator is working

overtime. It is going to overheat. We had enough of that through hours and hours, Mr. Speaker, in the Environment Department Estimates. The substance was not there, the detail was not there, and we know the will is not there.

\* (1450)

I am saddened by that, but we will deal with this with relish I can say in the committee process, because I think that is one of the most exciting parts of the work of this Legislature, in the committee when we review legislation in some detail, and we can put the ideas on the table, we can debate them at some depth, we can hear the delegations.

I think that is one of the most refreshing things when people come in from outside, Mr. Speaker, and tell us what their concerns are, what their reservations are, where they think we can do it better, and how. I really look forward to that. I will be putting many an hour in the committee sessions.

This Act I feel, Mr. Speaker, deserves some very close scrutiny, not because it is a particularly bad piece of legislation, but because it is a particularly important piece of legislation. I would have to say though that when the budgets two years in a row do not match with the legislation coming forward I as an MLA, and as the Environment Critic of the official Opposition, am having a lot of grief with it, so are the environmentalists and so are the average citizens.

As we get together as a community over these holidays, and we meet with our friends and colleagues that maybe we have not seen that much of over the year, because we have been too busy here in this building, there is going to be a lot of discussion out there about the environment, environmental issues and environmental Acts. I am sure those that are really listening when they are out there lifting their glass of good cheer, rekindling acquaintances, friendships and seeing family members, will, if they are prepared to listen, get a good earful on the environment.

I hope that the Members opposite will bring back some refreshing ideas and a greater degree of will to see improvements to the environment in this province and to accept positive and constructive amendment to the pieces of legislation that are being put forward here. I will deal in more detail on this Act when it does come forward to the committee stage. Thank you.

**Mr. Steve Ashton (Thompson):** I look forward to being able to participate on the debate on this Bill, because it has really summed up the whole debate on the environment, this and Bill No. 83, which I will also be addressing, Mr. Speaker.

If one looks at the debate that has taken place on this Bill, I think you will see the way in which the current Government is attempting to rewrite history, is attempting to bring in, and I think the previous speaker summed it up quite accurately, the right rhetoric, the right words in terms of the environment, but very little action, and then attempt I believe to say to the people of Manitoba that somehow they are concerned about the environment, they are acting on the environment and that they should have credibility on the environment.

Well, I have news for the Members. They have a slight problem in doing that. I want to give you an example of the extent to which they will go to attempt—and this is for the particular edification of Mr. Dave Blake who I notice in the gallery today. I certainly welcome him back. He I believe will remember—he was a Member of this House prior to 1988—some of the debates that went on. The former Member for Minnedosa will remember how many times the Conservatives raised concerns about the environment in Question Period in the Manitoba Legislature. He can remember it I am sure, because it surely must be able to be counted on one hand. They very rarely raised it. I think they were almost in a time warp, Mr. Speaker.

I give you an example of the Minister of Health (Mr. Orchard) who gave a speech on this very Bill and talked about the record of the previous Government. He gave a speech on the record of the previous Government and never once did he mention the words, The Environment Act. A number of us were in our seats and were trying to encourage the Minister of Health to come out with those words, to spit them out, to talk about The Environment Act, The Environment Act that the previous New Democratic Party Government passed, which is one of the best pieces of environmental legislation in Canada, and has been acknowledged as being one of the best pieces of legislation, a dramatic piece of legislation.

The Minister responsible for Natural Resources (Mr. Enns) applauds and so he should because that was a piece of legislation that moved Manitoba to the forefront in terms of the environment across this country. Not once in the speech of the Minister of Health (Orchard), and he has spoken on other environmental issues since, did he mention it?

(Mr. Gilles Roch, Acting Speaker, in the Chair)

There is a reason for that and that is because if you were to listen to the Conservatives they would try and say that nothing had happened in the environment. Well nothing could be further from the truth. That Environment Act, in and as of itself, is indication of the strong commitment of the New Democratic Party to the environment.

It is about time the Minister of Health (Mr. Orchard) did his homework. Perhaps he was not paying attention to the environmental issues when he sat here in Opposition. I suspect that is true, because as I said you can count on virtually one hand the number of environmental questions asked by the Conservative Opposition at the time.

That I think speaks to the bottom line of this issue. The fact is the New Democratic Party was committed to the environment. The fact is the Conservatives were not when they were in Opposition, and their new found conversion to environmental issues is really nothing more than a conversion to rhetoric. It is nothing more than a conversion to issue management. I do not think anybody in this province believes, Mr. Acting Speaker, no one believes, that they are going to stand up to the big corporate polluters, their friends, the big corporations. No one believes that.

The former Minister of the Environment, who likes to speak at length from his seat on environmental

issues, I think is a classic example of that. When he was Minister he made sure that he removed a member of the Clean Environment Commission who had the temerity to complain that the Minister of Environment had said do not go too hard on a major employer in my constituency on the environment. Now the Minister said he was only joking. This is the same Minister who only joked about pink slips to employees. Some joke, some sense of humour.

The bottom line is the former Minister responsible for the Environment said, do not be too hard on this major employer in my constituency. The bottom line was this member of the Clean Environment Commission was removed within a matter of months of having made that statement public. I think that was one of the reasons why the previous Minister is no longer responsible for that department.

I will give some credit to the First Minister (Mr. Filmon) for having appointed the Deputy Premier, because I do believe he would not make such errors in judgment as did the previous Minister. Time will tell. The jury will be out on the extent to which the current Minister of the Environment (Mr. Cummings) is indeed truly committed to the environment. The jury will be out as to whether he is willing to stand up to major polluters in this province.

We have expressed concern, our Leader has expressed concern in particular, about the way in which the previous Minister and the current Minister have not dealt in terms of application of the new Environment Act to the City of Winnipeg. I think we raised that in this House. It is only because of pressure in this House that there have been any developments in regard to the implementation of The Environment Act in terms of the City of Winnipeg.

I think that is going to be the bottom line that people are going to have to ask themselves, Mr. Acting Speaker, who is going to stand up to the major corporate polluters? Who is going to say that given the demands that are taking place in our environment right now, the critical situation in our environment, that we need leadership? We need leadership starting from the big corporate polluters, the big corporate polluters.

I do not mean to say that we should not all be taking a role in dealing with environmental—in fact we absolutely should. It is an individual problem. It is a community problem. It is a provincial problem. It is a federal problem. It is an international problem. None of us can stick our heads in the sand, whether it be in terms of the ozone layer, whether it be in terms of acid rain, Mr. Acting Speaker, whether it be in terms of the specific content of this Bill, the whole question of waste reduction and the consequential question of recycling.

In Canada we are one of the biggest creators of waste in the world per capita. We are a very wasteful society. Perhaps it has been because of our relative affluence that we have been able to do it. Perhaps there is somehow a perception that we have wide-open terrain, that we have the space, that perhaps we can afford to be a little less concerned about waste and recycling.

\* (1500)

The bottom line is if you look at what is happening, the sad part in Canada is that if you look at the example of countries, which have far lower rates of waste creation than we do, which has really moved ahead, and have pioneered in terms of waste reduction and recycling, it is proving not only to be beneficial to the environment, but it is proving to be beneficial economically as well.

The bottom line in those countries is that action had to be taken initially by Governments, it had to be taken by the people saying enough is enough, we need leadership. Then it followed through various regulations, various Acts, various systems that had been put in place, various recycling projects, for example, that have been put in place and other controls. It worked specifically through public education, making people aware of the problem, and that is something we should learn from. That was the process that took place in those countries.

In Canada we are well behind in that area. In some areas there are encouraging signs, I think the Blue Box Program, in particular, in a number of major centres. I was recently in Toronto and had the opportunity to see the program in action there. What I think is the most fundamental characteristic of that program is the public support it has received in recent years.

Recycling is actually nothing new in Toronto; it has been around since the early 1970s. There were a number of offshoots from the late '60s. A number of co-operatives were established. I know one in particular, the S-Five Project that was established and pioneered in terms of recycling. This was some 15 to 20 years ago. In Toronto they were ahead of their time. Now one goes to Toronto and finds a massive amount of support for recycling. Not a house is to be seen without some support, some involvement in that project. I think that is an indication of when the public has a perception of what the problem is, and it is a problem of how much improvement can take place.

I believe that is what is needed in Manitoba. I believe that there needs to be a strong process of public education to determine not only the problems that could be associated with refusing to act in this particular area, but showing the fact that major changes can be made that can improve dramatically the situation in terms of waste removal and in terms of recycling. That is why I think it is important to raise now in debate, as we discuss this particular Bill, these very issues itself.

I do know that there is one aspect of the Bill that does talk about a waste reduction and prevention strategy report being tabled within six months from the date of the coming to force of this section and annually thereafter. That is good. It is good to have studies and good to assess the situation and provide ways in which we can improve the situation, but I just want to say to the Minister responsible for the Environment (Mr. Cummings), because he is certainly I know following this debate very carefully, that I hope we will not see this as an excuse for inaction.

I hope that the Minister responsible for the Environment will not become the same type of Minister

that we are seeing in terms of the Minister responsible for Health (Mr. Orchard) who has appointed more committees and recycled more announcements—in fact he should be the Minister responsible for recycling if you look at the way in which he has announced the Health Advisory Network about 15 times, the Health Promotion Trust Fund 15 times since he has been in office, and by the way has managed to very little, if anything, in terms of those particular Bills.

I hope the Minister responsible for the Environment will not become a recycler of announcements and a recycler of rhetoric. I hope he will not become an individual who will appoint committees to delay implementation of action. Action should not wait for this report or the annual reports thereafter. There are many documented ways in which we can move, and I believe the public of Manitoba is ready to support action. They are ready to support, in a fundamental way, a change in attitude toward waste in our society, toward recycling, I believe that to be the case.

I would point, for example, Mr. Acting Speaker, to the task force that we have appointed in terms of the New Democratic Party, that went across the province. I would recommend by the way to the Minister that he go through this process as well, because we received many, many excellent proposals from individuals, from individual citizens in each and every community that this task force visited. There were some excellent ideas in terms of waste reduction and in terms of recycling. I believe that is a process the Government could do well to follow.

We certainly have been releasing our reports and we would hope that they would study them because they are reports—yes, they are issued by a political Party, a Party that is concerned about the environment, but they are not political reports in the partisan sense. I do not think there is anything that is in those reports that could not be adopted by any Government that was concerned about the environment, because these are recommendations from environmentalists, these are recommendations from community groups, it is recommendations from individuals, many of whom are individual citizens who are not that involved in the political process.

I would recommend, and I am sure our environment critic, the Member for The Pas (Mr. Harapiak) who cochaired the Environmental Task Force, will be more than happy to make copies of its reports available to the Minister responsible for the Environment, because in many ways it has been doing what this Act talks about. It talks about establishing the Waste Reduction and Prevention Strategy Report. Well, we drafted it because of the input of individual Manitobans, and I would recommend it, I would strongly recommend it to the Minister. I realize it might be somewhat difficult for the Minister. He may be afraid of giving credit to the task force and indirectly to the political party, the New Democratic Party that sponsored the task force. I think if we are to reach the ultimate goal which is to put environmental issues ahead of narrow parochial concerns or even Party concerns, partisan concerns, I think that might be a valuable step by the Minister.

\* (1510)

I realize that he has a difficulty, because in essence the Conservative Party is full of, perhaps I will use this analogy, born-again environmentalists. I do not think there is anything in their record prior to 1988 that would show any sympathy whatsoever for the environment. I would once again challenge people to go through the index for Hansard for the period prior to 1988.

The Member for Flin Flon (Mr. Storie) has sat in this Legislature since 1981. I am sure he will recall that. The Member for the Interlake is here, one of the most senior Members of this House, has sat in this Legislature for 20 years. I am sure the Member for the Interlake can probably count, perhaps not on one hand but on both hands, the number of questions on the environment that Conservatives have ever asked when they have been in Opposition, anything that was ever raised. Well, he is counting now, I think we were up to about four or five. We may get to two hands; there may have been eight or nine or ten questions.

The bottom line, Mr. Acting Speaker, is they have very little concern about the environment, virtually none. It is ironic when they try to rewrite history, as did the Minister of Health, and leave out The Environment Act, one of the most significant developments in this province. They have not yet accepted the fact, they have not come down to the bottom line, and that is they have jumped on the band wagon since they became Government. They are spouting the rhetoric; they have brought in some Acts, some of which have some substance, but the bottom line is, I do not believe that Manitobans really give the Conservatives a lot of credibility on environmental issues.

They know that when push comes to shove, if there is a choice, and the Minister of Northern Affairs (Mr. Downey) is continuing to go the same route as the Minister of Health (Mr. Orchard), he has not yet, and I want to hear the words come from his mouth to say, The Environment Act; The Environment Act, because one of the best environmental acts in the country was passed by the previous New Democratic Party Government and he knows that and that is why the Minister of Health (Mr. Orchard) and the Minister of Northern Affairs (Mr. Downey) and the Member for Portage (Mr. Connery), the former Minister responsible for the Environment have not once in any of their speeches on this Bill mentioned that, and they will probably not mention it, because it has a great deal of difficulty for them, they have difficulty trying to develop their argument when it was pointed out.

I think even the Minister responsible for the Environment would reject that approach. I believe that he would take the approach of at least giving the former Government for bringing in The Environment Act. I believe he is a basically fair individual and I look forward perhaps in his closing comments on this particular Bill to hear him say that he rejects the approach of his colleagues, he rejects the speeches given by Members such as the Minister of Health (Mr. Orchard), who I do not believe in the time that he has been in this Legislature has even been known to utter the word "environment," let alone ask a question on it until the last year or year and a half.

I hope it is not, and I hate to be cynical, I hope it is not because they have run a poll, perhaps a Decima

poll or something, that has said that environment is a concern and that somehow they should all of a sudden be mouthing the word and talking about what great defenders of the environment they are. Their record will show that. If they want to compare records, they can compare the record of their previous Government, the Lyon Government, in terms of the environment.

Incidentally, the current Premier was Minister responsible for the Environment at that time. Very few initiatives were taken at the time, and I think it is a source of embarrassment. It is a source of embarrassment, absolute source of embarrassment, Mr. Acting Speaker. We can get into the the MacGregor spill, we can get into issues such as that, but I do not want to dwell on history, because people go through and look at the history of the environment in this province and environmental policy or they just go from what they know to be the situation, they know to be the case, and that is that the Conservatives have never really spoken up on the environment until it has become a major concern.

The New Democratic Party has been talking about the environmental concerns ever since I can remember, and I joined the New Democratic Party when I was 17 years old. Since that time, Mr. Acting Speaker, when I joined, and I am proud of that fact, ever since that time from that period on there has always been talk about the environment in the New Democratic Party.

When the Conservatives were out defending the corporate polluters, their great supporters, the biggest contributors to their Party, the New Democratic Party was taking what at the time was not necessarily a politically popular course. It was not popular in the late '60's and early 1970's to be talking about the environment in the sense it is today.- (interjection)-

Well, Mr. Acting Speaker, the Minister responsible for Northern Affairs says how concerned he has been about the environment. I may take the opportunity to go through—thanks to modern technology, we have a listing of Hansard that can pick out words, over the last period of time, we can go back 20 years. The Minister responsible for Northern Affairs; we can find out how many times he even mentioned the word environment.

I can say, Mr. Acting Speaker, I have come to know the style of the Minister of Northern Affairs (Mr. Downey) very well in the eight years I have been in this Legislature, I know he has not raised those concerns -(interjection)-

The Deputy Premier (Mr. Cummings) asks if I am going to emulate the Minister of Northern Affairs. I can say—God knows I do not want to be emulating the Minister of Northern Affairs, and no offence to the Member. He is a long-standing Member. I do not wish to put down the Member in any way, shape or form on a personal basis -(interjection)-

The Minister of Northern Affairs (Mr. Downey), says he wants to run in Thompson. I want to say that if he wants to get up and announce his candidacy today, I will look forward to discussing environmental issues, northern issues, economic issues, issues of any kind.



I will run against the Minister of Northern Affairs at any time, Mr. Acting Speaker, any time that he is willing to screw up the courage to put his money where his mouth is.

The Member for Arthur, probably the most southern constituency in this province, is the Minister of Northern Affairs. Well, we have accepted that for some period of time because there are not any representatives in this Government from the North. Northerners have rejected them -(interjection)-

If the Minister is so confident about what is going to happen after the next election, let him put his money where his mouth is and run in northern Manitoba. Then after the next election we might accept him as Minister of Northern Affairs. We know he will not, Mr. Acting Speaker. He will not run in northern Manitoba, because he is afraid to, because if he has to be he has a heck of a lot better chance of justifying his inaction on northern issues with his constituents in southwestern Manitoba than he does in northern Manitoba, and he knows that.

I do not want to be allowed to be distracted by the Minister of Northern Affairs (Mr. Downey). I will be waiting for his announcement that he is running up north. I would prefer if he would run in the Thompson constituency, then we could settle some of these matters once and for all. I have already indicated to the Minister of Northern Affairs that people I am sure will appreciate a parachute candidate. I mean, certainly the Minister likes to fly around the North enough. He could perhaps parachute in on our constituency one day and announce he is running. Then we will be able to have a direct debate on what is happening under this Minister, and what is happening under this Government, in terms of Northern Affairs.

We will see—and I think one of the indications, by the way, Mr. Acting Speaker, of just how confident this Minister feels about his record as Minister of Northern Affairs will be if he is going to run in the North in the next election. Let us not forget there is redistribution. There are three sitting Members that are going to be competing for two seats in southwestern Manitoba unless there is some bumping along, and I would say that the Minister of Northern Affairs (Mr. Downey) could do his Party a lot of good by accommodating other Members in that area and run in northern Manitoba. Then we will see, and we will discuss the environment. We will discuss the economy. We will discuss a number of issues.

I would suspect, and I will say this on the record, if he does not run I think that is a clear indication of just how afraid he is to stand on his record in northern Manitoba and be accountable for his record. We will deal with that as it arises.- (interjection)- I can tell you, he says if I run in Arthur, he will run in Thompson. He is the Minister of Northern Affairs. I have never in this Legislature claimed to be a great spokesperson for southwest Manitoba. I will say that is a job that is best left to people who are from the area who represent those constituents, whatever Party they are, in the same way that I am proud to represent my area of the province, northern Manitoba, Thompson, and the many other communities and the surrounding area that will

soon be part of the Thompson constituency. I am proud to represent their concerns and I will look forward to seeing if the Minister of Northern Affairs (Mr. Downey) has the political intestinal fortitude to put his money where his mouth is. We all know the extent to which the Minister has a mouth. We will see if he will put his money where his mouth is, and if he will run in northern Manitoba.

I do not want to be deflected, Mr. Acting Speaker, from the important issue, the environment. That is the fact that throughout this debate, they have refused, the Government has refused, to acknowledge what happened prior to 1988, which is the fact—and once again, the Minister of Northern Affairs (Mr. Downey) does not mouth the words, The Environment Act.

\* (1520)

Well, Mr. Acting Speaker, I gave him a chance and once again he did not do it. It is amazing for someone who could be so vocal, how he cannot spit out The Environment Act, and that is for a reason, because that shows the commitment of the New Democratic Party in terms of the environment. The bottom line though is what we are seeing on Bills such as this since 1988 is that they have become something in terms of born again environmentalists.

I do believe that the Minister responsible for the Environment (Mr. Cummings) perhaps is not as prone to rhetoric on this issue as some of his colleagues are. I give him that degree of credit. I think he has been a good study. He has certainly learned the concerns very quickly. He has had to, and I give him credit. I see the former Minister is giving him credit. So he should; he is certainly an improvement over the record that we had under the former Minister. The Minister would be the first one to know that, Mr. Acting Speaker.

The bottom line is, the Minister is going to have to go further. I think he is going to have to first of all educate many of his colleagues who seem to think that the environment is something that can be thrown around as a word, that terms such as sustainable development, which has developed out of the Brundtland Report, the very excellent documentation of how serious the environmental problems are in our province, I think they have to go beyond just mouthing the words.

We have seen sustainable development become sustainable rhetoric from this Government. We have seen them recycle not waste, we have seen them recycle announcements and rhetoric. People are expecting more. They are expecting more, Mr. Acting Speaker, from this Government. They are expecting more from all Governments than what we are seeing at the current time.

I believe that to a certain extent we are seeing an interesting phenomenon. That is, people are taking something of a green attitude towards the country that has never existed before. I do not mean to say green as in the Green Party. I believe that is one manifestation of the concern over the environment. I think we are seeing that all Parties are beginning to adopt at least the concerns and the terminology of the environmental movement. I think that is encouraging. I think that is very encouraging.

We have to ask each and every person, each and every Government that is talking that rhetoric to go beyond that. I believe that it is going to require tough choices. It is going to require tough choices between some of the big corporate polluters and the people who are going to be affected by the pollution. It is going to require some cost measures. It may require some support from Governments. To get any type of environmental program working, you need to have some sort of funding, some core funding, even in terms of recycling for example.

I think the question is increasingly becoming not whether we can afford to promote environmentally sound measures, not whether we can afford to recycle, not if we can afford to prevent unnecessary waste, Mr. Acting Speaker. The real question is whether we can afford not to take action and that I think is something that we as legislators should be answering all the time. That is a question we have to be dealing with. Can we afford not to? I do not believe that we can. Well, I do not want to suggest that this is necessarily the one and only priority area. We will be discussing this under Bill No. 73. The whole question of the ozone is something that is very serious. The whole question of the greenhouse effect is very serious.

When I look at it, Mr. Acting Speaker, if you look at the trends, even this winter, some of the harshest weather on record in this province. We had minus 44.4 degrees in my own community of Thompson just a few days ago. This unfortunately is exactly what has been prophesied by those who are concerned about the greenhouse effect, the impact of the changes in the ozone layer, their concern about the huge extremes in terms of temperature.

What is happening is we are seeing it on an almost monthly basis that those prophecies by people who incidentally five and 10 years ago would have been considered to be out in left field in many cases, many people who, as is the case with anyone who is ahead of their time, many individual scientists and environmentalists who were considered to be perhaps less than serious, who were considered to be outside of the mainstream, considered to be rather extreme, many of their prophecies in just a short period of five years are now becoming the truth. We are seeing self-fulfilling prophecies.

I think that is something that we have to be very, very, very concerned about. It is something we all have to really think about, because as much as anyone can try and get up and say that they are concerned about the environment, I think the bottom line is that prior to the last number of years the concern was not enough. It did not extend enough. There were certain people, certain individuals, certain groups, that were talking about the environment. We need to get it into the mainstream, and we need to recognize the bottom line that it is going to cost money. It is going to require real commitment.

I will be interested to see whether there is a real commitment from this Government. I do not believe that there will be. I do not believe that there will be, Mr. Acting Speaker. I can tell you for the sake of our environment, I hope that we will see some action out

of the waste reduction and prevention strategy report that will be part of the by-product of this. I hope that we will see something out of the advisory committees that will be appointed if this Bill is approved.

We will see some real action out of the deposits, the collected deposits, another provision of this Bill, something that we will certainly support in the New Democratic Party. I could go through again in terms of the details in terms of enforcement, in terms of offences, which are all important sections of this Bill, warrant to enter and seize, some of the toughening up of the procedures that are envisioned by this Act. I could get into the penalties and also the extensive work in terms of the regulations.

I tend to agree, by the way, with the Member for Flin Flon (Mr. Storie), Mr. Acting Speaker, and I believe the Member for Wolseley (Mr. Taylor) who have said the real measure of the success of these Acts, actually, is not going to be in the Bill itself, this Bill or the other Bill, Bill 83, or any environmental Bill, it is going to be as much in the regulations, the enforcement, the way in which the theory of the Bill, the fine principles that we are debating on second reading in this Bill, will be put in place. I think that is going to be the real test, and I hope the Government will live up to that test.

I believe they do have the opportunity in this province to take some real action in terms of the environment, because we have indicated, the New Democratic Party, that we will support this. In fact, we are saying—with this Bill—we are willing to see this Bill pass through a second reading this week.

We have listed six environmental Bills, Mr. Acting Speaker. Six environmental Bills are on the Order Paper that we have asked of the Government, not that they have asked of us, to bring forward that we would like to have passed through second reading this week.

We have taken that unusual step, not just because many of the Bills had either been drafted by the previous Government, or in the case of Bill 83, reflect a Private Members' Bill, or reflect concerns that are being expressed whether it be by ourselves or any political party, we are asking for that commitment by the Government, because we feel they are important Bills regardless of what weaknesses they may have. Some action on the environment is better than no action.

I want to state for the record—we do have a number of other people who wish to speak on this Bill—but I do want to state, before completing my remarks, that we are anxious to see these Bills pass through. We have requested this of the Government. We have said that these should be the priorities of this Legislature, the environmental Bills. I believe there is a general consensus amongst the Opposition. I hope the Government will support that. I hope they will accommodate that, because their priorities have been different in terms of which Bills they feel should be passed.

I am glad to see, by the arrangement of the Order Paper today, that there is some recognition now following the request that was made to the Government of the fact these are important Bills.

As I said, we will perhaps be attempting to expedite this in a way that a number of you might not have the opportunity to speak on this. That is unfortunate, because I know in our caucus probably each and every one of our Members of caucus would like to have the opportunity to speak on each and every one of these environmental Bills. We have decided that rather than do that we would like to see the Bills passed, if we can, later on this week, at least into second reading so that early next year we can deal with the committee reports and third reading, and we can have those Bills in place in terms of Manitobans.

There may be a number of amendments that will be brought in, Mr. Acting Speaker. We are already looking at that, ways of improving the legislation, but I think this would be a first step.

This is going to be a long Session. I think we all realize that. It may be longer than some people even realize at this point in time.

The bottom line is, while there are contentious issues before the Legislature in terms of the economy, or labour relations, or health care where we are seeing growing differences in terms of the position of the Parties in this Legislature, if there is one where we can at least, to a certain extent, have some focused opinion, some co-operation, I think it is the environment. That is not because we necessarily all agree in terms of environmental policy, or we are all willing to go to the same extent, or we all have the same history of concern about environmental problems, but I think there has to be some recognition of the fact that at least on some Bills, whether it be Bill 84 that we are debating today, or some of the other environmental Bills, we can get some form of co-operation between the various Parties.

I think there is some sense of co-operation. I hope that will be shown this week by the passage of the Bill. I think it is important certainly, before we do get into the latter parts of the Session when I think we are going to come to some real crunch bottom-line issues that are going to show very clearly the differences in terms of policy where there is not even an attempt to suggest the Parties have a similar view—I have mentioned labour relations, the economy or health care, where I think there is a clear difference between the various Parties, but in this case, regardless of whether or not my criticism is true, and I believe it is, that the Conservative Party are born-again environmentalists, they have not really shown much concern about the environment in the past, I think we can put that aside. They can perhaps, Mr. Acting Speaker—

**An Honourable Member:** Do you want to co-operate?

\* (1530)

**Mr. Ashton:** Yes, the Minister of Northern Affairs (Mr. Downey)—I do want to co-operate if it is going to benefit the environment. I have indicated that as House Leader within the New Democratic Party to your House Leader (Mr. McCrae), and to the Liberal House Leader (Mr. Alcock). I believe there is a consensus that we can get some co-operation on this particular Bill and other Bills, because regardless of whether or not we do have

differences—and I believe in the environment, if you strip away the fine sounding words there are significant differences in the extent to which each Party is willing to go to preserve our environment, protect our environment, take real initiatives. I believe that is the case.

I think regardless of that on these particular Bills, this particular week, in this particular Session of the Manitoba Legislature the one thing we can do is, regardless of those differences, find our common ground, which is to see the passage of these Bills hopefully by the end of the week, if sufficient time is available for debate. I believe the intention is to make that.

I extend a message to Manitobans, and I will certainly be sending a message, I know, to my constituents certainly as Health leader for the New Democratic Party to Manitobans as a whole, and that is, bottom line message, when it comes to real action in terms of the environment we will co-operate and we will co-operate to the fullest extent possible.

We have already taken initiatives by bringing our own Bills in Private Members' Hour. We are pleased to see some Government initiatives, some of them which have already been drafted by the previous Government, some of which are initiatives based on the Private Members' Hour Bill that we introduced, some of which are new initiatives. Regardless of where they come from if they are good Bills we will support them.

With those words, Mr. Acting Speaker, I know the Member for the Interlake may either have some comments today or certainly will later on in the week. I will say that we, in the New Democratic Party, will be supporting the passage of this Bill through to committee, if at all possible, by the end of the week. We do hope to deal with it in committee later on in the Session as we enter into the new year.

**Hon. Glen Cummings (Minister of Environment):** I would like to say a couple of words to wrap up—

**The Acting Speaker (Mr. Roch):** I am sorry. Order, please. I did not see the Honourable Member for Interlake rise. I understand that if the Minister is allowed to speak now he will be closing debate. Therefore, I recognize the Honourable Member for the Interlake, and I give him my apologies as well.

**Mr. Bill Uruski (Interlake):** Thank you, Mr. Acting Speaker. I would like to move, seconded by the Member for Inkster (Mr. Lamoureux), that debate be adjourned.

**The Acting Speaker (Mr. Roch):** The Honourable Member for Interlake has already spoken on this Bill. The Honourable Member for Dauphin.

**Mr. John Plohman (Dauphin):** I would like to move, seconded by the Member for Interlake (Mr. Uruski), that debate on this Bill be adjourned.

**MOTION presented and carried.**

**BILL NO. 7—THE INTERNATIONAL  
SALE OF GOODS ACT**

**The Acting Speaker (Mr. Roch):** On the proposed motion of the Honourable Minister of Justice (Mr. McCrae), Bill No. 7, The International Sale of Goods Act; Loi sur la vente internationale de marchandises, standing in the name of the Honourable Member for Inkster (Mr. Lamoureux), the Honourable Member for Inkster.

**Mr. Kevin Lamoureux (Inkster):** I was only going to take a few minutes just to go over this particular Bill. I did want to put a few comments on the record.

In today's world, we are moving more and more towards global trade. There are many positive benefits to moving in that direction in terms of economy of scale and so forth. I believe we have to be somewhat cautious as we move towards a global economy, and that is we have to ensure there are industries that we protect that are here in Canada, in particular here in Manitoba. There is action that is needed and necessary in order to ensure that we have a diversified economy here in Manitoba and in fact across the country.

This Bill helps to facilitate the need for a more standard contract, which will make it that much easier to have trade abroad. If you will, it makes an attempt at setting a level playing field, thereby allowing the manufacturing industry to be able to compete on a more equal basis, and that is important.

Provinces, many provinces, Mr. Acting Speaker, have established offices and profiles throughout the world. If we take a look in terms of history, in 1960 for example, there were six provincial missions or offices if you will that were dispersed in the world and all working toward expanding the provincial trade from their provinces to those countries that the offices were in.

(Mr. Speaker in the Chair)

In 1971, we had 31 of these such offices recognizing the importance for trading abroad. You have seen these offices grow to this year where we have approximately 70 offices throughout the world. All of these offices, Mr. Speaker, have bureaucracies and so forth in order to maintain them. No doubt, in the future, you are going to see the number continue to increase.

There are some problems, Mr. Speaker. Some provinces are much more active than other provinces. If we take a look at our provinces that are really aggressive and active, you are looking at provinces like Ontario, British Columbia, Quebec and Alberta. Then if we look at other provinces that do have offices abroad, you are looking at provinces like Manitoba, Nova Scotia, New Brunswick, Saskatchewan, and then there are a couple of provinces and the Territories that do not have these offices throughout the world, those of course being Prince Edward Island and Newfoundland.

If we look at Manitoba in particular, we have a couple of offices abroad, one being in Hong Kong and the other one being in Rotterdam. Both of these offices serve a purpose in trying to attract potential growth and so forth to the province. Mr. Speaker, I do have

some concerns in terms of the sizes of the provinces or the resources that different provinces have to be able to support these offices abroad, because if you take a look at a province such as Ontario or Alberta where they have more wealth, and the provinces such as Saskatchewan and Manitoba and more so Newfoundland and Prince Edward Island, they have the resources in order to develop in that area, to be able to have the offices. Some would say that it gives them an advantage. The wealthier provinces thereby would have an advantage over the not so wealthy provinces in the sense that they would be able to have or establish more offices abroad, thereby having the ability to potentially attract more businesses and industries and so forth and trade to that particular province.

I do have some concerns regarding that. If we take a look for example at Quebec, they actually have a ministry established that has a budget of over \$93 million for it. Quebec alone has 26 offices or missions abroad to try and lure more businesses and industries and trade to that particular province. The bureaucracy employs directly, it is estimated, approximately 330 employees.

Mr. Speaker, I start thinking in terms of the whole question on Quebec and the distinct society clause. Does this mean that by having a distinct society, do they need to have this distinct representation abroad? What comes to my mind is the question, why is this happening? Why do we have provinces that feel obliged to set up offices abroad? I believe that is a problem that does need to be addressed and, as I pointed out, maybe because there are other provinces that are at a distinct disadvantage because of the resources that they might have. The provinces such as Ontario and Alberta and B.C. and Quebec will argue that the federal Government has not been addressing their concerns. They have not been out there pursuing that international trade for each and every province, and they feel that they can do a better job.

Mr. Speaker, I think we have to be very aware of that. It is up to the federal Government to ensure that industries are scattered throughout the province, that in fact, if you are a have-not province, you are treated to some of these industries that you might not be able to attract because you do not have an office abroad.

\* (1540)

Mr. Speaker, this also leads to provinces that will bid against each other. We see time after time provinces trying to attract a particular manufacturer or monopolize on an industry and throw in many different types of incentives in order to try and attract it to that particular province, and in reality what we are doing is we are undercutting the other provinces' treasuries. It is very expensive to start putting up bids to attract or offer tax incentives, tax breaks or whatever it might be in order to get that particular plant located in their province.

Then we can go back, Mr. Speaker, to the idea that the provinces that do not have the resources to be able to bid with provinces like Ontario and Quebec are not going to be able to attract them for that simple

reason, because they do not have the millions of dollars or tax benefits to dish out. Much more work needs to be done in terms of trying to ensure that all provinces are treated equally to the distribution of industries and diversification.

All provinces would like to be able to sustain their economy not on one sector. If we take a look in history, we see what one-industries have done to some of the provinces, and even currently if we look at the Atlantic provinces we see the problems that are going to be occurring because of the fishery industry. We look back during the oil energy crisis in Alberta, what happened in Alberta when they relied on oil to the degree that they did and the damage that it did, the high number of people who were affected in a very negative fashion.

Mr. Speaker, Manitoba in some ways is somewhat fortunate in that we might not ever have that boom that Alberta might have, but hopefully we will never have the economic blow that a province like Newfoundland might have. I think in that sense we are somewhat fortunate in the sense that we do have somewhat of a diversified economy, albeit considerably a lot smaller than, let us say, the Province of Ontario.

Mr. Speaker, if we take a look at Manitoba alone, it is in fact a major world player when it does come to trade. Manitoba is estimated to have over 500 firms that export out of province, and it is estimated that we are looking at in and around \$3 billion worth of material. I believe that this particular Bill will help in facilitating this type of trade—and that is important—in steps that we can move that will enhance the trading that Manitoba can do. It will be that much better for all Manitobans.

As we move closer or take closer steps to world trade, we should continue, but there is a need to be somewhat cautious. We have now entered into a free trade deal in which the Government, today's Government, supports whole-heartedly, but I do and my caucus colleagues have many reservations about the free trade deal and the impact it is going to have on Manitoba. If we talk about some of the impacts, we can go through a list and I would like to list off some of the companies that could have been—and no one will really know for sure if that is the case, if the free trade deal was the final straw. But there is no way we can actually say that in fact that is not the case. What we are trying to underline here is that there should be something in place from the Government. It is important that the Government provide the retraining programs and programs that are going to be in need.

I will read off a few. If we look at Canada Packers, 100 employees affected; Wescott, 470; Puffy Lake Mine, 140; Sprague Sawmill, 60; Gelco Express, 20; Toro, 28; LynnGold, 250; Lipton's, 33; Oglivie, 89; S & S Transport, 118; Rusty's Auto Glass, 12; Marr's Leisure, 43; Manitoba Computer Consortium, 11; International Home, 43.

Mr. Speaker, the list goes on, workers who have been laid off since January 1 of this year. We are looking at Molson's with 58; Marks and Spencer at 45; Air Canada at 66; VIA and CN Rail, 500; Canadian Airlines; Trimran in Morden, 53. We are looking at, it is estimated to

be, in and around 2,500 different jobs. These are full-time jobs. These are jobs that the Government has been replacing with part-time jobs. One can read statistics in many different ways, but the bottom line is we are losing a lot of good full-time jobs and there are no assurances that this Government can give to say that it is not as a result of the free trade deal.

Where my concern lies is that the Government is not putting into place programs to retrain these individuals. These individuals have lives to lead and their livelihood has been taken away from them, and the Government of the Day just does not seem to be taking the initiative to be bringing forward programs. In part I guess, Mr. Speaker, it is because they do not believe the free trade deal is having the impact that it is having on Manitobans, and indeed that is a shame.

If you take a look at a couple of industries in Manitoba, we should be very cautious—major industries that export worldwide such as our garment industry, where it employs, I believe, in and around 7,000 Manitobans directly. I believe it is important that this is one of the industries, and I stress, one of the industries that we have to be very careful of. It is nothing for an American garment manufacturer to increase capacity or productivity by cutting down on a coffee break or hiring a half-shift, and then wipe out the entire industry in Manitoba, because they are so much larger than what we are here in Manitoba. Like our garment industry, we have food processing. Food processing will be affected by our free trade. We cannot compete with southern states that have year-round growing climates and so forth.

That is really all I was wanting to say on this particular Bill. Mr. Speaker, it does address a need that is out there to expand world trade. I would ask that the Government of the Day also, as we go to economies of scale and so forth, should be aware of the fact that we need to keep a well-diversified economy. That means having programs that can be made available for retraining. That means having programs, and possible assistance where needed, in order to ensure that we can keep some of the industries that we have here in Manitoba so that, whenever rough times do surface here in the province, not everyone will pay the consequence.

Mr. Speaker, many would argue that we are into rough times already. I do not think you will find that I would oppose that thought because, as we see every day that goes by in the economic indicators, they are showing time after time that the Manitoba economy has not been faring well. I would hope that this Government will take some initiatives, some new bold initiatives that will start turning Manitoba's economy around and start bringing it up to where it should be, so that we are attracting more people to the Province of Manitoba and not losing people at a tremendous rate, so that we can see housing starts start to increase, and that would create more jobs. Those are all the comments that I was really wanting to put on the record, and I will leave it at that.

**Mr. Bill Uruski (Interlake):** Mr. Speaker, I wanted to place a few comments on the record with respect to

Bill No. 7. This Bill no doubt, in terms of what is occurring nationally and internationally, is likely required for the province to continue to expand its horizons in terms of its business sector, in terms of international trade.

However, Mr. Speaker, there is a clause in this legislation that concerns me and I think should concern many Members. That deals with the question of conflict with our own legislation and our own principles surrounding the legislation that we have in effect. A specific clause in this Bill indicates that, wherever there is a conflict between this piece of legislation and any other Act of the Legislature, this piece of legislation prevails.

\* (1550)

Mr. Speaker, I would, and I think most Members would, be very concerned about such a provision when it comes to, for example, international trade with countries and companies who may not observe the kind of environmental standards that our province wishes to put into place. This section appears to be in contradiction with the aspirations and the desires of most legislators in this province, including Government Members. The Government is embarking on legislation dealing with protecting the environment as one example, and I am sure there are others. We believe that our laws are necessary for the preservation of the environment and assistance and protection of our citizens both in the workplace and throughout the economy.

What I am getting at is that if we find ourselves in a situation of signing international agreements with other countries and other trading partners whose record of civil rights, record on the environment, may be totally opposite to our views, I am not certain that we in fact would in every instance make that decision to sign those agreements just by a matter of policy. This Act allows the Government basically—and it is very clear. The intent is stated very clearly here that the laws of this province shall come secondary to any agreement that we have under this Act, and that is essentially the concern that I have with respect to this legislation.

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

To give you a bit of an example of where we are headed, we have now concluded an agreement with the United States in the free trade area. We are now involved in negotiating several crucial aspects under that agreement which may or may not come out very satisfactorily. In fact, I would argue that we are going to have one heck of a time defending our position when it comes to defining the one crucial aspect under the Free Trade Agreement, and that is what constitutes a subsidy. That major portion of the agreement has not been negotiated and has not yet been defined. We are, as a result of that, being plagued severely with countervail and a tax by the United States, several components of the industry.

The one before us very clearly is the countervailing duty on the shipment of hogs where they in fact have determined, and we have lost one round, that our

national stabilization programs, of which farmers contribute and provinces contribute, the amounts of public contributions to those programs constitutes an impediment and in fact injures the returns that U.S. pork producers receive from the marketplace.

We send over—I believe it is less than 2 percent of the hogs or pork meat that are marketed in the United States come from Canada. It has been success - (interjection)- pardon me, less than 2 percent. I think that is what it is. It may even be less than 1 percent. I think it could be as low as that, but I am being quite conservative to the Minister of Northern Affairs (Mr. Downey).

That has really been the dilemma that we face. Some of the rules have been not clearly defined in the agreements that we have signed, and are causing our Canadian producers very serious consequences in terms of their returns from the so-called free marketplace, which for Canadians in the hog industry clearly does not exist because they have been bombarded by—first of all, it started with non-tariff trade barriers by the States of South Dakota, Nebraska and Iowa several years ago and now directly by additional duties imposed by the U.S. Trade Commission on pork meat coming into the United States.

Yet when we were as Canadians negotiating that agreement, we did not define what constitutes a subsidy and it will likely take another five to 10 years before that question may be resolved. I believe that the Americans will not want to rush this issue at all. They in fact are happy with what is going on. They are clearly operating under their law. They are clearly getting the rulings that they want, and Canada now is sitting kind of in starting gear, sputtering, spinning its wheels and getting nowhere with respect to this agreement.

As well, before the agreement was entered into, Canada already moved out one of its basic tenets of support to Canadian producers in the grain industry. I am referring to the two-price system for wheat. Even before the deal was signed, we already somehow agreed with the Americans that we would remove the two-price system for wheat. Farmers were promised that the losses that they would sustain as a result of the removal of this system for the protection of wheat sales to both the international market and as it relates to the domestic market, the monies, the shortfall, that the Canadian market would have produced, would be made up by our national Government.

\* (1600)

That commitment was met once. Sixty some million dollars was transferred from the federal Treasury into the Canadian Wheat Board last year. Mr. Acting Speaker, do you know what is going to occur from now on? No more money. That situation and that pledge has ended.

Last year that amounted to, as I said before, between \$60 million and \$70 million to western grain producers. That is no longer going to be the case. There will be no further commitment or cushioning of the impact of the removal of the two-price system on wheat.

What do western farmers see as a result of this move? They will not only see no further monies coming into the Wheat Board account. They will also—and it has been announced that there will be no payout under western grain, because they have now indicated that any shortfall in the marketplace will be met by the stabilization programs and there will be no payout this year, so there is, in effect, a double whammy on western grain producers. That is the result of, what I consider clearly, a giveaway by the Canadian Government even before the trade agreement has come into effect at a cost to western Canadian farmers.

Mr. Acting Speaker, as well what has been said—and I guess it is not a new revelation on my part—by industry in this country that if the free trade agreement comes in there will have to be a harmonization of programs, safety-net programs and other legislation as between the Canadian economy and the U.S. economy. The president of the Canadian Manufacturers' Association in this country clearly stated that has to be the final outcome as to how the relations between workers and their employers will follow over the years, how they will evolve. It is really coming about to pass.

We now have the Unemployment Insurance Bill before the House of Commons basically cutting \$3 billion out of the legislation and removing the federal Government as a contributor to that fund to assist workers in difficult periods of time. The negative impact on Manitoba alone from those changes in that Bill will be, I believe, between \$45 million and \$50 million just for Manitobans. Mr. Acting Speaker, when you take \$50 million out of the economy in this province, it is going to have a major ripple effect on the business community, on everyone down the line.

This Government's blind attitude and blind support for the agreement with no questioning whatsoever of the—not only potential, the impacts are here—negative impacts of that agreement is worrisome and shortsighted to say the least.

When those changes in the Unemployment Insurance Commission come into play on Manitoba workers and that amount of money is going to be out of the economy, what happens then? The welfare rolls will expand, and it is great for the federal Government. It is one more step in their move to offload expenditures, because with unemployment insurance it is strictly a federal expenditure. Both employers and employees contribute to it. If there is a shortfall, the federal Government kicks in the balance.

It has generally been a national program but, when you cut out \$50 million of benefits from a province like Manitoba and you shift many of those people onto the welfare rolls, then the provincial taxpayer picks up half of the cost of those additional clients on welfare. That is a nice way of reducing expenditures at the national level at the expense of provinces like Manitoba and I am sure Saskatchewan and the Maritimes, because those provinces in this country are what is considered, out of the national equalization scheme, the have-not provinces. They receive equalization payments from the wealthier provinces, and so it becomes more difficult for provinces like Manitoba to provide services of a comparable nature in health care and education to

provinces like Alberta, Ontario, Quebec or British Columbia at a comparable taxation rate.

That is where, Mr. Acting Speaker, the question of the Free Trade Agreement and its implications on Manitoba are very severe. The have provinces I am certain go along very well with the federal Government because, if they do not have to contribute through the national taxation pie into these programs, that means there is more money in their coffers to do what they want to do to expand their own economy, their own services in their provinces, and the have-not provinces get pushed back even more and more.

It is a very complicated system to explain to the taxpayers of this province because most people believe that it is just a fight between Governments, it is just an argument and a debate between political Parties. Well, Mr. Acting Speaker, it goes far deeper than that. It goes to the heart of what many of us believe Confederation is all about, the sharing of the wealth of this nation, and the provision of services that make us equal in this country should be provided generally to the citizens of this country, whether they live in Newfoundland, whether they live in Manitoba, Saskatchewan, or wherever at a comparable taxation rate. That is being undermined by successive Governments and in particular the present Conservative administration. I have to admit it really was, when it came to health care, begun by the Liberals a number of years ago. So, Mr. Acting Speaker, there is one aspect of the trade agreement that is very negative on Canadians but in particular on Manitobans.

Mr. Acting Speaker, what is occurring as well now in terms of the international negotiations, under the General Agreement of Tariff and Trade, the GATT Agreement—and Canada seems to be virtually alone when it comes to the question of agricultural support and supply management. The Government of Canada said to the milk producers, to the dairy producers, to the feather industry, to the egg industry, we are going to protect supply management.

They lulled those sectors to sleep during the Free Trade Agreement when the Americans were really trying to and virtually got their foot in the door through the Free Trade Agreement by Canada agreeing to allow the reduction of tariffs on processed products that are produced under supply management, and thus basically putting Canadian processors behind the eight ball when it comes to future expansion of the processing industry in this country. As the Free Trade Agreement comes into play, the processing industry which has to buy its products from the farm community at basically the cost of production in this country, which means farmers get their cost of production back and a margin of return—which is not the case in the United States.

In the United States, for example, the feather industry is controlled by very few firms. In fact, I would say that in the turkey industry, as an example, the industry of which I and my family are associated with, there are about 30 firms in that industry, some of which process as much as 400 million pounds of product in the turkey industry. If there is any kind of a slump or an overproduction, that product is just dumped on the market for whatever the market will bear. In other words, if it has to be a virtual giveaway, so be it.

\* (1610)

That pressure will be immense on Canadian food processors who may further process poultry products or turkeys, as the example that I have used, because they will be saying to Canadian farmers, look, if I am to stay in business and turkey for further processing south of the border is running at two bits a pound, there is no way that I am going to be paying 60 cents a pound in Canada and stay in business because that product will be coming in, rather than being all-encompassing as it was under the Article 11 of the GATT Agreement where Canada basically cleaned up its own act, did not create world surpluses, kept the supply in line to Canadian needs, and also guaranteed the countries who exported into Canada their historical portion of the marketplace.

What we have done, we have now given in this case the U.S. an increased portion of future expansion, and we have given them an open door on processed product. That has now translated itself in the further debate under GATT into what I would consider a vicious pressure by the U.S. to say that Article 11 which supports the Canadian position of supply management, that Article 11 should be done away with and a process of—I am just trying to get the word that they are using—tariffication, I guess that is the U.S. word, of tariffication should be put into place and reduced over a period of time, which really implies that the supply management system should go.

Right now, Canada and Canadian producers are caught behind the eight ball. They are left having not said anything when it came to the Free Trade Agreement with the Americans dealing with supply management, because they blindly believed that the Government of Canada was protecting their interest and now they find that they were not.

When it comes to the GATT Agreement, they really do not have very much of an argument because they allowed the Free Trade Agreement to come in and undermine their system, and the argument is virtually the same under the GATT negotiations presently. We are very much in a dilemma and it will be very interesting, to say the least, to see what will occur over the next number of months. We have only probably six to eight months of negotiations left under the present treaty, and agriculture has to be negotiated during that period of time.

The industries are very concerned. In fact today it will be two weeks ago the industry held cross-Canada meetings from eastern Canada right across to the West Coast both on the dairy side and on the poultry side about their concerns dealing with the present negotiations under GATT. They are basically admitting to all that they fell asleep at the switch during the free trade debate. They are basically admitting that somehow they allowed the Government of Canada to trade away and allow the U.S. a major foot in the door, which undermines the supply management system that Canada has put into place over the last 20 years when supply management actually came into being.

They are now very much in a dilemma and coming to producers and saying, look, will you lobby your

provincial and federal Members over the next number of weeks to get their assurance that they will support supply management. We have all said, even Conservatives have said, yes, we support supply management, but the fact of the matter is the agreements that have been signed undermine that.

It will be interesting to see what will occur, but devastating to the industry over the next number of months should the U.S. attack on Article 11 in GATT succeed. Apparently, it is very hard to predict what will occur, but the recent rulings from GATT dealing with the whole dairy question really must place fear in those of us who support supply management and those in the industry who saw this latest ruling on yogurt and ice cream, where they have determined that yogurt and ice cream are not milk and they are not like products. Mr. Acting Speaker, I venture to say, I wonder how they would make yogurt or ice cream if they did not have milk. I do know that there are some synthetic and other natural non-dairy products on the market like tofu, which is being used to make an ice cream-like product for people who cannot handle milk, who are allergic to dairy products, but notwithstanding that, that ruling is one more chip in the whole supply management system.

It is being attacked by none other than some of our key consumer groups, the Consumers' Association of this country. They have one target in sight, and that is to say we want lower prices for our consumers. On the surface, it sounds like a very, very popular and plausible argument, but I know other Members here in this Chamber are producers under marketing boards and know that argument is primarily a short-term argument.

In many industries, there is no way that Canadian producers can compete against their American counterparts. When you look at what has occurred in food prices over the last number of years, you will find that the least increase in food prices has come from supply-managed commodities like potatoes, like eggs, like dairy products.

When you look at the volatility of food prices in this country, you will find that the increases in food prices have not come about from supply management commodities, they have come about as a result of commodities that are on the so-called "free market." Market prices have fluctuated and consumers have paid far greater increases in food prices from those commodities not under supply management.

Mr. Acting Speaker, this legislation, while I am sure in order of the convention and wisdom of the Government, is required to facilitate any future agreements. There is the clause about the conflict of laws that concern myself and I am sure other Members. We and Members on this side will not allow this Government to rest on their laurels when it comes to the impacts of the Free Trade Agreement and their so-called position of supporting producers and sectors of the economy, because as we see jobs go down the drain, we see no strategy on behalf of the Government to deal with those losses, and Manitoba will be the loser if we do not have a strong Government standing up for Manitobans.



**Mr. Steve Ashton (Thompson):** I just wanted to indicate that we are attempting to have a number of Bills passed through this week, this being one of them. We have had a number of speakers and it really is a broadly based Bill. It does deal with a number of very important areas. I certainly commend the Member for the Interlake (Mr. Uruski) for his contribution today.

I just want to indicate that we would be quite willing to pass it through second reading at this point in time. We have a number of other Bills which we will be debating later on today, and we hope to actually see a number of Bills passed through to at least second reading this week in a spirit of co-operation, Bills that are either important or also in this case, which is really more of a technical Bill. I do not think this is an important substantive Bill, although it does touch on important areas the Member for Interlake pointed out.

So with those comments, I certainly look forward to the closing remarks of the Minister and look forward to seeing this matter in committee. It may be difficult to schedule it for committee this week, but certainly in the beginning of the new year we look forward to seeing this go through committee and back into this House for third reading.

\* (1620)

**The Acting Speaker (Mr. Gilleshammer):** The Honourable Attorney General, the Honourable Minister will be closing debate.

**Hon. James McCrae (Minister of Justice and Attorney General):** Mr. Acting Speaker, we on this side of the House sincerely appreciate the generous co-operation extended to us by Members of the Opposition in seeing this Bill passed at second reading today. One thing the Honourable Member for Interlake (Mr. Uruski) said that caught my attention near the end of his remarks was that the NDP would not allow this Government to rest on its laurels.

We appreciate the knowledge on the part of the Honourable Member for Interlake that there are indeed laurels upon which this Government can indeed rest. We have no such intention. We indeed have many - (interjection)-

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

**Mr. McCrae:** —achievements of which we can be enormously proud in 18 or 19 short months in Government. This Government has achieved what the previous Government was not able to achieve in a full seven years of Government. Indeed, we are proud of that. By all means, I reassure the Honourable Member for Interlake (Mr. Uruski) that we have no intention whatsoever of resting on our laurels and in the coming months and many years ahead as the Government of Manitoba we will continue to bring forward progressive pieces of legislation, progressive initiatives which lay a solid foundation for the future of Manitobans and for our children and our grandchildren.

Again, I say thank you to Honourable Members for their co-operation in the passage of this Bill.

**QUESTION put, MOTION carried.**

## BILL NO. 8—THE ENDANGERED SPECIES ACT

**The Acting Speaker (Mr. Gilleshammer):** On the proposed motion of the Honourable Minister of Natural Resources (Mr. Enns), The Endangered Species Act, standing in the name of the Member for The Pas (Mr. Harapiak). Stand.

Is there leave to have it standing in the name of the Member for The Pas (Mr. Harapiak)? Agreed.

## BILL NO. 63—THE CONSUMER PROTECTION AMENDMENT ACT (3)

**The Acting Speaker (Mr. Gilleshammer):** On the proposed motion of the Honourable Minister of Consumer Affairs (Mr. Connery), Bill No. 63, The Consumer Protection Amendment Act (3); (Loi no. 3 modifiant la Loi sur la protection du consommateur), standing in the name of the Member for Seven Oaks, the Member for Seven Oaks.

**Mr. Mark Mینenko (Seven Oaks):** Mr. Acting Speaker, I appreciate the confidence shown in me by the Honourable Minister of Northern and Native Affairs (Mr. Downey) by his comment as well. Indeed I speak today with a view to having this legislation moved on to committee and considered, open to public discussion and debate, which I think is a very important aspect of this particular legislation.

So often, Mr. Acting Speaker, we get legislation before us that is very much of a technical nature. It is of a specialist nature, for example, the Bill we just passed on to committee, Bill No 7, The International Sale of Goods Act. That certainly is a little bit more a specialist's type piece of legislation which applies to many of our exporters and all of our exporters in the future. Although generally the effect is not necessarily felt by everyone in this Chamber, I am sure Members of this Chamber perhaps have not necessarily reviewed all of the implications and technical aspects of this legislation. I am sure there will be many questions of the staff and the Minister responsible when this Bill moves into committee.

This Bill No 63, Mr. Acting Speaker, touches us all. It touches each and every one of our constituents in a way that needs to be addressed and looked at carefully in that I have reviewed and listened to the speeches on this piece of legislation before. I believe our Member for Radisson (Mr. Patterson) reviewed this legislation, because even in the Minister's own press release he simply highlighted one area, albeit an important area of this legislation, that dealing with the closing of health spas and contracts that deal with health, fitness, diet, dance and other similar firms. That is one aspect of this legislation.

The Honourable Member for Radisson has done justice to the other aspects of this legislation, bringing it to the attention of Members to ensure that the implications are understood and arrives to debate this Bill in that it certainly appears to deal with a continuing problem in our society that involves the sale of prepaid

personal services. I say "appears" to deal with the problems arising from these sales because it is indeed unfortunate in our society that there are people who are prepared to take advantage of their fellow man, woman and child, whatever laws may be before us. An often dangerous aspect to this all is that people very often do not understand their own rights, do not understand how the present law may or may not protect them.

I think that is a very large problem, because if indeed consumers were better prepared, understood what their rights were now, they would be in a better—and I am sure the Minister of Consumer and Corporate Affairs (Mr. Connery) would agree—position to deflect some of the calls that they receive, deflect some of the commercials that we see on television that might prompt them to purchase services, to sign contracts, to enter into agreements that may reflect something they did not expect, something they did not really look forward to, something that does not quite deal with what they were bargaining for.

I think that is an important aspect in our society, and it is important that Members of this Chamber use the privileges that we do have as Members, for example, the householder, to provide some of this information to our constituents, because unless someone is truly burned or knows of someone who was burned by some unscrupulous individual, then perhaps people are not necessarily aware. I appreciate some of the education programs that the Minister's department has proposed and which we have debated before in this House some time ago, but I think there is always a danger of simply letting it slide and saying, well, people will come to it, and so on.

Oftentimes either material is presented in a way that is not necessarily easily understood, and I see the Minister of Education (Mr. Derkach) conferring with the Minister of Consumer and Corporate Affairs (Mr. Connery), and I think that is the kind of discussion that needs to go on in matters with respect to consumer affairs. I think we see too little of that, Mr. Acting Speaker, when we look across at that side of the House. There is too little of that discussion, too little of that debate amongst colleagues and Cabinet to ensure the departments are co-ordinating activities.

\* (1630)

I think by introducing a certain measure of consumer courses in our high school curriculum, in our education curriculum, perhaps we are going to address some of the problems. This again sort of prompts and says, well, what are the roles of our schools? What is the role of our education system? Are we putting too much pressure on our education system to do so many things? I think that is again a debate that has to continue and has to be initiated, but perhaps at another time.

These words are geared to dealing with a situation where someone comes to your door and says, have I got a deal for you? Too often we have heard that, whether we have been Members of the Chamber, or whether we have been individual citizens of this province, or that we have seen on television.

Certainly, one of the situations that this Bill attempts to address is the situation of health spas and their closing. Having some knowledge, although perhaps not practical practice in health spas and physical fitness centres, as I am sure all Members of the Chamber could attest to, I can indeed agree that there are indeed very good institutions in this province. As the industry and Trade Critic, I have had the opportunity to visit some because they do form part of the business community in our province. I think it was important for me to visit and to discuss matters of importance to that business community.

Many of these people are very much aware of their responsibility, are very much aware that they have indeed a great duty and have voluntarily taken on a duty, a serious duty, of assisting people in becoming healthier, physically healthier, perhaps leading to some mental fitness as well resulting from that. We have also seen, although some of these places have in the past taken on this obligation, and it is indeed an onerous obligation, they have found themselves for whatever reason closing.

Several years back, two or three years back if I remember correctly, a string of fitness centres closed in this province in the City of Winnipeg, leaving many people literally holding the bag, their own gym bag, on the steps of that particular facility. I do not think there is any need to dwell on perhaps some of the reasons for the demise of this facility, but I think we need to look at what the effect and the implications of that sudden closing had upon the people who were looking forward to some fun and fitness.

They were often left in a situation of shock, of surprise. They were left in a situation of being taken financially advantage of, and they were upset. They were concerned, they were cross, they were angry, they were upset and they looked for some solution. Unfortunately, for whatever reason the Government of the Day, whether they were starting to look at this issue, somehow did not address that issue at that time.

No matter what the Member for Elmwood (Mr. Maloway) likes to comment in this Chamber about our position, the Liberal position, on various Bills—and he has our position on paper. But again, the responsibility somehow did not come through, so that now we are faced a couple of years later debating legislation that could have or should have been introduced some time ago. Again, with the change in this Government's Ministers from one Member to the other representing this department, there were again perhaps valid reasons and perhaps not so valid reasons for having delayed this Bill, having not brought this forward earlier to perhaps address some of the concerns that were raised to me a few short weeks ago by members who had again signed up for some fitness, for some fellowship, for some fun, and were left again holding the bag, their own gym bag, on the steps of that particular facility and being told that they need to travel to a different part of the city.

I understand that there is quite a difference between people who live in Winnipeg and people who live outside of Winnipeg as to what the concept of distance is. I indeed know from many words with the Member for

Lac du Bonnet (Mr. Praznik) when he spoke, oh, it took me so long to get to this part of my constituency or, when we were classmates in school together, and he says well it only took me this long or that long to travel there or there. I always thought that was quite a distance. Although, here the people were left really with perhaps a short 10-minute car ride to go to a different facility. Although it does not seem very long, for certainly many of the people who use the particular facility in the north end of Winnipeg, that could have been a hundred miles and an hour's worth of transportation. One of the many reasons for those people joining a facility in that particular location was exactly that—location. It was a place that was close to their home, it was within walking distance, there was a bus close by if they needed to go by bus. It was a familiar part of town, and they felt comfortable there meeting with friends, a day out with their friends to have a little fun and maybe become a little bit more fit than before.

Then again, we look to places like the European Health Spa which right in its title implies something that is available there other than strictly physical fitness. They were a little disappointed. A little disappointed is perhaps an understatement. They were tremendously disappointed when they found that this place was being closed. Yes, they could go to another facility, but somehow it just was not part of the community. It was further away, and I think what is going to happen is that there will be fewer and fewer people who will be taking that trek downtown.

I have spoken to some of my constituents who have said that although it was even suggested and planned that there would be a group that would take a physical fitness class, an aerobics class at another facility at a particular time, they were themselves a little disappointed with the attendance of the people, thereby suggesting that a very important aspect of the closing of this facility was location.

Mr. Acting Speaker, this Bill does address this important issue of long-term contracts, because in today's business world I have been finding from my discussions with businesspeople, both small and large, from local corner store to some of the larger industries in our province, that there is quite a bit of volatility in the market partly as a result of free trade. We seem to see on a weekly basis, if not a daily basis, some of the ill effects of this particular agreement on Manitoba, and many other conditions, financing the reduction in retail sales that we have seen in this province since this Government has taken over.

Again all these obviously impact on the success of a business. When one were to look at some of the contract proposals, a lifetime membership for \$299 or \$349 or whatever the sale price was, one begins to wonder, Mr. Acting Speaker, how long is a lifetime. I believe that this particular company that promised lifetime memberships to some of my constituents and many other constituents of Members of this Chamber, lifetime turned out to be very short indeed. Even the time contracts, the five-year contracts, is indeed a very long time in today's commercial world, resulting in many of my constituents losing several hundred dollars. Having paid that amount to the company, expecting

certain services and conveniences in return, they were faced holding the bag again.

\* (1640)

This Bill certainly addresses that particular problem, so we know the lifetime will only be one year, and some fitness centres, certainly around Winnipeg and perhaps in areas such as the Member for La Verendrye's (Mr. Pankratz) constituency they have a certain initiation fee with a monthly fee to go along. In that situation—if I were indeed and perhaps as has been suggested by many friends and certainly my wife that maybe I should seriously look at becoming a member of a fitness facility—that kind of contract is certainly attractive, where I can pay a small initiation, then a small monthly fee, allowing me to better incorporate that expenditure into a monthly budget as well.

I certainly congratulate the Government on taking this step in addressing this particular need, and indeed perhaps falling in with some of the other provinces across Canada that have similar legislation.

Another aspect of this legislation that I would like to touch on before sitting down is I certainly would like to see this legislation move into committee for consultation with the public and with consultation with the businesses that are going to be affected as well, is the cooling-off period that is included as part of this legislation, the cooling-off period which has been increased from four days to 10 days.

I think again this ties in with my previous comments, that how many people even in this Chamber, even in this building, know that they have a right to cancel a contract on four days' notice. That is only on today's legislation. I would speculate and hypothesize that very few people realize that they do have a four-day cooling-off period today. I think by extending it to 10 days, that perhaps the publicity of the change would inform many more of your and my constituents so that they are better aware of some of these rights.

As I mentioned earlier, this is an important aspect of consumer rights, is knowledge. What this 10-day cooling-off period will do is to provide people with an opportunity to have that sober second thought, to having listened to someone at their door, having become excited about a particular product or service and having then perhaps signed the contract, handed over the cheque, seen many perhaps hundreds of thousands of dollars leave, they indeed say just hold on a second. Can I actually do that? For example, I would be interested in learning to play the saxophone. If someone were to come by the door and say, listen Mark, here is a saxophone, why not give it a try, I would probably get excited and especially if the notes that came out of the saxophone actually sounded like a note.

**An Honourable Member:** I will give you lifetime lessons, Mark.

(Mr. Speaker in the Chair)

**Mr. Minenko:** I hear someone from the Opposition benches saying that they will give me lifetime sessions. Well, I am sure that will be an interesting matter to be reviewed by the Consumers' Bureau.

If perhaps someone were to come to my door and say, listen Mark, do I have a deal for you. I will teach you to play the saxophone and this is how you are going to sound, and why not try it, and I was excited and I signed on the bottom line.

Mr. Speaker, I think we all can appreciate that many of us are indeed very busy outside the confines of this Chamber participating in constituency events, visiting with constituents, meeting with them, dealing with their concerns, and by allowing myself to have this 10-day cooling-off period of time, I could realize that to be able to take a one hour lesson a week plus, or half-hour lesson as it may be, and then perhaps to have to practice an hour a day, that may indeed prevent me from performing my duties as a Member of the Chamber. Although, it sounds relatively slim, one hour a day, indeed I think when you review some of our duties and our activities and follow some of us through a day, you will notice that indeed that day could be part of that day spending it with family, which I think is important as well.

I would appreciate having that 10-day cooling-off period of time so that after I can reflect, look at my schedule, and say, what did I get myself into, I could call them up and say—I can send them a written notice saying I have intention to cancel and I will cancel this contract, because I just do not feel like doing it or continuing it on.

I think this is important too, because oftentimes people feel that they have to give a reason to cancel something that someone sold them at the door. I think this provision in this Act that says that there will be no requirement for a reason for the cancellation to be given is an important aspect. I think an important aspect that Members of this Chamber should tell their constituents about so they are much more aware of their rights.

Mr. Speaker, in conclusion, I feel the Government has taken a step in the right direction. They have addressed some of the problems people are faced with day to day at their doorstep. I look forward to seeing how exactly we will be able to enforce this type of legislation, because it is indeed unfortunate that there are always a few people out there who are prepared to go and do whatever they feel is best for them, no matter what the consequences.

This is of concern, I think, if I could digress for just a second, in some of the matters that have been raised by our honourable friends to my left and the Government's right, in that you may create a situation, a set of laws, that will impact on everyone. Yet there is no need for this type of legislation for the honest businessperson, and there are many out there. They are the vast majority, as I am sure we can all attest to.

There are only a few, as always, Mr. Speaker, who affect the system and cause us to introduce and debate this type of legislation. It is unfortunate those few will always find a way of getting around it, of dealing with this type of legislation. I certainly, in my concluding remarks, call on the Government, call on the Minister responsible for Consumer and Corporate Affairs (Mr.

Connery) to look at this aspect seriously. Again, I believe the fines and penalties have been increased to try to deal with that situation, but to be vigilant and to call upon all Manitobans to participate in this vigilance.

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, I would like to add some remarks to this debate before we move it through to committee. I know, from the remarks of my colleague for Seven Oaks (Mr. Minenko) and others who have spoken, there is a general consensus that what is being proposed here is necessary.

I want to add some words to the debate, having had a chance to read both the Minister's introductory remarks when the Bill was moved for second reading and some of the other comments which have been made about the Bill, both about the Bill as it was introduced some year ago by my colleague from Elmwood (Mr. Maloway) and the comments others have made about the similarity between the two Bills.

\* (1650)

**An Honourable Member:** Not nearly as well.

**Mr. Storie:** The Minister of Health (Mr. Orchard) says, well, it was not done nearly as well. The fact of the matter is there are many aspects or some aspects of this Bill which have been weakened by the Minister, some that are going to be of concern to consumers, and I will discuss those a little bit later.

I wanted to say at the outset that when the Minister was talking about the principles of this Bill it became very interesting that the Minister in his speech had really adopted the Bill as if it was his very own. When he talks about the Bill, he says he is pleased to introduce amendments which will provide for increased protection for consumers. He says, under my proposed amendments, prepaid service contracts will be limited to 12 months. He says, we have also included a provision for an increased cooling-off period. He does this all as if he has done this all himself. He goes on in his speech, quite characteristically I would say, to denigrate the role of the Member for Elmwood (Mr. Maloway) and his contributions.

That is the kind of Minister of Consumer and Corporate Affairs (Mr. Connery) we have. Rather than acknowledge the work that was done by my colleague, the Member for Elmwood, done by the New Democratic Party Government, he denigrates his role and says he did not add anything to this. Instead of admitting the truth that this legislation was drafted under the previous administration, that had that Session, the February-March Session of 1988 proceeded, the Bill would have been introduced and would have been passed, and it would have been a stronger Bill than the current Bill we have before us.

That is not to say we are not making some progress in terms of consumer protection, but we need to put on the record the fact that the Minister is really plagiarizing quite liberally from the previous administration's Bill. In fact, some would say this is the Joe Biden of the Conservative Caucus. He has plagiarized and not acknowledged that he plagiarized.

I suppose that we all take liberties with other people's material from time to time, but this was a very blatant example and the record needs to be very clear on that.

I want to say this just for the record. The Free Press of Thursday, September 8, 1988, did a review of the legislation that was being proposed by my colleague for Elmwood, and it said: "Maloway, Elmwood, unveiled another piece of an NDP package proposing stronger consumer protection measures for Manitobans. The Bill would extend the cooling-off period during which a buyer is allowed to back out of an agreement to buy items sold door to door. The cooling-off period would be extended from four days to seven, close to the 10-day cooling-off period in Saskatchewan." This was back more than a year ago, in September of 1988. This Bill would clearly also ban car dealers from removing factory-supplied stickers listing the manufacturer's suggested price on new cars.

The fact of the matter is that this is one area where the Minister of Consumer and Corporate Affairs (Mr. Connery) has seriously undermined the strength of this legislation. This is one area where the vast majority of consumers would have wanted that additional protection. They would have wanted the car dealership to have the responsibility of displaying the manufacturer's sticker. I think when we are asking, or when consumers are faced with one of the most important purchasing decisions of their life, that they should have all of the protection that we can afford them. I do not know what is so onerous about asking the retail salespeople, the automobile dealerships, to ensure that the manufacturer's recommended selling price be available, that it be on the car so that consumers know what the recommended price is. Then clearly if the dealership wishes to provide incentives, if the dealership wishes to reduce the price or change the price, be it up or down, they are free to do so, but the consumer will have at his or her disposal the necessary information.

This is one of the areas where the Minister of Consumer and Corporate Affairs (Mr. Connery) chose to limit the power of this Bill, and I do not know whether he did that because there are some extremely healthy or heavy contributors to the Conservative Party in Portage la Prairie who also are automobile dealership owners, or whether he just really does not care what the impact will be on consumers but, to my way of thinking, there was no good rationale for the elimination of this provision in the Bill that was introduced by my colleague.

The Minister will be put on notice that additional amendments to his legislation will undoubtedly be introduced. It is our intention to strengthen this legislation, to make it conform with the original intent, to make sure that when we pass legislation that protects consumers we do it as thoroughly and as consistently as possible.

The article goes on to say: "In addition, the Bill would ban personal service firms, including everything from martial arts schools and dance schools, to health spas, from selling multi-year or lifetime memberships. Contracts would be limited to one year and sellers would have to accept payment in two or more installments.

Well, Mr. Speaker, it is interesting to note what the Minister had to say with respect to the provisions of the Bill that he introduced. He said the protection amendment will provide for increased protection for consumers who enter contracts with health, fitness, modelling, diet, talent, martial arts, and dance clubs, as well as door-to-door sellers. In recent years, numerous health clubs have closed their doors, and the Minister goes on to explain why he is actually introducing the amendments which my colleague for Elmwood introduced a year ago and which the Conservative Government refused to support and now, in perhaps their dying days, are proposing this legislation in order to look like a group interested in consumer protection legislation and in protecting the consumers.

They have failed on one count already, because they have actually weakened the Bill, and the elimination of the requirement of car dealerships to save and to make visible the manufacturer's suggested price is a scuttling of a very good clause and a very good portion of the legislation.

The Minister went on to say in his opening remarks that he also proposed amendments that prepaid service contracts would be limited to a length of 12 months. That sounds alarmingly similar to the comments, the reports in the Free Press about the Bill that was introduced by my colleague again. Almost item for item, almost clause for clause, the legislation introduced by the Member for Portage (Mr. Connery), Bill No. 63, The Consumer Protection Amendment Act (3), is the Bill introduced by my colleague in Private Members' as Private Members' legislation.

We are not intending to be jealous of our legislative domain. We are certainly prepared to share this with the Minister. Obviously the Minister, on sober second thought or perhaps at the urging of some of his more enlightened colleagues, decided that this was important legislation and brought it forward, and for that he is to be commended. At least we will have the opportunity as a Legislature to deal with this legislation and perhaps to strengthen it if we get the opportunity, but we need to have the record clear. The Minister is standing behind me. I understand why he is behind me, he is afraid to face me, because he knows that plagiarism even in the Legislature is dirty business. Now, Mr. Speaker, he is prepared to face me, but he is not prepared to say anything, because he knows there is nothing that he can say in his defence.-(interjection)-

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

**Mr. Storie:** I am certain that the Member will reflect on his words, both in the introduction of this Bill and his subsequent and somewhat hypocritical attack of my colleague from Elmwood (Mr. Maloway), and perhaps withdraw those at some other point in the debate on this Bill.

Let us talk about the principle of this Bill. There have been perhaps only a few other occasions when this Legislature has undertaken what I consider serious amendments to consumer protection legislation. We

have dealt with and are dealing with another piece of consumer protection legislation in The Residential Tenancies Act, which for some reason has not been called by the Government.

In fact, we have been told that the Government is not anxious to see that proceed. But aside from that Bill, which we believe is consumer protection legislation, again which was prepared by the New Democratic Party Government, this legislation is the next most important. We have another piece of legislation, Bill 64, The Business Practices Act, which is also important, but this one, I believe—

**An Honourable Member:** A little more in-depth.

\* (1700)

**Mr. Storie:** It is, as the Minister says, a little more in-depth. But this one, Mr. Speaker, is the one in my opinion that most people will have reference to should they have trouble at the doorstep and in many of their transactions, and the most important clause and the most important amendment is the one with respect to the cooling-off period. It is an important one, and it acknowledges two very fundamental principles of salesmanship. Although I have done some selling, I have other family members who are much more deeply involved in salesmanship and marketing, and—

**An Honourable Member:** What are they selling now?

**Mr. Storie:** The Member for Thompson (Mr. Ashton) asked me who they are selling for. One of them actually is selling for Pitney Bowes, and another one is selling for NCR, both extremely good companies, but they will tell you that a good salesperson can often, if not always but often, really increase the value of a sale surreptitiously almost. A good salesperson will almost inevitably sell someone more than they originally intended to buy. For some of us, the more affluent, for some members of society, that is not a particular problem, but for many in our society, the use of good sales techniques—and I am not suggesting there is anything untoward, anything illegal in the use of good salesmanship, the salesman's technique—very often people are left in a much worse position as a result of the psychology of selling. This provision, the cooling-off period is a very important way of allowing people to reflect on: (a) the necessity of their purchase; and (b) the size, scope and the cost of their purchase.

We know that in the past, and I think to some extent still, many many people on sober second thought change their mind about their purchases, and what this does, it allows the purchaser to escape with no obligation. The obligation then falls logically on the seller. The seller has to determine for his or herself that what they are selling is needed, is required, is adequate or perhaps necessary for the process, the service that this person is selling. The onus now falls to a greater extent on the seller to make sure that they are being responsible in their job of selling. What it does is it allows people who are caught up in the moment, who are swayed by professional sales arguments to do more than they originally intended,

it allows them a chance to do that sober second thought without financial penalty.

I think that is fair. It is certainly, in my opinion, fair when it comes to the way many, many of our seniors are dealt with in the marketplace. I should say that while we are talking about door-to-door, by and large, we are also talking about sales contracts that are entered into in other arenas. Seniors are a particularly vulnerable group. No. 1, this happens when you are not in the marketplace all the time. They are not always as familiar with current prices or costs as perhaps some other people are. They also tend to feel more vulnerable, less competent with the facts than others in our society. Their memory is sometimes, they will acknowledge, not what it used to be, and it tends to create confusion and uncertainty when it comes time to sign a sales agreement.

This kind of protection allows everybody a chance to reassess their needs and requirements, as well as to reassess the kind of deal that they have just entered into. Mr. Speaker, it will also allow us, the Government, to do a better job of enforcement of these kinds of provisions. It will allow us an opportunity to perhaps identify some of those people who are selling on the edge, who are really fly-by-night operators.

I am not sure whether we are in any better position than we were a few years ago with respect to fly-by-night operations, people who sell with no intention really of delivering a service or a quality of service that is appropriate. This certainly will allow people a little more leeway to determine whether what they have got and what they have undertaken financially is consistent with what they need and what is possible for a seller to provide, so we have a chance to, I think, improve that.

I think that there is still room for some other improvement in this in terms of the liability for the purchaser, the liability perhaps for the seller as well. In fact people undertake, sign sales contracts, particularly larger ones where we are talking about major renovations and so forth, where people undergo legal costs and other costs as a result of entering into this agreement which in my opinion perhaps should be covered by the eager seller, the person who is using high-pressure selling techniques, using other subtle forms of pressure to urge people to sign an agreement.

If the buyer in his or her haste undertakes additional costs, then perhaps there should be some way of sharing that burden with the seller. Mr. Speaker, I certainly believe that this Bill will create more responsible sellers and perhaps more thoughtful buyers as well. That is one, Mr. Speaker.

The second area which this Bill deals with is in the area of personal service contracts. The Minister in his opening remarks talked about the failure of a number of I believe they were health spas or physical education clubs or whatever they are called, and it is another area where people were habitually ripped off, if you will forgive the expression, Mr. Speaker, particularly those clubs and companies that were offering long-term agreements that would extend for three or five or ten years and sometimes lifetime agreements.

Mr. Speaker, here is another example where the responsibility lies on the Government to make sure that

there are limits to the obligations of purchasers because again, Mr. Speaker, the professional salesperson, well, we have all heard the euphemism, sell ice to people living in igloos or whatever, dirt to farmers, I do not know what other ones there are. A good salesperson is difficult to get away from and it is difficult not to overextend yourself. This is also very important because many of the clubs that this would deal with, many of the health spas, many of the recreational clubs, are dealing again with a group that is vulnerable. Many of these people are attending these clubs, getting involved in these activities for self-development, perhaps because of concern about their own personal health, their personal physique, their personal well-being, a whole series of very emotional, psychologically pressing issues that make them sign contracts in the heat of the moment because of personal lack of self-confidence, personal self-doubt, all kinds of things.

\* (1710)

These personal service organizations and establishments tend to feed on those uncertainties. We all know, every individual in this Chamber has gone through periods of feelings of well-being and then depression. It does not matter who you are or what your status in life, you go through periods when you have less confidence than other periods of time. These kinds of contracts that people are signing, these long-term contracts, become an exceptionally onerous burden. Long after the need for this particular contract has disappeared, the people are obligated to continue to pay. So we have to find a way as well to protect that group of people and to provide them with a reasonable responsible out, and that is not to say we want to undermine the selling of those kinds of services. All we want to do is provide some form of balance so that when people are trapped into these situations because of momentary circumstances because they are depressed and they want to lose 10 pounds or want to look and feel tanned and so forth, we want to make sure that there is a balance. They obviously will have to fulfill part of their obligation, but there is also an out.

Mr. Speaker, that is only a couple. I know that other people have spent some time talking about other provisions in here, but we believe that there are also some points that the Minister has ignored. I mentioned one, and that is the manufacturer's suggested retail price. There are two other areas that we will be addressing in terms of amendments to this legislation, but it is a good first step. It reflects I think a recognition that the marketplace, the unfettered marketplace, is not necessarily fair to all participants, that in fact there have been and there will be winners and losers in the marketplace and that all we can do is make sure that to the extent that it is possible that the obligations and responsibilities of both the buyer and the seller are relatively balanced. Where they are not, we have to make sure that there are checks and balances so that the interests of each party in those negotiations or those agreements are protected.

We have tried to do that I think in this legislation. I can tell you that the legislation, because it is our legislation, will receive the support of our caucus in

the main. We also intend to introduce some amendments to strengthen it, and to perhaps accommodate some of the things that were originally intended in the legislation but which have been left out by the Minister responsible.

\* (1730)

So, Mr. Speaker, I think that is more than my time for this particular Bill and I hope to have an opportunity to listen to some of the other comments of my colleagues. Thank you.

**Mr. Steve Ashton (Thompson):** I move, seconded by the Member for Interlake (Mr. Uruski), that debate be adjourned.

**MOTION presented and carried.**

### COMMITTEE CHANGES

**Mr. Steve Ashton (Thompson):** If I might make a couple of committee changes.

I move, seconded by the Member for Flin Flon (Mr. Storie) that the Standing Committee on Law Amendments be amended as follows: the Member for Elmwood (Mr. Maloway) for the Member for Thompson (Mr. Ashton); and the Member for Flin Flon (Mr. Storie) for the Member for St. Johns (Ms. Wasylcyia-Leis).

I further move, seconded by the Member for Flin Flon, that the Standing Committee on Municipal Affairs be amended as follows: the Member for Dauphin (Mr. Plohman) for the Member for Concordia (Mr. Doer); and the Member for Interlake (Mr. Uruski) substituting for the Member for Elmwood.

### BILL NO. 64—THE BUSINESS PRACTICES ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Consumer and Co-operative Affairs (Mr. Connery), Bill No. 64, The Business Practices Act; Loi sur les pratiques commerciales, standing in the name of the Honourable Member for Seven Oaks (Mr. Minenko), the Honourable Member for Seven Oaks.

**Mr. Mark Minenko (Seven Oaks):** Mr. Speaker, I rise today to put a few short comments with respect to this particular legislation that the Minister has brought forward for consideration. Again I look to its passage into committee for discussion by the community that is going to be affected by the legislation, both consumers and the business community.

I think it would be indeed a valuable exercise to hear comments from both sides, as well as any individuals who want to participate. I would certainly hope that for Bill No. 63 and Bill No. 64 the Government can, in some fashion, put out the information so that the greatest number of people can participate in the debate on these two companion pieces of legislation that attempt to deal with a problem from a different angle dealing with similar-type problems.

We in the Liberal Party feel that the function of the Department of Consumer and Corporate Affairs is to

protect the citizens of Manitoba from abuse by the private sector. I think we should temper the comment "by the private sector" to also add that the vast majority of the people who are in business do not abuse the purchasing public and, as such, are indeed outstanding citizens in the Province of Manitoba and should be congratulated.

I have taken many opportunities over the last several months to indeed speak on small businesses and the importance of small business to Manitoba and indeed all business to Manitoba, because we certainly see that when this Government has no economic development agenda, where the Minister responsible for Rural Development (Mr. Penner) tells us wait till the next budget for a rural economic development strategy, I think we indeed have to put more weight on the shoulders of our private businesspeople to develop an economic strategy for their companies, for their industries, because certainly the Government has not been showing very much.

Indeed in some of the initiatives that they have tried to take—and I emphasize the word "try"—we find delays. I simply need to remind people in the Chamber here and indeed Manitobans about earlier comments about the Business Start Program and some of the answers that I received in response to questions that I posed to the Minister of Finance (Mr. Manness) and the Minister of Industry and Trade (Mr. Ernst). Indeed I was greatly disappointed in the manner that they have been progressing on the Business Start Program but, thankfully, it is now in place. Hopefully, in a short period of time, we can see Manitobans being able to take advantage of this particular program while we see towns, villages, cities across this province being ravaged by the Free Trade Agreement, ravaged by the actions of the federal Tory Government. It is indeed encouraging to see that no one seems to be expressing any opposition to these comments at all in this Chamber today.

Mr. Speaker, when we look to this particular legislation introduced by the Minister, and he titled his press release a few short weeks ago "Law to Curb Dishonest Business Practices." I think that some of my previous comments on Bill No. 63 can equally apply to this legislation in that one of the things that I have certainly found in speaking to my constituents going door-to-door the last several months and over the last 15 months is that people are often unaware of many of the laws, many of the rights they have. Just to buttress my previous comments, I would just like to add that again this is indeed a challenge that has to be addressed by any Government.

Up to now, Governments have not succeeded in providing the type of education out to Manitobans so that they are indeed aware. In discussions with the Minister of Consumer and Corporate Affairs (Mr. Connery), I understand he is indeed quite concerned about this.

In the review of Estimates, we see that this particular department has not very much money for advertising. I certainly hope that the Government comes up with some initiatives to deal with this particular problem, because I think an important aspect of consumerism

is knowledge. You can only deal from a position of strength if you have knowledge about the rules and regulations that govern sales of various goods and services in this province.

Mr. Speaker, when we look to legislation that we have before us, such as Bill 64, we have to keep that in mind. As I dealt with it to some degree in my previous debate under 64, I will just end my comments with respect to that, still wanting to emphasize to the Government that I still feel that is an important aspect to their job in this province in providing assistance to people.

When you look to this piece of legislation, we certainly can get caught up in some of the specifics, but I think that we need to look to some of the specifics. I look forward to the committee stage where not only people, Manitobans, our constituents, will be able to comment on this legislation but also to perhaps question some of the people who have been involved with some of the technical aspects.

\* (1720)

Again we see that this legislation, although very important to all of our constituents because it will affect them in their day-to-day operation in sales and purchases, is indeed very technical, especially when it deals with definitions and these sorts of things. So I certainly would call on Members of the Chamber to review some of these things.

When we look to Section 2.(1)(d), I would certainly like to ask the Minister at some future opportunity about this particular paragraph in the Act that deals with "a representation that goods are new or unused when they are not" and "have been altered or reconditioned, or have been reclaimed from a previous purchaser."

I am just wondering whether this particular legislation will be broad enough to cover the problem that we see from time to time arising as a result of sales of Autopac write-offs to people, where people have found that they have purchased the vehicle and find out that it is really a vehicle made up of parts of many vehicles. There have been some situations that we have certainly seen in the press from the United States where they packed on the back of a '63 to the front end of a '62 and you have got a '62-and-a-half vehicle. I will certainly be looking to the Minister and his staff to deal with that particular problem whether this particular section deals with that problem.

The next issue as well is the definition of "supplier." It means "a person who, in the course of business, sells or solicits," etc. Again, we know that many people carry on businesses on the side to their regular employment, whether they be civil servants of whatever level of Government, whether they be individuals working for Crown corporations or larger corporations as a sideline. Does that necessarily include many of these people?

I am also wondering then whether the tie-in between the previous discussion under 2.(1)(d) and some of the Autopac problems, will this then apply to people who work out of their back lanes, causing disturbances to



people around them, whether this particular section would apply to deal with suppliers who supply vehicles in those conditions? I think those questions have to be answered as well.

When we look to this, the rest of the legislation, we certainly see that the Director of the Consumers' Bureau will have increased power to issue certain orders, obtain assurances and take civil action on behalf of consumers where it is in the public interest.

I think this last point, taking civil action on behalf of consumers, is an important aspect to this legislation because oftentimes people are indeed dissuaded from actually ensuring that their rights are being enforced. We all know the expense of legal action. Whether you do it on your own or you hire someone, court costs are involved. Then again, if you hire counsel, again they are tremendously expensive suits to carry on.

That is certainly something as a barrister or solicitor in this province I have certainly been concerned about in that what is happening is that people who can afford Legal Aid and people over a certain income, say \$50,000 a year, can indeed have legal representation and enforce their rights. But what about that middle-class group of people, a group of people that keeps getting hit by taxes like we have seen happening over the last several years under the previous administration where we have had a number of sales tax increases, where we have had a 2 percent tax increase which allowed people who could put more RRSPs away to deduct that before the 2 percent is counted.

Again, it hits those people who work for employers, have some sort of pension plan. It has certainly hit them the most. Here again, legal costs prevent many of these people from enforcing their rights for making sure obligations taken on by businesspeople are indeed effected. This particular section again is an important section, and we have read from time to time and seen from time to time where Legal Aid Manitoba often takes on various issues of general interest, of community interest, to litigation to ensure that various aspects of the law are indeed enforced. So I certainly feel that this aspect of this legislation is indeed important.

However, Mr. Speaker, as my previous comments on Bill 63 pointed out, there will always be a small number of people who are prepared to take advantage of yourself and myself, no matter what the law is. I think that is the problem that we are facing. I think Government has to strike the balance between placing onerous regulations on businesses while trying to do something, trying to protect a certain group of people. If we find that sort of situation happening, I think we have to review the entire situation to see whether we are indeed addressing the problem that we are trying to address.

Mr. Speaker, I would suggest and submit to this honourable Chamber that is a problem that we are still going to encounter. We still will encounter those people who come to our doors, who come to our constituents' doors, who come to our neighbours' doors, and promise the world and deliver very little. We will still encounter the problem of enforcing. We will undoubtedly encounter the difficulties with going after these people who take

advantage of us, of you and me, because they have indeed disappeared into the night, as sometimes has happened in various communities across this province. It happens too often. I think this is a problem that has to be addressed. How it is going to be addressed, I think to a certain degree, by education. If people know what the law is, they know what their rights are, what the obligations the supplier, as this legislation sets out and defines, has to them they will be in a better position to make that choice when that person comes to the door to sell a particular product.

However, Mr. Speaker, as a Member of the Legislature who represents an area of hard-working people who lived in their own homes for many years, who are indeed what is referred to as seniors, I think this is indeed a group of people that Government will have to work very closely with. Too often, we read in our newspapers, hear in the media, hear from our constituents, about this person or that person being taken advantage of, that all of a sudden they had money for their retirement and with a swift stroke of the pen they no longer have that security.

Mr. Speaker, just recently one of my neighbours brought to my attention a matter that one of her friends or relatives was involved in and said, Mark, I was just at court and this was what was happening and this was the case and maybe you read about it, and explained to me what had happened, where the people came to the door, suggested certain things to the individual. The person who was not maybe necessarily knowledgeable with their rights and duties of the supplier to them said, yes, I agree with you that this is something that perhaps I should be doing, and quickly. The product was certainly inferior to what was being suggested to the individual, and it cost him tremendously more than the value of even quality services and supplies were to that particular individual.

\* (1730)

So, Mr. Speaker, I still think we are going to be faced with situations like that and I understand that the Minister has, in previous debates with myself and various Members of this Chamber, commented on developing a volunteer network in the community to provide the information, to encourage people to work together, to call the Consumers' Bureau, because oftentimes people are caught at the door, a problem is pointed out to them, and oftentimes these problems relate to the building, the structure, the place that they and their spouse had lived in for 30, 40, 50 years, that they purchased when they were young, purchased when they were building a family, in many parts of our city, and took pride in developing. Again, my community is, unlike many other communities, where people indeed take a pride in their home, in their property, to ensure that it is kept well and in good repair. When somebody comes in and points out a crack or points out another perceived deficiency, they are taken aback.

Certainly, myself, who has been doing some renovations to my own place, trying to improve it and bringing it up to the standard of the other homes on the street, I might be perhaps in a situation or been able to say, well, that is not really serious or let me

check it out. But how many people are in that situation? I think, Mr. Speaker, that this need has to be addressed and Government does have a responsibility to ensure that people who are constituents are not being taken advantage of by unscrupulous suppliers of various goods and services.

So I would certainly like to see this Bill brought to committee, this Bill to be reviewed by Members of this Chamber on the committee, that some of the drafters of the legislation be questioned as to some of the technicalities where, I think before a Bill becomes law, some problems perhaps could be pointed out and dealt with before rather than later. I think it is equally important that we hear from both consumers and from businesses, because oftentimes they can show us where a particular piece of legislation could be strengthened, how it might negatively affect any portion of our community, and how we can provide legislation that deals with the problem that we attempt to address.

**Mr. Steve Ashton (Thompson):** Mr. Speaker, I move, seconded by the Member for Interlake (Mr. Uruski), that debate be adjourned.

**MOTION presented and carried.**

### **BILL NO. 33—THE ECOLOGICAL RESERVES AMENDMENT ACT**

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Natural Resources (Mr. Enns), Bill No. 33, The Ecological Reserves Amendment Act; Loi modifiant la Loi sur les réserves écologiques, standing in the name of the Honourable Member for Thompson (Mr. Ashton).

**Mr. Steve Ashton (Thompson):** Mr. Speaker, I would first of all like to thank the Members of the Legislature for allowing this matter to remain standing in my name. I know I had adjourned it some time ago, and I appreciate the fact that the Members did allow their MLAs to speak in the interim.

I just want to speak very briefly on this. It is a Bill that, as the Member for Dauphin (Mr. Plohman) pointed out, had been drafted. In fact, the Member for Dauphin had been in the process of introducing that into the Legislature prior to the fall of the previous NDP Government. If one wanted to be a little bit cynical, one would ask perhaps if the current Government had thought that the question of paying royalties to the initiators of this. I was somewhat disappointed they had not given credit to the fact that the Member for Dauphin (Mr. Plohman) was very actively involved in the development of this. In fact, he pointed out in debate, Mr. Speaker, that he had a meeting two days prior to the budget which had led to the defeat of the Government in regard to this very specific Bill, this identical Bill.

I think the Member for Dauphin (Mr. Plohman) deserves credit for it. I was as puzzled as the Member for Dauphin that this was not brought in during the last Session of the Legislature, the first Session of the previous Government. I suspect it was because they

wanted to have a Session without much in the way of particular substance, and certainly that was what evolved.

There were not many Bills of substance in the last Session, but now that it has been introduced, I want to indicate that our caucus is quite happy to be co-operative in terms of getting this Bill into second reading. In fact, I will be the final speaker on second reading on this particular Bill. I understand the Liberals do have at least one more speaker, but we certainly would anticipate having this Bill go to committee, if not this week, certainly when we resume sitting the beginning of January.

I did want to indicate it is a matter of particular concern when one looks at the fact that we are dealing with many species that are disappearing on a daily basis across the world. I think these are some substantive measures that can be taken by having a director in charge, for example, of ecological reserves. I think that is a very significant matter. I clearly empower the Minister to enter into agreements. I think that is a very significant move, and I would put this in the general category as an environmental Bill.

I referred to environmental matters earlier this Session. I want to indicate, once again, we in the New Democratic Party have indicated that as a priority we have requested that the Government call the current Bills, and I do thank the Government for responding positively. We have requested the six environmental Bills be called so that we can debate them this week and attempt to get them in the second reading, and pass them as expeditiously as possible.

I would like once again to acknowledge the co-operation of the Member for Morris, the Acting House Leader (Mr. Manness) last week and the current House Leader this week, the Government House Leader (Mr. McCrae), for calling those Bills so that we can debate them and get them through to committee. I think that is important.

I think the message we have to send to Manitobans, certainly our caucus wishes to send, is that environmental matters will receive a top priority of our caucus and of Members of the Legislature, and we are willing to expedite Bills to the fullest extent possible, particularly a Bill of this nature, which as I said, Mr. Speaker, was developed by the previous Government, was developed in fact by the Member for Dauphin (Mr. Plohman) in conjunction with the department. I think if credit is due on this Bill, really the credit should go to the department for initiating this, and the work that has been done by the Member for Dauphin and also by the Minister of Natural Resources (Mr. Enns).

With those few words, we allow this Bill to pass through to second reading and into committee, and we look forward to committee hearings and passage of this Bill early in the new year.

**Mrs. Gwen Charles (Selkirk):** Mr. Speaker, I am very pleased to be able to speak on this Bill. We have been waiting for such a Bill to come in all of last year, and it is very obvious that we do need such a Bill that will protect and promote ecological reserves in our province.

I do have some difficulty in understanding this Government though, because they seem to have two opinions on what to do with the natural resources. At the opening of this Session, the Premier (Mr. Filmon) stated himself that Government is committed to developing our natural resources as an engine of growth for rural and northern Manitoba. I have not heard any statement appropriately saying the same that we should have our natural resources kept in its pristine state wherever possible and used for the future of Manitobans and not just for the mining of Manitobans.

We have seen Repap come in where we have not been able to have an EIS done on the complete program to be undertaken by Repap. They have been given one-fifth of our land surface to take trees from, but no assessment has been done of what already is there, so we should know the impact on wildlife and on our environment. We have been having to wait for a year now to find out what will be happening under Repap to our forestry reserves.

Ecological reserves are the thing of the future and, if they are not undertaken immediately, they will be too late, and be a hope and dream of the past. The importance of ecological reserves are not just to set aside land that is useless in the terms of non-productive. It is not land that has to be set aside in the North or in remote areas. An ecological reserve should be set aside throughout all parts and places in the Province of Manitoba, including our urban areas. It is most important that we maintain a level of environment versus human life as we know it today. It can be done very successfully within cities and within rural communities. I am afraid that all too often we think of these reserves as being our untouched wilderness and our untouched northern areas, and we should be looking more forward to seeing them developed within the outskirts and within our own communities themselves.

\* (1740)

I was very pleased as a member of council in the Town of Selkirk to be able to encourage and have dedicated a part of our community within the Town of Selkirk as an environmentally significant area, which is only a beginning, to say that land, even within an urban concept, is important and unique for the environment that it is itself, and for the future and understanding of our environment.

I would have liked to have seen some statements within this Bill perhaps dedicating a certain percentage of land to environmentally ecological reserves, so that we would know what levels we should be looking at, even if it were a goal to have been reached. We certainly are not going to set aside 100 percent of the province. That would be impossible and unrealistic, but we should be looking at what we have now and be able to say what we can sustain as ecological reserves into the future in the same way that we are trying within our country to work toward getting a Parks Act in place, so that all the provincial parks and all the federal parks land that has been identified as being important to our future can be set aside as quickly as possible, in order that we can have that land maintaining itself, and being developed environmentally and ecologically into the future.

We often think of many parts of our province as being little available to mankind. Yet in our environmental world where we have acid rain, where we have a changing climate, no part of our environment is untouched by mankind. What is not accomplished by land, we now can do by air, by water pollution and by changes in water and climate control. We look toward Conawapa Dam which is going to be developed within an area set aside for environmental and ecological reserves, and we wonder what is this dedication of this Government to such an area.

Within this Bill and Act, there is no procedure which the Government has to go through in order to remove the designation of an ecological reserve, and I think it would be appropriate for us to look at this in committee to determine how easily Government could, in any future time, remove the designation as an ecological reserve in order to perhaps strip the environment of its resources in that particular area. I think that is very important, although perhaps politically it would not be something a Government would wish to do in the future. It could be economically enticing for a Government to do so, and they may try to slip it through without the public's notice.

In the same way, I notice that the public is not referred to really in this Bill. That is unfortunate, because I think in order to have support and encouragement for Government to set aside land, we have to have the public know why it is important that should be done, and why the setting aside of land will help future generations.

As I previously mentioned, we have to look at where this land is, and not always leave the idea that environmental areas are somewhere else, but that the environment begins under our feet. We saw just this last summer the wonderful arrival of two panda bears from the Republic of China, and that was very magnificent to see those animals, and very disturbing to realize that they are an endangered species. We have to also remind people that even the ugliest bug or the unknown organisms that are beyond our eyesight are also environmentally endangered, and that they have as much significance to our land as a cuddly panda bear. We must notice that in order to have mankind exist, we must guarantee some balance of nature as well. Again, this cannot always take place outside of where mankind treads but will have to take place within our useful land area.

We are finding in more developed nations that this balance between what the land can give and produce and what man can take is a very fragile situation, and mankind can easily upset that balance. Sometimes in our lifestyle we have encouraged in developing some of these nations, we have indeed endangered their environment by not understanding what the history of that land has been. We have encouraged people to not be nomads but to settle down and, in doing so, have destroyed their land and their water supplies.

We here in Canada are very able to wisely use our land, and nature has replenished it and been able to replenish it quite well, but there will come a time at the rate of development where that is not to be the case. Within 100 years, we have already destroyed at

least half of our topsoil in the country. In many areas in Alberta, more than half, well more than half of topsoil has been destroyed. Where a quarter of an inch of topsoil may take hundreds of years to come back, we allow it to be blown away at a rate of inches a year.

Setting aside ecological reserves should not be only seen in the eyes of the public to be some wonderful wilderness scene far away from our highways, but should also be seen as land set aside as reserves for the future in all parts of the province. I know there is a movement on for tall prairie grass areas to be set aside and bought out, and we only have a small percentage, less than 1 percent of our land surface left in prairie grass. Obviously, wherever it is, we could find new areas should be set aside for its significance.

That can happen as well in downtown Winnipeg. To have significant areas of land mass—and I think we are all looking toward The Forks as being set aside again as an ecologically important area, if not a reserve, so it can be allowed to grow back into the way it would have naturally developed if we had not interfered. We can learn not only what has been, but that we can allow things to go back to some degree the way nature intended it to be.

This is an important Bill. It will determine our future in our determination of importance that we give to this. If this goes through and is never acted upon, it will be a good indication of the lack of support by any Government for the environment. It is important to have our land set aside before we further destroy it. It is important to say land is significant and that we must protect it. I would hope that once introduced and passed, we will see a very strong monitoring of our land, that we will see an inventory taken in great detail of land that can and should be set aside, and that we will see Government support charges of people or industries or any group organization which destroys land in any ways or means.

Our environment is precious and this Act is one step toward ensuring that this precious commodity will be here for futures to come. I support it, as my Party does, and we look forward to passing it through committee and hope we will always, in Government and in this building, enhance and work toward a realistic and promising future through setting aside our land and ecological reserves.

**Mr. Bill Uruski (Interlake):** Mr. Speaker, I would like to put a few comments on the Bill with respect to this piece of legislation and add my support to the passage of this Act. We want to do what we can as a Legislature to protect any species that may be endangered and this piece of legislation, while it sets up the framework for proceeding with this policy, the real proof of the pudding will be in how we administer the policies arising from this legislation.

What I would hope occurs—Mr. Speaker, we have been debating the changes in The Assessment Act—is that some of the suggestions that we have made for a dual evaluation system under The Assessment Act will allow the Government to protect and use The Assessment Act to protect species under this Act. For

example, if there is wildlife or bird habitat that may require to be protected because of it being an endangered species, then there would be the tools under The Assessment Act to lessen. If these lands are held privately, then in fact these lands could be assessed at a lower value than agricultural lands, because the agricultural land component is now within The Assessment Act, and the species would be able to be protected by protecting the habitat.

\* (1750)

Mr. Speaker, it is my hope that the Government will look at the amendments that we will be urging upon them under The Municipal Assessment Act and be able to allow citizens who may be interested in protecting the endangered species—(interjection)—I gather there is a bit of conversation going around and I will continue my remarks.

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

**Mr. Speaker:** Order, please. The Honourable Member for the Interlake has the floor—(interjection)—Order, please. The Honourable Member for the Interlake.

**Mr. Uruski:** Mr. Speaker, some Members, if they wish to participate in a debate, certainly they are welcome to rise and put their comments on the record.

This legislation, as was mentioned by other Members, had been proposed by the bureaucracy in the Department of Natural Resources. It follows along the proposals in the legislation passed by this House a number of years ago setting up the ecological reserves. A number of those reserves were set aside because they were protecting not habitat but flora and fauna. I guess those words would best describe the situation.

For example, there is Reindeer Island on Lake Winnipeg. That has been protected under that legislation, and no further encroachment of development is allowed in those areas. The whole question of the native prairie grasses, and the protection of those areas of the province which have in most instances been ploughed under and used for agricultural purposes, have been protected under that legislation.

I would think that the peregrine falcon as an endangered species has been brought into Manitoba for further propagation but yet is just beginning to take hold in its rejuvenation as an endangered species, will be, I am certain, one of the species that will be protected by this Act. So it is certainly a piece of legislation that is welcome and I am sure is supported by all Members in this Assembly.

I want to reiterate that the proof of the pudding will in fact be in the way that lands—because primarily what we will have to do is not only designate species that may be endangered, but we will have to do something about protecting their habitat, the area, their environment in which they can reproduce, can be kept safe so that they will flourish.

The Minister of Agriculture (Mr. Findlay). I think I mentioned had a project in his own area, the protection of lands under the HELP Program. One way of

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enhancing that would be to encourage citizens who have lands held privately to keep those lands out of production and let them be maintained as habitat for wildlife, but especially for endangered species of birdlife or wildlife. Both would be very necessary.

One of the wildlife, which many people may in a sense cringe upon, is the disappearance of our garter snakes in the Interlake. I know that the Minister of Natural Resources (Mr. Enns) this year imposed a moratorium on the picking of garter snakes and that industry provided job opportunities for a large number of Native people in my own constituency, Native people from the Dog Creek Reserve. It would be no different from fishermen. It would be seasonal employment in which they made a few thousand dollars of income as a result of catching garter snakes which were used for research purposes.

The number of garter snakes has dropped off phenomenally and I want to tell you in the Interlake region, and I recall going back 25 years, you could see the highways littered with garter snakes which were trampled by automobiles. Today, you will be lucky to find one even in the Narcisse area where the pits are concerned.- (interjection)- No, no. Mr. Speaker, some Members may be in a jocular mood on the issue that I am touching upon, but it really is not in terms of the value of the garter snake and the value that it has been used for research for medical purposes and otherwise. Although it has created difficulty for people in the Native community, I think the ban that was placed probably can be supported. Mr. Speaker, I think the Attorney

General (Mr. McCrae) wishes to make some statements and I will end my comments here in support of this legislation.

**QUESTION put, MOTION carried.**

**Hon. James McCrae (Government House Leader):** Mr. Speaker, I would now move, seconded by the Honourable Minister of Housing (Mr. Ducharme)—and before I do that, I would thank the Honourable Member for Interlake (Mr. Uruski) for his accommodation—that Mr. Speaker do now leave the Chair and that the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

\* (1800)

**Mr. Speaker:** It has been moved by the Honourable Government House Leader (Mr. McCrae), seconded by the Honourable Minister of Housing (Mr. Ducharme), that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty. Agreed. (The Honourable Member for Minnedosa (Mr. Gilleshammer) in the Chair for the Department of Energy and Mines; and the Honourable Member for Burrows (Mr. Chornopyski) in the Chair for the Department of Northern Affairs.)

The hour being 6 p.m., I am leaving the Chair with the understanding that the House will reconvene at 8 p.m. in Committee of Supply.