



First Session - Thirty-Seventh Legislature

of the

**Legislative Assembly of Manitoba**

**Standing Committee**

**on**

**Public Utilities**

**and**

**Natural Resources**

*Chairperson*

*Bonnie Korzeniowski*

*Constituency of St. James*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Seventh Legislature**

| <b>Member</b>           | <b>Constituency</b> | <b>Political Affiliation</b> |
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**LEGISLATIVE ASSEMBLY OF MANITOBA**

**THE STANDING COMMITTEE ON PUBLIC UTILITIES AND NATURAL RESOURCES**

**Tuesday, August 1, 2000**

**TIME – 10 a.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Ms. Bonnie Korzeniowski  
(St. James)**

**VICE-CHAIRPERSON – Mr. Jim Maloway  
(Elmwood); Mr. Cris Aglugub (The Maples)  
substitute at 10:50 a.m.**

**ATTENDANCE - 11 – QUORUM - 6**

*Members of the Committee present:*

Hon. Ms. Friesen, Hon. Mr. Lathlin

Mr. Aglugub, Ms. Cerilli, Mr. Dewar, Ms. Korzeniowski, Messrs. Loewen, Maguire, Maloway, Penner (Steinbach), Tweed

**APPEARING:**

Mr. Glen Cummings, MLA for Ste. Rose  
Hon. Jon Gerrard, MLA for River Heights  
Mr. Leonard Derkach, MLA for Russell  
Mr. Gary Filmon, MLA for Tuxedo  
Mr. Jack Penner, MLA for Emerson

**MATTERS UNDER DISCUSSION:**

Bill 43–The Sustainable Development Amendment and Consequential Amendments Act

\* \* \*

**Madam Chairperson:** Good morning. Will the Standing Committee on Public Utilities and Natural Resources please come to order. Our first order of business this morning is the election of a Vice-Chairperson. Are there any nominations?

**Mr. Gregory Dewar (Selkirk):** I nominate Ms. Cerilli.

**An Honourable Member:** She has not got here.

**An Honourable Member:** She has to be here to accept.

**Mr. Dewar:** I nominate Mr. Maloway.

**Madam Chairperson:** Mr. Maloway has been nominated. Are there any further nominations? Seeing none, Mr. Maloway is appointed Vice-Chairperson.

This morning the Committee will consider the following bills: Bill 35, The Planning Amendment Act; Bill 43, The Sustainable Development Amendment and Consequential Amendments Act; and Bill 48, The Rural Development Bonds Amendment Act.

At our last meeting a motion was carried concluding public presentations on Bills 43 and 35. We have no presenters registered to make public presentations on Bill 48. Are there any persons in attendance today who wish to make a presentation to Bill 48, The Rural Development Bonds Amendment Act? Seeing none, is it the will of the Committee to conclude public presentations and proceed with clause-by-clause consideration of these bills?

How does the Committee wish to proceed with the consideration of these bills. Clause by clause? By page? What? In which order?

**Mr. Glen Cummings (Ste. Rose):** Start with 43.

**Madam Chairperson:** 43? Agreed? [*Agreed*]

**Bill 43–The Sustainable Development  
Amendment and Consequential  
Amendments Act**

**Madam Chairperson:** Would the Minister responsible for Bill 43 please take the Chair. Does the Minister responsible for Bill 43 have an opening statement?

**Hon. Oscar Lathlin (Minister of Conservation):** Good morning, everyone. I have a statement to make here before we proceed.

In accordance with The Sustainable Development Act, our government announced its sustainable development strategy on June 29, 2000. Our commitment to implementing sustainable development stems not just from the reference to a strategy in The Sustainable Development Act but from commitments made to the people of Manitoba during the last election.

During the election campaign, we committed to clear land use plans based on features such as watersheds. In addition, we committed to enhanced public participation in environmental decisions and greater protection of our water resources. In keeping with those commitments our sustainable development strategy consists of several elements, including creating wide area plans across municipal and regional boundaries that are based on ecosystems such as watersheds in the province. Development decisions will be in accordance with those wide area plans.

It also includes enhancing or broadening the assessments of developments to include health and social effects on local communities whenever a development is being proposed to see what effect it will have on the health and social being of the community. It also includes involving the public at the earliest stages of planning and development decisions. It includes ensuring that there is a greater participation of Aboriginal communities in development decisions.

Our government has already begun this work. We are embarking on a wide area plan for the east side of Lake Winnipeg. As most Manitobans know, the east side of Lake of Winnipeg contains wide expanses of undeveloped boreal forest. It is also home to many First Nations communities and is widely sought after for its resource potential. We know that we have a great opportunity to gather scientific data on this area and work with local communities, business, and all interested Manitobans to ensure that this area has a sustainable plan long into the future. This will provide a model for other wide area plans across the province.

We know that for sustainability to truly be implemented, we must have government resources available. Past cuts to provincial and

federal departments of the environment eroded that ability, the ability of governments to take action on issues such as climate change.

For example, in the case of the federal government, a total of \$229 million, including 1400 employees, was taken from Environment Canada between 1995 and 1997. In addition, the federal government cut 50 percent of its Department of Natural Resources, and here we are wondering what to do with climate change.

Part of our sustainable development strategy will ensure that needed staff resources are there by bringing the functions of the sustainable development unit into the Department of Conservation through a new division called Environmental Stewardship. Staff resources will be devoted to action on climate change, sustainable practices with respect to our parks, forests, water and air. Rather than having a policy energy that operates in isolation from government, this change will bring sustainable development into the everyday workings of government. This change is reflected in section 3 of Bill 43.

\* (10:10)

Sustainable development includes the promotion of sustainable communities and a healthy population. Another duty of the Environmental Stewardship Division will be to ensure that the initiatives of governments such as Neighbourhoods Alive!, Healthy Child, follow the principles of sustainable development. We know that implementation of sustainable development will not happen without the participation of the Manitoba public.

We are pleased to have announced a new round table made up of citizens from across the province: from the north; from the south; people from all walks of life. While over the past ten years the previous round table was devoted to developing strategies, we are now asking the Round Table to assist and advise the Government on putting sustainable strategy into action in communities and regions across this province. Through Bill 43, we are proposing to enhance the duties of the Round Table to include a function to advise the Government on sensitive environmental issues. Section 2 of the Bill

blends the duties of the Manitoba Environmental Council and the duties of the Round Table to create one effective advisory body to government.

There are those who say that I am eliminating a lot of input from the public, that I am eliminating a lot of good advice from the public, that I do not want to hear from the public, that I just want to do everything on my own. As the former minister of the former government will probably remember, when he was Minister of Natural Resources and probably the Minister of Environment as well, there is really no shortage of advice from the public. All I have to do is show you this org chart, and here I think there are 24 boxes under the Minister that provided some sort of advisory services to the Minister. They include groups like the Ecological Reserve Advisory Committee, the Saskeram Management Area Advisory Committee, Endangered Species Advisory Board, Greater Winnipeg Dyking Board, Lake Dauphin Advisory Board, Clean Environment Commission, Licensing Advisory Committee, and these are just a few of them. They are not all of them. But even over and above these boxes that we have here, we have others that are not listed here such as Manitoba Eco-Network, Manitoba Naturalist Society, Manitoba Parks and Wilderness Society, Water Watch Resources Conservation Manitoba, World Wildlife Fund, Ducks Unlimited, Manitoba Wildlife Federation, Trappers Association, Manitoba Environmental Industries Association, and on and on it goes. The list goes on and on.

**An Honourable Member:** Lots of volunteers willing to help.

**Mr. Lathlin:** So, yes, as the Member says, we have a lot of volunteers. No one is being cut off. As a matter of fact, what I have done is added one more box to this org chart, and that is a box called Aboriginal Resources Council. See, that is the one bit of advice that was missing from all this maze of organizations, advisers, some based on law to advise the Government on certain things. Well, I have added, as a matter of fact, another advisory council and that is the Aboriginal Resources Council. Now, if people have problems with that, let me know. If you are having a problem with adding more advisory

councils to the organization, let me know and maybe we can do something. For those who say that we are cutting off input from the public, that is just not true.

Yesterday we announced the Round Table membership and that will bring together vast experiences from both advisory bodies. I think we appointed five members from the old round table, and I believe five former members of the MEC, and we appointed six new ones to the Round Table. Although component strategies are not a time-bound section of The Sustainable Development Act, we have already begun to develop strategies in areas such as water, forest, and climate change within the framework of our overall strategy.

We will work closely with the Round Table to ensure that these strategies can be implemented into the everyday workings of government. In addition, our departments of Government Services and Conservation have been developing procurement guidelines which we will review at the Round Table later this fall. For over 10 years, since the Brundtland Commission Report, there has been a lot of talk about sustainable development but regrettably very little action was taken. As a government, we know that we carry a responsibility to future generations to protect our air, our water, and the bio-diversity of our forests, grasslands, marshes and tundra. We also know that we share this responsibility with local communities, local governments, small business, industry and all Manitoba citizens.

We are proud that, within the first eight months of being in government, we announced a framework for sustainable development that contains among the most proactive initiatives in this country. We know that all Manitobans share a commitment to sustaining the environment for our children and our children's children. Our task has just begun, and we look forward to working with all Manitobans towards this shared vision.

So, Madam Chairperson, those are my comments.

**Madam Chairperson:** We thank the Minister. Does the critic from the Official Opposition have an opening statement?

**Mr. Glen Cummings (Ste. Rose):** I am not the official critic, as the Chairperson knows, but I feel moved by the comments of the Minister and not necessarily in a positive way. The round table concept flowing from the Brundtland Report and being set up across Canada in 1987, '88 and '89, the concept was to have decision makers sit down face-to-face with ministers of the Crown in order to make more sense and more continuity in terms of development and environmental issues where the two converged and have the best advice from people who might not normally have a chance to readily meet in the Minister's office or the Premier's office to provide that information.

While the Minister could argue that he is continuing the Round Table and by removing the environment council he is not making changes that destroy the process, essentially I believe that he has taken the guts out of and the meaning out of the process as it was first conceived and as it, in my view, should continue to work.

It needs to evolve, but by taking the Round Table into the Department and by taking the sustainable development function into the Department, he is going back to the '60s, back to the '50s, as indeed the name conservation goes back to the '50s and '40s.

\* (10:20)

We no longer have an organization within government that sits independent of any one particular department. That was the strength and that was the rationale of the way the co-ordination unit was able to operate. Many of the people were seconded from various departments. It was intended to be cross-sectoral so that no one department controlled the Round Table. The Round Table and the Secretariat reported directly to the Premier.

The Minister argues that for the last few months of the previous administration the Premier in fact was not the Chair. The legislation says where the Premier is a member of the Round Table, he shall be the Chair. After 10 years of chairing it, certainly it was well rooted in the development of policy in this province that the most senior political person in the province, i.e., the Premier and his various

cabinet ministers were required to sit down face to face with people from industry, from Environment and have that meeting of the minds to try and develop consensual decision making. What is happening here by incremental changes is getting away from that principle.

I have no disregard at all for the Department of Conservation. There are some very, very capable people in the Department. But what you are doing by subserving this section into any department is that you are taking away the independence that they had in order to be able to attend to each department and say: Are you living up to the standards of sustainable development? Why have you not considered this aspect of sustainable development? Why have you not taken action in this direction?

Now that the Minister of Conservation can in many ways if he wants to exercise his authority, it is now his responsibility, I would suggest, to carry that message. That is exactly what, in my opinion, went off the rails in Ottawa's attempt to make environment the supreme department in the Ottawa political structure. The other departments simply did not co-operate. Every time the Department of Environment brought forward an initiative, they got kneecapped around the cabinet table because there was a lack of pre-built consultation and co-operation before the initiatives were attempted and brought to the cabinet table.

So I suggest that the Minister, while he may not have appreciated what was happening before, I think he has certainly shown disregard for the intention. Certainly if he wants to argue about adding an advisory body through the Aboriginal Resources Council, I applaud him for that. That is not an issue, as far as I am concerned.

What is at issue is that organizations like the Manitoba Environmental Council, which in fact was mandated and frankly was a significant thorn in the side of the Government and in the side of the Minister from time to time, they in fact were very independent. That was the key to their success. I would argue that one of the things that made it so that they had credibility when they spoke to the media was that they also had access to the Minister's office. They could

talk to the Minister and suggest their concerns. If they were not accepted, then they were free to comment publicly. Any board that the Minister appoints within the confines of his department, and he lists a number of areas such as the Wildlife Federation, where he also receives advice, yes, they are independent and outside of government and will feel free to comment if their recommendations are not accepted. But other groups that generally are appointed by the Minister feel somewhat constrained in many cases by the liberties that they can or cannot take in bringing pressure to bear on government.

The Minister has, with a stroke of the pen, taken away a group that was composed of independent people, many of whom were frankly, I used to argue, not political friends of this side of the table. I suppose the Minister has decided they are not friends of his side of the table. So what does he do with his enemies? He eliminates them. I think that is a poor example to set in the first few months of his mandate.

So, Madam Chairperson, the Minister took a long time to introduce and defend what seems to be some fairly brief changes in this act. The fact is, the changes will neuter the Round Table in terms of its effectiveness in dealing with the Government as a whole. It is now going to be seen as the Conservation Minister's round table. He will be the lead minister in most cases. We will see, about three years from now, how well the other ministries take to that type of an approach. Because by taking away the independence of that and having them report outside of a department, and having some cross seating of thinking from members from agriculture, members from planning, members from mining departments, all of them working together within a unit to develop policy can still be achieved, but not as easily with an independent basis as we previously saw with the Round Table.

While the Minister did not allude to who was going to be the chair of the Round Table, if it is going to be chaired by an outside member, whether it is going to be chaired by a member of cabinet, it is not, obviously, going to be chaired by his Premier (Mr. Doer) unless he decides to take leadership on the issue. Either way, I think this policy takes us back to the '50s, if not

further, in terms of policy development and planning. It is quite misrepresenting to refer to the COSDI report as a strategy. It, in fact, recommends further strategy development to complete the mandate of the Round Table. I hope the Minister will take those comments to heart and not resent them as being entirely critical. It is intended to keep this process going.

Manitoba was active, not only provincially, but nationally. It was one of the recognized jurisdictions where the round table process was working, constantly being asked for advice and giving assistance to other jurisdictions on how they develop their round tables and how they manage that cross seating of thinking. So I would hope that the Minister, if he is not going to be seriously considering withdrawing this direction—I know what the numbers dictate—if he intends to continue to proceed in this direction, he will reap the whirlwind of disenchantment, not in the next three months, not in the next six months, but certainly over the next three to four years. It will come from within, not just from without.

Manitoba will no longer be seen to be a leader in the development of sustainable development policy, and how government can reorganize itself in order to be the most effective and efficient husbandry, if you will, of the concepts of sustainable development. We could end up going back to the bad old days of the two separate camps, of environment on one side and development on the other. If we do not bring the two together, our kids will be the ones that will suffer. Thank you.

**Madam Chairperson:** We thank the Member. It is normal practice to proceed to clause by clause at this point, but several members have requested the opportunity to speak. Is it the will of the Committee to hear the members who have requested? [*Agreed*] Mr. Gerrard has requested leave.

**Hon. Jon Gerrard (River Heights):** Yes, I have a few comments and several questions for the Minister before we get into the clause by clause. First I want to compliment the Minister on finally, after a long delay, appointing the Round Table, and that is clearly a step forward, and also to acknowledge that the appointment and

development of an Aboriginal resource council may be a significant step forward.

At the same time, yesterday there were in the Committee a number of very cogent criticisms of Bill 43. The Minister was quiet, and I would ask him first of all to comment on the criticism of Barrie Webster that eliminating the Manitoba Environmental Council is at best short-sighted and that combining it with the Round Table demonstrates a lack of understanding of the requirements of current legislation and the need for strong environmental leadership. The Minister is doing something which is short-sighted instead of something which is long-term and visionary. I wonder if the Minister would respond.

**Mr. Leonard Derkach (Russell):** I think there was a question asked by Doctor Gerrard.

**Mr. Gerrard:** This was a question of the Minister. Normally at this time in committee it is possible to ask the Minister questions.

**Madam Chairperson:** The Minister usually prefers to answer at the end, but—

\* (10:30)

**Mr. Lathlin:** Well, in response to the Member's question, I mean, I do not know how much of it is a question and how much of it is a statement of opinion, you know, are you being short-sighted? You know, he quotes Barrie Webster's criticism. Yesterday, I think it was yesterday, we heard from four presenters. I believe we received two other written submissions on this legislation. Interestingly enough, none of them seemed to support the status quo. At least that is what I heard from listening to the presenters.

The options presented ranged from scrapping The Sustainable Development Act altogether to having a kind of a transition provision that would see the possibility, I guess, of their continuing to be the Manitoba Environmental Council in the short term to ensuring that combining the Manitoba Environmental Council with the Round Table would preserve the best features of the Manitoba Environmental Council. We are opting to, of course, strengthen the Round Table by

incorporating the Manitoba Environmental Council and its best features into the new Manitoba Round Table. These, of course, include appointing several key members of the former Environmental Council to the Round Table. This will ensure that environmental views are well represented in a sustainable development discussion.

We have also transferred all the powers of the former Manitoba Environmental Council to the new round table because we believe that this will allow the Round Table to undertake the initiatives that it previously could not under the old system. We are also committing to a more open round table process in the tradition of the former Manitoba Environmental Council. This will ensure that the Government will be accountable for how it deals with the advice from the government.

Those arguing for the retention of a separate environmental advisory council, we believe it is contrary to the principles or the concept of sustainable development. We happen to believe that sustainable development is, by definition, the integration of the environment and the economy. One cannot be considered in isolation from the other.

Combining the former Manitoba Environmental Council and the Round Table, I believe, will ensure that our principal advisory group on sustainable development will be strong in both of these critical areas, but the bottom line is, if we want to talk about sustainable development we have to talk about addressing both areas, the environment and the economy, the economic picture.

I repeat, if we want to be serious about developing this concept into a stage where it can be implemented, then we have to look at both ways. That is where we have tried to come in with a balanced approach so that we do not go without the other.

**Mr. Gerrard:** On June 13 the Minister wrote to former members of the Manitoba Environmental Council to indicate that his approach was going to be to appoint the Round Table to suggest amendments to The Sustainable Development Act, and yet within days he acted to bring in this



bill and to have amendments without any consultation of the Round Table.

I asked the Minister why he brought in these changes before even having any advice from the Round Table.

**Mr. Lathlin:** The issue that the Member refers to, that activity can still be carried out once the Manitoba Round Table is in place. There will be. I am sure just as it was in the former round table, subcommittees formed to perform certain duties. What I foresee coming from the Round Table is a lot of research will happen and in time the members of the Round Table I am sure will be pushing for further legislative changes to further refine the operations of the Manitoba Round Table.

**Mr. Gerrard:** I am disappointed that the Minister has leaped before the Round Table had a chance to look and advise, which would have been by far the more sensible approach. One of the criticisms and concerns is that the role of the Manitoba Environmental Council in public awareness and public education was not transferred to the Round Table on Sustainable Development. This is a significant concern because that was a rather important role of the Manitoba Environmental Council.

I would ask the Minister if he would not reconsider and make changes that would allow for a very positive and forthright role for the Round Table in public awareness.

**Madam Chairperson:** Before I recognize, just for clarification, it was my understanding that the members were requesting to make an open statement. I am wondering if questions and answers would not be more appropriate during the clause by clause.

**Mr. Cummings:** As I recall, what we were saying a few minutes ago was that the question was asked by the Member for River Heights (Mr. Gerrard) about whether or not it would be appropriate to raise some questions before we go into this bill clause by clause. It seems to me it is entirely appropriate that given the general policy impacts a bill such as this can have that we have an opportunity to ask the Minister about the concepts and some of the outcomes that he intends

to be able to achieve with this bill. I would encourage that we be able to continue with this discussion, either that or it will occur as we go through clause by clause and will slow down the clause-by-clause discussion considerably.

**Mr. Gerrard:** I think the Minister was going to reply in terms of the public awareness question whether he was concerned enough about the complaints about public awareness being not in the mandate whether he would make some changes.

**Mr. Lathlin:** I do not know if the Member is aware, but in the duties of the Manitoba Round Table that function is there already under section 4(2)(a), "creating awareness and understanding of sustainable development by the citizens of Manitoba."

So there is already an education awareness function existing in the Round Table.

\* (10:40)

**Mr. Gerrard:** Coupled with this and with being able to promote educational and public awareness effectively clearly is an ability to act with a degree of independence from government. That was one of the things which the Manitoba Environmental Council did very effectively. Several presenters raised as a major issue that what in fact you have done is to move this into a round table which has got major representation from cabinet and that the dissenting points of view will almost certainly be squelched and there will be much less public discussion than there was with an independent Manitoba Environmental Council.

So I would ask the Minister to consider changing the mandate to allow it to be much more independent and speak out even when it is critical of government.

**Mr. Lathlin:** I think the ability of the Manitoba Round Table to carry out those kinds of activities is there. It is unrestricted, it is unfettered. There is nobody to prevent the Round Table from initiating those kinds of awareness education programs, as far as I can see. So I will just leave it there for now.

**Mr. Gerrard:** There are many of us who are very skeptical about the ability of the Round

Table with five cabinet ministers to speak out with any level of independence at all from government. Clearly there are many, myself included, who consider that we would miss a very valuable voice, independent voice. Indeed, I think Sid Green, when he was commenting on the role of the Round Table some years ago, commented that the Manitoba Environmental Council was extremely important as an independent voice and that indeed he talked about the role of the Manitoba Environmental Council in sort of eternal vigilance on behalf of citizens of Manitoba and that eternal vigilance is indeed the price of liberty.

There are many, myself included, who feel that you are suppressing liberty in this province. You are suppressing an independent voice, what has been the Manitoba Environmental Council. This will be a very bad day, and a very bad mistake when this bill passes, as you appear to intend to do.

There are quite clear differences among the roles of the Clean Environment Commission, the Manitoba Environmental Council, and the Round Table on Sustainable Development. Each has an important role and a significant role which is separate. The Manitoba Environmental Council clearly has been very, very important in being able to speak out independently. We will miss that voice, greatly, with your sad action to kill the Environmental Council.

One of the clauses—and maybe I will actually wait to comment till we get to it, and finish my comments in the general fashion, at this point, just with an emphasis on the concern that what you are doing is suppressing opinion, rather than enhancing liberty and enhancing debate.

**Madam Chairperson:** Before we proceed, perhaps I should ask the Committee if they wish to indicate how late it is willing to sit this morning.

**Ms. Marianne Cerilli (Radisson):** I think as we have usually done in these committees, we have revisited that at noon. Since we are not hearing any public presentations today, I think that we want to just have a chance to ask the questions, and discuss the Bill, and pass them clause by clause this morning. So revisit it at noon?

**Madam Chairperson:** Twelve o'clock. Is it agreed? *[Agreed]*

**Mr. Jim Maloway (Elmwood):** Madam Chairperson, on another point, I would like to resign as Vice-Chairman of the Committee.

**Madam Chairperson:** The position of Vice-Chair is now vacant. Are there any nominations?

**Mr. Cummings:** By popular demand, I think this member should stay on as Vice-Chair. If not, I would nominate Mr. Tweed.

**Madam Chairperson:** Are there any further nominations?

**Ms. Cerilli:** I will nominate the Member for The Maples (Mr. Aglugub).

**Madam Chairperson:** There have been two nominations. All those in favour of Mr. Tweed being Vice-Chair.

**Some Honourable Members:** Yea.

**Madam Chairperson:** All those in favour of Mr. Aglugub.

**An Honourable Member:** Oh, I think we won.

**Madam Chairperson:** Mr. Aglugub is appointed Vice-Chairperson.

**Mr. Lathlin:** Madam Chairperson, I would like to just add a little bit to the comments of the Member for River Heights, and that is to indicate to him that we believe that the Manitoba Round Table will be able to continue in the tradition of independence established by the former Manitoba Environmental Council. I think we can do it in several ways. The non-government representatives of a large majority of the members in the Round Table, 14 of the 20 members are non-government, and all new members will be appointed from outside the Government.

The chair of the Round Table, as probably all members here know, really has no power. He or she is equal to every other member of the Committee. The appointees are there because of their expertise and independence of mind. To suggest that they would somehow be inhibited in

their advice because of the presence of some members of government on the Round Table would be to undervalue the credentials of these members. As I recall it, the former round table had cabinet ministers sitting in the Committee, and if the Member wants to suggest that those cabinet ministers did not give the right advice or they dominated the Manitoba Round Table, I imagine members of the former government will have something to say to that.

In any event, the affairs of the Round Table will be, in our opinion, more transparent than in the past. Whatever advice government receives will be public, not secret advice. I might also add that I recall, and I am also given to understand, that the former government, with its Manitoba Environmental Council, oftentimes gave it advice that they did not agree with. I am given to understand, for example, that logging in provincial parks may have been advice that the Manitoba Environmental Council gave to the former government, and the former government did not listen.

So what we are trying to do in this initiative is to make sure that those proceedings are transparent and to make sure that we do not concentrate on one end of the scale, that being the economy of business. We want to also concentrate on the environmental side so that we go forward in a balanced way, not at the expense of one area.

\* (10:50)

**Mr. Derkach:** Madam Chair, I will just take a few minutes to reinforce and to echo the comments of my colleague the Member for Ste. Rose (Mr. Cummings) who, along with our premier, the Member for Tuxedo (Mr. Filmon), over the course of the tenure of our government, implemented, I think, a world-class approach to sustainable development and one that was recognized, not only by people within this province, but indeed was recognized by many organizations outside our province and even outside the country.

To have a new Minister of Conservation who takes on the responsibility of the departments of Natural Resources and Environment now moves precipitously, I think, in changing

the structure, not only of the Round Table but indeed of the environment council and eliminating it without adequate consultation from Manitobans, without any consultation with the stakeholders, to me, is simply wrong. I think the Minister will be judged by many organizations and people, and indeed his government will be judged by this dramatic change in policy and direction and indeed in simply taking a giant step backwards in time in terms of the sustainable development strategies and the sustainable development work that has been done in our province.

Madam Chair, one of the areas that comes to mind which seems to be extremely important in this whole area of sustainable development is the involvement of young people in the entire process, and this was a focus of the Sustainable Development Round Table and indeed the stakeholders who are out there working on behalf of Manitobans. These were not simply bureaucrats and government ministers. They were people from all walks of life in Manitoba who were working together to implement the strategies of sustainable development, as a matter of fact, working alongside our educational institutions, which is a very key element in all of this as well. Many young people adopted the principles of sustainable development, and indeed, through their education systems, I think we are even leading some of their educators on the principles of sustainable development. We were developing a society in Manitoba who firmly believed that we were moving in the right direction as a province and as a country in the whole area of protecting our environment but at the same time ensuring that any development in our province adhere very closely to the principles that were set down and were agreed to, not by just government and not by a department, and not developed by bureaucrats, but indeed by people who came from all walks of life within the society that we have in Manitoba.

I think one of the good elements that the Minister has introduced is the involvement of the Aboriginal council as an advisory group to the sustainable development process, and it is not that the former round table ignored the Aboriginal people of our province. Indeed, they were an integral part of the Sustainable Development Round Table and certainly had a great deal

of input into the development of the principles that are involved in sustainable development.

So, Madam Chairperson, I believe that this bill takes a step backwards. I believe that the Minister is moving prematurely. I believe the Minister has not consulted with Manitobans, and we have criticized the Minister for this in the House. The Minister on another occasion had actually moved, and I believe that perhaps this Minister, if he were given the latitude, would probably consult more with Manitobans than he is allowed to by whoever controls him as Minister, because it was very obvious that this minister had moved to consult with Manitobans on a different issue and had scheduled those hearings. Then pressure came to bear, and he cancelled all of those hearings and has sort of withdrawn from the public consultation process. This is another indication where the Minister has not consulted with Manitobans. He has not consulted adequately with the stakeholders and indeed has moved in an opposite direction than the advice that he would be given by the various interest groups around our province.

So, Madam Chair, it is impossible for us to understand how it is the Minister has come to the conclusion that indeed he has to move in this direction because some serious thought and some serious dialogue with stakeholders in Manitoba would indicate that he is moving in the wrong direction. With those few comments, I want to simply raise my objection to the direction that the Minister is moving in with regard to this bill, and I believe it is moving our province a step backwards in the whole area of sustainable development concepts that have been adopted by all Manitobans.

**Madam Chairperson:** We thank the Member for his comments.

**Mr. Gary Filmon (Tuxedo):** I, too, want to join with many members of the Committee and presenters who have expressed concern as to the direction this government is pursuing with this bill. I begin, though, by complimenting the Minister and his colleagues for at least finally recognizing the concept of sustainable development because all too often, over the past decade, we heard criticisms from them, particularly the Member for Radisson (Ms. Cerilli) and

others, who essentially interpreted the mandate and role of the Round Table on Sustainable Development as being an environmental agency, whereas the Minister has correctly stated this morning that it is an organization that is intended to balance the interests and the concerns of the development side of our society, the economic side of our society and the environmental side of our society. In fact, properly, it should contain the elements of people concerned about a whole variety of issues, even including social equity. It has that broad ability to bring together all of these competing interests and ensure that all of these interests are on the table at any time that any major decision on development is made in our province or in our governments.

Finally, I think perhaps the Minister and some of his colleagues understand that, but that does not mean that you then can eliminate all of those who give input to government, who give criticism, praise, suggestions to government, who represent individually those elements of society. By this particular bill, that is precisely what the Minister is doing, and the word "hypocrisy" certainly comes to mind when I consider, over the last decade, that members of the New Democratic Party in opposition criticized us for ignoring the views of the Manitoba Environmental Council. The Minister has mentioned this morning about logging in provincial parks. I believe that they criticized our government over the Ducks Unlimited Oak Hammock Marsh development. I believe that they criticized our government over the manner of the Clean Environment Commission proceeding on the Brandon hog plant. I believe they criticized our government for various elements of the development of the oriented strand board plant in Swan River. But that did not mean that we got rid of them so that there was no voice who was speaking solely on behalf of the environment community and the environment issues.

The purpose of having that organization in place, among others, is that it has a degree of independence from government. To a large extent, it was self-appointed. The Minister had to, by letter, acknowledge the appointments, but most of the appointments came from the Council itself adding to its numbers. We did not, at any time, attempt to eliminate or eradicate the people

who were critics of government. In fact, the chairman, I believe, that this minister has appointed to the Clean Environment Commission, Nick Carter, former NDP Deputy Minister of Environment, was part of that Manitoba Environmental Council. We did not attempt to get rid of them. I mean, that would have been, I think, unbelievably arrogant to eliminate any attempted criticism.

Why do you need a separate group that is separate and apart from the Round Table? Because you already have any others in society, groups such as the Manitoba Business Council or chambers of commerce or the House Builders Association or other people who are out there criticizing or advising government on issues of development. So why should you not have independent groups that are advising government on issues of environment, because they have a separate narrow and specific interest? Government does not have to necessarily agree with them. We did not agree with the criticisms of the Environmental Council on issues like logging in provincial parks or the Brandon hog plant or the oriented strand board plant, but at least they were out there free to make those comments to the public.

\* (11:00)

So what this government is doing, as its first major step towards embracing sustainable development, is to then eliminate the forum for criticism from a legitimate body like the Manitoba Environmental Council. I mean, what do you have to fear of criticism? I believe that this government is heading to the same place that it was when it left office in 1988 in which it got the lowest rating in Canada, a failing rate, on its environmental stands simply because it had its own narrow perspective, and it did not listen to other people. This, to me, as I say, is the height of hypocrisy, given the kinds of criticisms that the New Democrats made when they were in opposition.

I do not believe that you strengthen the Round Table or the process of sustainable development in this province by eliminating a forum for your critics. All you demonstrate is that you do not have the understanding or the wherewithal to stand up to your critics. You would have, as a neutral, independent arbiter, the

Round Table out there, and they would bring together the various interests on development, on social equity, on environment and try and give you some sort of blended consensus view on the issue, but you would still have critics out there who have the right and the forum to be able to be heard.

In all of this process, I look at the appointments that are made here by the Minister. I cannot disagree with many of them. Many of them served the former round table. But we were never afraid to put our critics or our opponents on the Round Table. Jack Dubois, whom I have the utmost regard for, ran against me in the last election campaign. He was on the Round Table throughout the process. We knew where he stood politically. That did not matter. The fact of the matter is you need people who have legitimacy in all areas of interest including environment, and Jack represented the umbrella group of the environmental interests in our province, so we put him on the Round Table.

Rob Hilliard was on the Round Table for much of the last decade, obviously not a political supporter of ours. That did not matter because the Round Table process calls for you to have people of all different interests, concerns and backgrounds. Christine Common-Singh, I do not believe that she was a political supporter of ours. I could not tell you that. I do not know what her politics would be, and I would say that of many of the members of the Round Table, but the fact of the matter is that these people were out there with a sincere interest in making sustainable development as strongly as possible implemented in our province for the future good of our province and its development.

I just say that the Minister is absolutely wrong, and his government is wrong, in using their legislative muscle to get rid of a forum for their critics in this particular area. I know that we will attempt to amend this legislation to try and ensure that that does not happen, but I would hope that this would be reconsidered by members opposite because I think that eliminating your critics is not going to strengthen the process or the furtherance of sustainable development in our province.

**Madam Chairperson:** We thank Mr. Filmon for his comments.

**Mr. Larry Maguire (Arthur-Virden):** It is just a pleasure for me to put some comments on the record in regard to the thoughts that I have in regard to the procedures with Bill 43 that the Minister is putting through. Of course, it is very obvious that the Minister's intention is to gut The Environment Act by doing away with the Manitoba Environmental Council and squelch criticism in regard to the process that he has undergone in the past.

I reiterate the words that have been made earlier, that it is a bit hypocritical of the Minister, of the Government, to make the changes that they are, given the comments that they made when they were in opposition in regard to some of the initiatives and structures that have been pointed out and processes that our government went through. We by no means acted on every one of the recommendations that the Environmental Council put forward. That has been clearly articulated earlier by both the former minister and our Premier, and the Minister is saying that we did not act on what was done. We have heard that comment from the Government of the day as well, that we did not listen to it. I think it could be more or less said they may feel that we did not act on what was being said, but our government certainly heard what was being said and, as has been indicated, did not always act on the specific indications that were given. That does not mean we killed it.

That is what this minister is trying to do by taking away the Manitoba Environmental Council, is just to kill any kind of criticism that might be there from an independent body, non-arm's length to the Government, in regard to the process of providing sound or their views at least in regard to what would be sound sustainable development in the province of Manitoba.

I think this is unfortunate as a person that has been involved in the agricultural industry for the past 35 years, if I could say so, going back to my high school days. I find it repulsive to think that we would not see the light in regard to at least having a council there to look at the opportunities that might come forward. I commend him as well on the move for the Aboriginal Resources Council. We could look at the goodness that could be done from that, but, I think, why are we putting another one in place,

why do we not combine the process in Manitoba and have Aboriginals, more of them, perhaps on the Round Table if that was the wish of the Minister in regard to how he was going to hear his concerns of critique in the future or have a body to run things by.

Very clearly, the Minister has breached this act. The Sustainable Development Act was set up in 1998 to provide advice and recommendations to the Government of the day in accordance with The Sustainable Development Act. In proceeding with the process that the Minister has put forward in Bill 43, he is eliminating some of the opportunity that he had to allow the kinds of independent voice to be heard around the Round Table in the future. The Minister has moved under The Environment Act. He says that this is going to be a new body with some new vision. Very clearly, I commend him for making the announcements on the people that have been appointed to the board yesterday, but to have a round table that is supposed to provide you with independent review and have five ministers on it, not even any of his own backbenchers, perhaps, is a bit of a farce in regard to how you are going to have a body that will provide advice and recommendations to the Government when you have five cabinet ministers sitting on the Round Table. I think that this is an overkill in regard to protectionism by the Government of the day and how it has proceeded with this whole process, and very clearly there could have been some changes to both The Environment Act and The Sustainable Development Act without completely gutting one and moving to the other, which brings me to the point, Madam Chair, in regard to procedure on this kind of a bill.

\* (11:10)

It looks to me as if obviously it has been called The Sustainable Development Amendment and Consequential Amendments Act, but it goes on to deal not just with The Sustainable Development Act, but also with The Environment Act, and it is under The Environment Act that sections 8 and 9 of The Environment Act would be completely repealed. Section 8, if I could, is the appointment of the Council and that is that the Minister shall appoint a Manitoba Environmental Council to provide advice and recommendations on environmental matters.

That is quoted right from The Environment Act, Madam Chair and Mr. Minister, and I think that it is of some concern to Manitobans that that part of the Act has been completely taken out. It was to conduct an investigation into any environmental matter. Those were some of the investigative opportunities that the Council had in regard to its procedure. Of course, Section 9 was that the chairperson of the committee is a member of the council in regard to that. Very clearly, without a council, it cannot have an independent chairperson under a council that does not exist. So those are just a few comments that I would like to put on the record in regard to our views on this whole process.

There were very good presentations. I commend the people for making the presentations yesterday in committee that came forward to add their concerns about the process that we are going through in regard to how this act is being changed and how the Council is being done away with. I want to make sure that the Minister knows that people are watching. Industries that are trying to locate in Manitoba are looking at The Sustainable Development Act and saying: You know, this government is passing a lot of legislation and making a lot of changes, some of which were not even included in either the Throne Speech or the Budget. People look at both of those entities for direction and investment in this province, and if you have a sustainable development act with which the Government is not prepared to move forward, and actually look at the bills that it is passing as to whether or not they enhance the sustainability and development in the province of Manitoba, then I think very clearly it is going to show that many businesses may not locate in Manitoba because of some of the bills that are going through that are not being passed by this body.

It is very clear that, without a body having been established, the bills that have already been passed by this government have not been analyzed, if you will, by this complete body and therefore somewhat limits its role in regard to what the Government is looking at for credibility of this round table body. I think that in the future we will be watching very closely to see what kind of accountability the Government puts in, in regard to the actual use of the Round Table for Sustainable Development.

With those comments, Madam Chair, I just wanted to reiterate again the concern that I have as critic in this area from our side of the House in regard to the procedures that the Government is making with regard to this bill.

**Madam Chairperson:** We thank the Member.

*Mr. Cris Aglugub, Vice-Chairperson, in the Chair*

**Mr. Jim Penner (Steinbach):** I, too, would like to just comment briefly on my concerns for the amendments and changes to The Sustainable Development Amendment and Consequential Amendments Act. I would like to share some thoughts with the Minister, and I have some questions.

Yesterday, I attended the livestock hearings at the legion hall in Steinbach. I heard that by Friday morning there were 61 presenters, but in fact, we went all afternoon and evening yesterday. They are still going today, they may be going tomorrow, and there are more presenters. These presenters think that they are going to make a difference. They think that their discussions about sustainable development are going to come to the Minister before we pass this bill. They think that they were called upon for their opinion. They think the NDP is listening to them. They do not realize that this thing is in committee stage already. It has gone down the tubes already.

I am just wondering if with all the comments I heard yesterday about sustainable development if we have the right structure. With this restructuring of the committees and the boards, do we have the right structure to listen to what people are saying and accept criticism and to understand the concerns? I am just not sure of the process, but possibly up to 100 presenters are presenting to sustainable development this week in Steinbach. Can the Minister explain to me how this information, these concerns, are brought to the Department?

**Mr. Lathlin:** Mr. Vice-Chairperson, can I make a suggestion to the Committee that I take note of the questions and after everybody has given their speeches I will try to answer those questions.

**Mr. Jim Penner:** I know that the people are concerned. They think they are making recom-

mendations that will be heard. They do not realize that Bill 43 is well down the road. They do not realize that some of the other bills are well down the road. They think that they are going to have input into some of these things, and I think it is going to be a huge disappointment to these people when they find out that the structure that they considered viable for sustainable development is being undermined.

My first question was: What is the process that the input from the farmers and business-people, the spinoff industries, what is the process of that input? How does that go to the Department for influencing the Bill on sustainable development, and so on? The other thing is if I cannot get an answer now, I will ask the second question. There is an expression of insecurity, but particularly from some of the reeves in the municipalities; from the Ste. Anne area, the La Broquerie area. Their concern is what authority will the municipalities have after these bills are passed? They are very concerned that they are losing the elected people, people who have been elected under a democratic process to represent those areas will not have the authority that is needed to create an environment that is sustainable and is pleasant for people to live in. It is actually a very confusing issue, because we do not understand the process that is going to develop out of these changes, and people think they are going to be influencing the changes on how these bills are structured, and they are wondering about the duties.

The duties of the Round Table through the years included creating an awareness and understanding of the concept of sustainable development. The duties included identifying and promoting, marketing and encouraging projects and activities which exemplified development practices. The duties of the Round Table were sponsoring and supporting seminars, workshops, conferences and meetings related to sustainable development. So we do not understand with the new people on board and with the dissolving of several of the processes where the Round Table is going to pick it up and what their duties are going to be. Among the people in Manitoba, we have a lot of concerned people: farmers, farm implement dealers, reeves of municipalities. If only we could have this whole committee moved to Steinbach and listen to what these people are

saying, that would probably influence us more than anything else. Thanks for letting me put my comments on the record.

\* (11:20)

**Mr. John Loewen (Fort Whyte):** I do want to put some comments on the record to this committee. I do not have the legislative history for this issue, but I do have a very strong personal connection to it. My aunt, Alice Chambers, was a very vibrant member of MEC. Unfortunately, she lost her fight with cancer in December of this year. I know that from working with her we had many discussions on the Manitoba Environmental Council, and the role that it played. She had many issues, which she held opposite views to the government of the day. She fought those issues very strongly, right until she was too far along in her battle with cancer to fight anymore. But I do know that she would be appalled by this amendment. She would have been here yesterday if she could have been. She would have fought this issue long and hard. She would have fought it as she fought all other issues, from a scientific basis. I think that, more than anything, speaks to the need of this government to take this bill back and rethink it.

The work of MEC was largely a work of passion, as we heard yesterday from the members of MEC that came before this committee. This was not an issue of funding. They were glad to do the work. Through my connection with my aunt, I had the good fortune to meet many of them, and have discussions with them. As was pointed out yesterday and quoted from Sid Green, I think, or just speak for myself, some of their ideas from time to time do seem crazy. But nobody put a muzzle on them. One only has to look at how MEC operated to understand the significant difference between the input they provided government versus the input that the Minister is talking about with regard to the Round Table. These were people who had a passion. They held meetings when they felt it necessary.

The MEC was largely self-appointed, and by its very nature, one only has to look at the makeup of MEC to understand that they operated differently from any government appointed board. These were people with not



only a deep passion for sustainable development and a deep passion for the environment; these were well-educated people, many of them have a scientific training. So they were able to take on issues. They were able to do the scientific research that is necessary to provide that type of advice to government.

But just as importantly, by their makeup, they were able to run the MEC on a consensual basis. This point was emphasised to me many, many times by my aunt, how they were open to listening to anybody in the community. Their meetings were open to the public. Their meetings were open to the press. Not everybody had an opportunity to vote, but everybody had an opportunity to speak their peace. Much as we see in the collegial atmosphere of our universities, I think, was reflected in how MEC operated. There is a tremendous strength in that. It is the one opportunity that people had from all walks of life and from all perspectives to come at these issues and understand that they would be not only heard, but listened to by this group, and that their ideas, regardless of their craziness as perceived by other people, would receive due consideration.

This bill is removing this. Once again, we are talking about master spin doctors, here. The Bill itself, and the preamble mention clearly that this bill removes all references to the Manitoba Environmental Council and its responsibilities from the environment. The Minister tells us proudly today that yesterday he announced a new round table and in that announcement—no wonder people are cynical. He talks about a merger. This is not a merger. I mean, it is unbelievable that this government would even consider using that word in this release in light of what we heard at committee yesterday and in light of what is going on. This is a complete effort to get rid of the Manitoba Environmental Council, nothing else. It is not a merger.

This government is completely removing the Manitoba Environmental Council as it exists, I guess, as part of their short-sighted policy. It has had the political know-it-all to be able to convince some of the members of MEC to continue with and serve on the Round Table. I am sure they are doing so and hope that they will have the same freedom of access to information

that MEC had, and the Minister should be aware that that was complete and unfettered access to the Department. So, MEC when it wanted information from the Department, it went to the Department and it got it. It was completely unfettered and those were the rules of the game. It needed that information because these people were providing at no cost to the citizens of Manitoba scientific input on matters that they had a distinct passion for, and certainly we are not going to have that with the Round Table. They were individuals that did their work on a voluntary basis. There was no per diem, which is another significant difference between the Round Table and the MEC.

They did it because they had a passion for the environment, they had a passion for sustainable development and they had expertise, and they were willing to give that expertise to the Government. They were willing to provide the information that their talents would allow them to research and to think through at a very cerebral level that many people do not have the time or the passion to provide.

What are they going to be replaced with? Are they going to be replaced by a round table appointed by the Minister, a round table that had MEC? Well, the Member for Radisson (Ms. Cerilli) says MEC was appointed by the previous government. The Member should—she has been here longer than I—know that what the Minister did was to name people, and there is a big difference between appointing and naming because MEC would come to the Government and offer suggestions about who they felt had the interest, had the passion and had the desire to be on that board. These were not people who were tied to any political party in any response. These were people who were tied to the environment, tied to sustainable development. They came from all walks of political life, and they did it freely. It was not somebody coming to a minister and saying: Well, you know, gee, I worked for you, and is there a board I can go on? We all know that happens in politics. I mean, that is part of how this game is played and that should be up front and right out there, but there also should be a role for people with passion.

This is a very, very critical issue to the future of our province, to the future of our

children. I must say that I think the Minister is doing a tremendous disservice not only to the people who gave freely of their time to give their input to the Manitoba Environmental Council, not only to the people that had input, that were willing to do the scientific research not only to the environmental constituency but to all people in Manitoba, he is doing a tremendous disservice by taking away a very valuable forum for informed and dedicated individuals to share their views with the people of Manitoba.

\* (11:30)

I think it would do the Minister well to take some time to reflect on this bill, to read through the presentations to committee that were made yesterday, to read through Sid Green's speech on the reasons for forming MEC, and improvements can be made. I am sure if there had been consultation with MEC prior to this government's decision to abolish it, they could have offered very valuable suggestions for how to improve the process. As we heard yesterday, it is doubtful that they would have requested more funding. Funding was not an issue with this body. These people are interested in accessing information. They are interested in doing research. They are interested in providing the people of Manitoba with an opportunity to review issues.

The Minister in his remarks talked about the boreal forest, and I mean that was one project that my aunt was extremely dedicated to. She had very, very strongly held beliefs, and she backed that up, and it is on record, with countless hours of research. I mean, there was not a meeting she went to where she did not take along a box of paper with her full of scientific evidence to back up her case. Why would this government want to remove that type of input? The only reason that I can think of for the removal of that is their unwillingness to stand up to criticism.

We all know that in government you have to make some tough decisions. You have to weigh all the information you get, but the more information you get, the better prepared you will be to make a decision. So I do not understand at all why this government is in such a rush, particularly with the consultations that are going on now, to dismantle MEC and take away all the positive input that it has provided for years.

The Minister mentioned in his opening statements that he has added advisory bodies, and I think that is wonderful. He mentioned 24. Well, you know, if there is 48, I do not see a problem with that. The more advice that the Minister is willing and his department is willing to hear, the better. I believe MEC would welcome that, as well, and would agree to it. If that is the case, if the Minister wants to sit here and tell us he is open to receiving advice, why is he shutting down this committee, probably one of the most valuable committees in terms of scientific research that this government is able to take advantage of, and what is this government saying? No, we do not want that. We do not want people out there with scientific knowledge and the ability to do this research that may criticize us. That is the only reason for not continuing to allow MEC to exist in its current form.

Certainly there is no demand to do this, there is no rush to do this. The Minister has every opportunity to remove the portions of the Bill that refer to MEC and its apparent demise, to sit back and allow his new round table to give him advice. No one is saying that they have a problem with that. Listen to the advice of the Round Table, have people that sit on the Round Table that also sit on MEC, but there is no need to dismantle MEC at this point. You are doing a disservice to all Manitobans by doing that.

I would urge the Minister to sit back, look at withdrawing this bill and take some time with it. If it turns out that in a year from now or in two years from now he is able to determine that the Round Table can perform all the functions that MEC performs, if he is able to determine that he can get the scientific research, and by consulting with members of MEC they can come to some reasoned approach about how these people can provide the necessary input and have the accessed information, by all means, at that time, in consultation with MEC, arrive at a consensus with them and take some action. There is no rush to do this now. It is not costing the Government anything.

So I would strongly recommend that this bill be withdrawn, that the Minister take some time. We hear it day in and day out in the Legislature how this government is willing to listen at the

Committee stage, how they want to get to committee stage so that people and the public have an opportunity to present their views. It is unfortunate that those views cannot be presented in a consultative manner to the Government prior to arriving at committee, because it is obvious to me that at committee the prime interest of members opposite is limiting input as we saw yesterday, and the prime interest of the ministers is to stand their ground and make sure that their legislation passes. In this case, as we have seen in many other cases, the legislation is ill conceived. It has not been thought out fully by the ministers involved, and I think this is a prime example of a bill that serves no purpose, does not essentially save the taxpayers any money, provides less service to the citizens of Manitoba, and should be withdrawn.

**An Honourable Member:** That is what you said about all the other bills too, John.

**Mr. Loewen:** Well, you know the Member opposite comments that that is what I have said about all the other bills. I have not said that about all the other bills. What I have said about some other bills is, yes, they should be withdrawn because they have got the same problem. There are other bills that need to be amended, and there are other bills such as The City of Winnipeg Act that we have passed through committee without suggesting any amendments because we see there is a reason for it. But it is our job, as opposition, to call the Government on behalf of the people of Manitoba. If the Member opposite wants us not to do that, he should just refer back to his considerable time in opposition.

In any event, dealing with this act, it is a serious, serious issue and one which I take very personally. As I have said before, this serves no purpose, and I would ask the Minister to withdraw it. Thank you.

**Mr. Jack Penner (Emerson):** Mr. Chairman, I am just going to be very brief. I think it is important to note that the interpretation of sustainable development is looking at an industry from the primary base sector to the finished product, and within those parameters you include virtually all of society. By removing one aspect of the debate, either by the removal of the

proponents or opponents of the issue, you lose the confidence of the general public in the process. I think that is what is at stake in this bill.

I think the removal of the Environmental Council from the debate and including them in some minor form in the discussion format by the appointees of the Minister adds a critical question mark to the seriousness of the process that has been developed and the acceptance of the process that has been developed and the forthrightness with which people could come forward to identify both the negatives and the positives of the given issue.

That is where the Environmental Council I think had a real edge on many of the other organizations. The Environmental Council was made up of people that had no direct political ties inasmuch that they were not appointed by government and/or the Minister, and therefore in the eyes of the public carried a tremendous amount of significance during the debate of any given issue.

I want to refer a bit to an issue that is probably going to be questioned by some of the members at committee, but it has to do with 4-H and education of our young people and how we are perceived nationally or internationally on environmental issues. I quote Dr. Jeff Goodwin who is a doctor from the University of Texas, a graduate of the University of Texas. He has a doctorate in agricultural education from the University of Texas, and he says: I have to take off my hat to the folks in Manitoba. They are the first people in North America to have put all of the parts of the program together.

He talks about environmental issues and the livestock development process and how Manitoba has developed legislation, regulations and educational programming to tie into encouraging sustainable livestock development.

Now I listened to the same presenters that Mr. Penner for Steinbach listened to last night. It became very apparent that there was a significant amount of skepticism with the hearings that the Minister had initiated on this whole area of livestock development and new processes that the Minister was talking about especially in light

of the fact that the Minister was already in the process of changing The Planning Act and the Minister of Conservation (Mr. Lathlin) changing legislation dealing with some aspects of livestock development from the Department of Agriculture and putting them under the auspices of the Department of Conservation and the suspension of those hearings, and now the hearings on very significant issues during the middle of debate of the actual legislation to change the process.

*Madam Chairperson in the Chair*

\* (11:40)

I think that concurs with what W. J. Turnock, Chair of the Manitoba Environmental Council, said in his presentation. He said the need for open, consistent, fair treatment of the proponent and the public within the laws and regulations needs to be considered. Without the independence, the advisory body loses its credibility with two important consequences. Those important consequences, he says, are as an arm of government its actions are regarded with public skepticism, as they will be now because they are now inclusive, and will be appointees of government and therefore will lose its credibility and persons with necessary expertise and contacts will be reluctant to participate because they will be perceived being connected with government. A good advisory body should not be politically connected.

I think the Manitoba Environmental Council had that distinction. I will refer to that a little bit later. He says: Since Bill 43 is premature in changing existing agencies before setting the framework in which they will work, we believe that action on this bill should be delayed until new framework for sustainability have been developed, if the Minister or the Government are intent on proclaiming or putting forward a new framework.

I found Mr. Sid Green's comments very interesting. I think Mr. Green was a former minister of the NDP party. He says: I am a firm believer that the governmental authority has to be under constant pressure from an enlightened citizenship. Therefore, we started an environmental council.

It was the NDP, I understand, that started the Environmental Council. Incidentally, the Environmental Council that exists in Manitoba today is unique in this country. Nobody is appointed to the Environmental Council by the Minister as a ministerial appointment.

He says: The first environmental council was composed of everybody who had ever written the Minister a letter about the environment, either in praise or in criticism. It did not make any difference, they were all appointed to the Environmental Council. Unquote.

I think that clearly demonstrated that government's intention to bring a voice before government that had no political ties. I think that is what gave the Environmental Council a lot of credibility. That is why our ministers paid a lot of attention, and having been one of the first ministers appointed to the Manitoba Round Table, had a great deal of appreciation for the sincerity with which many of the issues were brought by the Manitoba Environmental Council.

I concur with much of what has been said. For the sake of agriculture, and for the sake of rural development in our rural communities, and for the sake of developing on a sustainable level one must listen to the general public, and one must do that without political biases. That is impossible for politicians to do. But it is not impossible for people with non-political connections to bring that non-biased position to government. Therefore, I think the Minister is making a huge mistake in excluding or eliminating entirely, the Manitoba Environmental Council's involvement in this process.

So I would strongly suggest, as both Mr. Green and Mr. Turnock have done, and strongly recommend the Minister delay this process until, at least, they have established a new framework around which they can or the people then can judge what this government is truly up to, and how they intend to deal with sustainability and the whole sustainable development initiative in the future.

I think agriculture has the most to lose by doing what the Minister has done. Because we depend, totally, on a fair analysis and a fair non-political assessment of development, be it either a hog operation, a sheep operation, a chicken

operation or a cattle operation, or for that matter, bison, buffalo or any other kind of primary development. I think for that reason, the Minister would serve his province and his government well by recommending that this bill be delayed. Thank you, Madam Chairperson.

**Mr. Cummings:** Madam Chairperson, I noted some questions that were raised and points that were made by my colleague for Steinbach (Mr. Jim Penner). The Minister said he would respond to the concerns after everybody had finished making their speeches. I am not sure if he meant that to sound as derogatory as I took it. But, nevertheless, there is a distinct relationship between Bill 43 and Bill 35 and concerns that are raised in rural Manitoba.

The question that the Member for Steinbach raised is very legitimate in that the people who are lining up in 102-degree halls to make presentations believe that those presentations are going to be seriously heard, and have an impact on potential thinking and legislation of this government, including these two bills. I would be interested to know if the Minister could give us some sense of how he intends to reconcile the thinking. The Planning Act bill, which is not his direct responsibility, will elicit some direct response from within his department and his responsibilities, in my view.

I wonder if he has thought about whether or not he will, personally, have the department look at the issues that are being raised at the current meetings that are occurring in rural Manitoba. Because as I have said many times in the House—and I will let the Minister respond momentarily—it is the impression, it is the climate, it is the investment climate, if you will, that is at risk in rural Manitoba right now at a time when people are looking at multimillion-dollar investments in the livestock business. We should not throw away the responsibility. But we need to send some messages to these entrepreneurs that we will be working with them as a government; that we will not be discouraging their development, but encouraging their development. I would like to hear the Minister's comments on this. It is his privilege to say it has nothing to do with this bill, and not answer in any particular way if he chooses to, but I think it is an opportunity for him to send a message to the people, that the Member for Steinbach (Mr. Jim Penner), the

Member for Emerson (Mr. Jack Penner) and many of us on this side have been concerned about, and it is a developmental direction that this province has been embarked on for the last number of years and one that many of us take a great deal of pride in.

\* (11:50)

These bills may on the surface seem to be mundane and routine unless the public understands that there are going to be some repercussions. I would invite the Minister to respond to the question as I phrased it, but it is basically based on the information the members for Steinbach and Emerson brought to the table, and that is, there are literally hundreds of people out there who are wanting to participate in this process, and yet we may—at the very time that they are sitting in those sweaty halls about to put the hammer down on some legislation that may or may not have the kinds of impacts that they are concerned about—I would invite the Minister to respond to that.

**Mr. Lathlin:** Madam Chairperson, I apologize to the Member if I have hurt his feelings in any way. I realize how sensitive he can be.

Let me indicate to him that the livestock panel that is out there now holding hearings and meeting with the public and getting input, we announced awhile back in the Livestock Stewardship plan that one of the things that had to be done shortly after that was for us to develop a discussion paper, if you will, upon which these hearings could be based. So, with all the information that was gathered, a panel was appointed, and their job was to go out and solicit input, ideas, suggestions from the public. Once that process is finished that panel will come back, report to the Minister of Conservation, Intergovernmental Affairs and Minister of Agriculture and Food. So that is the vehicle for that public input to come into government. That is why the panel was created in the first place.

If members are thinking that there are regulatory implications in this Sustainable Development Act, this is not the case at all. I am not really aware that there have been many public presentations at the livestock hearings on The Sustainable Development Act but if there have been, the panel, I am sure, will report to the three ministers, and once a report is received by

the three ministers then a policy will be developed as to how the livestock industry should be managed from here on in. So that is the process. I do not know if the Member was listening, but that is my answer.

**Mr. Cummings:** I thank the Minister for his observations. I would suggest, and perhaps he would elaborate on that—and I would ask if he would indulge my colleague for Steinbach because there are legitimate issues that are being raised by people who are about to invest in what is the most volatile of industries, big dollars, a world market which can, it is a commodity market, fluctuate significantly. Sometimes being a year early or a year late can make the difference of a 10% profit or a 10% loss, based on supply and demand and many other unknown aspects that can enter into a free market. So, if the Chair would indulge me I would ask if they would accept the question from the Member for Steinbach (Mr. Jim Penner) because he, I think, has a very succinct concern.

**Mr. Jim Penner:** Madam Chair—

**Madam Chairperson:** I am sorry. Mr. Penner for Emerson, had you—you were next. Have you changed your mind?

**Mr. Jack Penner:** Well, I was somewhat surprised at the Minister's answer in respect to the question that was put, and I thought that was in regard to the question that the Member for Steinbach asked, but the Minister says he has not heard that there were many presentations on sustainable development as were brought forward at the hearings. Well, I would like to remind the Minister that this whole process is sustainable development, the whole hearing process in the province of Manitoba. I was in Winnipeg at those hearings and listened to what the people said there, and they were either opposing or supporting an industry that would probably be the largest sustainable industry in this province. The formation of a primary industry to cause growth and create economic development at the primary level and involve the entire industry in the debates is what the ministers are currently up to, and the panel that they have established on livestock development to hear peoples' views on livestock development

is all fundamentally based on sustainability of that industry.

Every comment, every presentation that I heard yesterday, both negative and positive, all dealt with sustainable development. So I want to ask the Minister whether he truly understands, whether his department has properly briefed him on what the true meaning of sustainable development is, what the livestock development is in this province, what the potential is and what some of the positives and negatives are. Does the Minister truly understand where his government wants to head with the livestock industry based on the lowest cost of production in all of Canada and will be forever and a day because we are now the highest cost exporter based on transportation costs? Does the Minister understand that?

**Mr. Lathlin:** Madam Chairperson, I guess I will start off by saying I have a respect for the members who express their views here, their ideas and so forth. I have a deep respect for that, but at the same time sometimes I have some difficulty in really understanding what the members are saying, especially when I started to be lectured on certain concepts and certain notions, ideas, and so on, because, when that happens, the feeling that I often develop is—for example, just his presentation, you know what comes to mind as he is talking that way? I think about the buffalo. There were millions and millions of buffalo here at one time. Now they are gone. The only buffalo we see these days are the ones that are captured in zoos and so on. They were almost extinct.

But we, the Aboriginal people—*[interjection]* Madam Chair, I wonder if you can ask the members, when they talk, I do not interrupt. I try to listen to what they have to say, even though some of what they have to say is not always complimentary, but I do keep quiet and listen. I would ask the same kind of respect from the members. They asked me a question, so I ask them to sit and listen without interrupting—

**Madam Chairperson:** The time being 12 noon, the discussion prior, I think it was determined that we would revisit. *[Agreed]* Is it the will of the Committee? *[Agreed]* Committee rise.

**COMMITTEE ROSE AT:** 12 p.m.