



Second Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(HANSARD)**

40 Elizabeth II

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

LIB - Liberal; ND - New Democrat; PC - Progressive Conservative

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	LIB
ASHTON, Steve	Thompson	ND
BARRETT, Becky	Wellington	ND
CARR, James	Crescentwood	LIB
CARSTAIRS, Sharon	River Heights	LIB
CERILLI, Marianne	Radisson	ND
CHEEMA, Gulzar	The Maples	LIB
CHOMIAK, Dave	Kildonan	ND
CONNERY, Edward	Portage la Prairie	PC
CUMMINGS, Glen, Hon.	Ste. Rose	PC
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DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	ND
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ERNST, Jim, Hon.	Charleswood	PC
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WASYLYCIA-LEIS, Judy	St. Johns	ND
WOWCHUK, Rosann	Swan River	ND

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, May 17, 1991

The House met at 10 a.m.

* (1005)

PRAYERS

Member's Clarification

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, I do not know if this is the right time to do it but the earliest opportunity. Yesterday, in answer to a question on MTS, I misread my notes and I said, 1982, a certain individual left the corporation. I should have said, 1983. Thank you.

Mr. Speaker: That is not the appropriate time. I am sure the honourable minister could have responded during Question Period, but we would like to thank the honourable minister for that clarification.

ROUTINE PROCEEDINGS

READING AND RECEIVING PETITIONS

Mr. Speaker: I have reviewed the petition. It conforms with the privileges and practices of the House and complies with the rules. Is it the will of the House to have the petition read?

Some Honourable Members: Yes.

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

WHEREAS the provincial government has removed the indexing provision from the seniors 55-Plus program; and

WHEREAS 55-Plus is an income support program aimed at seniors suffering the greatest economic hardships; and

WHEREAS the Filmon government is unfairly placing the burden of economic hard times upon seniors below or near the poverty line by deindexing 55-Plus;

WHEREFORE these petitioners request that the government of Manitoba consider reinstating the indexing of the 55-Plus program.

TABLING OF REPORTS

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, I would like to table the First Quarterly Report of the Manitoba Telephone System, 1991.

MINISTERIAL STATEMENTS

Hon. Eric Stefanson (Minister of Industry, Trade and Tourism): Mr. Speaker, I have a ministerial statement I would like to make.

Mr. Speaker, I am pleased to report to the House that this is Tourism Awareness Week in Manitoba and throughout Canada. I am also pleased to note that several years ago Manitoba initiated Tourism Awareness Week in Canada. Tourism Awareness Week is now an important event across Canada, bringing visibility to this important industry sector.

A number of activities have already taken place this week. These activities include a visit from the federal minister responsible for tourism, the Honourable Tom Hockin, last Monday to launch Tourism Awareness Week in Canada and in Manitoba.

On Tuesday, the 1991 Travel Card Program was launched. This year's campaign continues to build upon the Travel Card promotion first launched in 1989. We are delighted to welcome Canada Safeway and Kodak Canada as corporate partners in this 1991 initiative, which will stimulate travel within our province and help to lure additional travel dollars from neighbouring states and provinces.

This week, a Conference Board of Canada study found that Canadians, and in particular western Canadians, plan to travel more within their home provinces this year. The 1991 Travel Card Promotion will be able to take advantage of this marketing opportunity.

Wednesday evening, I was honoured to participate in another partnership with the private sector, the First Annual Tourism Industry of Manitoba "Hall of Fame" Reception, which recognized eight different individuals, communities, events and corporations and their contributions to tourism.

I am gratified with the increasing level of private sector participation in our tourism initiatives. Together we can better recognize and address the challenges of increasing global competition and

explore the new opportunities that the changing marketplace affords us.

In closing, Mr. Speaker, I am excited at the level of co-operation that the tourism industry is displaying during Tourism Awareness Week. I believe that we are at the beginning of an eventful tourist season in Manitoba.

I invite all of you to enjoy Manitoba's beautiful scenery, lakes, and rivers on this long weekend, and you are welcome to join me in Gimli, my hometown, this Saturday night for the official turning on of the new street lights on Centre Street, which is part of a larger revitalization of the downtown area. Thank you.

Mr. Jerry Storle (Flin Flon): Mr. Speaker, many people who have been in this Chamber, those involved in industry in the province, know how important tourism is to our economy. The fact of the matter is, however, that this ministerial statement reflects the general policy of this government—talk about it but do not do anything, and if you do anything, make it negative.

Mr. Speaker, it is only somewhat ironic that the first thing mentioned in Tourism Awareness Week is a visit by the federal minister of tourism, the Honourable Tom Hockin. Mr. Speaker, he will be the only out-of-province person visiting the province this year.

This government, in its actions, has done everything possible to undermine tourism in this province. It has cut positions in the Department of Tourism, including positions which look after the quality of our accommodations. It has cut funding to tourism industry associations across the province. It is cutting positions in our parks, one of our best assets.

The tourism numbers are declining. We have a 10 percent decline in visits from the United States. We have a tremendous trade deficit with respect to Manitobans travelling to the U.S., and what we have are platitudes from the Minister of Tourism.

Mr. Speaker, this is not good enough. We now have the announcement of a partnership in tourism. We have the Manitoba Travel Card book which lists some 15 points of interest on a map of Winnipeg. There are some 31 Safeway stores referenced on that map. The reason there are not more points of interest is because this government, in its last budget, cut funding to 15 of the 100 Reasons to Love Winnipeg.

There is no relationship between this government's words and its action. Tourism is an important industry. The fact is that we have as yet no tourism agreement. The fact of the matter is that we are still losing millions and millions of dollars almost on a daily basis to traffic going out of the province.

The tourism industry does need something. It needs more than words. It needs a commitment, a financial commitment to promoting Manitoba to Manitobans and promoting Manitoba to the rest of the world.

Mr. James Carr (Crescentwood): Mr. Speaker, on this bright and beautiful sunny day, the day before a long weekend in Manitoba, it is a good time for us to reflect on some of the glories of the summer ahead of us. As we look around the province, we know that—

An Honourable Member: We are going to be here all summer. What Safeway are you going to?

* (1010)

Mr. Carr: Mr. Speaker, I am doing my best to say positive things. As we look around the province, we know we have some of the most magnificent beaches in the world on Lake Winnipeg and on Lake Manitoba. We have some of the most wonderful wilderness, unspoiled wilderness, of any place in all of Canada.

Finally, we know that the minister responsible for Highways and Transportation (Mr. Driedger) has included northern Manitoba on the official map of our province—finally. For years, you looked at the map of Manitoba and you could not find anything north of Thompson. Well, we know that there is a lot north of Thompson, and finally the government has recognized that.

We know, in the city of Winnipeg, we have among the finest cultural options available to any city of its size in North America, but with all of these abundant riches, we do not do a very good job in promoting ourselves.

The fact is all too true that, when we look at the statistics of those who are coming into Manitoba from other provinces and south of the border, we are doing a dreadful job in beating our own breasts and inviting people to our province. For example, if you look at the budget of the ministry of Tourism, you can see that we are actually spending 9 percent less this year than we did last year on the tourist industry. We have cut the grant to the Tourist Industry

Association of Manitoba. We have cut our provincial parks at a time when we must attract more and more people to come and look at these riches which distinguish us as Manitobans.

What I say to all the people who might be listening or seeing this is that we have a magnificent summer in front of us. Let us stay in Manitoba. Let us increase awareness of the wonderful and abundant parks, lakes, streams, wilderness, and urban and rural opportunities we have in this province, and let the government understand that sometimes you have to invest in the future of Manitoba, not cut, cut, cut, like this minister has done to tourism, Mr. Speaker.

INTRODUCTION OF BILLS

Bill 46—The Highway Traffic Amendment Act

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, I move, seconded by the Minister of Health (Mr. Orchard), that Bill 46, The Highway Traffic Amendment Act; Loi modifiant la Code de la route, be introduced and that the same be now received and read a first time.

Motion agreed to.

Bill 47—The Highway Traffic Amendment and Consequential Amendments Act

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, I move, seconded by the Minister of Culture, Heritage and Citizenship (Mrs. Mitchelson), that Bill 47, The Highway Traffic Amendment and Consequential Amendments Act; Loi modifiant la Code de la route et d'autres dispositions législatives, be introduced and that the same be now received and read a first time.

Motion agreed to.

* (1015)

ORAL QUESTION PERIOD

Goods and Services Tax Harmonization

Mr. Gary Doer (Leader of the Opposition): My question is to the Minister of Finance.

Last year we were apprised and aware, through questions we asked in this House, that the federal government was threatening to withhold revenue agreements we had on, I believe it was, liquor at that

time for the Province of Manitoba and threatening about harmonization with the GST.

Today, again, we learn that the federal government, on another tax issue, one which has not been resolved in this province, is threatening provinces that, if they do not co-operate and harmonize the GST and go the way of the federal government, they may not get co-operation in other areas.

Notwithstanding the specific issue that was raised today, I would ask the Minister of Finance: How many other taxation issues is the federal government holding up as a price for the provinces in terms of making them co-operate and harmonize the GST in terms of tax collection fairness with the provinces across this country?

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, the answer to the question is none other than possibly discussions around the border issue, which, by the way, this government has not entered into with the federal government. Let me also say, though, as the Leader of the NDP has referenced, I learned a lot in those discussions just before Christmastime, with respect to the application and the increase on liquor brought into our province. It is on that basis that I am very wary as to discussions and ultimately where they may lead with respect to any taxation issues.

Mr. Doer: I would ask the Minister of Finance whether he is going to raise this either with the Premier (Mr. Filmon) through to the Prime Minister or with the new federal Minister of Finance that this kind of quid pro quo, blackmail kind of bargaining from the federal government is totally unacceptable. In other words, if provinces like Manitoba do not want to harmonize the GST, other issues of revenue that the provinces and the federal government co-operate on should not be used as bargaining chips to follow the wrong-headed and wrong-idea'd GST harmonization in the country and in provinces like Manitoba that are, at this point, opposed to the harmonization of the GST.

Mr. Manness: Mr. Speaker, this is everybody's issue. It certainly is not just the government's. It is all citizens' issue. I mean, this is a very real problem we have with respect to outflow of potential taxation revenue in our province. It is not only happening in Manitoba. It is a national issue; it is a national problem. I would have to think, therefore, that governments, both provincially and nationally, are going to have to try to find some solution to it, and I

take the comments by federal ministers at face value. They claim that they have some interest in trying to pursue some solution. At this point in time, we have not dialogued in detail with the federal government, but I certainly am very well aware of the fact that quite often those discussions, at least by other provinces telling us so, very quickly move to the harmonization issue.

Goods and Services Tax Harmonization

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, I thank the minister for confirming what we have been worried about, that every discussion now on taxation with the federal government is pushing the provinces into harmonizing the GST, harmonizing a devastating tax on the people of Canada. People are voting with their feet. We will see them going down Highway 75 this weekend again. The recession is much deeper in Canada than other countries in the world. Many of the predictions made by tourism operators in this province have come true with the GST, true in Ontario and other provinces in Canada.

I would ask the Premier: Are we going to look at strategies with the First Minister that say that we should be able to discuss those issues of nonharmonization of the GST free of the kind of pressure tactics of the federal government, that Manitobans should be able to determine their own destiny in terms of the GST without this kind of pressure from the federal government that we see on all kinds of tax issues as it becomes public in this Chamber?

Hon. Gary Filmon (Premier): Absolutely, Mr. Speaker.

High School Bursary Program Elimination

Mr. Dave Chomlak (Klendon): Mr. Speaker, of all the cruel and insensitive things this government has done in education, nothing epitomizes it better than the cutting of the high school bursary program. Yesterday, in this House, the Minister of Education (Mr. Derkach) indicated that the program was cut because he had heard rumours that some students had quit the program when they received their cheques, and that is why the program was cut.

Can the Premier indicate to the House this morning, as chairman of Treasury Board, if that was the reason that this program to 4,000 needy

students was cut, because the minister had heard rumours about some students dropping out?

Hon. Gary Filmon (Premier): No, Mr. Speaker.

Minister of Education Apology Request

Mr. Dave Chomlak (Klendon): Mr. Speaker, my supplementary is to the Premier.

Can the Premier review the minister's statements yesterday and table in the House the studies that indicated why the program was cut and, if he cannot do that, ask the minister to apologize to the 4,000 needy students in the province of Manitoba whom he maligned yesterday?

Hon. Gary Filmon (Premier): I will review the minister's statements, Mr. Speaker.

ESL Program Meeting Attendance

Mr. Dave Chomlak (Klendon): Mr. Speaker, my final supplementary is to the Minister of Education (Mr. Derkach). Yesterday, no government representative had the courage to attend a public forum, an open forum on the ESL cuts at Red River Community College.

I am wondering if the minister can confirm that it is now government policy not to attend these kind of forums that deal with the government's drastic cutting out in the public?

* (1020)

Hon. Clayton Manness (Acting Minister of Education): The answer to that question is, not at all. That was not government policy, Mr. Speaker. This government has been very forthright, very candid and, in almost all cases, providing full rationale for its budgetary decisions. Let me also say, though, as the member is fully aware, the first order of business of all members of this House is to be in attendance in this place representing their constituents and particularly the Minister of Education (Mr. Derkach) when his Estimates were considered yesterday.

Social Assistance Benefit Reductions

Mrs. Sharon Carstairs (Leader of the Second Opposition): Mr. Speaker, not only was the Minister of Education maligning students yesterday when he said that they were quitting their courses

when they received government cheques, when asked a specific question as to where a young woman on welfare with a 19-month-old child should turn when her \$500 high school bursary was denied, he told the House they should go to the social allowance system. At the very same moment, the minister responsible for the social allowance system was cutting funding to students on welfare by \$30 a month.

Can the Minister of Family Services tell this House today how they expect single-parent mothers on welfare, trying to raise a child and trying to better themselves—how are they to exist on \$70 less a month as a result of this government's action?

Hon. Harold Gillieshammer (Minister of Family Services): Mr. Speaker, we did announce some program adjustments yesterday. The honourable member who asked the question is not presenting correct information.

We make these adjustments so we can redirect money to the most vulnerable people whom we serve, those people who are disabled and those people who are single parents. I would also point out that we have had a 12 percent increase in this budget line this year. Some \$30 million is being put into the social allowance system to bring that particular budget to \$279 million. It is more than half the amount of money that we spend in my department.

From time to time, people talk about vulnerable Manitobans. We serve in this department many such people in the day care system, in the rehab and community living area, in the child welfare system and also the social allowances. We have increased that budget by some \$30 million.

Mrs. Carstairs: Mr. Speaker, every Manitoban knows that the reason the budget line has been increased is because of the hundreds and thousands of more people unemployed in the province of Manitoba. That is no comfort to the individuals whose benefits, yesterday, were cut.

Can the Minister of Family Services tell the House today why cuts to young women, single-parent moms trying to improve themselves, trying to get off the social welfare system by entering an educational institution, have been cut by this minister, thereby making their chance for a reasonable future impossible?

Mr. Gillieshammer: Mr. Speaker, I indicated a few minutes ago that the targeting of money in social

allowances is to single parents and single-parent families. Some of the adjustments we have made and the increase of \$30 million are for those vulnerable people who are single parents and also the disabled.

I would also point out to the honourable member that we have maintained programs such as the Gateway program, the Single Parent Job Access Program, the Human Resources Opportunity Centre and the Human Resources Opportunity Program, which are there to assist people who are on social allowance to once again enter the job force.

Mrs. Carstairs: Mr. Speaker, this young woman was also informed that the supplementary payments for her to attend the Winnipeg Adult Education Centre would also be cut because she lives in the St. Boniface School Division.

Can the Minister of Family Services tell this House today why a program entitlement, which she was entitled to for the academic year '90-91, is threatened with being cut by this minister?

Mr. Gillieshammer: I want to assure the honourable member that we are not threatening anybody. If this person has been given information that is incorrect, we would be happy to review that. I would give the member my assurance that all clients who access this department will receive fair treatment.

*(1025)

Social Assistance Benefit Reductions

Ms. Becky Barrett (Wellington): Mr. Speaker, this government's social programs read like a series of horror movies. First they brought us a zero percent increase for Child and Family Services agencies, parent fee increases for child day care of between 18 percent and 48 percent, and the deindexing of 55-Plus and CRISP. Now the Minister of Family Services announces a series of rollbacks in benefits for social allowance recipients. However, unlike moviegoers who can pay \$8, get deliciously frightened by the nightmare and then leave, these cuts are for real.

How can the Minister of Family Services justify once again targeting the most vulnerable members of Manitoba society with these recent social allowance cutbacks while his government continues to give large tax breaks to major profit-making corporations?

Hon. Harold Gilleshammer (Minister of Family Services): Mr. Speaker, the member has referenced many areas of my department, and I would like to address all of them, but perhaps maybe I would just remind her that the Minister responsible for Seniors (Mr. Ducharme) indicated yesterday in reference to 55-Plus, in 1981 there was no increase in 55-Plus, in 1982 there was no increase in 55-Plus, and the same can be said for 1982, '83, '84 and '85. I think the member should maybe look at a little bit of the history of the party that she sits with. When they were in government, there was no increase in 55-Plus.

In reference to social allowances, we have made a \$30-million increase in social allowances, bringing up our commitment to social allowance recipients in this province to \$279 million. This department has received the largest increase in funding across government, nearly 7 percent in the budget increase for this coming year. That \$30-million commitment then is going to be used for social allowance recipients.

Ms. Barrett: Mr. Speaker, I would like to ask the Minister of Family Services about the communications that he has with his cabinet colleagues, in particular, the Minister of Education (Mr. Derkach). Can he explain the discrepancy between the Minister of Education's statements in the House yesterday suggesting that people who are no longer eligible for the high school bursary program could take advantage of other social allowance programs in his department when, in the same hour, this minister was issuing a press release cutting \$30 a month from those particularly same programs?

Mr. Gilleshammer: My honourable colleague the Minister of Education (Mr. Derkach) is in Estimates, and I recognize, along with the member for Wellington, that their critic needs a little assistance in questioning of the minister and his department. I would indicate that we have increased our funding for social allowances by some \$30 million. We are going to target increases and funding in this department for those who are most vulnerable, those who are single parents and those who are disabled. We are going to redirect that money to those most in need.

I would point out, as I did to the Leader of the Liberal Party (Mrs. Carstairs), that the Job Access programs that my department runs have been

maintained. I reference the job opportunity centres, Gateway and the Single Parent Job Access.

Ms. Barrett: Mr. Speaker, I would like to know if the Minister of Family Services communicates with the Minister responsible for the Status of Women (Mrs. Mitchelson) and, if so, how he can justify those same social allowance decreases which fly in the face of the minister's advisory committee report on single-parent families, and when—

Mr. Speaker: Order, please.

Point of Order

Hon. Clayton Manness (Government House Leader): Mr. Speaker, the question has been put, and I ask for an opportunity for the minister to answer the question.

Mr. Speaker: The question has been put.

* * *

* (1030)

Mr. Gilleshammer: Mr. Speaker, I would like to reassure the member that I do communicate with the Minister responsible for the Status of Women. I am sure in the NDP caucus there is widespread discussion of all issues that come before government. I would expect that the member for Broadway (Mr. Santos), when he speaks on issues regarding the status of women, speaks for the New Democratic Party. I am sure that the member for Wellington (Ms. Barrett)—

Mr. Speaker: Order, please.

AIDS Prevention Programs Government Initiatives

Ms. Judy Wasylycia-Lels (St. Johns): The Cadham Lab and Red Cross studies on HIV seroprevalence were important to help us understand the extent of AIDS in Manitoba. Both studies concluded that the total number of those infected with HIV was more than anticipated. Instead of the known 269 cases in Manitoba, it is more like 2,000, all of which will likely become full-blown cases of AIDS.

I want to ask the Minister of Health, since receiving this information, what steps has he taken, what policy changes has he made to try and stop AIDS from reaching epidemic proportions?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, we have taken steps since we came into office in May of 1988. Part of those steps were the

most progressive advertising campaign, television and radio, that had been seen in Canada, recognized as such by the Association of Canadian Public Health Officials.

We have produced one of the most direct pamphlets, which is now translated into eight languages, so that information is available to newcomers to Manitoba. We have established, Mr. Speaker, the Street LINKS program in conjunction with the City of Winnipeg which focuses our resource on those "street kids" who, through high risk activities, are more vulnerable potentially to infection by AIDS than the population at large.

We are making efforts to support the Native community to become more aware of the risk of AIDS in their communities and have supported their efforts and attendance at aboriginal AIDS conferences, Mr. Speaker. These are efforts that we undertook well in advance of the information provided by the blind testing of spent blood samples.

Those efforts will continue because what my honourable friend does not indicate in her questions is that Manitoba is in a relatively favoured position, compared to other areas of Canada and the world, in efforts to contain the spread of the AIDS virus.

Ms. Wasylycia-Lels: Yes, Mr. Speaker, and we also know now that the rate of infection is eight times greater than we previously understood it to be, and I would hope that the minister would step up his efforts given the serious problem.

STD Screening

Ms. Judy Wasylycia-Lels (St. Johns): I want to ask the minister specifically on a recommendation from the Cadham Lab study—and I would be happy to table these studies or the conclusions of these studies—given that the numbers could actually be higher than 2,000, since the Cadham study found the highest incidence of HIV infection among those with sexually transmitted diseases and the known number of STD patients in Manitoba is now 5,545, how is the minister addressing the recommendation of Cadham Lab for routine HIV serological screening of STD patients?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, I want to attempt to put a little bit of reason in my honourable friend's preamble.

Back in 1985, when the AIDS epidemic was an unknown quantity throughout Canada and the world, my honourable friend sat in a government

caucus and a government cabinet where they did not undertake the initiatives that we have undertaken in the last three years to educate, to inform and to curtail the spread of the AIDS disease.

At that time, Mr. Speaker, there were those people projecting an incredibly increasing rate of infection from AIDS, far higher than anything that my honourable friend has just referred to, which was the lower end of the estimate. It is significantly below the predictions that she faced when she sat in cabinet and did very little.

Mr. Speaker, the rate, fortunately, of AIDS infection is down significantly from projections just five short years ago. Our efforts in this province are viewed as being very, very excellent in terms of preventing, through education and promotion programs, the spread of this infectious disease.

Mr. Speaker, to specifically answer my honourable—

Mr. Speaker: Order, please. The honourable member for St. Johns, with her final supplementary question.

Ms. Wasylycia-Lels: The minister is wrong. We now have studies showing that the rate of infection is much—

Mr. Speaker: Order, please. This is not a time for debate. The honourable member for St. Johns, with her question, please.

Ms. Wasylycia-Lels: Arguments about who did not do what when is not going to help the thousands of people affected by AIDS.

I would like to ask the Minister of Health, on the basis of these studies' findings and on the eve of the eighth annual AIDS candlelight vigil, is the minister now prepared to change his view that the AIDS problem is levelling off, and will he give assurances to the thousands of Manitobans affected by HIV and AIDS that this government is stepping up its efforts in the areas of prevention, testing, counselling and palliative care?

Mr. Orchard: Mr. Speaker, I am not sure where my honourable friend is able to say that there are thousands of Manitobans infected with the AIDS virus.

Point of Order

Ms. Wasylycia-Lels: On a point of order, Mr. Speaker, the minister should listen to my questions. I said thousands of Manitobans affected by AIDS.

He should know that there are families and friends involved with victims of AIDS.

Mr. Speaker: Order, please. The honourable member does not have a point of order.

* * *

Mr. Orchard: Mr. Speaker, my honourable friend would like not to have any reference back to the lack of programs, which are viewed as progressive, implemented by this government versus a relative lack of action by herself and her colleagues while in government when the predictions on the spread of the AIDS virus were substantially higher than the actual spread of the disease. They expressed all sorts of hand-wringing concerns in those times when she sat in cabinet, but there was very little action of a progressive nature.

Mr. Speaker, I will reiterate to my honourable friend the initiatives that we have undertaken, which are viewed by most objective observers in the health care field as being amongst the most progressive actions in Canada. The study points out a relationship between those with STDs and a higher potential infection rate for AIDS.

My honourable friend posed the question: What will we do with that information? That is exactly the process of the blind study. I am awaiting, from my professionals, advice as to how we ought to utilize that information to create yet more progressive policies to fight the war on AIDS.

Manitoba Telephone System Oz Pedde Appointment

Mrs. Sharon Carstairs (Leader of the Second Opposition): Mr. Speaker, my question is to the Minister responsible for the Manitoba Telephone System.

Can the minister tell us today if the independent committee asked to review potential candidates for the presidency of the Telephone System were asked to read the Coopers and Lybrand consulting group's study on MTX and particularly page 44 which said, and I quote: "In summary, the company had inadequate management resources and leadership throughout the period from its start up of operations, in 1982, to date", in that Mr. Pedde and Mr. Aysan were the two officials in MTS in charge of it.

Hon. Glen Findlay (Minister responsible for the administration of The Manitoba Telephone Act:

Mr. Speaker, MTX, a subsidiary of MTS, was set up by the NDP government January 6 of 1982. The MTX subsidiary did not employ Mr. Pedde. Mr. Pedde was an employee of Manitoba Telephone System, not of MTX.

Mr. Speaker, we asked the review committee to find the best candidate available, preferably in Manitoba, who could lead the corporation in the 1990s and the years beyond. This was the person who was recommended as being the best, having been in the employ of the Manitoba Telephone System, a respected employee, having worked in the private sector in the telecommunications area and in marketing, a person well-equipped and able to lead the corporation in the years ahead.

Mr. Speaker, I want to emphasize he was not in the employ of MTX, the subsidiary of MTS.

* (1040)

Mrs. Carstairs: Mr. Speaker, it is very clear that this individual was involved in the setting up of this corporation which, from Day One, Coopers and Lybrand tells us, was functioning inadequately.

With a supplementary question to the Minister responsible for the Manitoba Telephone System.

Can the minister explain to the House today, why, in a document tabled on November 28, 1986, by the now Minister of Health (Mr. Orchard), the first evidence which he gave that Manitoba Telephone System should have been aware of what was going on was February 1982—MTS board told of the Provincial Auditor's concerns about the MTX incorporation, an incorporation to which Mr. Pedde was very much a part?

Mr. Findlay: Mr. Speaker, as I said yesterday, the episode of MTX is a bad piece of history for Manitoba Telephone System. That is dead and buried. We do not want to drag out individuals who have been involved in it before, because there are several individuals still in the employ of the Manitoba Telephone System who were involved in some capacity with that. Mr. Pedde voted with his feet, and he left the corporation.

Mr. Speaker, Manitoba Telephone System has recovered from that financial fiasco. Their bottom line has improved significantly. The morale has recovered over there, and I think it is unfortunate that the member wants to drag up that and try to imply things that individuals may or may not have done in the past.

The corporation needs to get on with the future, and we have the best individual available to lead it in the 1990s.

Mrs. Carstairs: Mr. Speaker, I am not sure that the people of Manitoba want to go back to the future.

Can the Minister responsible for the Manitoba Telephone System explain the position taken by Mr. Pedde and his quotation which says: "Sheik Abdullah was honest and forthright, his business empire was impressive.

"On the basis of the glowing accounts of Pedde and Aysan, the MTS executive committee decided to join hands with the honest, wealthy sheik and his business empire."

Mr. Findlay: Mr. Speaker, I have repeatedly said, that chapter in the history of the Manitoba Telephone System is past. We need to get on with the future. We have the best member of -(interjection)-

Mr. Speaker: Order, please.

Mr. Findlay: Mr. Speaker, the people of Manitoba want to get on with the future. They do not want to drag up the past and try to imply things about all kinds of people who might be dragged in. A number of people in the employ of MTS were involved in some capacity in the past. The corporation's morale has recovered significantly since the MTX was buried.

We want to get on with the future. The history of the past has been buried, and this member will do a good job of leading the corporation in the years ahead. Thank you.

Dutch Elm Disease Program Budget Reduction

Ms. Marianne CerlIII (Radlsson): Mr. Speaker, last year before the election, in a press release, the Minister of Natural Resources (Mr. Enns) said: It is vital that we continue our active fight against Dutch elm disease in Manitoba, as the disease is now as far north as Dauphin and as far south and west as Manitoba's borders.

This year, the same minister cut the Dutch elm disease program in half for Manitoba and eliminated \$350,000 for the City of Winnipeg's program.

My question is for the Minister of Environment. Was he consulted on this decision? Did he consult the Manitoba Round Table or the Manitoba

Environment Council on this decision? What was their recommendation?

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, I am part of this government, and certainly I was consulted on this decision.

Ms. CerlIII: Mr. Speaker, given that the chief of forest protection for the province said, if Dutch elm disease programs were discontinued or even partially reduced to allow a doubling of the annual loss rate, the results would be catastrophic, what is the basis for this government's change in policy with regard to the Dutch elm disease program? Can the Minister of Environment assure us that the rest of the program will not be eliminated?

Mr. Cummings: Mr. Speaker, governments must, from time to time, make some very difficult choices. I am somewhat surprised that we have this type of question coming from a representative of the organization that was critical of us planting disease-free trees in this city last summer.

Part of the program is to replace trees as well as to control the disease factor, and they have the gall to criticize us for replacing diseased trees and planting new disease-free trees last year. Be consistent.

Ms. CerlIII: Mr. Speaker, we also know the expensive cost of dealing with dead trees that will result if this program is not reinstated. I would also table the press releases from last year.

Manitoba Eco-Network Grant Rejection

Ms. Marianne CerlIII (Radlsson): My third supplementary is also for the Minister of Environment. It has to do with the Eco-Network meeting I attended this week. The decision to cut back the Dutch elm disease was one of the many actions by this government that was opposed by the Eco-Network.

Can the Minister of Environment tell the House if environment groups in this province are being penalized for opposing the government and taking a stand to protect the environment, or why have grants to the Eco-Network been rejected?

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, perhaps the member should make a differentiation between grants and between agreements to provide services to this government. Certainly the proposal that has been brought forward at this time was not something that was

eligible under the Environment Innovations Fund and, unfortunately, was something that we did not believe was possible to support under the fund.

Tire Storage Sites Cleanup

Ms. Rosann Wowchuk (Swan River): Mr. Speaker, just a few days ago, we had a tire fire in Manitoba, and involved in that fire were many chemical cans, chemical cans, I might add, that should have been cleaned up by ACRE. The people of Beausejour are very concerned about the cost of cleaning up this site. It will be a horrendous cost.

Will this government provide assistance to this municipality and other municipalities that have sites such as these that must be cleaned up?

Hon. Glen Cummings (Minister of Environment): First of all, Mr. Speaker, I am not sure on what basis the member indicates that there will be a horrendous cost. This site has been under some considerable amount of surveillance from the Department of Natural Resources and by my department as well.

The site has been tested. The R.M. has been clearly under the impression that they need to move this site. They need to actively be seeking a new site for waste disposal grounds. The tires that were involved in the fire, which is where any potential contamination would have come from—there was a minimal amount of water put on the fire so that there was no movement of material into the ground, as far as we can determine. We are going to be doing testing. We will make sure that all responsible action is undertaken, and if there is something that is unforeseen that shows up, then certainly we will become involved.

Ms. Wowchuk: Mr. Speaker, as the minister said, these people are concerned about the water supply in the area. The member for Lac du Bonnet (Mr. Praznik) has told the people of this area that there is lots of money to build new sites, but if there is lots of money to build new sites, why will this government not put money into cleaning up this site and other sites in municipalities instead of just continually offloading?

Point of Order

Hon. Darren Praznik (Minister of Labour): Mr. Speaker, I know that the member for Swan River (Ms. Wowchuk) and the former member for Lac du

Bonnet probably planned this kind of question, but if she is going to quote me, I wish she would quote me correctly about the availability of funds.

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

Mr. Cummings: Mr. Speaker, it is most unfortunate that the reeve and former member of this Chamber would now believe that the province is about to embark on a large program to replace waste disposal grounds across the province.

We are regulating waste disposal grounds and, in fact, as a result of those regulations, there will be a lot of new grounds that will be required to be built across this province. The fact is that this waste disposal ground, this municipality and this local community must press forward with a search for a site for a new waste disposal ground. We will examine that site, we will test it and we will license it, but they must move forward to find that site.

* (1050)

Regulations

Ms. Rosann Wowchuk (Swan River): Well, I am glad there are going to be regulations for new sites, Mr. Speaker, because there are no regulations for old sites that must be closed and controlled. Will the minister tell this House if he is prepared to bring in regulations to close and maintain old sites and when we can expect these regulations?

Hon. Glen Cummings (Minister of Environment): Interestingly enough, Mr. Speaker, I have had discussions over the past year, dating back to when I was in municipal affairs as a matter of fact, more than a year ago, when we approached the R.M.s with our draft regulations. We had feedback from those R.M.s about what they saw as their responsibility and the implications of those regulations.

As recently as two days ago, I attended a meeting of the UMM to inform them that these regulations were about to be brought forward and that they must consider all of their waste disposal grounds in the light of these regulations. It will, in fact, mean that waste disposal grounds, such as the ones in the R.M. of Brokenhead, will have to be relocated and licensed in a very careful manner.

Social Assistance Northern Manitoba

Mr. Steve Ashton (Thompson): Mr. Speaker, yesterday the Minister of Family Services announced what he called adjustments to social allowances. The real word is "cuts." One of the more insidious cuts was a cut in benefit reduction of \$30 a month to short-term employable clients. Those short-term employable clients are outside municipal wealth, many of them in remote northern communities.

This government has cut job creation in those communities. In a number of those communities, he has cut the roads, the winter roads, so they cannot leave the community, even during the winter, to receive employment. Now what they are doing in communities where they have cut the job creation, where there are no jobs, they are going to cut the social allowance rates to people who are considered employable.

I ask the Minister of Family Services: Is this the policy of this government to cut job creation, to put people on social assistance and then cut them again?

Hon. Harold Gilleshammer (Minister of Family Services): Mr. Speaker, rather than cut our budget for social allowances, as I have indicated earlier, we have a \$30-million increase in the social allowance program.

Members across the way talked prior to the budget about programs for people on social allowances. We have maintained some very significant programs for social allowance recipients. I reference the Gateway program, the single-parent Job Access program, the Human Resources Opportunity Centres.

These are operating at the same levels as previous years, and individuals who are on social allowances can access them. Some of these are in northern Manitoba, some in other parts of Manitoba, where social allowance recipients can access these programs—

Mr. Speaker: Order, please.

Mr. Ashton: Mr. Speaker, under the Lyon government, Northerners remember when a minister said that welfare was cheaper than job creation.

I ask this minister: Is that the strategy of this government, to cut back on job creation, to increase

the welfare rolls but decrease the benefits to the point where we end up with more and more people in northern Manitoba on welfare in a hopeless situation?

Mr. Gilleshammer: Mr. Speaker, the answer to that is no. I would indicate the government that the member was a part of or played some part of increased social allowance rates by 2.5 percent in the mid-'80s when government revenues were increasingly better than they are now. We have increased the social allowance rates this year by 4.5 percent and, in fact, have put an extra \$30 million into the social allowance budget.

Mr. Speaker: Time for Oral Questions has expired.

Nonpolitical Statements

Ms. Judy Wasylycia-Lels (St. Johns): Mr. Speaker, may I have leave to make a nonpolitical statement?

Mr. Speaker: Does the honourable member for St. Johns have leave to make a nonpolitical statement?

An Honourable Member: Leave.

Mr. Speaker: Leave? Agreed.

Ms. Wasylycia-Lels: Mr. Speaker, it is important for this House to acknowledge and mark the 8th Annual AIDS Candlelight Memorial and Mobilization being held this coming Sunday evening. This year Winnipeg is joining 200 cities in 35 countries, and the candlelight march is the world's largest show of solidarity of people living with AIDS and HIV. There are thousands of Manitobans who are affected by HIV and AIDS, whether they are themselves infected or it is a friend or family member involved.

The candlelight vigil is an opportunity for us to grieve the loss of life to this tragic disease. It is also a chance for us to rededicate ourselves to preventing the spread of AIDS and helping those with AIDS to live out their lives with decency and dignity.

I want to congratulate the Village Clinic and all those involved in the organization of this vigil and urge all members to join the candlelight march remembering the words that are attached to the candle being used, "better to light one candle than to curse the darkness."

Thank you, Mr. Speaker.

Mrs. Sharon Carstairs (Leader of the Second Opposition): Mr. Speaker, could I have leave to make a nonpolitical statement?

Mr. Speaker: Does the honourable member have leave to make a nonpolitical statement?

An Honourable Member: Leave.

Mrs. Carstairs: Mr. Speaker, I would like to join with the opposition Health critic to encourage members to attend the candlelight vigil on Sunday evening in a commemoration and, hopefully also, a moment of hope for those who either have AIDS or for family members, friends, acquaintances who have been affected by the tragedy of the AIDS virus.

As a society, we have not been as open as we need be to the infection. We have liked for many years to hide behind concepts of who is infected rather than the fact that they are infected. This is our opportunity on Sunday to realize that someone with HIV-positive virus within their system is probably in all likelihood to become an AIDS victim and then in all likelihood, at the present moment, to die.

We have the opportunity on Sunday night to show our support to all of those who have been affected, but also to educate all those who have not yet been affected that this is a disease that affects each and every human being on the face of the globe.

Hon. Donald Orchard (Minister of Health): Mr. Speaker, may I have leave for a nonpolitical statement?

Mr. Speaker: Does the honourable minister have leave to make a nonpolitical statement?

An Honourable Member: Leave.

Mr. Speaker: Leave? Agreed.

Mr. Orchard: Mr. Speaker, the candlelight vigil Sunday night will have its greatest impact on citizens of this province by its ability to create a greater awareness around the issue of AIDS and its devastation upon those who are infected with the virus and who will go through many, many traumatic days, months and years in wrestling and combatting the disease.

The education advantage of the candlelight vigil is twofold: first of all, to forewarn, through media communication of the event, Manitobans that AIDS is still a very serious disease entity and threat to Manitobans; and secondly, to offer to those people who support, whether they be family members, friends or concerned individuals in the community, those suffering from AIDS to make their bearing of the disease easier for the infected individual. Mr. Speaker, this candlelight vigil, as part of a national

and international effort, is important in that twofold educational component.

Mr. Jerry Storie (Flin Flon): Mr. Speaker, I would also like leave to make a nonpolitical statement.

Mr. Speaker: Does the honourable member for Flin Flon have leave to make a nonpolitical statement? Leave? Agreed.

Mr. Storie: Mr. Speaker, average Manitobans are often called upon to perform acts of bravery, and it is always important that we recognize the heroic deeds of average people.

* (1100)

In my constituency in the community of Leaf Rapids last April, three miners saved the life of another miner from a fire in an apartment building in Leaf Rapids. Those three people, Cecil Sanderson, Wayne Haas and Gerald Mallay, have been recognized and awarded a bravery medal by the Canadian Humane Association in the past few days. Mr. Speaker, the staff sergeant in Leaf Rapids indicated that without the actions of these three individuals the life of a fellow miner, Mr. Pat Ryan, would undoubtedly have been lost.

I hope other members of the Legislature will join me in congratulating those three individuals for their efforts, their call to duty. I think we would all hope that we could perform as well under similar circumstances. Bravery is a tough commodity to capture, Mr. Speaker, and these three individuals performed a deed—at some risk to their own lives—for the good of a fellow man.

ORDERS OF THE DAY

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I only have one order now, and I will come back after the Minister of Housing (Mr. Ernst) reads Bill 35—if you would call Bill 35.

SECOND READINGS

Bill 35—The City of Winnipeg Amendment Act

Hon. Jim Ernst (Minister of Urban Affairs): I move, Mr. Speaker, seconded by the Minister of Energy and Mines (Mr. Neufeld), that Bill 35, The City of Winnipeg Amendment Act; (Loi modifiant la Loi sur la Ville de Winnipeg), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Ernst: Mr. Speaker, I am pleased to be able today to introduce Bill 35 in the House for second reading, an act to amend The City of Winnipeg Act.

Mr. Speaker, this bill continues the legislative program brought about earlier by my colleague, the now Minister of Government Services (Mr. Ducharme), then Minister of Urban Affairs, begun in '89 to introduce major reforms, for the first time in some 20 years, to The City of Winnipeg Act.

In this bill, two parts are proposed to be amended, Part 15 on Building Standards and Part 20 on Planning and Development. In addition, Mr. Speaker, we are adding a new part to the act, Part 15.1, which is consolidation of the waterways regulations.

Amendments to these parts have been guided by six major goals. The first is to rationalize and clarify the provincial and city authority over planning and development matters, the second to maximize the city's autonomy on matters considered of a local or administrative nature, and thirdly, Mr. Speaker, to ensure local government accountability in decision making.

The fourth reason was to expand and better define the rights of the public to participate in the decision-making process including appealing decisions.

Number 5 is to streamline and clarify provisions by removing redundant clauses, simplifying languages and creating more headings for easier reference by the public when dealing with the act.

Lastly, Mr. Speaker, was to ensure that local planning contributes to improved management of the environment.

I will now provide you with a little more detail on the nature of some of these amendments. Under Part 15, the general purpose is to define the city's authority to regulate and enforce construction, maintenance and occupancy standards for buildings. This is the one part of the act that has been found over the years to work reasonably well. Consequently, changes that are proposed in this bill have focused primarily on consolidating and streamlining authority as opposed to much else.

Highlights of amendments to Part 15 include: relocation to Part 15 of Part 20, provisions on demolition and minimum standards of maintenance and occupancy, and clarification of a person's right to object to a decision of a city employee. Under the act there are a number of specific statutory officers,

Mr. Speaker, who have specific authority, so the clarification of a person's right to object to a decision of a city employee through a committee designated by council and then to further appeal a question of law to the Court of Queen's Bench, replacement of prescriptive legislation requirements for administering standards of maintenance and occupancy with authority instead of that administered through city by-laws and consolidation of provisions on serving orders, loans and grants, recovery of money, right of entry and municipal liability.

Bill 35 also addresses amendments requested by the City of Winnipeg related to vacant and boarded-up buildings by giving the city general by-law making authority in this respect. This has long been a bone of contention, Mr. Speaker, and one, I am sure, that will be welcomed by the City of Winnipeg.

The new part, Part 15.1 on Waterways, implements a commitment made by this government in September of 1988 as part of the 10-point action plan to improve the regulation of Winnipeg's waterways. At that time, our government announced it would replace The Rivers and Streams Act with a new part of The City of Winnipeg Act on bank stability and drainage and would clarify and streamline existing legislative authority over waterways.

In this bill we have gone somewhat further. The new Part 15.1 consolidates the city's authority over waterways in one place in the act. Provisions on bank stability and drainage have been relocated from The Rivers and Streams Act and improved. Provisions on flood protection have been relocated from Part 11 on buildings, works and services. Provisions on floodway, floodway fringe areas have been relocated from Part 15 on building standards, and provisions on frozen waterways have been relocated from Part 12 on public convenience and welfare.

The amendments related to bank stability, Mr. Speaker, give council responsibility for defining, by-law by by-law, areas to be regulated and the requirements for construction in these areas. Any by-law proposed by council in this regard is required to be referred to the public for review and comment prior to adoption.

The amendments assign to the administration the role of interpreting and implementing

council-adopted by-laws subject to appeal of an employee's decision to a committee designated by council. The city's authority related to bank stability is strengthened over the provisions of The Rivers and Streams Act and that the city will also now be able to regulate the removal, alteration and disturbance of any material, not just the deposited material; the demolition of a building, not just its construction; the alteration of surface and sub-surface drainage and the diversion of a waterway or alteration of a channel of a waterway, not heretofore having been included.

(Mrs. Louise Dacquay, Deputy Speaker, in the Chair)

Bill 35 also assigns to council authority to prohibit by by-law the construction of buildings in, on or over a waterway as we discussed at some length yesterday in Question Period. Once council has adopted a by-law, this provision will replace one that exists now in the act and that involves the province in a waterway-management matter that would be more effectively handled at the local level.

The amendments on floodway, floodway fringe areas continue to recognize the joint interests of the province and the city in construction on flood-prone lands. The province will continue to set the flood-proofing criteria by provincial regulation. It is proposed, however, to amend the act to allow the city to vary the criteria under circumstances described in the regulation. This change will save the public a great deal of time and money as they will no longer have to apply for development approval to both the city and the province, as they do presently.

Finally, Madam Deputy Speaker, the new part 15 (1) also provides the public with a right to object to a decision of a city employee to a committee designated by council, with a right to further appeal on a question of law to the Court of Queen's Bench, rights that the public did not have up until this point.

Part 20, Madam Deputy Speaker, the planning and development section, the purpose of which is to define the authority of the City of Winnipeg to plan and develop land: Since the 1980s, a number of proposals have been put forward to amend this part, including I might say one or two by myself when I was a member of the City Council.

Today, I am pleased to introduce a new Part 20 that I believe improves on a number of the shortcomings in the present act, preserves a

number of provisions that we know work well, and provides the proper balance between provincial interests on the one hand and municipal autonomy on the other.

I would like to highlight, Madam Deputy Speaker, if I may, some of the changes that are proposed in this bill. A new section on Plan Winnipeg has been added, stating that matters of interest to the province that the minister shall consider when reviewing Plan Winnipeg. This amendment is intended to clarify the province's role in Plan Winnipeg, so that the city can be better informed when drafting the Plan Winnipeg by-law.

* (1110)

A new section has also been added, stating the content of Plan Winnipeg, not heretofore included. At present, current provisions are not stated and matters which council shall have regard to in reviewing Plan Winnipeg are limited. The new section is modelled on a similar one that is included in The Manitoba Planning Act.

Sections on the Plan Winnipeg review have been revised to require a review and re-adoption of Plan Winnipeg at least once every five years, with the first review to be completed by June 30, 1992. Although existing provisions require a Plan Winnipeg review every five years, they do not require the plan to be re-enacted or amended as a result of the review.

A new section has also been added setting out how Plan Winnipeg is to be reviewed. The method is not presently defined in the act, thus creating uncertainty about the province's expectations, the city's intent and the public's role in the review of the act.

We have also amended it to permit the minister to refer a Plan Winnipeg by-law amendment to the Lieutenant-Governor-in-Council when the city fails to adopt an amendment requested by the minister in response to a public appeal or in protecting provincial interests.

In the past, Madam Deputy Speaker, when the province has received a Plan Winnipeg amendment, has added an amendment of its own and returned it to the City Council, the council need not adopt it and the matter is left in limbo.

So, Madam Deputy Speaker, by Order-in-Council in the future with this amendment, it will have the same effect as if the City Council had passed it by passing that Order-in-Council.

Finally, the act has been amended to require Executive Policy Committee to endeavour to consult with other jurisdictions or other agencies possibly affected by a proposed Plan Winnipeg by-law prior to its first reading. There is no requirement at present.

With regard to secondary plans, Madam Deputy Speaker, the act has been amended to consolidate community plans and actuarial plans with one set of secondary plans called, quite obviously, secondary plans. There is to be a statement of the city's policies and proposals for the development, redevelopment or improvement of a specific area of the city as opposed to the whole. Since secondary plans will have to be consistent with the approved Plan Winnipeg, the province will not be involved in the approval of secondary plans as we technically are with respect to the existing requirement for community plans, but that is a section, Madam Deputy Speaker, that to my knowledge has never, ever been adopted by the city, never, ever been used by the city.

The act has been amended to give council authority to determine which committee of council will hold a public hearing on a proposed secondary plan rather than requiring the hearing to be held by a community committee, as is currently the case. Council has thus given more flexibility, particularly if the plan relates to more than one community.

The sections on housing and social development have been retitled Community Development and expanded to include matters related to economic development and protection and enhancement of the environment.

The name zoning by-law has been changed to development by-law in recognition of the fact that these by-laws regulated far more than just land use. For example, they are used to regulate signage, architectural details, landscaping and a variety of other issues.

Although the city issues what it calls a development permit for approvals under Part 20, the act does not specifically refer to permits under this part as development permits, and the change reflects current practice.

To strengthen the city's authority in the area of environmental management we are proposing a number of amendments to the act that include a requirement that Plan Winnipeg include policies on protecting, managing and enhancing sensitive land,

waterways and heritage resources; sustainable development of use of land and other resources; sustainable development, provision for development by-laws to be used to protect sensitive lands, heritage resources, scenic areas and waterways; and provision for community development programs to be directed at protecting and enhancing the environment.

In addition, a section in The City of Winnipeg Act allowing council to request an environmental impact review of proposed public works will be retained. Of course, the city and all development within the city will continue to be subject to the provisions of The Manitoba Environment Act.

A definition of a variance has been added to the act to clarify its purpose and the need was strongly recommended in The City of Winnipeg Act review committee's final report in 1986. This proposed that a variance would mean the modification of a provision of a development by-law other than a change of use. It was the view of the review committee and one that we share that changing the use of land is a fundamental change to the development by-law and should require a formal reconsideration of that by-law.

The act has also been amended to allow council by by-law to refer applications for variances to a committee of council, a city administrator or the Planning Appeal Board for a hearing and decision. I will elaborate on the role of the Planning Appeal Board a little later, Madam Deputy Speaker.

Provision has also been made for the public to appeal a decision of a committee of council or a city administrator on a variance to the Planning Appeal Board. These amendments recognize a need for fairness, consistency and impartiality in granting variances and from the requirements of a council-approved by-law.

Under conditional uses, the act has been amended to define the requirements to be met before the city grants a conditional use. This provision is intended to protect the interests of the neighbourhood and the community in matters of land uses not defined as rights under the development by-law.

The act has been amended to allow council by by-law to refer applications for conditional uses to a committee of council or the Planning Appeal Board for a hearing and decision. Provision has also been made for the public to appeal a decision of a

committee of council on a conditional use to the Planning Appeal Board. This amendment also recognizes the need for fairness, consistency and impartiality in granting conditional uses as defined in council-approved by-laws.

Under development control, the provisions in The City of Winnipeg Act have been repealed as they have never been used since the enactment of the act in 1972. The provisions were too cumbersome from the city's perspective. Amendments related to secondary plans and community development programs proposed in this bill will give the city similar but more efficient authority.

Under subdivisions, the act has been amended to require rather than permit council to adopt by-laws establishing standards, criteria and requirements for subdivisions of land. As well, the content of the subdivision standards by-law has been expanded and are intended to add more certainty and consistency to the land subdivision process.

The act has been amended to consolidate and streamline procedures for by-law adoption and the approval of applications including notice and public hearing. At present, the procedures vary greatly depending on the type of by-law or application and are spread throughout Part 20. These amendments will set out minimum requirements and give the council the authority and the flexibility to add to the basic provisions.

The act has also been amended to allow for appeals on variances and conditional uses, as I said earlier, to a Planning Appeal Board. The act has been amended to permit the public to file an objection to a committee's recommendation with council in the case of a secondary plan, development by-law or subdivision by-law. Council is required to consider any objection and may refer the matter to the Planning Appeal Board for advice.

(Mr. Speaker in the Chair)

At present the public cannot appeal variances and conditional uses to an independent appeal board and has no intervener status when it comes to a committee's recommendation to council on the equivalent of a secondary plan, a development by-law or a subdivision by-law.

Finally, the amendments create a Planning Appeal Board to which I have already made reference. The board will be able to hear and decide appeals on variances and conditional uses, hear and decide on variances and conditional use

applications referred by council by by-law and report and recommend to council on a proposed secondary plan, development plan or a plan of subdivision referred to it by council and report on any planning and development matter referred to the board by council.

I would like to take a moment to elaborate on the second point I made about the appeal board's jurisdiction, namely, the authority to hear and decide on applications through variances and conditional uses that council by by-law refers to the board.

In this bill we are proposing to give council the option to have variances and conditional uses dealt with directly by the appeal board. There are two principal reasons for this. First the basis for variances and conditional uses lies in already approved council policy, as stated in a development by-law. A variance is in fact an appeal from a specific policy or requirement in a development by-law that if strictly interpreted would seriously affect a person or property.

A conditional use is a use permitted in a development by-law provided that certain conditions are met and these conditions are now defined in the act. The second reason we are giving council this option is to allow it to streamline its operations. This option would free councillors to focus their energies on policy matters, which heretofore they have not.

It is useful at this point to note that other planning jurisdictions in Canada allow for an independent appeal board to deal with, among other things, variances. Saskatchewan, Alberta, Ontario, New Brunswick and the City of Vancouver, for example, have appointed boards, committees or commissions consisting of citizen representatives. Our intent is to provide council with an option that we know works elsewhere. It is council's decision whether it wants to exercise that option.

One or two final points on the planning appeal board: The board is to be composed of at least three persons appointed by council and will sit in panels of three members. Finally, council will be required to pass by-laws governing the board's operations.

* (1120)

As I said in my opening remarks, the reforms presented in this bill are a further step forward in our legislative program to revise The City of Winnipeg Act. It is this government's view that Bill 35 will contribute in a meaningful way to clarifying the

respective roles of the city and province in planning and development matters.

The city's autonomy will be maximized on matters considered of a local or administrative nature. Authority for making decisions and taking actions will be clearer, thus increasing the accountability of elected officials. The amendments will make Parts 15, 15.1 and 20 easier to understand. Environmental considerations will figure more in planning and development decisions made by the city.

Last but not least, the public's right to participate in the decision-making process, including appealing decisions, will be expanded.

This is a complex bill that deals with the use and development of land and waterways in Winnipeg.

The proposals we have put forward in Bill 35 take into account the recommendations for change proposed in the 1986 final report of the City of Winnipeg review act, the directions contained in the 1987 provincial white paper issued by the previous administration and amendments to the act requested by City Council.

We have had consultations with city staff, the chairman of the Committee on Planning and Community Services, Councillor Ernie Gilroy, groups such as the Urban Development Institute and, finally, legislation in other provinces.

We believe Bill 35 will contribute to improving the efficiency and effectiveness of the city's planning and development decisions. At the same time, we recognize that given the bill's complexity, there could be certain aspects or subtleties that require further consideration.

Now that the bill is public and can be reviewed in detail by all affected parties, I want to state we are prepared to listen carefully to any concerns or suggestions made by the public, from the City of Winnipeg and from our honourable colleagues in this House to consider appropriate amendments.

In conclusion, I recommend Bill 35 to the honourable members of the Legislature for their consideration and adoption. Thank you very much.

Ms. Jean Friesen (Wolseley): Mr. Speaker, I move, seconded by the member for Burrows (Mr. Martindale), that the debate on Bill 35 be adjourned.

Motion agreed to.

House Business

Hon. Clayton Manness (Government House Leader): Mr. Speaker, would you call Bills 42, 41 and 40 in that order.

Bill 42—The Public Schools Finance Board Amendment Act

Hon. Clayton Manness (Acting Minister of Education and Training): Mr. Speaker, with the leave of the House, on behalf of the Minister of Education (Mr. Derkach), I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 42, The Public Schools Finance Board Amendment Act; (Loi modifiant la Loi sur la Commission des finances des écoles publiques), be now read a second time and referred to a committee of this House.

Mr. Speaker: Does the honourable government House leader have leave to move Bill 42, The Public Schools Finance Board Amendment Act; Loi modifiant la Loi sur la Commission des finances des écoles publiques, on behalf of the honourable Minister of Education (Mr. Derkach)? Does the honourable minister have leave? No. Leave is denied.

Bill 41—The Public Schools Amendment Act (2)

Hon. Clayton Manness (Acting Minister of Education and Training): Mr. Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 41, The Public Schools Amendment Act (2); (Loi no 2 modifiant la Loi sur les écoles publiques), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Manness: Mr. Speaker, it is my pleasure this morning, as the Acting Minister of Education, to bring forward Bills 40 and 41, and I am speaking to Bill 41. It was my hope to also bring Bill 42 forward at this time because these three bills are very much interrelated.

Mr. Speaker, Bill 41, The Public Schools Amendment Act (2), will attempt to address three or four significant issues. First of all, it will attempt to develop and bring forward enabling legislation to permit the Minister of Education and Training to establish a process for reviewing school division district boundaries. This is perhaps the most significant aspect of the legislative changes and

follows up on the commitment given in the throne speech to review boundaries.

Bill 41 also allows an amendment to a section that will clarify the requirements for ministerial or finance board approval prior to purchasing, erecting, enlarging or remodelling a school.

Members will be fully aware of the controversy that developed with respect to the building of a facility in Thompson a year ago where there was some lack of clarity as to the role and the responsibility and, indeed, the legislative requirements with respect to board approval sought and required and government sanction of building a facility. That is to be clarified in this act.

Thirdly, there will be an amendment to Section 19 making the school board of the northern school division, in this case Frontier School Division No. 48, rather than the official trustee responsible for preparing an estimate of budgetary expenses and revenues for ministerial approval.

Members are fully aware that there was a need to clarify the change from the official trustee to the new board level structure that is in place in the Frontier School Division, and this therefore represents a housekeeping matter with respect to that change.

Mr. Speaker, Bill 41 also addresses and prescribes the percentage of the municipal contribution in each year, division for each fiscal year, that is to be raised by special levy.

This bill also, with respect to Section 181(2), changes to March 15 the date the Lieutenant-Governor-in-Council is required to determine the mill differential between education, farm and residential, and that is a self-explanatory change, Mr. Speaker.

Probably the most significant aspect of Bill 41 deals with its intertie into Bill 42, and that is dealing with the Public Schools Finance Board. Mr. Speaker, Bill 42—and it was the reason I hoped I would have been able to read it this morning—as was requested by the Provincial Auditor, has significant changes, with respect to the mechanics of the Public Schools Finance Board, and that would be the essence of Bill 42, to which myself or the minister will read next week.

* (1130)

However, that resulted in a requirement and changes within The Public Schools Act and therefore changes in Part 9 with respect to Capital

Support and Operational Support Programs related to the proposed amendments to The Public Schools Finance Board Act. The changes to The Public Schools Finance Board Act cannot go forward without the changes to The Public Schools Act. These changes are so directly related to the proposed amendments to the Public Schools Finance Board that they are outlined and documented and will be detailed, no doubt, in further discussion by the minister.

Mr. Speaker, in essence, that is what Bill 41 attempts to bring forward for legislative change, and hopefully members of the House will have an opportunity to give a quick and speedy passage to this important bill. Thank you.

Mr. Steve Ashton (Thompson): Mr. Speaker, I am wondering if I might be permitted to ask a question for clarification on second reading?

Mr. Speaker: Does the honourable member for Thompson have leave to ask a question? Agreed.

Mr. Ashton: The minister referenced the situation that had occurred in Thompson which had been subject to an investigation. I just want to clarify the intent of that section of this bill, because essentially the result of that study that took place, the report that was issued, indicated that there was some ambiguity and that the school board, which had been initially criticized for breaking the law, in effect, had not been breaking the law. There was a different interpretation of the policies in the legislation. Is it the intent of that section in this bill to establish that school boards which are going ahead with construction of facilities which are being paid for by the local school board will have to receive ministerial approval?

Mr. Manness: Mr. Speaker, the wording in the bill will certainly clarify the requirements for ministerial Finance Board approval prior to building, erecting, enlarging or remodeling the school. It is to put greater clarity to the reference so that nobody can take a different interpretation other than before building, erecting or enlarging or remodelling a school commences, that certainly ministerial or Finance Board approval will be required.

Mr. Ashton: I move, seconded by the member for Broadway (Mr. Santos), that debate be adjourned.

Motion agreed to.

Bill 40—The Education Administration Amendment Act

Hon. Clayton Manness (Acting Minister of Education and Training): Mr. Speaker, on behalf of the Minister of Education and Training (Mr. Derkach), I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 40, The Education Administration Amendment Act; (Loi modifiant la Loi sur l'administration scolaire), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Manness: Mr. Speaker, at this time I would like to remind the honourable members present that our government initiated a major review of education legislation, in particular The Public Schools Act and The Education Administration Act.

A four-person panel will soon begin province-wide consultations to listen to the people of Manitoba about their educational interests and concerns. Ultimately, a major reform of The Public Schools Act and Education Administration Act will be brought to this Chamber for its consideration and debate.

The amendments being put forward in Bill 40, which I am addressing now, Bill 41, which I just addressed, and Bill 42, which will be addressed next week, reflect immediate needs and requirements and are independent from the major reform consultations and development which have just begun.

It is not my intention today to expound on the amendments on a clause-by-clause basis but, for the benefit of the members, I would like to review some of the major amendments being proposed.

To begin, Mr. Speaker, I would note that a number of changes to The Public Schools Act and The Public Schools Finance Board Act will result in clarification of the mandates and organizational structures of the Public Schools Finance Board and the Department of Education and Training as they relate to government support to education programming.

Mr. Speaker, in the past the Provincial Auditor has raised concerns in his report to this Chamber about the operation of the Public Schools Finance Board and the Department of Education and Training as they relate to government support to education programming. The Auditor's concerns were taken seriously. The amendments which we have before us today are intended to address these concerns.

As a result of these amendments, the Public Schools Finance Board will administer the capital support program to school divisions and will collect Education Support Levies. The department, on the other hand, will administer the operating support program to school divisions. As well, the department will continue to co-ordinate the overall budgeting process for the capital and operational support programs and will provide for reporting and monitoring of the financial operations of the department.

In addition, Mr. Speaker, there are a number of other changes to The Public Schools Act which I had read previously. I would like to mention one of particular significance. The amendment will enable the Minister of Education and Training to establish a process for reviewing the boundaries of school divisions. I had referred to that earlier.

Mr. Speaker, with respect to The Education Administration Act which I am on, I would like to indicate there are three main areas. In response to the recent federal Copyright Act, we are proposing an amendment to The Education Administration Act to enable the Minister of Education and Training to enter into licensing agreements with copyright collectives. This would then permit a process whereby schools could copy works protected by copyright.

Secondly, the minister shall be required to provide written reasons to teachers and clinicians upon suspension or cancellation of their certificates.

Thirdly, the minister will also be able to apply standards to be attained by pupils entering or leaving any grade level in a private school, as the minister may already do in respect to public schools.

In conclusion, Mr. Speaker, I am pleased today to be able to speak briefly to these bills on behalf of my colleague, the Minister of Education and Training (Mr. Derkach). I know the members of the Legislature will give them due consideration and hopefully, I believe, will find them to be worthy and useful changes.

Thank you very much, Mr. Speaker.

Mrs. Sharon Carstairs (Leader of the Second Opposition): Mr. Speaker, I stand today to address Bill 40, The Education Administration Amendment Act.

I find this bill a very interesting one in light of the minister's statement that we had to review all legislation affecting education in order to be ready

for the 21st Century. He has gone to great expense to publish a document. He has gone to great expense to put together a committee which will travel the province, a committee of which I have some real concern since there is not a parent on the committee who does not have educational experience.

I had hoped the minister would finally understand that it is the parents in the province of Manitoba who do not understand what is happening in the classrooms of their children. When they come before a panel of this nature, they want answers. There should be somebody on that panel who also does not have the answers and who can relate very clearly to the parent who is speaking, saying I do not know what is happening to Johnny and Mary in the school system.

Having put together this panel to review all education legislation, having informed us in Estimates that he could not make changes with respect to Special Needs funding, he could not make changes with respect to the French Immersion programs and standards for those French Immersion programs, because he had to listen to this panel which was traversing the province in order to get good ideas. He now can in some very specific areas put before us a piece of legislation which brings about legislative changes affecting the Department of Education.

Mr. Speaker, it is very difficult to have it both ways. If you really and genuinely are committed to a legislative process which involves the participation of people, one has to seriously question why Bill 40 is before us at the present time. It is particularly ironic, because one of the major powers which has been given to the Minister of Education (Mr. Derkach) with respect to this particular legislation has to do with the purchase of school buses and their dispersal.

* (1140)

Interestingly enough, he has another committee, a very large committee, which is also traversing the province talking about busing. They are to report to him in about six months time about changes that they would like to see with respect to busing in the province of Manitoba. He has involved representatives of the Manitoba Teachers' Society and the Manitoba Association of School Trustees, he has involved representatives of the municipalities, he has involved members of the community at large, yet one question: what is the

purpose of having this large committee going around the province discussing busing needs in the province of Manitoba when he has decided that in this session of the Legislature he needs a bill addressing this entire issue with respect to the purchase of school buses.

Again, we have the right hand of the Minister of Education (Mr. Derkach) not knowing what the left hand of the Minister of Education is doing. That will not bode well for the belief in the community at large that these committees, which are travelling the province to get good ideas, will in fact be taken seriously, because if the minister can present legislation before they have made their reports, then why would you go before this committee to present your views about busing, about the quality of education, about new legislative changes required by the province of Manitoba?

One of the major issues that has been raised over and over and over again in the process of Estimates in the Department of Education has been the offloading that the provincial government has done to the municipalities. That offloading is seen to a very great degree in the Special Needs guidelines and funding which is provided by the province of Manitoba.

When special needs were at first recognized by the province of Manitoba, the minister of the day—not a member of this Crown—indicated that he felt the province should be contributing at least 50 percent of the cost of Special Needs budgets. Today's government, the Conservative Party, indicated at that time they thought that was woefully inadequate, and I agree. It was woefully inadequate. When a government is supposed to be funding from provincial revenues some 80 percent of the cost of education, it is inadequate to only fund 50 percent of the Special Needs children.

Well, what has happened tragically over the last three progressive budgets has been a decrease in substantive terms from that time. At the present moment, the province of Manitoba, through the Minister of Education, is only funding 43 percent of the costs of Special Needs children in our education system. In Winnipeg School Division No. 1 they only fund 26 percent of the Special Needs funding. In Frontier School Division, which deals primarily with our aboriginal population, they fund only 19 percent of the Special Needs requirements of that particular school division. So we have watched this offloading of costs, which were borne by the

province, now being imposed upon the municipalities of the province.

Well, in this particular bill, Mr. Speaker, we see another example of offloading. The Minister of Finance as the Acting Minister of Education (Mr. Manness) says that they are going to enter into a licensing agreement with the school divisions with respect to the federal copyright legislation, but this legislation goes far farther than that.

What this legislation says is that the Minister of Education can charge the school divisions for the cost of this agreement, yet once again we see the province not accepting its responsibility to the school divisions of the province of Manitoba. So we have a further burden that is passed on to the municipalities, particularly a time when the provincial government would like to look in the mirror and say we have not increased taxes, but by the slightest coincidence, taxes have gone up in every single municipality that has set them to date in this fiscal year.

Winnipeg Transcona-Springfield School Division has increased the school portion of their budget by 15.7 percent, so there are, tragically, new taxes being paid by the citizens of this province, throughout this province, in order to fund education, because the government of the province of Manitoba made a conscious decision to underfund it, to provide inadequately for the needs of our young people in the province of Manitoba.

The other indication is that they are going to give the minister a regulatory capacity concerning the standard required for students to enter or leave any grade or level in private schools. Well, Mr. Speaker, that is a portion of the legislation which I can very strongly support. There must be those standards for private schools as well as for public schools, and that kind of accountability is essential, but one questions why other accountability mechanisms have yet to be put into place with respect to the private schools.

We know that there are many school boards elected within private schools that are going through the electoral process. We also know that there are many who are still going through the appointed process, that the headmaster or the headmistress of the particular school picks and chooses who he or she wants to be on the board of that particular school. That is not accountability, Mr. Speaker.

If the Minister of Education (Mr. Derkach) can bring his way to supporting that kind of accountability, the accountability of student standards, surely he can also, at one and the same time, introduce much broader accountabilities for the private school system in the province, particularly as we are giving them more and more dollars each and every year, and they must be accountable to the parents and to the children of those dollars and exactly how those dollars are spent.

Mr. Speaker, the minister has also added a regulation in this particular bill, or a piece of legislation, in which he says that a teacher must be given written reasons for the action for why their certificate has been pulled. Well, absolutely. Not only that, they should be given the opportunity for a full public hearing of why their teacher certification is going to be withdrawn, but this is the same minister who has refused to return certificates to public school teachers who have had charges laid against them, but no convictions.

Now he has taken the position, because of pressure in a minority government, that teachers will not from henceforth lose their certification until they have been convicted, but he would not go backwards, he would not lift the certification restriction upon those who had had their certificates pulled in the past. There are still teachers who have still not been brought to trial and for whom this minister will not return their certificates, so again we see a certain amount of I am moving forward, but I am not prepared to bring others along with the movement forward.

Mr. Speaker, I will look forward to the Minister of Education speaking on this particular bill, because I do not expect the Acting Minister of Education to have an intimate knowledge of the provisions of this particular bill, that it is very critical that this minister give a clear signal to the community at large, and that is, that if he is going to spend thousands of taxpayers' dollars to review education legislation, if he is going to spend thousands of tax dollars reviewing busing, if he is going to spend hours of staff time making our educational system viable for the 21st Century, then he has no business introducing halfway measures as he has done in Bill 40.

Mr. Jerry Storie (Flin Flon): Mr. Speaker, I move, seconded by the member for Thompson (Mr. Ashton), that debate on Bill 40 be adjourned.

Motion agreed to.

House Business

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I would like to bring up a couple of items of House business before we move to the next bill.

I wish to obtain the unanimous consent of the House to vary the Estimates sequence established under subrule 65(6.1) and tabled in this House on April 25, 1991, by setting aside the Estimates of the Department of Status of Women to consider the Estimates of Lotteries, then Community Support Programs, then the Status of Women, then the Department of Housing, then Urban Affairs.

Mr. Speaker, it is just giving formality to what is occurring right now.

* (1150)

Mr. Speaker: Does the honourable government House leader have leave to alter the sequence?

An Honourable Member: Housing before or after?

Mr. Manness: Housing before Urban Affairs. -(interjection)- Well, it is a long time anyway before you get to them, according to the—

Mr. Speaker: Does the honourable minister have leave to alter the sequence?

Mr. Steve Ashton (Opposition House Leader): Mr. Speaker, I would suggest that perhaps there be further discussions. There is no difficulty with all the items involved, but there may be difficulty on one.

Mr. Speaker: Agreed? Leave is denied at this time.

Mr. Manness: I may introduce that request for unanimous consent.

I wonder if you could canvass the House. I believe you will find, Mr. Speaker, there is unanimous consent for the House when it adjourns today, to stand adjourned until 1:30 p.m., Tuesday, May 21, and to sit Monday hours when it reconvenes on that day.

Mr. Speaker: Is there leave of the House? There is leave.

Mr. Kevin Lamoureux (Second Opposition House Leader): Mr. Speaker, that is to sit no later than ten o'clock, I believe.

Mr. Speaker: The same hours as a Monday sitting. That is agreed? Agreed and so ordered.

Mr. Manness: Mr. Speaker, will you call Bill 20 and then the bills as listed on the Order Paper starting at Bill 5?

DEBATE ON SECOND READINGS

Bill 20—The Animal Husbandry Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Agriculture (Mr. Findlay), Bill 20, The Animal Husbandry Amendment Act; Loi modifiant la Loi sur l'élevage, standing in the name of the honourable member for Swan River (Ms. Wowchuk), who has five minutes remaining. Stand?

Mrs. Sharon Carstairs (Leader of the Second Opposition): Mr. Speaker, could I have leave of the House to speak to this bill, then leaving it in the name of the honourable member for Swan River to complete her period of time?

Mr. Speaker: Is there leave that this matter remain standing?

An Honourable Member: Leave.

Mr. Speaker: Leave. It is agreed.

The honourable Leader of the second opposition party does not need leave to speak to this bill.

Mrs. Carstairs: Mr. Speaker, a week ago Wednesday I came into the House at the request of my House leader to speak to The Animal Husbandry Amendment Act. At that point the member for Burrows (Mr. Martindale) was speaking, and I did not realize immediately that he was speaking on The Vital Statistics Act. I thought he was in fact speaking on The Animal Husbandry Amendment Act.

I followed along with his speech, because I thought he was talking about that animal known as a husband. He put a number of things on the record with respect to the role of husbands within the family unit, so it became an interesting debate. It took me some moments before I realized that he was not referring to The Animal Husbandry Act. I must put it on the record that while the husband in his family may function in a certain way and a certain mode, I would hate to think that the Legislature considered that all husbands performed in that particular manner.

Certainly I have a husband who does not perform in those kind of fashion whatsoever. The relationship in which I am engaged in is one of true equality and one in which nobody is the boss,

nobody makes apriority decisions without full consultation with other members of the couple, if you will.

I also was quite surprised that we saw some advocacy of five-year trial marriages. I have to be honest with you, Mr. Speaker, in a sense of a trial marriage, I would not want to engage in such a situation. I will be celebrating my 25th wedding anniversary this summer, and I do not know if I want my husband to have the option to get out of it every five years. I am willing to restrict my ability to get out of it every five years in the hopes that jointly we can come to a successful continuation of the arrangement.

Mr. Speaker, with respect to the actual Animal Husbandry Amendment Act itself, I am pleased to tell the House and, in particular, the Minister of Agriculture (Mr. Findlay) that we will be supporting this legislation which he has submitted. We find that the legislation is primarily housekeeping in nature and that it will improve the administration of this act and therefore the services to the community.

There is just, however, one section with which we have some difficulty, and I think clarification will come forward from the minister which will provide us with no difficulty whatsoever. Section 63 of the bill is improved to outline all of the powers of the L-G and has been expanded to include new regulations respecting branding and the duties of inspectors.

The one concern that we have is with respect to the branding which refers to the kinds of classes of animals that must be branded in all or part of the province. We have some concern that as a result of this section, there may be the request to have different branding regulations in different parts of the province. If that is the case, we would like some clarification from the minister. I think that is unlikely, as the member for Portage la Prairie has indicated.

If it perhaps means a little tighter wording of the bill in order to prevent that from happening, then we would want the Minister of Agriculture to know that we would support that type of tighter wording should it be raised in the committee process.

Mr. Speaker, I am pleased to put on the record that we will be supporting this. I hope this bill will go to the committee stage as soon as possible because it is one of those things that we think could go into committee and be dealt with with due dispatch. I look forward to other members of the House supporting the legislation.

Mr. Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for Swan River (Ms. Wowchuk).

Mr. Jerry Storle (Flin Flon): Could I also have leave to speak to this bill?

Mr. Speaker: There has already been leave granted.

Mr. Storle: Thank you, Mr. Speaker. To date, I believe, this is the only piece of legislation coming from the government which in some minor way, as my colleague for River Heights (Mrs. Carstairs) suggests, relates to agriculture. The fact is that there is no other piece of legislation which deals with some of the substantial problems which face farmers.

Mr. Speaker, certainly there could have been legislation on the agenda which would have been a support to farmers, whether that legislation had to do with taxation measures covering the taxes which farmers pay on equipment, machinery and services that they now use to advantage on the farm, or some other pieces of legislation dealing with improvements to our marketing boards, to the vegetable producers act. There are numerous acts which probably should be considered at this time when farmers and the agricultural community in general are facing such difficult times.

I, on other occasions, have talked about the inconsistency that is so apparent between this government's words and its action. Agriculture obviously was mentioned a number of times, and the crisis in agriculture was referenced in the throne speech. When it comes time for the government to act, when it comes time for the government to get serious about amending the ways in which the province and its regulations deal with farmers, we have found very little substance and that is indeed unfortunate.

The Animal Husbandry amendments are, by all accounts, including the minister's own words, a housekeeping amendment, Mr. Speaker. The amendments to this legislation, I think, are going to receive general approval from the agricultural community, particularly from those who are other than simply grain farmers. For those who have mixed farming operations, I do not think there is any doubt that some of these amendments may in fact prove to be beneficial in the long run. The net impact, however, is not going to be immediate or dramatic. I think that is clear to everyone, as well.

Mr. Speaker, I wanted to also say that while this amendment is going to perhaps protect some livestock, particularly livestock owners in the province of Manitoba, those who have livestock operations, the fact of the matter is for the majority of farmers, this legislation has very little relevance.

The Minister of Agriculture (Mr. Findlay) has now had more than a year and a half to come up with a program to support particularly grain farmers. We now have the provincial involvement in both GRIP and NISA, neither of which satisfy the majority of Manitoba farmers.

I recently toured in southwestern Manitoba. I was in the communities of Baldur, Cartwright and Killarney. I can tell you that while the Minister of Agriculture may satisfy himself with some 75 percent of eligible farmers signing up to the Gross Revenue Insurance Program, the fact of the matter is that they are doing so on the basis of perceived coercion. The farmers whom I talked to, including many whom I would call large farmers, feel that they have no alternative, that in fact signing up with this program is the only real way to protect themselves.

* (1200)

The difficulty for farmers is that those farmers who have significant debt, this is in fact a lifeline. Unfortunately, this is not the lifeline that is going to pull farmers out of the water. This is a lifeline that is going to make sure that they stay in the water, but their heads are above the water.

This is an insurance program that is going to make sure that if they are in debt, they stay in debt. This is an insurance program that is going to make sure that rather than the farmer drowning outright in a sea of debt, the farmer is going to die of hypothermia in the cold economic waters that this government and their Tory cousins have created. That is the fact of this matter. That is what GRIP and NISA does. GRIP and NISA does not save a drowning man by pulling him ashore. It makes sure he stays in the water and survives a little bit longer to die of hypothermia.

Mr. Speaker, the Minister of Agriculture (Mr. Findlay) knows that as well as anybody. The Minister of Agriculture knows. I remind the minister, he was not—he may not have heard my earlier remarks. I just finished a tour of southwestern Manitoba, and that is what is actually going on in rural Manitoba.

Mr. Speaker, the decimation of agricultural Manitoba does not begin and end with the problem this minister has had formulating a GRIP or a NISA program that works for Manitoba farmers. They have ignored many other fundamental realities that are facing our agriculture in rural Manitoba.

Bill 20 which, of course, is the subject of debate today does not deal with any of those problems either. Bill 20—(interjection)—Well, Mr. Speaker, I am glad to hear the Minister of Agriculture from his seat saying well, you know we have to address the problem.

Mr. Speaker, the amendment that deals with the change of definition to ensure that only animals which are really agricultural animals are covered in this act is so minuscule. It is a problem that is so minuscule that affects so few farmers. We have a crisis. We have a debt crisis in this province. We have a price-commodity crisis in this province.

Mr. Speaker, this government has failed to address the serious problems that are facing farmers and now is trying to pretend that somehow the amendments to The Animal Husbandry Act are a major piece of legislation. This does deal with some very real problems, but in terms of the actual problems that farmers face today, this is by no means the piece of legislation that we should be seeing. We should be seeing some other legislation. Perhaps, a debt moratorium could be part of the legislative package of this government, a piece of legislation that would in fact protect some of the farmers who were on the brink of disaster out in rural Manitoba.

Mr. Speaker, this act does a couple of things which I think are worthy of mention. I have already talked about the changes in definition. I do not know whether the minister in his remarks, when he introduced this legislation, talked about the number of incidents where farmers were being held responsible for nonagricultural animals and problems that they may have created.

The numbers I would hazard to guess are not exceptionally large, other than in a couple of areas of the province. Those areas where there are wildlife preserves, provincial parks or perhaps national parks, this may be some significant relief for those involved in those kinds of circumstances. It certainly would be misleading if we were to pretend that this legislation was going to deal with any of the other serious problems that I referenced earlier,

because I do not think that that is going to be the case at all.

Mr. Speaker, the crisis that faces agriculture is not going to be dealt with by some change in definition in The Animal Husbandry Act. The crisis in agriculture stems not only from the subsidy wars that the minister references in his speech that are going on, particularly between the European Economic Community and the United States, but it also exists—

Mr. Speaker: Order, please.

Point of Order

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I know the member is very adept to be able to talk around this issue for a long period of time, but we are not talking about the debt problem in agriculture, which is real. We are not talking about a number of other crucial issues in agriculture which are real. We are talking about The Animal Husbandry Act. I am trying to accommodate the member for Thompson (Mr. Ashton) by calling Bill 43 as quickly as possible. I remind the member of that and I just ask him to stay on the issue, which is The Animal Husbandry Act.

Mr. Speaker: I would like to thank the honourable government House leader and I would ask the honourable member for Flin Flon (Mr. Storie) to keep his remarks relevant to said Bill 20.

* * *

Mr. Storie: Mr. Speaker, I believe that I was keeping my remarks relevant. I realize that the Minister of Finance (Mr. Manness) may be somewhat reluctant to talk about the real problems that farmers face, and I do not know whether his remarks chastising me for not being germane to the topic are a recognition of the fact that there are legitimate problems this government is not dealing with, but certainly that is the fact. -(interjection)- Mr. Speaker, to the member for St. Norbert (Mr. Laurendeau), I was speaking to the bill. This bill is supposed to be dealing in principle with problems that we are having in agriculture, and I was relating the fact that the amendments, in particular the definition amendments in Section 2 of this bill, are not going to deal with the real problem. That is the problem. The problem is the government is ignoring the real problem.

Mr. Speaker, I did say quite, I hope, candidly that this definitional change may in fact be of benefit to

some farmers, particularly those farmers in areas where wildlife, in particular, is a problem. All the definitional change does is make sure that the animals referenced in the act can be considered agricultural animals and it removes the uncertainty about the responsibility of owners of pets, exotic pets, and of course wildlife.

The fact of the matter is that these amendments are only going to be as good, even given the every limited scope these amendments take, as the province's ability to enforce them. They are only going to be as good as there are people in the Department of Agriculture and the Department of Natural Resources who are able to enforce this kind of legislation. The onus, unfortunately, appears to be falling on the individual, the individual farmer, to protect himself. Although this legislation will help, it is not going to be the whole answer.

Mr. Speaker, the other part of this bill is an amendment which relieves the municipality of providing compensation when animals are killed on the road. Now this is an interesting problem, and it raises several questions which I do not believe the Minister of Agriculture (Mr. Findlay) answered when he opened debate on second reading. The bill, I believe, and the minister's remarks would lead people to believe that because individual farmers are insured, the municipality should not be carrying any responsibility whatsoever. There may be circumstances where road conditions or the lack of enforcement of municipal by-laws have also contributed to this problem. So the minister, I do not think, dealt adequately in his remarks.

I also read the remarks of the member for Arthur-Virden (Mr. Downey), and it seems to me he did not deal with the potential issue of municipal liability. If this bill relieves municipalities of providing compensation holus-bolus, if it means that they have under no circumstances any responsibility, then I think that may in fact be a mistake.

* (1210)

Mr. Speaker, you have to consider the other possibility. It may be assumed, and I do not know whether the Minister of Agriculture (Mr. Findlay) was assuming this, that all farmers have the necessary insurance or that their insurance is going to cover the nature of the liability that they may be exposed to. What if a farmer does not have adequate insurance, that there is an accident on the road, that animals are killed, perhaps dozens? Who knows

what kind of accident is possible? Who is going to be responsible if the individual farmer is not insured or cannot cover the amount of the potential liability? Are we going to leave the individual who, through no fault of their own, was involved in this particular accident, being the only one who has no recourse?

The municipality, as I say, may have some responsibility. I suppose it may be possible, the minister may argue, that individuals in those circumstances would have to file civil suits and be responsible for collecting compensation for the municipality for any liability they had, but that may not be the simplest way or necessarily the fairest way.

We just had a bill introduced in this Legislature not too long ago that talked about the importance of the Small Claims Court, Mr. Speaker. It was recognized there and the government recognized that not all individuals have the wherewithal, the financial resources, to carry a civil case through the courts. It is very, very expensive, so we are relieving, in this act, the municipalities of responsibility.

Mr. Speaker, I can only hope that the Minister of Agriculture (Mr. Findlay) and perhaps the Minister of Justice (Mr. McCrae) have done their homework and they have ensured that in doing so they are not going to be leaving individuals who, through no fault of their own, have an accident with farm animals killed or others killed on the road, other wildlife, with no recourse other than a very expensive civil suit against the municipality or someone else.

Again, Mr. Speaker, I know that the minister's contention is that this can be covered by other insurance but, whether we like it or not, this particular piece of legislation is not going to be that well publicized. I know that the Government Services Information Services will send out a news release announcing the proclamation of The Animal Husbandry Amendment Act, but the fact is that very few farmers, very few of those who might be affected by this act, are going to be aware of the implications of this act.

Now we are saying to people with vehicles on the roads: Do not worry, the individual who owns the animal is going to be covered, is going to have the necessary insurance to make sure that any liability can be covered. How can we be sure that that in fact is the case? How can we be sure that there is going to be adequate dissemination of information

so that people would be aware of the changes in this piece of legislation?

Mr. Speaker, if this legislation affects only a handful of people over the next few years, if it denies them adequate compensation, we will have failed in our job to make sure that legislation is designed which protects people, not puts them at greater risk or greater financial exposure.

The other amendment, the final significant portion of this bill, deals with the introduction of new regulations to be put in place which would legalize electronic identification instead of the traditional branding. Mr. Speaker, if there is any part of this bill which has more significance for the agricultural community, it may be this particular legislation or the provision which allows for regulations which cover electronic identification.

We in Manitoba have been relatively lucky in national terms when it comes to cattle rustling. In Manitoba, while there is rustling, there are individual farmers losing farm animals through theft, it is not the same kind of problem it is in rural Saskatchewan and in Alberta. That is partly—

Hon. Glen Cummings (Minister of Environment): Do you know that for a fact?

Mr. Storle: Yes, Mr. Speaker. The Minister of Environment (Mr. Cummings) asked me whether I know that for a fact. I can tell him, yes, I do know that in real numbers the number of animal thefts in the province of Manitoba are significantly less than in rural Saskatchewan and rural Alberta.

The Minister of Environment will know that in fact the Province of Saskatchewan has this kind of amendment that this has been allowed in Saskatchewan for some time. I am not certain about Alberta. I do not know whether the minister can tell me whether Alberta has the same kind of legislation, but in fact we are not pioneering when it comes to the use of electronic identification in Manitoba that other jurisdictions have used for a number of years.

Mr. Cummings: Back in the Old West

Mr. Storle: Mr. Speaker, now the Minister of Environment loves the Old West, he tells us from his seat. He loves to brand animals, cause pain apparently, inflict pain on animals, so we will just pass on those remarks to others in our society who are not so sure that is a necessary way of identifying animals.

The Minister of Environment was only joking, as I was. I do not think the Minister of Environment believes that at all.

The fact is that there are actually two very good reasons why this amendment, which will allow for electronic identification, is supportable. The first is I think it is a much more efficient way of maintaining some sort of identification process. I think it is more efficient. Number 2, of course, there are also the legitimate concerns of animal rights activists who are concerned about branding in particular being a form of torture.

Mr. Cummings: Did you ever hear a tomato when you pull it off the vine?

Mr. Storle: Mr. Speaker, the Minister of Environment (Mr. Cummings) is now making light of this problem and asking me whether I have heard the screams of a tomato when they have been pulled off the vine. I have very sensitive hearing, and I have not heard any expression of consternation by tomatoes themselves.

I have heard the bawling of a calf that was being branded. I can tell you that when you are a young child and perhaps even an adult, many people feel very uneasy about the branding process. I grew up in rural Manitoba and I know the necessity of it. At one time I recognized the necessity of it, and I am giving credit to the minister here. I recognize it and I have said that there are two benefits to this particular amendment. One is that it is a better form of identification. It can be much more effective. It is not as easy to change the electronic signature as it is a branded signature, but it is also more humane. I believe that it is more humane than branding, and I think that there are many people who would agree with me on that. So there are a couple of things that I think are important in this legislation.

Mr. Speaker, the other important aspect of using electronic identification is the potential for tracking animals and for co-operating, I guess, with other jurisdictions. The fact is that—I should not say the fact is—my assumption is, let me be perfectly clear, my assumption is that when animals are stolen off farms in rural Manitoba, they are in the main marketed in other jurisdictions. Quite often animals that are rustled in Saskatchewan are marketed in auction marts in Melita or some other—it is funny I should mention Melita, Mr. Speaker. They are marketed in other areas.

* (1220)

Electronic identification, I think, because of the possibility, it is not always the case, but the possibility of better detection, the co-operation between jurisdictions is very likely to be better than the old branding system and the system of marks. I would be the first to admit that I do not know how sophisticated these electronic identification systems may be, but I would like to think that it would be easy for police forces, the RCMP, working in different jurisdictions to identify animals more directly and easier using this kind of a system. It would perhaps make the job of the RCMP or other police forces easier when it came time to track down animals that had been stolen off farms in Manitoba at this point.

Mr. Speaker, the other speakers who have spoken to this bill previously, including the member for River Heights (Mrs. Carstairs), I think indicated that they would in all likelihood be supporting the legislation. I have not canvassed all of my colleagues to this point, but I believe there is a willingness as well on this part to see these amendments at least go to committee.

Again, I always like to ask the minister perhaps in closing debate, to respond to some of the questions I have raised about the liability question. We are now assuming that farmers are going to have the necessary liability insurance to cover these kinds of costs. We are not going to leave drivers in a position where the only means to recovering their costs incurred is through the court system.

The second point, Mr. Speaker, was the question of I guess the enforcement of these new regulations. Is this going to cost the Department of Agriculture or the Department of Natural Resources or the RCMP or anybody else additional—there is going to be additional costs somehow to the provinces, to the municipalities as a result of these amendments.

Mr. Speaker, I would also like to know from the minister what groups were consulted in reviewing this legislation and whether in fact there were any significant other amendments that were proposed to this legislation.

I know that in the past opposition members have been ruled out of order when they have attempted to introduce additional amendments to legislation which were not open in the initial amending process, so I would like to make sure that if we are going to open the act and there are other amendments that groups have wished to have discussed, at least the

opposition Agriculture critics be informed of those issues, so that we can perhaps consider working with the government in introducing amendments at committee stage.

The normal process, Mr. Speaker, is somewhat lacking, and I think members opposite will agree, when we have amendments introduced by the government without consultation, without adequate time for discussion by members opposite.

If the minister in his closing remarks, when that comes, will address for us the question of who was consulted, whether there were additional amendments proposed by outside groups, what the government's response was to those, then we will have a better idea of the potential importance of this legislation in its totality.

Mr. Speaker, finally, as is usual, I think our caucus reserves the right to introduce -(interjection)- The Minister of Environment (Mr. Cummings) said this is social medicine for the cows. I wish he had as much concern for the students who have lost their bursaries in northern Manitoba or the patients who are now paying extra costs to get transportation to get medical services.

Mr. Speaker, finally, our caucus reserves the right, obviously, to introduce its own amendments when this bill comes before the standing committee after second reading, and we will be listening very,

very closely to groups that make presentations on the bill.

I know that I expect that groups like the Keystone Agricultural Producers who do represent individual farmers who may be concerned about this legislation will also be making comments on the bill when it comes before committee.

Mr. Speaker, I am not sure about the National Farmers Union. I do not know whether they have made a presentation to the minister, but I am sure that they will share some of my concerns about the financial implications of this bill, the liability implications. If the minister does intend to introduce any further amendments, I would certainly urge that he informs members opposite as quickly as is practically possible.

Mr. Speaker, those are my remarks on this important legislation. Thank you for your indulgence.

Mr. Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for Swan River (Ms. Wowchuk).

Is it the will of the House to call it 12:30? Agreed.

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

Legislative Assembly of Manitoba

Friday, May 17, 1991

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