

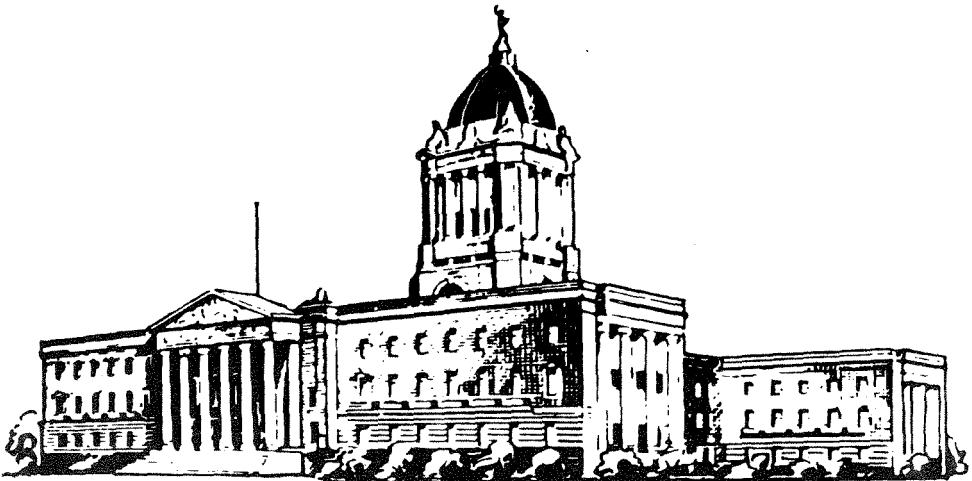


**First Session — Thirty-Fourth Legislature
of the
Legislative Assembly of Manitoba**

**DEBATES
and
PROCEEDINGS
(HANSARD)**

37 Elizabeth II

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The Honourable Denis C. Rocan
Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fourth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	LIBERAL
ANGUS, John	St. Norbert	LIBERAL
ASHTON, Steve	Thompson	NDP
BURRELL, Parker	Swan River	PC
CARR, James	Fort Rouge	LIBERAL
CARSTAIRS, Sharon	River Heights	LIBERAL
CHARLES, Gwen	Selkirk	LIBERAL
CHEEMA, Gulzar	Kildonan	LIBERAL
CHORNOPYSKI, William	Burrows	LIBERAL
CONNERY, Edward Hon.	Portage la Prairie	PC
COWAN, Jay	Churchill	NDP
CUMMINGS, Glen, Hon.	Ste. Rose du Lac	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DOER, Gary	Concordia	NDP
DOWNEY, James Hon.	Arthur	PC
DRIEDGER, Albert, Hon.	Emerson	PC
DRIEDGER, Herold, L.	Niakwa	LIBERAL
DUCHARME, Gerald, Hon.	Riel	PC
EDWARDS, Paul	St. James	LIBERAL
ENNS, Harry	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Laurie	Fort Garry	LIBERAL
EVANS, Leonard	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen Hon.	Virten	PC
GAUDRY, Neil	St. Boniface	LIBERAL
GILLESHAMMER, Harold	Minnedosa	PC
GRAY, Avis	Ellice	LIBERAL
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HELWER, Edward R.	Gimli	PC
HEMPHILL, Maureen	Logan	NDP
KOZAK, Richard, J.	Transcona	LIBERAL
LAMOUREUX, Kevin, M.	Inkster	LIBERAL
MALOWAY, Jim	Elmwood	NDP
MANDRAKE, Ed	Assiniboia	LIBERAL
MANNES, Clayton, Hon.	Morris	PC
McCRAE, James Hon.	Brandon West	PC
MINENKO, Mark	Seven Oaks	LIBERAL
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold, Hon.	Rossmere	PC
OLESON, Charlotte Hon.	Gladstone	PC
ORCHARD, Donald Hon.	Pembina	PC
PANKRATZ, Helmut	La Verendrye	PC
PATTERSON, Allan	Radisson	LIBERAL
PENNER, Jack, Hon.	Rhineland	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren	Lac du Bonnet	PC
ROCAN, Denis, Hon.	Turtle Mountain	PC
ROCH, Gilles	Springfield	LIBERAL
ROSE, Bob	St. Vital	LIBERAL
STORIE, Jerry	Flin Flon	NDP
TAYLOR, Harold	Wolseley	LIBERAL
URUSKI, Bill	Interlake	NDP
WASYLYCIA-LEIS, Judy	St. Johns	NDP
YEO, Iva	Sturgeon Creek	LIBERAL

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, September 14, 1988.

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

SPEAKER'S STATEMENT

Mr. Speaker: Prior to oral questions, I would like to inform the House that I have received from the Clerk Assistant of the Senate a brief communication which reads, in part, as follows:

"Pursuant to a motion adopted by the Senate on Tuesday, July 19, 1988, I am pleased to transmit to your Assembly a certified copy of the resolution to amend the Constitution of Canada, adopted by the Senate on April 12, 1988."

ORAL QUESTION PERIOD

Manitoba Society of Seniors' Directorate Meeting

Mrs. Sharon Carstairs (Leader of the Opposition): Mr. Speaker, over four months ago this Government was sworn in among the flurry of new promises and initiatives, one of which was the Seniors' Directorate.

The purpose of this Directorate, surely, is to facilitate input from seniors. Will the Minister responsible for the Seniors' Directorate (Mr. Neufeld) inform this House what he has yet to meet, despite repeated requests, with the Manitoba Society of Seniors?

Hon. Harold Neufeld (Minister responsible for Seniors): My people have met with the Manitoba Society for Seniors.

Mrs. Carstairs: The question was why has he not met with the Manitoba Society for Seniors. We are still waiting for some direction. Can the Minister tell this House what is this Directorate going to do in terms of its vision for the seniors of our society here in Manitoba?

Mr. Neufeld: Specifically, the Directorate will have an inventory of all the programs available through the Manitoba Government and through the Government of Canada and programs available from the private sector, and will direct the seniors where necessary, where they are asked, to the proper place when they are asking the questions.

* (1335)

Mrs. Carstairs: Does the Minister not agree, and will he not tell this House that the very first step in providing that kind of initiative to seniors would best be approached by a personal meeting between the Minister and members representing the seniors of this province.

Mr. Neufeld: It may be very difficult to speak to the seniors before we have the inventory of the programs

that are available. Once we have that inventory, we plan on meeting with all the associations of Manitoba, not only the Manitoba Society for Seniors. There are several more and we shall be meeting with them. We have been in touch with them, and we will be meeting with them.

Federal-Provincial Negotiations Senior Workers Programs

Mrs. Sharon Carstairs (Leader of the Opposition): With a new question to the Minister of Community Services (Mrs. Oleson). When the present Government came into office, Manitobans were expecting to see a higher level of cooperation between this provincial Government and the federal Government. As developments in the past week have again illustrated, the only cooperation we have seen to date is this Government's forfeiting Manitoba's interests to clear the way for the federal Progressive Conservative Party's agenda. A federal election is expected any day now, and with the election, a number of social and economic programs will be placed on hold. Unless action is taken now, one of these will be the Older Workers Adjustment Program.

My question to the Minister is this: What is taking her so long to sign this agreement, in that it now appears Manitoba is the only province outside of the agreement, with the exception of Quebec, which looks as if it will be signing it in the next couple of days?

Hon. Charlotte Oleson (Minister of Employment Services and Economic Security): Mr. Speaker, we have been working on that and it is in the works; but I would remind the Member that I just met with the federal Minister on the 2nd of September to discuss this with him, and discuss the way in which it was being funded, and I would question the Member's information, because, to my knowledge, no province in Canada has signed the agreement.

Mrs. Carstairs: This Government enters agreements giving up human rights with no difficulty at all, but when it comes to an opportunity for seniors to find employment, we do not do anything about it. Will this Government enter into an agreement with the federal Government to provide work opportunities for those between the ages of 55 and 65?

Mrs. Oleson: That is under active consideration by this Government.

Mrs. Carstairs: We assume, like in other actions, that will speed up the process since the pressures come from this side.

With a final question to the Minister. In Estimates the other day, she indicated that the Seniors' Directorate will be looking after certain programs which have been otherwise in her responsibility. Has she now clarified

her functions with regard to the aging mentally handicapped, and what new initiatives will be forthcoming from this Government with regard to those?

Mrs. Oleson: As the Minister in charge of Seniors (Mr. Neufeld) had indicated, the Government is looking at programs across the board with regard to seniors, and my department and the Department of Health are looking at that problem.

Free Trade Agreement Environmental Study

Mr. Gary Doer (Leader of the Second Opposition): Mr. Speaker, my question is to the Minister responsible for the Environment (Mr. Connery). The Minister has informed Members on this side that he has indeed read the proposed Canada-U.S. Trade Agreement, unlike his First Minister (Mr. Filmon). I would ask the Minister, in light of the fact that this is an historic document dealing with the economy of Canada and United States, with hardly any reference to environmental issues but affecting many environmental issues, has the Minister initiated a study in his department on the impact on our environment of this Canada-U.S. proposed agreement? Has he met with any environmental groups in terms of their concerns about some of the negative impact on this proposed agreement on Manitobans and the environment?

* (1340)

Hon. Edward Connery (Minister of Environment and Workplace Safety and Health): Nowhere in the free trade is there any indication that our environment will be affected in any way. Water is not on the issue. Water is not going to be sold to the United States as the Members opposite like to indicate. We have lots of international concerns with the environment—international concerns like the ozone layer that is being depleted. You know, SO₂s, acid rain—there are many international concerns—but, Mr. Speaker, none of them that involve the Free Trade Agreement.

Mr. Doer: I would encourage the Minister of the Environment (Mr. Connery), on behalf of a million Manitobans, to start meeting with environment groups and hear what they are saying about this Canada-U.S. Trade Agreement and its impact on the environment, and not just go by his own unilateral and philosophical position on this issue.

Given the fact that Article 1904 of the agreement allows U.S. companies and commercial enterprises to use U.S. legislation to attack Canadian subsidies, and given the fact that Canadian Governments and provincial Governments have initiated recycling programs, waste management programs, energy conservation programs and a host of a lot of other environmental issues, does he not feel, under 1904, that it is contrary to the Canada-U.S. Trade Agreement and subject to American countervail and American action?

Mr. Connery: It is quite interesting to see Members from the N.D. Party, who sat in office for seven years

and ignored the environment, that now that they are in Opposition, they are very concerned about the environment. Recycling had very little pressure put on by the previous Government. Now we are looking at recycling. We are putting a lot of pressure on many environmental areas that have been ignored for far too long. It will take a little time before all the initiatives come forward to correct the inactivity of the previous Government.

I can assure you our department is working with the Manitoba Environmental Council, a very august group who are working and very thrilled that they now have a Government that is prepared to work with them and to listen to them. So when the Member looks at the international trade agreement as having negative effects on the environment, Mr. Speaker, he is wrong.

Mr. Doer: I would like the Minister to table what studies he has on the Canada-U.S. Trade Agreement. I suggest he is just winging it on a philosophical basis again. Indeed, we passed the torch to the Minister with one of the best Environment Acts that was proclaimed on April 1 in the country for him to enact.

Free Trade Reforestation Agreements

Mr. Gary Doer (Leader of the Second Opposition): I would ask the Minister, in light of the fact that this Canada-U.S. Trade Agreement will dramatically affect the reforestation policies of Canadian provinces, does he feel that this Canada-U.S. Trade Agreement would be negative in terms of future efforts by provincial Governments which have been involved in the Canada-U.S. Trade Agreement on reforestation and our reforestation projects in this province?

Hon. Edward Connery (Minister of Environment and Workplace Safety and Health): I do not know in what way reforestation will be affected. If anything, Mr. Speaker, we want to improve our reforestation. We are working, as a Government, with the Government of Canada, to improve reforestation. This is all part of our sustainable development that we are embarking on in Canada, and Manitoba playing a lead role, to ensure that all parts of our environment are protected economically. So reforestation is of major concern. It is being discussed with the Minister of Natural Resources (Mr. Penner) and he is proceeding with a very vigorous program of reforestation.

* (1345)

Mr. Doer: I cannot believe that the Minister of Environment (Mr. Connery) says that there is absolutely no negative impact to the Canada-U.S. Trade Agreement in terms of the environment of Manitoba and indeed Canada. It goes against all the advice we have received from all environmental groups.

My question to the Minister of Environment: Given the fact that the National Task Force on the Environment and the Economy has stated that energy conservation is imperative to ensure that our renewal resource base is maintained in Canada, and given the fact that energy

is now in a continental agreement with the United States under this proposed Canada-U.S. Trade Agreement, does the Minister not feel that this Canada-U.S. Trade Agreement goes contrary to the task force that he is now responsible for in Manitoba in terms of the national economy and the environment?

Mr. Connery: I wonder where the Member opposite comes from. All we have heard over the Free Trade Agreement is scare tactics, concerns about every issue that there is. It is about time that Members opposite develop a vision for Manitoba and a vision for Canada. I am convinced and I have read, in total, every line, every word of the Free Trade Agreement. I have analyzed it; I have talked to other people.

Last year, I probably put in over 100 hours of research into the Free Trade Agreement. I did not read all of those things that were just glorious about it. I read Leap of Faith and all of the books and listened to those who were opposed to see if there were concerns, and there always are concerns in any negotiation. I am satisfied that we do not have the concerns that the Member opposite says. We, on this side of the House, have a vision for Manitoba and a vision of a Manitoba growing economically, creating jobs for the people of Manitoba.

Seniors' Directorate Priority Programs

Ms. Avis Gray (Ellice): My question is for the Minister responsible for Seniors (Mr. Neufeld). It has been five months since this Government was in power, and the Minister indicates across the House that his department is currently looking at an inventory. Mr. Speaker, an inventory on the services for seniors exists. It is published every year by the Community Resources Council. Age and Opportunity publishes resources for seniors. The provincial gerontologist has ample information on resources and inventories. This Minister is stalling. Surely to goodness, he must have some creative thoughts on the direction that he envisions for his department. Would the Minister tell this House what priorities does he see for his department, given that he has a Budget of \$200,000.00?

Hon. Harold Neufeld (Minister responsible for Seniors): It is four months, not five months. Secondly, I think I answered the question when the Leader of the Opposition (Mrs. Carstairs) asked the very same question.

We have priorities. We are taking an inventory of all the programs that are available not only from the Manitoba Government but from the private sector, from service clubs, from the various societies of seniors, the federal Government, and when we have those all put together, we will be in a position to start working with the seniors.

Ms. Gray: It has been indicated that a certain population, the mentally handicapped, who are aging, have difficulty receiving services. Would the Minister indicate to us, even though he is now looking at an inventory, will the aging mentally handicapped have to

wait for months and months on end before his department makes some determination as to which department will provide adequate services for the mentally handicapped who are aging?

Mr. Neufeld: Programs for the handicapped, mentally or physically handicapped, will not change just simply because they turn 65 or 55 or whatever age bracket you wish to make them seniors. The programs are there for them now and will stay there.

Ms. Gray: I must disagree with the Minister. The programs are not there. Right now there is a jurisdictional dispute going on about services for the mentally handicapped individual who is aging. There are delays in services. What is the Minister responsible for Seniors (Mr. Neufeld) going to do today to ensure that aging mentally handicapped receive the appropriate services?

Mr. Neufeld: I am not aware of the seniors who are mentally handicapped or physically handicapped and have no programs available to them.

* (1350)

Rafferty-Alameda Project Federal-Provincial Agreements

Mr. James Carr (Fort Rouge): My question is to the First Minister (Mr. Filmon). There is yet another reason to be concerned about this Government's weakness in its negotiation with the federal Government. We have already expressed our deep concern about the ill-considered agreement this Government has signed with CSIS. As well, the First Minister still refuses to take a leadership role in the site selection for the laboratory centre for disease control, and this Government blindly accepts all of the federal Government's assumptions about free trade in spite of the fact that potential for dislocation in Manitoba is real.

Mr. Speaker, the latest example of Tory toadyism is the abandonment of Manitoba's interests in the Rafferty-Alameda Dam project. Incredibly, a federal public servant who lives 1,300 miles away has expressed more outrage than the Premier of Manitoba (Mr. Filmon) and she sacrificed her job rather than patronize her principles.

Mr. Speaker: Would the Honourable Member kindly put his question?

Mr. Carr: My question, Mr. Speaker, to the First Minister (Mr. Filmon) is this: What action has the First Minister taken to assure that Manitoba's interests are not compromised by yet another cosy deal between Grant Devine and Brian Mulroney?

Hon. Gary Filmon (Premier): Virtually, the identical question was asked by the Leader of the Opposition (Mrs. Carstairs) on Monday, prior to a day-long special urgent debate on this particular project. It may be that the Deputy Leader of the Opposition (Mr. Carr) is not satisfied with the way his Leader asked the question.

Some Honourable Members: Oh, oh!

Mr. Filmon: Mr. Speaker, the Leader of the Opposition and every one of her Members did get an answer all day Monday and they were not satisfied with the answer. The answer is—if the Members opposite will quit their chirping, I will attempt to answer the question.

The Leader of the Opposition (Mrs. Carstairs) may continue to hurl her insults across the House. I know she is very frustrated these days, but the fact of the matter is that we, as a Government, have been meeting with the federal Government and the Province of Saskatchewan face to face. The Minister of Natural Resources (Mr. Penner) has met and there is a working group, technical people, working to ensure that our concerns with respect to the possible downstream effects of the Rafferty and Alameda Dams are taken into account before anything further is done with respect to this agreement, with respect to these projects.

The federal Government has not yet signed off its legal rights within the 1909 Boundary Waters Treaty Act. Under those circumstances, we have the protection in law and we are demanding that the federal Government ensure that that protection ensures for us, as Manitobans, that there is not any detrimental effects on the quality or quantity of water in the Souris River as a result of the Rafferty and Alameda Dams project.

Letters have been exchanged with the Honourable Joe Clark, the Minister of External Affairs. Meetings continue, and our Minister has done something that the previous administration would not do, and that is to get personally involved, to make sure that he was involved with those meetings.

I say to the Member for Fort Rouge (Mr. Carr) that he does not know what is going on. He may have come back and wants to create a stir here, but our Government is committed to ensure that there is no detrimental effects.

Mr. Carr: There is no Member of this House who throws more insults across the floor than the First Minister (Mr. Filmon) of this province.

* (1355)

Mr. Speaker: The Honourable Government House Leader, on a point of order.

Hon. James McCrae (Government House Leader): A point of order, Mr. Speaker. In his first question, the Deputy Leader of the Opposition (Mr. Carr) used the opportunity to make a speech, and now he is taking the opportunity to cast aspersions on the Premier (Mr. Filmon) of this province for the answer he gave to a question put by him. The Honourable Deputy Leader of the Opposition also should understand by now that supplementary questions require no preambles and certainly no speeches.

Mr. Speaker: I would like to thank the Honourable Government House Leader.

Rafferty-Alameda Project Government Member Buy

Mr. Speaker: Would the Honourable Member for Fort Rouge kindly put his question.

Mr. James Carr (Fort Rouge): Thank you, Mr. Speaker. Very serious accusations have been made over the last few days that a Member of the federal Cabinet worked the Manitoba Government to make sure that they stayed quiet on this issue. Will the First Minister (Mr. Filmon) tell us whether any Member of his Government has been approached by any federal politician to stay quiet on this issue, and at what price?

Hon. Gary Filmon (Premier): Mr. Speaker, the Member for Fort Rouge (Mr. Carr) is showing his true colours. He has now just clawed his way so that his face is above the gutter as he stands to ask questions in Question Period. Just as his Leader in the televised debate alleged that the Prime Minister and I had spoken about a so-called contract being given out by Air Canada and then later admitted, along with the president of the Liberal Party of Manitoba, that they had no evidence whatsoever for the allegation, that it was just simply out of the blue, that it was an absolute falsehood, he comes forward with this kind of allegation and then says to us, "What do you say to this allegation?"—having been handed to him by his mentor, Lloyd Axworthy. I say to him: No, absolutely not.

Mr. Speaker: The Honourable Member for Fort Rouge, with a supplementary question.

Mr. Carr: A final supplementary to the First Minister (Mr. Filmon). What guarantees has the First Minister been given by his federal friends that this agreement will not result in any loss of water quality or quantity flowing into the Souris River, and will he document and table that in the House today?

Mr. Filmon: At all times in the ongoing exchange of letters, of discussions, of meetings between officials, we have been assured by Ottawa that our interests will be protected before any final approval is given on this project. That is the kind of relationship that must be had between jurisdictions. We must believe that when they are working with us, that when they are accepting the information we provide them and the concerns that we lay on the table, that those concerns are accepted in good faith and will be attended to in good faith, and at all times they have assured us of that.

Child Care Professionals Salary Enhancement Grant

Ms. Judy Wasylcia-Leis (St. Johns): My question is to the Minister of Community Services (Mrs. Oleson). Given her flip-flop yesterday, her sudden change in policy late yesterday afternoon, with respect to the Salary Enhancement Grant for child care professionals, which was a little -(Interjection)-

Hon. Gary Filmon (Premier): You are disappointed that you spent all that time organizing the rallies and it has been taken out from under you.

* (1400)

An Honourable Member: We are disappointed in the old flip-flops, Gary.

Ms. Wasylycia-Leis: Mr. Speaker, given the First Minister's (Mr. Filmon) chirping—to use his own word on this issue—it is obvious that they are sensitive about the situation facing child care workers.

Given the Minister of Community Services' (Mrs. Oleson) response to this matter at the very last minute, indicating it was done for the wrong reasons because of political pressure and not because of recognition for the valuable work done by child care workers, could the Minister of Community Services please indicate to this House if she believes that a 24 cents an hour increase, before deductions, will really mean to child care workers, as she has said, that they have nothing to worry about?

Hon. Charlotte Oleson (Minister of Community Services): Mr. Speaker, the increase that was given for the Salary Enhancement Grant this year was exactly the same as the one given last year.

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

Ms. Wasylycia-Leis: Mr. Speaker, given that the Minister of Community Services (Mrs. Oleson) is wrong in terms of presenting that point of view, given that this Government had committed—

Mr. Speaker: Order, please. If Honourable Members would like me to start referring to chapter and verse of our rules in Beauchesne's—a supplementary question should not require a preamble—which is Beauchesne, Citation 359(2).

The Honourable Member for St. Johns, with a question.

Ms. Wasylycia-Leis: Thank you, Mr. Speaker. My question to the Minister of Community Services (Mrs. Oleson) is that given that this Government is committed to a—

Some Honourable Members: Question! Question, Judy. Can you not hear?

Ms. Wasylycia-Leis: My question to the Minister of Community Services—given that this—

An Honourable Member: Question, please. Ask your question.

Mr. Speaker: Order, please; order, please. Would the Honourable Member for St. Johns kindly put her question now!

Ms. Wasylycia-Leis: Given, Mr. Speaker—

An Honourable Member: Question, Judy.

An Honourable Member: No "given's"—ask your question!

Ms. Wasylycia-Leis: Mr. Speaker, Members—

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

Mr. Gary Doer (Leader of the Second Opposition): A point of order. The Member for St. Johns (Ms. Wasylycia-Leis) is clearly asking a question and the Members opposite are chirping and harassing from their seats in a totally inappropriate way.

Mr. Speaker: Order, please. The Honourable Member does not have a point of order. I have recognized the Honourable Member for St. Johns (Ms. Wasylycia-Leis) for a supplementary question. Would the Honourable Member for St. Johns kindly place her question now?

Ms. Wasylycia-Leis: Mr. Speaker, my supplementary to the Minister of Community Services (Mrs. Oleson) is in light of the fact that Members on this side of the House have committed themselves to a larger increase that had also indicated that day care workers were indeed underpaid and undervalued, my specific supplementary to the Minister—

Hon. James McCrae (Government House Leader): A point of order, Mr. Speaker.

Mr. Speaker: Order, please. The Honourable Government House Leader, on a point of order.

Mr. McCrae: It does occur to ask the question, Mr. Speaker, how many times does that Honourable Member opposite have to be told how to ask a question in this place?

Mr. Speaker: The Honourable Opposition House Leader, on the same point of order.

Mr. Reg Alcock (Opposition House Leader): I have watched this for a while and I must confess I would just like to draw your attention to Beauchesne 358(2) which suggests that answers to questions should be as brief as possible and should deal with the matter raised and should not provoke debate.

I would suggest that in this House that if Members on both sides read Beauchesne's a little more closely, we might have a more orderly Question Period and we might in fact get some answers.

Mr. Speaker: I would like to thank the Honourable Member and it seems that Honourable Members would like to see me start quoting chapter and verse. I was actually hoping not to. I thank the Honourable Members for their input. There is not a point of order.

The Honourable Member for St. Johns (Ms. Wasylycia-Leis), for the final time, would you kindly place your question now?

Ms. Wasylycia-Leis: Mr. Speaker, my question is to the Minister of Community Services (Mrs. Oleson): Does this policy, this new policy of the Government of Manitoba, of offering taxpayers' money to profit

commercial centres extend to unlicensed child care operations?

Mrs. Charlotte Oleson (Minister of Community Services): No. I have indicated to the Member on many occasions that the centres are licensed and regulated in the same way that they were licensed and regulated under the NDP.

Child Care Administration Details

Ms. Judy Wasylycia-Leis (St. Johns): My final supplementary to the Minister of Community Services (Mrs. Oleson) is in relation to her answer to my last question and I find it interesting to receive that response. In light of an advertisement placed this weekend in the Saturday edition of the Free Press, an ad which was for a private centre called Morningstar which said they are not licensed, but that any one who needs a subsidy can get a subsidy if they go to the Manitoba Child Care Office—

Mr. Speaker: Would the Honourable Member please place her question now?

Ms. Wasylycia-Leis: —could the Minister inform the House if she is aware of this advertisement and if she can tell this House what she is going to do about the chaos that she has placed in the whole system of child care and tell us exactly how her system of subsidy will be administered, how she will be sending out that information, who will be getting the information, how will it be administered so that there is some sense and some reason in the system so that parents are not—

Mr. Speaker: Order, please.

Hon. Charlotte Oleson (Minister of Community Services): With regard to the ad, I will take that under advisement, have a look at it and discuss it with my department. I have not seen the ad. With regard to how day care centres are accessed by clients, it is under the same system as when her Government was in power. The subsidies will be paid at licensed centres.

Radon Sampling Carcinogen Levels Standard

Mr. Harold Taylor (Wolseley): My question is for the Minister of Labour and the Environment (Mr. Connery). In the recent U.S. EPA Report on one of the major causes of lung cancer, namely radon gas levels in homes, Minnesota and North Dakota had the highest concentrations and the highest number of incidents of the seven States surveyed. The U.S. Assistant Surgeon-General has said that this phenomenon of high concentrations of radon gas in the soil surely extends into Manitoba as well and Canadians should be concerned.

Almost 200 homes sampled in Winnipeg over the last two years had 40 percent rates of findings of radon gas above acceptable levels compared to only 29 percent for Fargo and Grand Forks—the highest U.S.

centres of all. The question firstly is just what standard is the Province of Manitoba going to adapt and employ in regards to this prevalent carcinogen or does he have a standard for Manitoba? Secondly, will the Minister order the random sampling of a further 500 homes in Winnipeg and take samples in other locations of the province as well so that Manitobans can really know how extensive the radon gas situation actually is.

Hon. Edward Connery (Minister of Environment and Workplace Safety and Health): Yes, indeed, radon gas is a major concern to our Government. In fact, last year in Estimates, the Premier asked the then Minister of Environment, Mr. Lecuyer, what he was doing about radon gas.

First of all, I would like to put to rest the concern of people, because the word gas is there, that houses are not going to explode. The Member is right, it is a potential carcinogen where people could get cancer from it. It is developed in the soil. Certain soils carry more radium and it is the breakdown of radium that causes radon. Manitoba is a high radon risk area. Yes, we are maybe even higher than the Americans. Our department is working on plans. We have been. I have met with Dr. Gren Yuill some two-and-a-half months ago. We have had many discussions with my department people on the potential hazards of radon and as to what we should do as a department to cure it. I see my time is up. I will be able to finish it in the next question.

Mr. Taylor: That may depend, Mr. Speaker, on your view of the answer and whether he can answer the first question during the answer to the second.

The question I have to the Minister is to do with how he will handle the matter. Given that this Party first raised this in the House more than a year ago, and we were told by that Government that this was fearmongering, the hope is it will not be said as being fearmongering by the Filmon Government.

Mr. Speaker: Question.

Mr. Taylor: What is this Minister doing to publicize a serious issue so that homeowners can be aware of the five steps available to them to solve this potentially troublesome health problem?

Mr. Connery: No, I would not accuse the Member opposite of fearmongering in a case of this nature. I appreciate his concern in it. It is a concern that we have been addressing for some time.

We have a four-point plan that we have been developing over the last three months. First, we will amend the building code to ensure that new construction of homes will be radon proof and basically this is by putting in plastic under the foundation when you are building the house; that is to prevent the gas from seeping up through. It is not a major cost. It could cost anywhere from \$100 to \$150 a home. We do not think this is excessive to ensure that peoples' health and the health of their children are protected.

Secondly, working with health, we will put out a brochure on the radon gas situation to provide citizens

when they call on this issue. It will review the data and indicate in a general way what the concerns are and what can be done.

Third, we will be developing a separate publication, working with CMHC and the Fire Commissioner's office on what steps can be taken when renovating or retrofitting a home.

Fourth, again involving health, we are participating with the feds and other provinces to establish national standards for radon levels in homes. The report of the committee is complete and is now in the Deputy Minister's Health Department.

Mr. Speaker: I honestly wish the Honourable Minister of Health would have just tabled the document.

Radon Measuring Levels Contractors Certification

Mr. Speaker: The Honourable Member for Wolseley, with a final supplementary.

Mr. Harold Taylor (Wolseley): Manitobans will need to hire contractors, first to determine the radon levels in their homes and then to other contractors to correct the problems of high radon levels when found.

The question then is will this Minister and his department develop a certification program for both radon measurement contractors and radon repair contractors so that Manitobans can be assured that the companies that they hire to enter their home and to take this corrective action will be properly qualified to do the work?

* (1410)

Hon. Edward Connery (Minister of Environment and Workplace Safety and Health): Naturally, our department will be ensuring that those that are doing the testing will be of the quality and the ability to do it. We have been doing some inquiring over the last while to find out what would be involved. I gather the cost of inspecting home would be in the area, we are told, of around \$50.00. We think that is a reasonable cost for somebody to invest in to ensure that their home is radon free. We are going to be looking at various means of ensuring that all people are aware of the hazards of radon and, if they are, who to contact. I could give the House a number now—a hotline for radon—and it is 945-4154. If people call that hotline, they will have the ability to be told a little bit about it, and when our brochure is prepared, then they will also be able to inform them of how to get the brochure, or mail it to them.

We are looking at other means of ensuring that every person in Manitoba is aware of it. We are also considering maybe putting in a stuffer into a telephone or hydro bill to ensure that every person has the information because radon gas is a concern to this Government.

Literacy Training Funding

Mr. Jerry Storie (Flin Flon): On Thursday, of last week, the First Minister (Mr. Filmon) stood in his place to make a non-political announcement about and proclaim World Literacy Day. Today I learned that groups in Manitoba who provide literacy training are awaiting funding from the Department of Education.

My question is to the Minister of Education (Mr. Derkach). Can the Minister indicate whether the Throne Speech commitment and the announcement by the First Minister (Mr. Filmon) really meant anything to the people of Manitoba, given that there are groups out there who are awaiting funding from the Minister of Education? Can the Minister indicate why there has been such a delay in supporting groups who have been providing ongoing training in literacy? Can the Minister indicate whether those groups can expect money, or is the Budget being cut? Can the Minister indicate when they can expect the money if it is forthcoming?

Hon. Leonard Derkach (Minister of Education): First of all, I might indicate to the House that in fact literacy is an important issue and is a priority to this Government as was stated through the election campaign, and we are going to move on literacy as quickly as possible.

We welcome the announcement that was made by the Prime Minister last week with regard to attacking the situation on literacy because the literacy rate in Manitoba, as a matter of fact, over the term of the past Government has increased.

With regard to the specifics of the question, I would like to inform the Member for Flin Flon (Mr. Storie) that we have acted on the requests that have been made with regard to the literacy programs that are in place in the province, today, and funding has been allocated and has been approved, and that is now in place.

Mr. Storie: Well, the Minister's statement is very much like the First Minister's (Mr. Filmon) non-political announcement, when really what we need is political action. The Minister had indicated that the money would be forthcoming. I can indicate that groups have not received the money, and the question was will that money be forthcoming and when?

Mr. Derkach: As I indicated in my answer, the money has been approved and it will be forthcoming immediately.

Mr. Storie: If I understood that, the cheque is in the mail.

My further question to the Minister of Education (Mr. Derkach), in the Throne Speech and in the Budget of the Minister, there is some \$300,000 for a literacy task force. Can the Minister indicate whether he has decided who will be part of that task force, and when that task force will commence its work?

Mr. Derkach: The literacy task force is an important part of our promise in terms to Manitobans, in terms

of attacking illiteracy. I can tell you that the task force will be announced very shortly, along with the members who will be acting on that task force. That announcement will be coming very shortly.

Amateur Sport Lottery Revenue Withholding

Mr. Richard Kozak (Transcona): My question is for the Minister responsible for Sport (Mr. Ernst). Members of this House have repeatedly applauded over a quarter of a million Manitobans who participate in amateur sport in this province. Why is this Government waging a war of attrition against the 96 province-wide sport associations by withholding every penny of the lottery revenue due from them from the Manitoba Sport Directorate since the beginning of this fiscal year?

Hon. Jim Ernst (Minister responsible for Sport): To ensure that the Member gets good and accurate information, I will take the question as notice and give him a response very shortly.

Mr. Speaker: The time for oral questions has expired.

NON-POLITICAL STATEMENT

Mr. Ed Mandrake (Assiniboia): I would request leave, Mr. Speaker, for a non-political statement.

Mr. Speaker: Does the Honourable Member for Assiniboia have leave for a non-political statement? You have it.

Mr. Mandrake: I would like to, at this time, welcome the 5th Commonwealth Air Crew Reunion to Winnipeg.

As a Member of the Canadian Armed Forces for 12 1/2 years, I have a lot of respect for the Air Force, as I served with them 60 percent of my military career. The Air Force supplies the aircrafts and whereby I received my parachutist's qualification. Some personnel might think that the Air Force is no longer in existence—well, it is. It is a very, very important factor in our military structure.

The personnel that are attending here today are—some of them even served in the First World War. We have retired people from the Royal Air Force, the Royal New Zealand Air Force and the Southern African Air Force. I bow to these people with great honour. Thank you very much.

Hon. Gary Filmon (Premier): If I may add to the statements made by the—

Mr. Speaker: Order, please.

Mr. Filmon: May I have leave for a non-political announcement?

Mr. Speaker: Does the Honourable First Minister have leave? (Agreed)

Mr. Filmon: Mr. Speaker, I am delighted to join with my colleague, the Member for Assiniboia (Mr. Mandrake)

in welcoming some 4,500 people who are here in Manitoba for the 5th Commonwealth Air Crew Reunion.

Manitoba is indeed fortunate to be able to host such a huge event with people from throughout the world. Indeed, the Leader of the Opposition (Mrs. Carstairs) and the Leader of the New Democratic Party (Mr. Doer) and you, Sir, joined with me this morning, and with a number of our colleagues, at a ceremony which we instituted for the turning of the pages of the remembrance books of the war dead from the Canadian Armed Forces over this century.

We will be reinstating a ceremony whereby those pages are turned daily, so that the names of some 114,000 war dead from this country who served in many actions, the First and Second World Wars, the Korean War, the South African Conflict and the Nile Expedition will all be turned in order, as they are daily, at the Peace Tower in Ottawa. That is one of our contributions that we will be making to remember the contributions that were made by so many who gave their lives on our behalf in serving in the Armed Forces of our country.

* (1420)

In particular, we are delighted at the efforts of so many Manitobans in establishing and planning for this Commonwealth Air Crew Reunion. There are many, many events that are going on in the next few days. There are people here from—in fact, this morning we had in attendance the Minister of Defence from New Zealand, the Minister of Defence from Australia and some of the most decorated and distinguished Armed Forces people in the world who are sharing this event with us. I am looking forward to spending some time at a number of their events, including a major banquet which they will be holding on Saturday, and the huge air show that will be in Portage la Prairie this weekend.

Mr. Speaker, I welcome the statement being made by the Member for Assiniboia (Mr. Mandrake) and assure him that all of our colleagues take great pride in holding and hosting this huge event, this very distinguished event here in Manitoba.

Mr. Bill Uruski (Interlake): Mr. Speaker, I, too, on behalf of our caucus—

Mr. Speaker: Does the Honourable Member for the Interlake have leave to make a non-political statement? (Agreed)

Mr. Uruski: Mr. Speaker, I thank the House for allowing myself, on behalf of our caucus, the privilege of associating ourselves with this historic event and welcome all those who have come from all over the world to share in this activity and to recognize the contribution that our men and women have played in the various wars to protect the peace and the harmony that should be evident to all of us in this world and that the remembrance of their gift of life on our behalf is never forgotten.

COMMITTEE CHANGES

Hon. James McCrae (Government House Leader): Mr. Speaker, in view of the changes as of last Thursday in this House, I would like to ask leave of the House to make a couple of committee changes.

Mr. Speaker, on the Industrial Relations Committee, Pankratz for Roch; and on the Rules of the House Committee, Helwer for Roch.

ORDERS OF THE DAY

DEBATE ON SECOND READINGS

Hon. James McCrae (Government House Leader): Mr. Speaker, would you be so kind as to call the Bills as they are listed on the Order Paper, with the exception of Bills 21 and 23?

BILL NO. 4—THE RE-ENACTED STATUTES OF MANITOBA, 1988, ACT

Mr. Speaker: Debate on second reading. On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 4, The Re-enacted Statutes of Manitoba, 1988, Act; Loi sur les Lois réadoptées du Manitoba de 1988, standing in the name of the Honourable Member for the Interlake.

Mr. Bill Uruski (Interlake): Mr. Speaker, we wish to indicate that the legislation as presented to the House by the Minister is very similar legislation that was presented to the House in our last Session. I want to indicate to my Honourable friend that some of the statements and proposals made by Members of the Government today, and in bringing forward this legislation, they have—

Mr. Speaker: Order, please. I am sure that all Honourable Members would want to give the Honourable Member for Interlake (Mr. Uruski) the courtesy of having this place quiet down. If you would like to have your own little private conversations, do them on the exterior of the Chamber.

Mr. Uruski: In the move in the rewriting of the re-enactment of the statutes, one has to recall—and I think rightfully so for my honourable friends—some of the debate that went on on this whole issue in this Assembly and to . . .

Hon. James McCrae (Attorney-General): Bitter slander does not become you.

Mr. Uruski: Mr. Speaker, the Attorney-General just does not cease these days in really setting out his traits in this House.

Bill No. 4, along with a number of the Bills on the Order Paper, bringing forward the enactment of the statutes really, actually, one can stand here and smile, Sir, at the Conservative Party now bringing forward the statutes in a move that originally they totally opposed. That is the agreement -(Interjection)- Well, Mr. Speaker, do I want to revive the debate?

I think Members of the Conservative Party went around this province dredging that debate up for months and months on end, asking that this matter be sent to the Supreme Court. It was finally sent to the Supreme Court and the Supreme Court ruled. Now, there were Members on their side who advocated not listening to the Supreme Court after they had advocated sending it to the Supreme Court.-(Interjection)-

(Mr. Deputy Speaker, Mark Minenko, in the Chair.)

Oh, I think some of those Members are in this Chamber following the -(Interjection)- Mr. Deputy Speaker, the Attorney-General (Mr. McCrae) is surprised. For his term in office, some of the tactics that he used as Opposition critic on a number of issues could surprise anyone in the House in terms of labour matters, in terms of other matters. It would only be he who would come out with a statement like that as to surprising Honourable Members.

We have, as we have done in the past, brought forward this legislation. We have brought forward the legislation for enactment to meet the terms of the Supreme Court ruling in that the statutes of Manitoba would in fact be translated as per the ruling of the Supreme Court, but it is very clear that the moves in terms of translation of statutes is far more than was originally agreed to by the Francophone Society and the Government of Manitoba. I hope that the Government of the Day, the Conservative Party of today, does recognize that in terms of the ruling and that we are subjected to translating a greater number of statutes.

Mr. Deputy Speaker, this legislation in Bill No. 4 takes into account a number of the major pieces of legislation in the province. They are listed within the Act. Several of the major pieces of legislation that are in fact included in this Bill are The Civil Service Superannuation Act, The Corporation Capital Tax Act and The Corrections Act dealing with matters of the Community Services Department, and of course The Income Tax Act, The International Peace Garden Act, The Liquor Control Act, The Motive Fuel Tax Act. Most of these major statutes that have been proposed in this legislation are following on the move that we made in the last Session. We will be recommending that this Bill go to committee. However, we know that there have been some changes in this Bill from the one that was tabled in the Assembly back in 1988.

* (1430)

We hope that the Government in its translation will proceed in dealing with these pieces of legislation, and make sure that they are distributed as widely as possible in terms of the Francophone community, are made available to all citizens who require this legislation. The Liquor Control Act, The Motive Fuel Tax Act, both of which Acts, and The Municipal Act are Acts that are widely used by citizens of the province and recognize their responsibilities and their rights under the various Acts.

The additional Acts proposed for changes under this legislation, The Tobacco Tax Act, The Public Printing Act are all internal pieces of legislation. I believe that

the Government, in its own rulings or its own needs, is probably proceeding as the Acts come forward and does not require speedy passage of some of those Acts, but this is the schedule that they have embarked on in terms of translation.

I am pleased to say to the Attorney-General (Mr. McCrae) that they are not embarking on a move to renege on the Supreme Court ruling, that they are proceeding with the translation of these statutes notwithstanding, and I repeat that, some of the statements made by Members of their Party that the Supreme Court ruling should be discounted and not be adhered to, and that the decision of the court should not be heeded. The Attorney-General knows that there have been Members of his Party, elected Members of his Party who have advocated that position.—(Interjection)— You did have the Member for Springfield (Mr. Roch). He is now not a Member of your Party.

An Honourable Member: He is a Member of that Party over there.

Mr. Uruski: He is a Member of the Liberal Party, but he was a Member of your caucus up until about a week ago. He was in your Party. He was still in your Party at the time this Bill was tabled in this House and he was there a number of weeks after it was introduced in this Assembly. It just so happens that is one of the Members on his side who advocated that position.

The Attorney-General (Mr. McCrae) says who else. I am not aware of anyone else's statements that I have seen on the record advocating that position.

Mr. McCrae: You said Members. Who?

Mr. Uruski: I gave you one name, a singular Member.—(Interjection)— My honourable friends opposite are very tender on this issue because they know that, on this issue, not only their hands but their faces have bloodied the history of this province in terms of the stand that they took on this issue. It was their Premier, Sterling Lyon who is now a judge, who in fact in this Legislature brought in the validation of the statutes in 1980. The same Member in this House stood in the back row after he resigned the leadership and started the debate in reverse, contradicting the very moves that he had made in this Assembly.

It is the Conservative Party who wanted to rewrite the history of this province on this issue, on the rights of the Francophone community that were established, and continue to be established in the Constitution of Canada. I am very pleased now that the Conservatives are continuing to move in the translation of the statutes and I hope, Mr. Deputy Speaker, that nothing detracts in their move to translate these statutes that we, in the next number of months, and I think we have if I am not mistaken—and the Attorney-General can stand up and correct me—until 1990 for these statutes to be completed, so that the timetable continues.

It is interesting to note what has happened in the last number of days vis-a-vis what is going on across the country with respect to the protection of minority rights, not only that but with respect to the Official

Languages Act and the situation in the Province of Saskatchewan. The allegations that have been put forward in the last couple of days in Saskatchewan are very revealing as to the nature of Canadian politics vis-a-vis the French language issue.

* (1440)

We have allegations and actually resignations of staff, claiming that the agreement to translate the statutes in Saskatchewan into the French language only came about if there was federal approval of the Rafferty-Alameda Dam, that unless that licence was granted Saskatchewan Premier Devine was not prepared to embark on his —(Interjection)— read the papers. Mr. Deputy Speaker, your own Ministers—you just wait, one of your Ministers just may drop in the next few days and, if he drops, one of you will not be far behind. I want to tell you that. One of you will not be far behind because, if Mr. McMillan is shown that his staff did conspire in formulating an agreement with the Province of Saskatchewan without going through the formal procedures of the federal Environment Act and the federal procedures, you will see not only a call but you will see a resignation at the federal level.

When there is a resignation at the federal level, mark my word that the Members of the Treasury Bench here—and there are two of them, and I will point them out: The Minister of Environment (Mr. Connerly), and his colleague, the Minister of Natural Resources (Mr. Penner). There will be one of those two Members whose job will be on the line as a result of this alleged deal between the Governments of Saskatchewan and Ottawa by by-passing the environmental Act for a deal to translate the French statutes, the translation of the laws of Saskatchewan into the other official language of French because the Premier of Saskatchewan would not do it unless he received a deal on the Rafferty-Alameda project.

For the Minister of the Environment (Mr. Connerly), he wanted his park, so they gave concurrence to the park and the dam licence, and Brian Mulroney who has been a fighter—and I have to give him credit on behalf of the Francophones in Quebec—to his difficulty, he has attempted to push on and make sure that provinces do meet their obligations under the Constitution, and that the Province of Saskatchewan will meet its obligations and translate its statutes into the French language.

But it will be interesting to note and I predict that, if the allegations that have been swirling around this issue come to bear, we will have a Minister of this Crown having to resign his position, or maybe two, on this issue, indirectly related to the issue of the translation of the statutes in Manitoba because that is what this issue is tied to in the Province of Saskatchewan. It will be very interesting the next couple of weeks, how this issue unfolds —(Interjection)— Pardon me? Well, the Minister of Northern Affairs (Mr. Downey) says whether I have been thinking about it in a combine? No, I have not been thinking of it in a combine. We are finished harvesting in our own area, but I want to tell him that I will cease my comments further on this, but I want to tell him I will be the one who will be smiling when

things come to pass. I guess I will not say very much, but I will be smiling and saying I told you so.

So get on with the study, the environmental study. There is one way of beating this whole thing, quite frankly, and not negotiating is having the Minister of Environment (Mr. Connery) in fact begin the work of an environmental study in this whole area, to basically cut off some of the damage that will occur in the next three or four days in Ottawa as a result of this deal.

The Attorney-General (Mr. McCrae) knows the connection here. He knows what has occurred. I am sure he has not been involved in the dealings with Ottawa. He may not like them, but he certainly knows what has been going on in this whole area. We will see in the next couple of days as to what relevancy my remarks will be vis-a-vis

An Honourable Member: We will see that there is not any relevance.

Mr. Uruski: We will see, because it will not take very long for this issue to keep unfolding as it is in Ottawa. It will translate into this whole area.

I want to indicate to my honourable friend that although the statutes dealing with private and public Bills, I want to indicate to the Attorney-General (Mr. McCrae) that he should consider, and we will be watching this move in committee, that the private Bills, which will be coming up very shortly, the Act in terms of translating of the private Bills, that—well I will put the comments on the record tomorrow on that one—we have some specific suggestions to make vis-a-vis the corporate Acts as opposed to the private Acts in the translation and the translation costs.

We want to say to the Attorney-General, we are prepared to allow this Bill to go to committee. There may be some other Members who may wish to speak on this Bill, but we will be allowing it to move onto committee and let the translations proceed.—(Interjection)—yes, I said some other Members will speak.

Mr. Jerry Storie (Flin Flon): Mr. Deputy Speaker, if there are no other Members who wish to speak today, I move, seconded by my colleague, the Member for Thompson (Mr. Ashton), that debate be adjourned.

MOTION presented and carried.

(Mr. Speaker in the Chair.)

BILL NO. 5—THE STATUTE RE-ENACTMENT ACT, 1988

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 5, The Statute Re-enactment Act, 1988; Loi de 1988 sur la réadoption de lois, standing in the name of the Honourable Member for Flin Flon (Mr. Storie).

Mr. Jerry Storie (Flin Flon): I believe this Bill was standing in my name.

Mr. Speaker: You bet.

Mr. Storie: I would just like to take a few moments to follow up on some of the comments of my colleague on Bill No. 4.

I recognize that both of these Bills are in fact a continuation of the efforts that began in the 1985-86 Session to enact laws in accordance with the Supreme Court decision. It is an important process. It is one that despite the fact that most Manitobans if not all Manitobans will not be familiar with, it does have important historical and perhaps practical significance to them in the future. My colleague, the Member for the interlake (Mr. Uruski), indicated that it was his desire, and I am sure the desire of all Members in this Chamber, to have the newly enacted statutes, the translated statutes available broadly across the province, as was the wish not only of the Supreme Court of Canada but was the wish of the previous Government and the many groups who took part in what became a very vitriolic debate.

In many respects, I think it was an unfortunate chapter in the history of Manitoba and one that was fuelled largely by motivations of the Conservative Party which were not particularly altruistic. I will not go beyond that. Suffice it to say that there was, in my opinion, a clear misunderstanding and perhaps an intentional misunderstanding of the problems the Government faced when it came to the question of whether to re-enact the statutes, whether to provide services to the Franco-Manitoban population through legislation, there were clearly misunderstandings about what pressures we were under. We heard often quoted from Members the cry that this was a waste of taxpayers' money and that there was no obligation to provide the kinds of services, or to provide a re-enactment of statutes and regulations in the French language, our other official language.

* (1450)

That debate quickly escalated as Members opposite at that time took that debate to mean that the official language of the province was going to be imposed in some haphazard arbitrary way, denying other Manitobans who spoke other languages their rights in some way.

Clearly, being called an official language is a necessity if you understand at all Section 23 of The Manitoba Act. The intention of the Government at that time was to do something that was reasonable and responsible and we heard from Members opposite. Some of the extremists in the province who did not want to see an expansion, or extension, or even retention of French language rights in this province tried to exploit that situation and used it for their own ends which were neither beneficial to Manitobans nor to the country as a whole as we continued to deal with the duality of our nation.

Mr. Speaker, the former Attorney-General, when he was introducing the statutes to re-enact statutes, was I think quite eloquent as he described historically what had happened in this province and how we had come to the position we are currently in. Let there be no doubt about the fact that this re-enactment is costing Governments the public money—considerable

money—and that there may in fact have been a better way to proceed, a way to proceed which did not create the kind of turmoil we felt in the province from 1983 and 1984.

Although I am loath to take any of the blame as one of the Members of the Government of that Day, certainly there are aspects of our approach to that problem that I would have done differently if I could.

But I have to say that I admired the then Attorney-General. I admire him today, along with the former Premier for their ability, their willingness to stick to the principle of the matter and take considerable political heat and to pay a political price for doing what we knew was both philosophically and principally right and what, in fact, turned out to be legally right as well.

The Supreme Court decision, in my opinion, which precipitated the introduction of Bill No. 4 and Bill No. 5, the ones we are discussing here today, I think clearly vindicated the position that the Government took, but also and perhaps more importantly had vindicated the position that had been taken by the Society of Franco-Manitobans, by other groups who became embroiled in that debate at some sacrifice to themselves because it was not a clean fight. It was not a fight always about the issues and it was somewhat traumatic, I think, for Members like myself who came here quite frankly with a limited understanding of the implications of a Constitution, the Constitution, on our society.

Once you have gone through an experience where the debate around an issue which is somewhat esoteric and not always of interest to the average Manitobans, but it becomes so heated that tempers flare—this friend against friend, and community against community—you have to stand back and say, why all the heat? What is the concern? Of course, as we went through the debate and I and other Members, not only of the Chamber but of the committee, who travelled throughout Manitoba to hear the public on this issue, began to understand the depth of the emotion and to understand the implication of what we were about to do. It became a rather fascinating exercise.

Bill No. 5 really is the end result of a lot of individual and legislative soul searching. I do not think that Members opposite, at that time the Conservative Party, members in the community took on that task lightly. I know that there are scars—perhaps that is not quite the right word—I think that all Members learned something by that debate, if not learned something or changed their attitudes towards the political process, came away with a better understanding of what The Manitoba Act was and what our Constitution was about and why, if we believed in it, we did not go about ignoring its precepts in any idle or whimsical way.

The fact is that our Constitution said and The Manitoba Act set out quite clearly our obligation and we have to follow them. If we are prepared to change the Constitution because emotionally we do not like its import, then we are in trouble as a province and in trouble as a country. Our Constitution has to be the supreme document.

When I travelled throughout the province I know that many of my colleagues, including my colleague from

the Interlake (Mr. Uruski) and my colleague from Thompson (Mr. Ashton), who sat on that committee, had difficulty from time to time explaining to people why we simply could not abandon our Constitution because they believed that what we really needed was a unilingual English Canada, why we could not abandon the Constitution because they did not feel that the Constitution was correct.

Of course, we tried to point out, and were sometimes supported by Members of the public and sometimes not, that if we were prepared to change that aspect of our Constitution on a whimsical notion that this was not fair or that was not fair, based on our view, than other people in our community could be asking for similar changes in our Constitution with respect to the Charter of Rights or aspects of the Charter of Rights, and that we would no longer have a document which set out the principles upon which our province and our country was going to be governed, but we would have a legislated document at which change could come at the whim of a Government or the whim of an individual Member.

So it was an important struggle and every year, as we have faced the task of re-enacting new statutes, as we are in Bill No. 4 and Bill No. 5, I am reminded of that important debate and of the significance that it had on the lives of many Manitobans and I hope most of the legislators in the Assembly of Manitoba.

My duty is as well not just to reminisce about the importance of that debate, although I certainly enjoy doing that, but it is also important that I have been invited to go ahead. I am also required and would like to perhaps put some questions on the record. Every year since 1985, '86, we have been re-enacting these statutes and we have Bill No. 5, The Statutes Re-enactment Act, 1988, which introduces new statutes for re-enactment. Now, the Attorney-General is not here at the present time but there are—I apologize Mr. Speaker, I am not supposed to refer to a Member's absence. However, I do hope that the Attorney-General will take the opportunity to read my comments at some point because we have passed re-enactment legislation in this Chamber before.

* (1500)

We are proceeding with Bill No. 4 and Bill No. 5 and I think there are some questions that need to be asked about what we are doing and whether this legislation is going to create problems for us in the future. We all agree on the intent of the legislation. We know what we are trying to do as legislators, but we know as well that legislation passed in this Chamber is often imperfect. We have made mistakes before. I, as a Minister, have introduced legislation which has been amended in committee, and quite rightly so, because we are not perfect.

I do not think that most Members, and I include myself in that, have done enough, asked enough questions about the import of sections of these Bills. It sounds innocuous. We think we know what we are doing; although, when I read the comments of the Attorney-General (Mr. McCrae) on introduction of Bill

No. 4 and Bill No. 5, I cannot say that I was impressed with the outline of the import of this Bill when it deals with questions like the retroactivity of regulations, of other Acts of the Legislature, when we talk about repealing Acts that we are not going to re-enact in both languages. So we are doing some repealing; we are doing some re-enactment. What are the implications down the road? I will just quote one section of this. The Attorney-General, on page 308 of Thursday, August 4, when he was introducing Bill No. 5, said:

"Finally, I wish to advise all Honourable Members that a complete report on the state of the validation project is being prepared, that there are certain problems which will be discussed in that report, particularly with the re-enactment of the private Acts, which arise from the fact that the Government does not control these Acts."

I would like to know, Mr. Speaker, whether the Attorney-General (Mr. McCrae) has other problems with the re-enactment of public Acts which need to be discussed. I understand that there is a report being prepared, and the Attorney-General indicates in his speech that additional re-enactment statutes will be introduced in 1989 and 1990 for consideration by the Legislature, but we need to know now, as we debate Bill No. 4 and Bill No. 5. I know my colleague from the Interlake (Mr. Uruski) would like to have those reports available to him before we go to committee stage, because there may be implications, there may be questions which need to be addressed before we finally go ahead with the repealing and the re-enactment of the statutes.

Again, we all understand the intent. We know from whence these particular Acts came. They came about as a requirement of the Supreme Court and they are here for that reason. They are also here because, as a province, we have begun the process of consolidating our statutes, but we also know that many of these, and the repealing of many of these Acts, would not be before us today if the Supreme Court had not ruled the way it did some two-and-a-half years ago.

The list of questions, I suppose, would have to include questions about the invalidation, whether, in fact, this re-enactment invalidates all of the penalties that were included in previous Bills. For example, a question comes to mind. If someone, under one of the Acts that is being repealed, was penalized and required, through some regulation or provision of an Act, to do a certain thing and now this Act is repealed, although it may be some years later, does that individual now have recourse through the courts to say, clearly, that Act was invalid? I, as an individual, or whether it happens to be an individual or a group, should not have been subject to that penalty. So I think we have to ask ourselves those kinds of questions.

If the Attorney-General's office is preparing a report on those "problems," then clearly we, as individuals, vested with the responsibility of reviewing the legislation, need to have access to that information. I do not know whether the Attorney-General (Mr. McCrae) believes that we, as individual Members, have access to resources sufficient to do that task, but I want to tell the Attorney-General that we do not. I wish we did,

but we do not. I do not have access to the kind of legal advice, the kind of constitutional legal advice that is required for us to go through each of these statutes, look at the implications of repealing every Act, every clause of every Act. It is instructive, I suppose, when I read the Attorney-General's remark and noted that he had raised the issue of problems with this re-enactment statute on his own. Mr. Speaker, that is one question.

The Attorney-General (Mr. McCrae) also outlined that there were a couple of Acts, actually, which had been reintroduced through this process, which originally had not been intended to re-enact. It raises a second problem that we need a report from the Attorney-General's office on; and that is the question of whether some of the Acts that are being repealed, how can we, as individual Members, assure ourselves that those Acts are not of still a useful purpose to individuals in our society? I know that there are some pretty innocuous looking Acts in our statutes—The Animal Husbandry Act or hundreds of others with seemingly innocuous titles that may appear to have outlived their usefulness—but we have to know what those statutes mean and for whom they were enacted, what was their original purpose? How can we assure ourselves that those Acts currently are covered by some other statute already on the books?

I recognize that it is a tremendous undertaking that the Attorney-General's Department has before it. They are tasked with the responsibility of answering all those questions. But again, if the Attorney-General (Mr. McCrae) is notifying us that there are problems, are those some of the problems? Are we, in fact, repealing Acts by this legislation which we are going to find out all too soon we should not have repealed? Again, we can be deceived and I am sure that the Attorney-General's office can be deceived by the titles of these Bills.

We have all had a chance to read through some of the statutes. I know my colleague from Elmwood (Mr. Maloway) reads the statutes thoroughly just before retiring every evening, and he has found many statutes which are somewhat humorous in the context of 1988. He tells me that he no longer has to secure his horse to the railing; but there may be other statutes, quite seriously, Mr. Speaker, that are important and we may be repealing.

* (1510)

What I am suggesting is that the Attorney-General (Mr. McCrae) avail Members of this Legislature, or at least those who are interested, with any information he has on this re-enactment process, that he provide this Chamber with any information about potential problems, that we receive a full review from the Attorney-General's office on the repealed statutes, in particular, so that we can judge for ourselves, perhaps do some outreach with constituent groups who have an interest in that particular area to make sure that we are repealing statutes which have in fact no validity in the province today. So I think it is a fairly straightforward request.

I note with some consternation that not all Members are attending to my remarks and I acknowledge that

this is a dry subject, Bill No. 4 and Bill No. 5, the fact that we have done them before. Everybody assumes that we feel comfortable with the intent, but the fact is that as I did my research, as limited as it was, on this Bill, it raised some serious questions about what we were doing and whether we should be proceeding with such haste.

The Attorney-General (Mr. McCrae), in his opening remarks on the Bill, on August 4, and the subsequent remarks of the Member for St. James (Mr. Edwards), I think perhaps were in line with what other people have said about these amendments, and hurry them on to committee and pass them because we want to follow our commitment to the Supreme Court, or the Queen's Court direction to Manitoba, as we should; but I think that we also have an obligation to our constituents and to Manitoba to make sure that what we are about is not done in such haste that we create problems for ourselves or problems for other legislators sometime in the future who are going to be faced with enacting repealed statutes from the re-enactment statutes.

So we need that information. Those are two of my concerns and two of my direct requests to the Attorney-General. I do not know whether the Attorney-General will be able to provide us with that kind of information before these Bills go to committee, but I, as an individual, would certainly like to have that information. I am assuming that staff in the Constitutional Law Branch of the Attorney-General's Department have that material available. I hope, at least, that the Attorney-General has been briefed on each of the separate Acts that are being repealed, as well as the Acts that are being re-enacted.

The Attorney-General (Mr. McCrae) notes in his remarks that the re-enactments do include some administrative cleansing clauses. So what he has done, when we re-enact these Bills, is to ensure that they are appropriately worded and we are assured that the changes have only been—if I can use the word—housekeeping changes.

I do not think that in itself is good enough. The change of a single word in a statute can sometimes negate the original intent. The change of a clause, a comma, because of the importance of the correct legal wording, when it comes time to interpret that wording, I think that those changes should also be very clearly highlighted by the Attorney-General. I am not sure whether the Attorney-General assumed that kind of detail was not going to be required in his introduction on second reading, but clearly, we should be able to expect at some point that all of the changes, administrative or otherwise, which are going to appear in the re-enacted statutes are known to Members opposite.

We are all too well aware of the impact of unintentional changes in legislation. I believe that we have a perfect example before the federal House at the current time. The federal Government is currently introducing amendments to the Income Tax Act and the related regulations which is going to impact on tens of thousands of peoples' pensions across this country.

As this whole issue became a public issue across Canada, it became obvious that the federal Government

had not understood the significance of some of those amendments. They had not understood that some of the amendments would affect groups differentially; that this group may in fact lose significant pension benefits; this group would lose the flexibility they had always had when it came to the transference of pensionable earnings; this group would be affected because there were limits being placed on their length of service or minimum being placed on their length of service.

I am afraid that what we may be doing in this legislation, by changing for administration purposes the wording of the Acts, creating problems for ourselves, dilemmas that we or other people who are fortunate enough to be elected to this Assembly are going to have to address in the future.

I have raised the issue in Bill No. 5 of the effect of their appeal. The statement in the Bill, which I think attempts to deal with the concern that I have been raising, and I will not undertake to read all of Section 5(1) "Effect of Repeal," but within this section of the Bill are the seeds of my concern when it talks about the repeal of this Act listed in Section 3, "does not defeat, disturb, invalidate, or affect any penalty failure, forfeiture or liability, civil or criminal, incurred before the time of the repeal or any proceedings for enforcing it had, done, completed, or pending, at the time of the repeal," does the Attorney-General (Mr. McCrae) have an opinion that he can share with this House which would tell us that the repealing of this Act will not create a circumstance where individuals, corporations, people who were penalized by a previous Act, can come forward and claim compensation, request some sort of recompense for a penalty or a circumstance which was imposed on them although this Act has been repealed?

Now, it may be a simple matter or it may be that the wording of this Section 5(1) is sufficient in and of itself to prevent that from happening, but I think it clearly, if you look at the disclaimer in Section 5(1), it is sufficiently brought I think to raise legitimate concerns about its ability to really protect the province—this is who we would be protecting—in the event that individuals decide to challenge the legislation or the repealing of certain Acts.

The next section, Mr. Speaker, deals with the "Continuance of existing conditions." We are trying to achieve everything through this Act. We are trying to assure ourselves that nothing that happened previously can be claimed retroactively by individuals as a reason for some compensation for Government action. At the same time we are saying that even though we are repealing these Acts, they still have a force and effect as if they were still in effect. I am not sure exactly if my interpretation of Section 5(2) is accurate, but reading it, in the form that it is in, leads me to that conclusion.

* (1520)

Finally, with respect to the specific clauses in the Bill which cause me concern. Section No. 8 which is "Interpretation," reads as, "Except as otherwise provided in this Act, the rules of construction and interpretation declared by The Interpretation Act apply to the statutes in the Schedule and to this Act."

I am not sure whether again this is—perhaps the Attorney-General (Mr. McCrae) can clarify this at some point—an escape hatch for the Government. If it is an escape hatch, and perhaps that is a wise clause to have in a Bill, to have something which could be used in the event of some challenge to this legislation that may be fair. I certainly would not want to argue against doing that, but I guess what I would want to ask is whether the Attorney-General or people in his department have anticipated any particular claims. Certainly his remarks that I read earlier, where he talks about a report on the validation process and on the problems which they have encountered, do they include in fact a mention of the possibility, I guess, of some challenge at some point to the re-enacted statutes?

It is an important point, and I am hoping that prior to this Bill proceeding to committee—I do not know whether there are other people who would want to speak on this today—I am perhaps hoping that if people do want to continue to debate this that we will have from the Attorney-General (Mr. McCrae) some answer to the questions that I have raised today. I see him nodding vociferously and I am very pleased about that, because I am sure that the Attorney-General wants us to be as well informed as we can possibly be when it comes to the passage of Bill No. 5.

The Attorney-General (Mr. McCrae) is quite right when he suggests that we want to have the proper information before we come to the proper conclusion. I certainly would not want to indicate that anyone on this side is likely to oppose the passage of Bill No. 5 through second reading and onto committee, but before we do that, I think the Attorney-General has indicated he will try and get us that information. I would even go so far as to suggest that perhaps the Attorney-General could arrange for a briefing session between his department, between the Constitutional Law Branch and Members in this Chamber, who have an interest in this re-enactment process. I know the Member for Fort Rouge (Mr. Carr) is very interested in constitutional law and probably would be willing to sacrifice many weekends as he reviews the re-enactment process in all of the many Bills that we are repealing and re-enacting. The Member for Kirkfield Park (Mrs. Hammond) has indicated she would come to such an event, and I think that many of us would like to get some overview from the department on the problems which may come about.

Finally, the Attorney-General (Mr. McCrae)—I should not say “finally,” that sounds like I am concluding, and I want to assure you that I am not concluding because I have many other substantive remarks that I want to put on the record when it comes to this Bill—has indicated in his remarks that he will be introducing—I should not say this Attorney-General, but some Attorney-General—additional statutes for re-enactment in 1988, 1989, and 1990. I am wondering whether we could perhaps receive an advance, if we have not already, perhaps I have missed some communication from the Attorney-General's Department, whether we could have a list of the Bills being prepared for introduction in 1988, 1989, and 1990. I think it would be useful if we could get that list because, as I indicated earlier, there are groups within our society who may have a particular interest in any of those pieces of

legislation and, to the extent that we have advance notice about what is coming forward for re-enactment, we can then contact those groups, consult with them, get their input and make sure that they are in sync with what the intentions are. Perhaps they could also be of assistance to the Attorney-General's Department when it came to making the administrative changes, making the appropriate wording changes, introducing other amendments if that is necessary.

So I think that there may be other people out there who could lend a hand and provide assistance in this whole process if they were aware of the timetable that the Attorney-General (Mr. McCrae) has for the re-enactment statutes. I do not know whether that is possible.—(Interjection)— Mr. Speaker, how much time do I have remaining? I still have half a dozen. I just want to make sure I get them in.

Mr. Speaker: The Honourable Member has seven minutes remaining.

Mr. Storie: So little time and so many concerns to raise. I want to just reiterate the four points that I made to the Attorney-General (Mr. McCrae) and ask him for two specific actions.

No. 1, could we get a copy of the concerns, the problems that have been raised by the Constitutional Law Branch with respect to the re-enactment? Could we get a list of the statutes for re-enactment in 1989 and 1990? Could we get a copy of the report on the re-enactment process that the Attorney-General referenced in his remarks, prior to the passage of this Bill through second reading? Could we have access to the Attorney-General's staff to discuss the re-enactment Bills before the Legislature to assure ourselves that questions that are raised in the Bill itself have a chance to be discussed by Members before we proceed?

I do not expect the Attorney-General to be familiar with every single statute that is being repealed or every Act that is being repealed.

Hon. James McCrae (Attorney-General): I wonder if the Honourable Member would entertain a question.

Mr. Storie: Yes, as soon as I have concluded my remarks, I would be more than happy to entertain a question if there is any time remaining. I will try to make sure the Attorney-General (Mr. McCrae) has an opportunity to ask a question before my time expires. Those four questions, perhaps the Attorney-General will raise in his question to me, and I think it would be important to do that.

The second question I have for the Attorney-General is the whole question of whether the Attorney-General's office, in the process of reviewing each of these statutes, has done any consultation with the Société Franco-Manitobaine and other groups. Is there a process in place in his department whereby if we are repealing—and I am not suggesting we are or whether we have an Act, The Fire Prevention Amendment Act—are we consulting with groups who may have originally proposed the legislation, who may have had an interest in it? Is there any process in the Attorney-General's office for conducting that kind of consultative process?

* (1530)

As I said, I know there are people in the Constitutional Law Branch who are making decisions about which piece of legislation is repealed, or which piece of legislation comes forward for re-enactment. I am not suggesting for a minute that is an arbitrary process. I think they will have taken the necessary time to assure themselves that it is not needed, that we no longer need this particular statute. But have they gone back and consulted with the appropriate group? I would like to believe that will not be a lengthy process. I am sure that most of the Acts that have been recommended for repeal are in fact outdated and no longer required or their provisions are covered in some other Act, but has that checking been done? I have not seen the Attorney-General nodding his acknowledgement that process has been undertaken but perhaps we could ask the Attorney-General to undertake that process to consult.

Finally, I guess the other final question that I have in this process, I assume, is not being done in isolation. There are other provinces who are currently following the same process in their Legislatures, and the Attorney-General (Mr. McCrae) may have some information about how that process in other jurisdictions is proceeding. Have they chosen the same course that Manitoba has chosen? Finally at some point, although it may be an academic exercise, I think that it would be nice to know, from an informational point of view at least and hopefully not a political point of view, but what the cost of this re-enactment process is going to be in the final analysis when we complete it before 1991, and what perhaps were the comparative costs of the original approach that was taken some many years ago now with respect to the obligations that the Province of Manitoba clearly had under our Constitution and that was the subject of actually a series of court challenges starting with Mr. Forest and on through Mr. Bilodeau. What are the comparative costs and how much have we lost, not only in terms of our own cohesiveness as a society, but in dollar terms. I do not think that is necessarily a crass question. I think it is perhaps a question of what would have been the most expedient route to take. I guess it is a question of the route not taken, and I think it would be of interest to some of us on this side to have an answer to that question.

So, Mr. Speaker, this statute, innocuous as it looks, as brief as it is, I think contains the seeds of some problems down the road that we need to have addressed as thoroughly as we possibly can. The questions that I have asked are worthy of being addressed by the Attorney-General (Mr. McCrae) and I can only assume by his demeanor in the last few minutes that he intends to take those up with his department and raise them as expeditiously as he can and get us the information to the extent that it is available as quickly as possible. I only hope that before the Bill comes before the House again, before it is discussed at least, some of those questions, if not all of those questions, will have been asked. I think it would set some minds at ease. It would certainly make it a lot easier for Members on both sides of this House to speed its passage through second reading and on to committee. It will mean, I think, a little bit of work on

the Attorney-General's part, and perhaps more accurately on the part of his staff, but it will be work well spent, time well spent if we

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

Mr. McCrae: I wonder if the House would grant leave for two minutes to allow me to ask the Honourable Member a question, and one minute for the Honourable Member to answer the question.

Mr. Speaker: Does the Honourable Member have leave? (Agreed).

Mr. McCrae: I can assure the Honourable Member that I listened carefully to most of his speech. I think it is alright for me to say that I was out of the Chamber for a few moments but in that time I had a monitor not far off and I was listening to what the Honourable Member had to say. He and the Honourable Member for Interlake (Mr. Uruski) have raised a number of questions on Bill No. 4 and Bill No. 5, and I am happy to take the questions under advisement and consider those questions so that I can get back to those Honourable Members with answers to their questions.

But I wonder why it is the Honourable Member would, in discussing the principle of these Bills, a principle very well known by both Honourable Members because the principle is the same today as it was when their Government was bringing forward re-enactment Bills, why it is when we are discussing principle at this stage the answers to these specific questions need to be forthcoming before the Bills move on to committee. Committee is a great place to answer detailed questions like the kinds the Honourable Members are talking about.

Mr. Storie: Mr. Speaker, I appreciate the Minister's question. I recognize that committee stage is the appropriate place to ask detailed questions. I do not believe that I have asked any detailed questions with respect to the phraseology, the content of this particular legislation. What I did ask were more general questions not about the principle but which would clearly have implications for the principle if they were found to be legitimate questions. I did not get into debate on a clause-by-clause nature. I felt that I was discussing the principle.

The principle is, I believe, that we are required to do this. We want this to be successful. If it is going to be successful, let us make sure that the clauses, the intention can be carried out and that we are not creating problems for ourselves. As far as the urgency of the matter, I recognize that this may be an expensive undertaking or a time-consuming undertaking, but it is also important that before we pass this to committee that Members have as much information at their disposal as is possible.

In terms of the efficiency of the operation of the committee as well, I do not think the Attorney-General (Mr. McCrae) wants us to be in committee raising technical questions that could have been answered in

this forum while people are waiting perhaps to make presentations on the Bills themselves.

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

MOTION presented and carried.

BILL NO. 6—THE FIRES PREVENTION AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of Environment (Mr. Connery), Bill No. 6, The Fires Prevention Amendment Act; Loi modifiant la Loi sur la prévention des incendies, standing in the name of the Honourable Member for La Verendrye (Mr. Pankratz).

Mr. Jim Maloway (Elmwood): Mr. Speaker, I would like to speak on Bill No. 6.

Mr. Speaker: And leave it standing in the name of the Honourable Member for La Verendrye? (Agreed)

Mr. Maloway: I appreciate the opportunity to speak to this Bill this afternoon and I appreciate the Member for La Verendrye (Mr. Pankratz), his willingness to let me speak in his place. I am also glad that he is here because I am sure he will be able to critique me as I go along.

I did note, when the Minister introduced the Bill and made his presentation, he started out by stating that it was not a very important piece of legislation. I wonder why he would even bring a piece of legislation to the House if he did not consider it important. I think, on our side, we do view this as an important piece of legislation and we certainly intend to endorse it and support it. In fact, I believe it was legislation that was slated for introduction back in February just before the Government fell.

In Manitoba, we have three fire colleges: one in Brandon, one in Winnipeg and one in Thompson. There is a proposal or there is a suggestion by the Minister—

* (1540)

Mr. Speaker: Order, please. I would like to remind all Honourable Members of our Rule 298 in Beauchesne where it says quite specifically, when Members cross the House or otherwise leave their place, that they should make abeyance to the Chair.

It seems it is becoming a practice here where Members are walking back and forth across the House. I have also instructed our staff to kind of follow this procedure. It seems to be very difficult for them to do it when Honourable Members just seem to be walking back and forth across. So I would ask Honourable Members to look at Rule 298 in Beauchesne. Thank you.

Mr. Maloway: I did want to continue and suggest that the Minister had made the suggestion that perhaps

another fire school would be set up in Steinbach in the future. I would suggest to him that perhaps there are other possible locations, that he would not preclude the possibilities that it would not be located in a place like Melita or in the Interlake—the Member for the Interlake—in Teulon. There are probably many other places that as perhaps the Government would go through the process as it did in trying to locate the Alcan Smelter a number of years ago, do a very, very thorough investigation of the climate in the area and the conditions in the area. Upon looking at that very closely then make the decision, rather than just making the suggestion that Steinbach be the place where this fire college should go.

The fire has been with us an awful long time. I guess no one knows when the first fire was started. We understand it was cave persons to the Minister as opposed to cave mans, but cave persons got together and rubbed two stones together, as the story goes, and started a fire.

Fire, of course, is a very big help and very vital to our existence but it can also be a very big foe as we have seen in the United States recently with the dry conditions and the drought, fire destroying huge areas of timber. Fire has killed people over the years. Of course, in the insurance books, when one studies to become an insurance agent, you have to learn the definitions of a friendly fire versus an unfriendly fire. I believe the definition of a friendly fire is one that is contained and under control—in other words, friendly. In fact, there are many instances. I have a personal instance where my wife's aunt and uncle died in a house fire in Nova Scotia a couple of years ago. Once again, that was an example of many, many cases where people are smoking. Through just, I suppose, that oversight, a cigarette lights a fire and a house is burned, property is damaged and a loss of life occurs. It is very tragic because the economic losses to society, the family are tremendous in this situation.

I guess an important point to note in this regard is that it is not usually the fire that kills the individual. It is the smoke that gets to the person and makes the people succumb before the fire actually makes it to them which, I suppose, is why there is a difficulty that the firefighters face when they are fighting a fire and, of course, they do not have to fear the fire as much as they do about the smoke and all the other gases.

In fact, Mr. Speaker, the incidence of chemicals and stuff in society, and plastics, as the Minister will know, have made it, and PCBs have made it even more complicated so that when one goes out to fight a fire, one has to know what is burning so as to decide what type of extinguishing device to use. I mean, if you had an electrical fire and you throw water on it, you probably have more problems than if you had not done anything. So there are several types of fires and there are several types of fire extinguishers and agents and so on that the fire department uses to put them out. Once again, with the incidence of new chemicals that are being developed in great numbers every year, fire colleges have to develop new methods of dealing with those types of fires.

In the area of aviation, it is always a problem in the aviation industry—and of course the tendency towards

non-smoking flights is, I am happy to say, something that has caught on in a big way. But it is certainly necessary because when you consider that—maybe not so much with the airbuses and the new planes that are being constructed today, but certainly with the older planes of just very few years ago, most of which by the way are still flying. The fact of the matter is the whole interior of those planes are built of polyethylene and oil by-products and, when they ignite, they give off a tremendous amount of poisonous gases.

There is a case of the Air Canada flight, I believe, in the States three or four years ago where some people died on it. You are dead just from the fumes long before the plane is burned up or comes to the ground. So, Mr. Speaker, it is a very, very complicated area. In fact, when planes do land once again, they need specialized equipment to handle a fire resulting from an air crash. Once again, it depends largely on what kind of fuel that fire is consuming.

I noticed the Member for Charleswood (Mr. Ernst) in making his remarks to the Bill did note that Winnipeg's fire department is very well trained. Firefighters do get sometimes an unfair reputation when people see them playing ball and taking time off, but one has to recognize that what the firefighters are doing is getting prepared for that maybe one time in a day when they are going to imperil their lives. So there is a lot of work that has to be done in advance.

I know that last year, during the proposed fire cuts that the hackers and slashers of the Conservative right were planning to bring in at the city level, during that whole fight last fall there was a suggestion made to the firefighters union that the firefighter is only part time, they have extra jobs, they earn too much money. This sort of insidious war was being waged by these cousins of this current Government at the City Hall level. In fact, it is false economy and I will get into why that is in a few minutes. It is false economy to cut back in fire protection, not only because Winnipeg has one of the most efficient fire departments in the country, Mr. Speaker, but for other reasons as well.

Just to deal with the fire department in the city in Winnipeg, on the basis of firefighters per 1,000 population, Winnipeg has 1.6 per thousand. It exceeds the number of firefighters per population of Saskatoon, of Edmonton, of Calgary, of Burnaby. The audit was suggesting that the number of firefighters per 1,000 be cut to 1.2 per 1,000, which would have made it the lowest number of firefighters per 1,000 in the entire country. So we would have gone from just about 1.42, when the average of 10 cities in Canada is 1.6, and we are currently at 1.42. In other words, we are already well below the average of cities in the country.

They were proposing that Winnipeg be cut down to a rate of 1.2 which again would have made it by far the lowest per 1,000 in the whole country. That is absolutely ridiculous and people know that. They know that if you try to cut in one area, you are going to make up for it in other areas like more fires, more loss of life, higher insurance premiums, what have you.

Mr. Speaker, I wanted also to mention that in 1985 there were 15,823 emergency calls received in the city

in that year. That is a three-year average of only 18 fires per year resulted in damage exceeding \$100,000.00. It is worth noting that the city's firefighting costs are considerably below the national average. That of course proves that our firefighting department is efficient, is effective and a very economical fire service. Questioning the concept of cutting back services when statistics indicate increased demand by 53 percent between '81 and '85, so the demand went up between 1981 and '85 by 53 percent, and the fire department is smaller today than it was in 1978. So what you are asking these people to do is more work with fewer people and expecting better results. That is not really possible.

Mr. Speaker, I did want to deal for a couple of minutes with some other statistics. I had mentioned that nationwide Winnipeg already spends well below the national average on fire protection. Montreal spends \$101 per citizen, Halifax 88 and Winnipeg spends around \$69 compared to the national average of \$86.00. Once again, a very, very favourable statistic in Winnipeg's favour in terms of expenditure on the fire department.

This is at a time when a private consulting group out of New York is hired by the city at considerable expense to go on a witch hunt to hack and slash the city's current services. I think that is a terrible situation and I am certainly glad that it was temporarily, and I believe temporarily, because I do not believe for a moment that the city is going to back off completely on this. I think that as soon as they see an opening in the wall, they will be ready to run through it. They backed off temporarily. We have our fire hall now back on the drawing boards. It was slated for the Elmwood area. It got on the plans and it was slated to be built and then all of a sudden, bingo, disappears, till we fight and we get it back on. It is still on there, but we still do not have it built yet.

As it indicated, Winnipeg has few firefighters—

Mr. Speaker: Order, please; order, please. I will remind all Honourable Members one more time that on second reading it is the principle of the Bill which is under consideration which is debatable, and that when that Bill is an amending Bill, it is the principle of that amending Bill, not the principle of the Act being amended, which is the business under consideration. Bill No. 6, what is being amended? Prescribing tuition fees payable at a central fire college established under Clause 35(3)(e) or at a regional fire school established under Clause 35(3)(f). That is what is under discussion; that is what is debatable.

The Honourable Member for Thompson, on a point of order.

Mr. Steve Ashton (Thompson): On a point of order. I would also like to note that Beauchesne 712(2) states quite clearly that as you have indicated to the House, "The stage of second reading is primarily concerned with the principle of a measure." It also states, Mr. Speaker, that, "At this stage, debate is not strictly limited to the contents of a bill as other methods of attaining its proposed objective may be considered."

Also, I would like to outline Beauchesne 299, referring to relevancy, states that "Relevancy is not easy to

define. In borderline cases the Member should be given the benefit of the doubt." I would suggest that the Member is dealing with the basic principle of fire prevention, which is consistent with those two citations, and that his comments are therefore in order.

Mr. Speaker: Order, please. Order. The Honourable Member does not have a point of order. The Honourable Member—Beauchesne's 739: "On the second reading of an amending bill it is the principle of the amending bill, not the principle of the Act, which is the 'business under consideration.'"

The Honourable Member for Elmwood.

Mr. Maloway: Thank you, Mr. Speaker. I will continue to address the principle of the Bill, and that is to charge out-of-province students fees. What I would be interested in knowing from the Minister is how much money he expects to achieve by this move to charge these out-of-province students. Education, and I know we used to have this argument years ago in the students' unions about reciprocal fee payments, and I know that philosophically—at least I was of the view—that we should not raise fees to make it detrimental for students coming into the province, should they be from other parts of the world.

Be it as it may, the fact of the matter is that I would be interested in knowing from the Minister and perhaps in his closing remarks he could address this matter as to how much money he plans to raise out of the charging of fees to out-of-province students.

Now -(Interjection)- currently, I would like to know how big an item it is right now in the current situation.

Well, I did mention that Winnipeg has 24 less firefighters since 1977. I did mention that fire calls are up, since 1982, from 10,500 to 17,500. I did mention that of a 10-city average in Canada, Winnipeg spent less per citizen in terms of the number of firefighters and had less firefighters per thousand than any other major city.

I feel that any reductions in the City of Winnipeg protection are going to make us less protected but are in fact going to be an awfully big cost item overall, once again, through loss of life and loss of property that will result because of lack of proper fire protection. You know that in the case of fire losses on trailers, for example, when a house trailer burns, it is practically a total loss because of the melting effect that the fire has on the trailer shell. When a fire burns a building, on the other hand, a wooden structure, it is often much less of a cost item to the insurance company but on trailers, as I have indicated, it is practically a total loss automatically because of the warping nature the fire has on it.

I wanted to deal for a moment with the whole area of the smoke alarm business. The smoke alarms came out in a very, very big way a few years back. In fact they were fairly expensive when they first came out. Companies were charging \$25 or so for these things and insurance companies were giving discounts for people to put them in, and over the years of course I guess, like the calculator market, the prices have

dropped down to the point where now you could buy alarms for \$10 or so on. Of course, it is well and good to put these things in and get your discounts on your insurance and what not, but maintenance of smoke alarms is very, very important.

I myself have found that every once in awhile I will check the batteries on these things and they are dead. You do not get around to replacing the battery that day or the next day and time goes by and you could have had a fire in the meantime.

It is always possible if you have the smoke alarms improperly located in the house or on the property, it is quite possible for people to disconnect them because of false alarms and stuff like this and then they never get reconnected again, and a fire occurs and the smoke alarm has not been much use. So modern technology is fine and it is fine to learn about it when you are going to the fire colleges that this Bill addresses, but once you get out on the street it is a little different matter because human frailties come into play and people, even with the best technology and the best of intentions, oftentimes trip up and do not make proper use of the technology. They have this false sense that they are well protected and in fact they are not. They go to sleep at night thinking that the smoke alarm is going to work, and the battery is dead and the smoke alarm does not work, so modern technology can only take us so far.

Of course, another area is the area of inspections and stuff like that. Fire department staff and fire people are trained to do inspections in houses, and when you reduce the fire department's effectiveness by reducing the number of firefighters in the area, what happens is that less house inspections can occur, and once again, smoke detectors get located in improper places.

* (1550)

(Mr. Deputy Speaker, Mark Minenko, in the Chair.)

Fire extinguishers, of course, are another big area where—I think many of us know or maybe have bought these things themselves, we buy these fire extinguishers, but how many of us know in fact, how they work? I think very few of us in this House would know what to do with a fire extinguisher if the need ever arose - (Interjection)- the Member for Gimli (Mr. Helwer) claims to be able to know how to use one, and I think I may take him up on that offer because, quite frankly, I do not. I have had fire extinguishers before and they get put away, and I think after a period of time they go flat and after a number of years, what have you got on your hands? Perhaps a fire extinguisher that will not really work when it is required in a fire situation.

So I think things like this should be checked out every once in a while and people should have periodic inspections. But you see, this gets back to the fire colleges and why it is important to have functioning fire colleges and why we need a fire department that is fully operational, fully trained and fully staffed and not chopped back by reactionary Governments that want to save a few bucks here and there. I do not want to point any fingers at the present time.

In any event, another thing, a lot of people feel that you know, they have bars on their windows and so on.

that they are well protected. Of course, that may well be true from burglars, but putting bars on your window may be the worse possible thing to do, because if you have a fire, it would be very difficult getting out the window. So what makes a building safe in terms of burglary can make a building very unsafe in terms of fire protection.

I suppose, in the area of safety deposit boxes and storage safes and that, that businesses buy, it might interest you to know that you cannot have a safe that is fire resistant and burglar resistant at the same time. You have to buy one or the other; so you have to decide in advance what it is you are buying this safe for. If you are buying it for fire to protect your documents and so on, then you buy a fire safe that is rated very highly for that purpose. If you are buying it to protect yourself against burglars, then you buy one that has a rating for that. They are two different types of safes. So if you buy one for burglars, then do not be surprised if it melts down on you in a fire situation, and that is simply a fact of life.

Mr. Deputy Speaker, could you tell me how much time I have?

Mr. Deputy Speaker: The Honourable Member has 13 minutes remaining.

Mr. Maloway: Thirteen minutes, Mr. Deputy Speaker? —(Interjection)— Well, the Attorney-General (Mr. McCrae) makes reference to ladders and so on, and I guess that is an area that I have not yet dealt with. I do not know that I would want to spend a full 13 minutes dealing with ladders, but I am certain that in these fire colleges there certainly must be a part of the curriculum that deals with the area of ladders. Of course, with the advent of new fire vehicles, there are a lot of different types of ladders. In fact, there is a type of ladder—I am not just certain what it is called right now—it is part of a truck—that if you have to take people out of tall buildings that are on fire, you have an awful problem with a ladder that is not long enough.

Once again, with buildings, building construction nowadays, Mr. Deputy Speaker, we build air-tight buildings, we build buildings that have furniture and equipment that is made out of oil products and burn. We have seen that in South America a few years ago where there was a fire that started in high rises. When high rises do catch on fire, or in the case of the hotel that burned a couple of years ago in the Caribbean over the Christmas holidays, once again, a lack of proper firefighting equipment, including, as the Attorney-General (Mr. McCrae) mentioned, the ladders can be the determining factor as to how many people survive and what the final economic and social cost is going to be out of this fire. Once again, when you cut back, when you try to save a dollar here and a dollar there on fire protection and on training for firefighters, you have an astronomical increase in cost on the other side.

Mr. Deputy Speaker, I wanted to spend my last 10 minutes in relative peace and quiet and not go on to other areas that the Members are trying to get me into because I know they are trying to—

An Honourable Member: They are trying to distract you.

Mr. Maloway: No, I do not think they are trying to distract me at all. I think they are trying to give me some very good ideas and give me a more firm footing in the area of fire protection. I certainly would have no problem in going with the Minister someday when he puts on his hard hat and decides to go out and inspect the fire colleges. I, for one, will volunteer here and now to go with him and to help him inspect the colleges, because I guess it comes back to that ultimately, the fact, Mr. Deputy Speaker—

POINT OF ORDER

Mr. Deputy Speaker: Order, please. The Honourable Member for Assiniboia.

Mr. Ed Mandrake (Assiniboia): Mr. Deputy Speaker, I thought that anybody who spoke—

Mr. Deputy Speaker: Order, please. Is the Honourable Member standing on a point of order?

Mr. Mandrake: A point of order, Mr. Deputy Speaker, I thought when a person is supposed to get up and speak on a Bill, it was supposed to be in relevance to the Bill. Come on, this is enough of this! Relevance to the Bill. Speak in relevance not off in a tangent all over the place. Thank you.

Mr. Steven Ashton (Thompson): On the point of order, Mr. Deputy Speaker, I do not believe you will find that is a point of order, but if it is, I would suggest that you peruse the initial comments of the Minister, which surely must be the guide in terms of the principle of these amendments.

Everything that the Member for Elmwood (Mr. Maloway) has referenced, whether it be in terms of fire prevention, generally, or the fire colleges, all those items were initially introduced in the debate by the Minister of Labour (Mr. Connery) when he introduced this Bill. So obviously the intent, the principle, of this Bill is not to be a technical matter but is one that deals with the whole question of fire prevention, fire colleges, a whole series of subject matters which the Member for Elmwood (Mr. Maloway) I think has done an excellent job these last 30 minutes in addressing.

So if that is a point of order, Mr. Deputy Speaker, which I do not believe it is, I would hope that you would rule that his comments have certainly been within keeping with the principle of debate on second reading which was outlined to us by the Speaker just a few minutes ago—the principle being that debate be relevant to the amendment, yes, but in this case, we have seen the amendment considers many of the questions that the Member for Elmwood has been talking about because they were introduced in debate by the very Minister who introduced this Bill.

Hon. James McCrae (Government House Leader): Mr. Deputy Speaker, I have listened carefully, as I know you have, to the contributions on this point of order

made by The Honourable Member for Assiniboia (Mr. Mandrake), as well as the Honourable Member for Thompson (Mr. Ashton), and I suggest that the Honourable Member for Assiniboia makes a great deal of sense in his comments and that it has become apparent that the Honourable Member for Elmwood has run out of things to say about Bill 6, has some time ago, and is having great difficulty being very relevant in his comments. So I suggest, Mr. Deputy Speaker, that you agree with the Honourable Member for Assiniboia in the point that he raises today.

* (1600)

Mr. Deputy Speaker: I would like to thank all Honourable Members for their advice on this matter. This matter is a point of order affecting the Rules of the House, and I would like to advise that although a wide degree of latitude is in fact allowed in the various debates in the House, I would ask Members to again relate the matters which they are addressing to the Bill.

Mr. Maloway: I gather that the point of order will not take from my time. Is that the case? Could you advise me on that, please? I certainly would not want to lose any—

Mr. Deputy Speaker: The Chair is prepared to advise the Honourable Member that we will allow the appropriate time to the Member.

Mr. Maloway: Thank you, Mr. Deputy Speaker. I gather that you will notify me then when my time is coming to an end.

I am really surprised at the Member for Assiniboia (Mr. Mandrake). I mean if he is not interested in learning about fire protection and so on, then he should perhaps—(Interjection)— Yes, perhaps, he should go somewhere else, but while he is here he should pay attention. I am shocked that a representative of the Liberal Party would show that lack of concern for such an important issue as fire colleges in Manitoba and all the potential loss that fires cause in this province. He has no concept at all of how serious a matter this is. I am really shocked at that Honourable Member.

Now as if that is not bad enough, I did want to deal with the main body of my address here, and it had to do—(Interjection)— Yes, the tuition factor, but the whole area of insurance. In fact, the Minister, when he made his introductory comments, dealt with the funding to the fire colleges and said that they were funded partially by a 2 percent premium on fire insurance rates, and I did want to point out that there is a review going on this year of fire systems in Manitoba, in fact right across the country. Those ratings, done by the IAO, the Insurers' Advisory Organization, determine the rates for fire insurance right across the country.

If it were the case that fire protection is downgraded, it is very similar to a faculty at any university, Mr. Deputy Speaker. If it is not living up to its academic criteria, then it loses accreditation because of that. This is a similar type of system in the fire protection area. When

a city's fire services fail to meet proper guidelines or slip a category or two, they are reflected in higher insurance rates on property insurance the next year. I am not sure whether you are aware of that, or Members of this House. I know that one or two Members are, but certainly not the Member for Assiniboia (Mr. Mandrake).

Not to further bait or debate with the Member for Assiniboia, I did want to mention that it is a considerable cost that people really do not take into account when it is hard to determine how much money is saved in a year, because the IAO rates Manitoba or Winnipeg fire services at a certain level. I do not think anybody has really looked into the cost involved in dropping Winnipeg's fire services a notch or two in the rating table as to what effect that would have in the overall insurance rates in the city and in Manitoba.

I notice that my light is on and I assume that means I am down to my final three minutes, subtracting, of course, the intervention by the Member for Assiniboia (Mr. Mandrake). I did have a lot more things to deal with here, and I hesitate to continue at this time if I feel I am not going to have an opportunity to finish. Maybe I would be granted leave by the Members opposite. I did want to draw to a premature conclusion by relating to you a letter or two, but maybe I will just deal with the first letter.

The Portage la Prairie Mutual Insurance Company, an insurance company of long standing, well-respected, headquartered in the City of Portage la Prairie, in the Honourable Minister's riding, they wrote a letter last August '87, August 18, regarding the City of Winnipeg fire cutbacks, and they made it very, very clear in their letter that they were totally opposed to what the city was planning to do at the time, that in fact what would be saved by the city would be more than made up for in increased insurance premiums and claims and things like that.

I also had a letter from the Insurers' Advisory Organization, which I had indicated is the rating authority for fire services in the country, and they, too, were concerned about this. I had another interested comment by the Manitoba Public Insurance Corporation who were very concerned at that time that the city was off on its own, attempting to do something that was considered rather dangerous and regressive to the fire services in Winnipeg.

I think that all Honourable Members have had a very enlightening 40 minutes. Certainly, I have. I have learned an awful lot about fire safety and prevention, and certainly a lot from the Members opposite while I have been going through, some things that I did not know before. I am going to take the Honourable Member for Gimli (Mr. Helwer) up on his offer to show me how to operate properly a fire extinguisher. I assume that he has one here or that he can obtain one. I certainly have one at home that I have not looked at for a number of years, and maybe I will bring that one in tomorrow so that he can perhaps show us how it operates.

The Member for La Verendrye (Mr. Pankratz), I know the Bill is standing in his name, and I know that he is going to want to deliver a blockbuster on this in due

course, maybe even today. I offer him my notes, which I am sure he will be happy to have, and certainly with that, Mr. Deputy Speaker, I do support this Bill. Thank you.

Mr. Helmut Pankratz (La Verendrye): Mr. Deputy Speaker, I move, seconded by the Member for Swan River (Mr. Burrell), that debate be adjourned.

Mr. Deputy Speaker: As the Honourable Member knows, the debate on the Bill stands in his name and will continue to do so at the next opportunity.

**BILL NO. 8—THE COURT OF QUEEN'S BENCH
SMALL CLAIMS PRACTICES AMENDMENT ACT**

Mr. Deputy Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 8, The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine, standing in the name of the Honourable Member for The Pas (Mr. Harapiak).

Mr. Steve Ashton (Thompson): Mr. Deputy Speaker, I believe the Member for The Pas does want to speak on this Bill. I was wondering if there might be leave of the House to—I also have some comments—if I could speak on the Bill and have it stand in the name of the Member for The Pas (Mr. Harapiak).

Mr. Deputy Speaker: Does the Honourable Member have leave? (Agreed)

Mr. Ashton: Thank you, Mr. Deputy Speaker, on behalf of the Member for The Pas (Mr. Harapiak). I certainly appreciate the leave that was granted because I know, from talking to him earlier today, that he does plan on speaking on this Bill. Unfortunately, he has been detained in an important meeting at the present time, but I am sure he will appreciate the opportunity to add his—

An Honourable Member: It is unparliamentary to refer to the presence or absence of a Member.

Mr. Ashton: I said he was at a meeting, I did not say where he was. I did not say whether it was in the Chamber or not. I did not mention anybody's absence or . . .

Hon. Edward Connery (Minister of Labour): Us two Eds will get together and we will make this place run.

Mr. Ashton: You are starting to look alike. Mr. Deputy Speaker, I am not sure that the people of Manitoba will be sleeping too well on hearing that the Minister of Labour (Mr. Connery) and the Member for Assiniboia (Mr. Mandrake) are going to get together and run things in this province. I will ignore that and continue with the Bill.

I would say it is an important Bill, and I think it is the kind of Bill that is something that we can get some

sort of consensus on in this House because essentially it is an updating of an Act. I certainly would give credit to the Attorney-General for bringing in this updating. I know it is something that we were certainly looking at in terms of the New Democratic Party. In fact, during our term in office, we had already brought in some changes in terms of Small Claims Courts. That essentially is one of the key elements of this Bill, and that is the raising of the monetary jurisdiction in the small claims division to \$5,000.00.

* (1610)

I think we can all agree to that because essentially we have seen that there is a continuous increase in the cost of living, and the previous ceiling in terms of Small Claims Court, I think, was becoming increasingly outdated. It got to the point where there were many actions that could have been dealt with in a Small Claims Court in a far more inexpensive way to the individuals involved, far more inexpensive way for the court system as a whole because I do not think it is unusual now to find claims in the \$3,000 and \$4,000 range. I know many people in small business often are dealing with claims in that sort of range, and I do not think it is unreasonable to be raising this to a \$5,000 ceiling.

In fact, in a way, I wish that we could almost have a cost of living index attached to this Bill. I realize that would be highly unusual, but I know that in other areas where we do have, for example, our constituency allowances, we have a system established now which I think is a good system that allows those constituency allowances to increase with the increase in the cost of living. I think that would save us in the Legislature from what we are going to have to be doing, and that is raising the ceiling on a continuous basis and having this sort of debate every time there is a cost of living. I realize that Members enjoy the opportunity to debate, and I know Members certainly enjoyed the contribution of the Member for Elmwood (Mr. Maloway) and I know they would probably appreciate the contribution again in a number of years on this Bill because he has already spoken on this Bill. But I would suggest it may not be possible to achieve it but it would almost seem to me that a better system would be that, yes, increase the cost to \$5,000, the ceiling, but then have some way of indexing so that, if there are increases in the cost of living, we do not have to continually debate this.

I raise that because there could be a significant increase in inflation. Right now, it is running at 4 percent to 5 percent, but there are predictions that inflation could increase again and we all remember a period in the early Seventies when inflation was up around 10 percent, 15 percent per year. Interest rates, as the Member for Elmwood (Mr. Maloway) advised me, were up around the 20 percent level, and we have already seen that process happening in the last period of time. I would hate for us to be sitting here in a year or two or even the end of this Session in January, February, March, whenever we do complete our deliberations and, even at that point in time, even six months down in this Session itself, realizing that the \$3,000 limit that was in previously and the increase to \$5,000 would not be satisfactory.

I guess we will have the opportunity, I suppose, in four or five of six months as we continue our

deliberations in this Legislature. We will have that opportunity to look at potential amendments at committee stage or amendments at third reading. So we may have a second chance, Mr. Deputy Speaker, given the length of this Session, but it is something I raise because the \$5,000 limit, I think, will very quickly become obsolete. I think what we will see happening once again is that people who could deal with their claim through Small Claims Court, small businesses and individuals, will end up in a situation where they will once again be above the ceiling price.

So I raise that in dealing with one of the first principles that are included in this Act, an Act to Amend the Court of Queen's Bench Small Claims Practices Act. There are a number of other aspects to this Bill which I am pleased to see. One is the provision in Bill No. 8 to prevent what some have called the "bumping up" procedure that often takes place in Small Claims Court. I have talked to constituents of mine, and I have known individuals who have been a victim of that. I say "victim" because essentially it has been very difficult to explain to people why, when a court is in place, in the case of many cases where for example you have an individual or a small business taking a large corporation to court, what they find is that they cannot go to the Small Claims Court because it has been bumped up to a higher level of court. People have been asking, well, what is the point of having a Small Claims Court there in the first place if that bumping-up procedure is possible.

Now, I realize the original principle behind the Small Claims Court was one in a way which was somewhat voluntary in the sense it was there to resolve matters before they hit the main court system. To some extent, that voluntary aspect was key to whether the procedure worked or not.

If both parties wanted a resolution and were willing to take it to Small Claims Court, then obviously there was no difficulty. But what we have seen, Mr. Deputy Speaker, and what I have seen directly in talking to people is that some businesses or some individuals have realized that by bumping the procedure up to the Court of Queen's Bench they have basically been able to up the ante, so to speak, in terms of the dynamics that go into a case such as that. When I say, "up the ante," what I mean is they bring it into the Court of Queen's Bench system where you have rather expensive procedures such as, for example, Examination for Discovery and other legal procedures which greatly increase the legal costs involved. That is the real problem.

A lot of individuals go to the Small Claims Court on an item which is actually a matter of principle more than anything else. It may not be a great monetary item. I know people who have essentially had to drop their cases, cases that I would have said were very, very legitimate cases, because they could not afford the legal costs at the Court of Queen's Bench level. They could not afford to deal, in a lot of cases, with large corporations that have far greater financial resources, that pay full-time corporate lawyers who have the time to drag out a claim, to go through all the legal technicalities, and basically frustrate the individual who does not have that time, who does not have the money to deal with the legal costs involved.

So I am very pleased to see this provision in here. I am also pleased to see the provision in the new Act, the new Bill, that will put some onus, not only in terms of having this procedure but ensuring that both parties attend the Small Claims Court because at present time my understanding is that essentially, if for example a defendant decides not to appear, they do not have to appear. At the current time, the person in charge of the Small Claims Court proceedings then has the option of either adjourning for a later date or else hearing the particular action.

Now what I am concerned about is the fact that people have dealt with the Small Claims Court as a mere formality, have not appeared at Small Claims Court, and then have once again proceeded to allow the matter to go to Court of Queen's Bench. Under the new amendment, as I understand it, what will happen now is essentially that person may still avoid appearing at the initial Small Claims Court hearing but then the proceeding will take place and, if it does proceed to a higher level, the Court of Queen's Bench, then that individual will have to explain why they were absent.

I think it is important because, if you are going to have a court—and let us remember this is a Small Claims Court. It is not an adjudication tribunal, it is not a voluntary court, it is a court. It is established under law. Maybe it does not have the same procedures legally available to it that the Court of Queen's Bench does, but it is a court, an official court of law.

I think, if you are going to have that, there has to be an onus on both parties to attend the proceedings because otherwise what you do is you make a mockery of the proceedings. I use that word, I know it is a strong word but I have seen cases where people have had very serious actions that they have taken that meant a lot to them. Even financially, even though it would appear to be a small amount to some, it was a large amount to them in terms of their own personal finances. I would consider it a mockery, when I look at what has happened in many cases, the fact that the defendant has basically refused to appear before the Small Claims Court and then has attempted to drag it into the Court of Queen's Bench where, as I said, it is a much more expensive procedure.

* (1620)

Now there are various other aspects to the Bill, and I notice one aspect that has come up. There have been various comments made in debate on the Bill in terms of how this is somehow positive whereas, I believe, it is Bill No. 16 that was introduced by the Member for Elmwood (Mr. Maloway) in regards to Land Titles claims is not. There were references by the Attorney-General (Mr. McCrae) in his opening remarks, unfortunate references in my view to suggesting that somehow the Member for Elmwood, through the various items of legislation he has introduced in this Session, is looking at "putting lawyers out of work." I have seen that reference made by the Minister of Industry, Trade and Tourism (Mr. Ernst), and I am sure you, Mr. Deputy Speaker, in particular know that is not the intent of this particular Act, and it is not the intent of the other legislation that has been introduced.

I want to phrase what I consider to be the real intent of this particular Act and the other Acts that are being introduced in this Session, because I think there is a consistent principle. For example, in the Land Titles area, the Member for Elmwood (Mr. Maloway), I think, came up with a very interesting statistic in debating the Land Titles Office and what procedure is available to people at the present time. That statistic was basically that 98 percent of all real estate transactions are handled by lawyers. Now, I do not know of any other area where one profession has such a monopoly over a particular matter. I would suggest even the medical profession, which is considered to have a monopoly to a certain extent, deals with a much smaller percentage of cases than do lawyers in terms of real estate, because there are paramedics. Nurses are playing an increasing role in terms of health care delivery. There are chiropractors. There are all sorts of other health care professionals other than doctors who are dealing with health-related matters. So doctors do not even have a 98 percent control over a particular type of activity.

I would suggest to you, if one was to look at the principles of anti-combine legislation, one might argue whether there has not been an attempt on the part of the legal profession in some cases to prevent competition, to prevent choice to the consumer. I realize that may not have been the deliberate intent, but that has been the impact of some of the structures we have in place.

I mention the Land Titles Office and the 98 percent figure. I would suggest that you would probably find a similar figure of cases, not just of course at this level, but if you take the global number of court cases you are dealing with or civil actions, you would find that essentially lawyers deal with a very high percentage of cases. I am sure the Member for St. Vital (Mr. Rose) is aware of that from his own constituency. The Member for St. Vital is suggesting in some areas that perhaps doctors do have the equivalent percentage involvement, 98 percent perhaps, although he is being selective. I think, if he would look in terms of health care generally, he would find that essentially doctors do not have a monopoly. They may control a fair amount of what is happening. I would suggest actually that in a lot of areas we probably benefit, as I am suggesting we do in this area, by insuring that the benefits of having the profession are there in terms of dealing with most cases but we do not have a monopoly established. Because I really believe, in the medical area, for example, there are many matters that are dealt with directly by doctors at the present time that could be dealt with by other health care professionals.

We have just seen, for example, the College of Physicians and Surgeons move in terms of allowing greater consideration to the use of midwives, of home births. Actually, what is interesting is it is going full circle because, 20 and 30 and 40 years ago, most births did take place in the home. It is only the last 10 and 20 years that we have seen developments towards hospital births.

I realize I am digressing, but the bottom-line principle is important to this particular Bill because what we are

talking about in this particular Bill is a situation where I would say the general public at the present time does not have sufficient choice. I think in particular matters that are small, in terms of dollar amounts, I think that individuals should have the ability to appear before a court without a lawyer. I am not saying they cannot do it at the present time. In a lot of particular cases, they can. But when you look at the logistics that are in place, if you look at the procedures that people have to be familiar with, in a lot of cases they have no real choice other than to risk their court case because they go in without legal advice. I say that because I think the legal profession plays an important role in providing people that advice.

I am not suggesting that all house transactions, for example, not be conducted with the assistance of lawyers, because obviously there are many situations where you have complications, where there is not clear title, where you have liens, etc., where you have all sorts of problems related to real estate transactions that only a lawyer can resolve. So I want to make that clear.

I also want to make it clear in terms of these actions that there will be actions where I think that individuals would benefit by having the advice of lawyers and would indeed jeopardize their particular case.

One thing I found that is interesting is that people, given the chance, can work their way through out legal system, which is not written for the average citizen but can have a good understanding, an equivalent actually in particular areas to the understanding that a lawyer might have. I have seen some people who have done some very impressive homework in regard to their proceedings in Small Claims Court. I have had a number of people in my office asking me for advice. Of course, I have said, as a lawyer, I cannot give advice, but one thing I have said to a number of people is that essentially they basically have done their homework and that they could probably proceed as an individual in the court procedure without the assistance of a lawyer. So that is there.

I have seen in my role as MLA, as Workers Compensation critic, I have seen Workers Compensation recipients who are having difficulty with their claims, who have been cut off. I have seen them know more about The Workers Compensation Act, I think, than most Members of the Legislature, because they have had to learn about that particular area and they wanted to make sure that they had every opportunity to them to use their rights as a citizen of this province.

I think that individuals can handle court cases. They do not necessarily require the use of a lawyer. What that may mean is a shifting away from the 98 percent of real estate transactions that are handled by lawyers. That may be the case. But really the issue is not whether we are going to be having lawyers who are unemployed or not. I think the legal profession has done quite well. I know you, Mr. Deputy Speaker, can testify to that. The legal profession provides a wide variety of useful services to society. I realize sometimes that lawyers are the brunt of some rather unfortunate jokes in terms of their role in society, but I think lawyers are playing

a very integral role in society. That does not mean that the individual should not have the opportunity to go before a court, whether it be the Small Claims Court or other levels of court, and present their own arguments. I say that has to be a real opportunity.

It is no use saying yes, you can attend, but then having the small claims procedures so complicated or having the ability of individuals to immediately bump up to the Court of Queen's Bench where most people could not handle their own case; that is not sufficient. That is not giving people a real opportunity to deal with their particular court case.

What you need are procedures that are first of all fair. I believe this Bill introduces procedures that are more fair than exist at the present time. You also need, secondly, and probably just as importantly, procedures that are fairly clear and straightforward. In fact, I often find that if we make one mistake as legislators, it is that we tend to couch our Bills in such legalese that we have difficulty, even as legislators, in understanding the Bills that we are debating and passing. I have seen time and time again where there are sections of Bills that are essentially written in a style of English that has long since gone, in terms of common usage but is still in practice and still in use in legislation, and it is very confusing.

* (1630)

I would suggest one thing that we could do, that we were talking earlier about reenacting statutes, about translating statutes, I would say that we might not want to consider not just translating statutes into both our official languages, but into—when we are talking about the current English versions—common, everyday English, so that everyday individuals can understand the procedures and can readily access them. I do not think it serves any particular purpose. I realize in some cases you need to be very careful in the wording that is used, that particular words have had various meanings that have been defined by courts. I really do believe in a lot of our legislation that we could come out with clearer wording that would assist individuals in going to the court process.

As I have said, those points I have raised, I particularly agree with. I think we may have to look at this particular Bill and see the impact in the Small Claims Court though. I think what has happened is that, since the original process was established—and essentially we can really go back to about 1916, as I recall, in terms of the original small claims court type of concept here in Manitoba. I think what we have seen over a period of time is that the original intent has not necessarily worked to the advantage of the people that it was supposed to benefit, largely because people have learned how to use the system and in some cases I would say abuse the system. They have been able to use legal manoeuvres to frustrate the original intent of the Bill and frustrate what I would consider to be the just handling of a particular case.

I suspect the same will happen here. I suspect that the corporate lawyers will be looking over this Bill and finding every angle they can, next time an individual

citizen takes action against a large corporation, knowing full well that that individual citizen does not have the same sort of resources to him that that corporation has with its vast legal staff.

I have seen cases where that has been the case, where essentially an average citizen of this province has attempted to take on a large corporation, and that has been quite an intimidating experience. I can say that there are cases where those individuals have succeeded. So the current legislation does work in some cases, but there have been far too many cases where individuals have given up or not even filed their claim after looking at what they could be into in terms of costs and also delays.

Currently, if a proceeding is bumped up to Court of Queen's Bench, there are all sorts of legal procedures—and I am sure you are aware of them, I do not have to outline them to you—that can be used, that can lead to a case that could be resolved in a matter of days, if not weeks, lasting for months and months and months. People just cannot take the time, in a lot of cases, to go through that entire proceeding.

I would like to see, as a parallel process to this, a survey done of people in Manitoba to find out, for example, how many have used the Court of Queen's Bench, the Small Claims Court, the various different levels of the legal system, and what their views are of the current procedures, and even what their reaction is to this current Bill when it is passed. I think that one would find that a lot of people are quite frustrated by the system.

In a country where we pride ourselves on equality before the law, where we have a Charter of Rights that is having an increasing role, I still think the bottom line with our legal system is that unfortunately some people have greater access to the remedies, protections under the law than do others, because they have greater resources. I still believe that the individual citizen in many cases feels that they do not have the same opportunities in terms of the law, because they just cannot afford the legal advice, they just cannot afford the other costs that are entailed with the proceedings.

I know people I have talked to have been very frustrated with that. They have said, where is this idea that we are equal before the law, that there is one law for the rich and the poor when you get into the legal system, and the only way you are going to have an equal opportunity is if you are able to afford legal advice. I know we do have a legal aid system, but it does not cover many cases. That is a particular problem. I really believe if anybody was to look in this House and talk to their constituents, they would find a significant percentage of people feel that despite our legal aid system, despite the current Small Claims Court that there really is not that equality before the law in terms of actual real access to proceedings that there should be. I realize that the intent of the Attorney-General (Mr. McCrae) is good. I realize that there are some good provisions in this Bill, which I certainly support, and I certainly support him for bringing it in, but I guess I am suggesting perhaps this Bill does not necessarily deal with the overall problem that I am talking about, that bottom line of equal access before the law. We

may need to be looking at further changes, even of further strengthening of the small claims proceedings in the future.

I really believe it is not abuse. I know the Attorney-General himself referenced the fact that there is not the room under the existing legislation or the proposed new legislation for frivolous and I believe he used the term "frivolous and vexatious cases." I think that is indicative of the situation.

I think what is happening with the current system is that there are many good cases that are being dealt with fairly. There are not frivolous cases, but there are also many good cases that are not being dealt with, potential cases where justice could be achieved for the individuals, but because of the proceedings that we are faced with, the complications within the Small Claims Court system itself and also at the Court of Queen's Bench level, that people are not getting their day in court. That is important in society, I think, that people have the opportunity, so long as it is not a frivolous case, to have their day in court and to be judged equally and have the same resources, the same abilities to deal with their case whether it is an average citizen, whether it is a big corporation, whether it be a small business or a big business. Everybody should be equal before the law and that is really the bottom-line principle I think. I am sure the Attorney-General (Mr. McCrae) would agree that behind the Small Claims Court concept, I think that given that principle this amendment moves some direction towards that underlying principle.

So I support it, but I do it with a cautionary note as I said before, as I do conclude my remarks, that we may need to be looking at further changes, increasing the ceiling above the \$5,000 level very soon, whether it be in the next short period of time or over the next few years. We may need also to review this Act in a year or two to make sure that the intent is being achieved and that people have not found ways around it or loopholes, because I think essentially that is what happened to the previous Act.

So with that I will conclude my remarks. In any case I will certainly support it going to second reading and look forward to the committee stage review to look and see if there are ways we can, even at this stage, approve the Act. I know the Member for The Pas (Mr. Harapiak) will be speaking on this particular Bill when he has the opportunity. I once again thank Members for their leave in terms of giving that opportunity and indicate once again, I do support this Bill, and I look forward to discussing it at committee stage.

An Honourable Member: Hear, hear.

Mr. Deputy Speaker: Is it agreed to allow the Bill to stand in the name of the Honourable Member for The Pas (Mr. Harapiak)? (Stand)

BILL NO. 9—STATUTE LAW AMENDMENT (RE-ENACTED STATUTES) ACT

Mr. Deputy Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 9, Statute Law Amendment (Re-enacted Statutes) Act;

Loi modifiant diverses dispositions législatives (Lois réadoptées), standing in the name of the Honourable Member for Interlake (Mr. Uruski).

Mr. Bill Uruski (Interlake): Before I begin my remarks, I rise on a point of order, and I ask the Attorney-General if he could clarify two points in the Act on page 9 and page 10, where section 9 of The Highways and Transportation Department Act, Section 9(2) specifically and 10(1) are strictly in the English version. Can he explain the reason for that on both sides?

* (1640)

Hon. James McCrae (Government House Leader): The Honourable Member raises a question as a point of order. Previously today, he and the Honourable Member for Flin Flon (Mr. Storie) raised a number of questions, and I suggested at that time the questions, if they would like to put them on the record now, I can set to work to get those questions answered, or in any event, we have the committee stage, it is an excellent time to put forward those questions. But if the Honourable Member would like, in his speech today, to put his questions on the record, or I could use the record of the question he has already put, and those questions can be answered at the time of committee stage.

This is a good time, I suggest, to discuss the principle of the Bills in question. I would be more than happy to address the Honourable Member's question at the appropriate time.

Mr. Deputy Speaker: I would like to thank the Honourable Members for their advice. The Honourable Member for Interlake (Mr. Uruski) did not have a point of order on that matter. If he would like to continue in his remarks on this Bill.

Mr. Uruski: Before I continue, unless the Attorney-General (Mr. McCrae) is—it is a fairly technical question dealing with the translation. I am just not certain the reason, and if he would like my copy of the Bill to have a look, the reason why both those sections remain in the English version.

Mr. Deputy Speaker: The Honourable Attorney-General (Mr. McCrae), on a point of order.

Mr. McCrae: I am not sure under what authority the Honourable Member is rising to speak at this stage, whether he has another point of order or if he is debating the Bill, but if it is a point of order, I will say again there is a proper time to deal with matters of the kind that he is raising. He has just now said that what he has is a technical, detailed, I assume, type of question. It is not the kind of question I am prepared, on my feet today, to answer for the Honourable Member. I have given my undertaking to take note of whatever his question is, and that I would be happy to attempt to answer that question—certainly at the committee stage is the proper time.

At this stage of proceedings, you, Sir, would ordinarily put the motion for second reading. If the Honourable

Member for Interlake (Mr. Uruski) wanted to participate in the debate, he would be entitled to do that. He can put all the questions he wants, and I tell him and the Honourable Member for Flin Flon (Mr. Storie) that I will do my best to answer any questions that they have, but I would ask them to deal with the principle of the Bill at this stage and let us pass these re-enactment Bills at this second reading stage in principle. We get into the details of it at the committee stage as is always done.

The Honourable Member for Interlake has been around here a lot longer than I have, and he knows probably even better than I do the time for that kind of discussion is at the committee stage.

Mr. Deputy Speaker: I would like to thank the Honourable Members for their advice on that. There was no point of order on that matter, and perhaps if the Honourable Member for Interlake (Mr. Uruski) would now like to address the Bill under debate. The Honourable Member for Interlake.

Mr. Uruski: Mr. Deputy Speaker, I would have thought that the Attorney-General (Mr. McCrae) would have been familiar with the Bills, and specifically the reasons for the non-translation of those two sections. There may be a very valid reason because in the entire Bill, those are the only two sections that I have been able to determine that continue to remain with the English words only on both the French version and the English version, and there may be a very valid explanation. I am not certain at this point in time. The Attorney-General has undertaken to bring that for me and for Members of this House.

Mr. Deputy Speaker, this Bill covers a number of statutes that have been previously enacted or re-enacted both in '87 and this year. I am assuming with the exceptions that there may be some further changes in the Highways and Transportation Department Act, of those sections, that this will virtually make the completion of the re-enactment of these statutes ended, so that the work has been done.

I guess, and I did not mention earlier, I too would like to give Members of his staff and the staff within the Translation Bureau certainly a good commendation on the very diligent and excellent work that they have performed under very trying circumstances.

I know that we, as a province, have had difficulty over the last number of years in obtaining adequate numbers of translators who have the skills necessary to do this kind of translation. It is not just a matter of knowing the French language and being able to translate it backwards and forwards. There also has to be a very deep knowledge, deep legal knowledge, so that the kind of words that normally would not be used by members of the public, the qualities of these individuals who do the translating have to have a much greater knowledge of legal jargon, technical jargon, and words that normally do not appear in everyone's vocabulary. So changes have had to be made and the staff have done a commendable job in trying to accommodate the court ruling in terms of the translation of our statutes.

It is interesting to note that some of the amendments dealing with The Agricultural Credit Corporation Act and the difficulty that the translators have had in defining the question of farming in the French language. "Exploitation agricole" is the new meaning basically exploiting farm land and the way those words have to be used to make them meaningful in the French language. It is a very difficult job and this one example here is but one of many in the statute in making those corrections.

Some of the technical changes, as I understand, there have had to be changes made to this piece of legislation that deals with actual errors made by staff within the department, or at least staff in the department were unable—if I understood the Attorney-General correctly—to check the statutes before they were translated. There were some errors in the statutes before they were given for translation. We are as well now correcting some of those errors.

The Condominium Act does bring about a large number of changes in terms of dealing with the prospective purchaser of a condominium. I am assuming, and I hope the Attorney-General (Mr. McCrae) confirms, that these fairly major changes in the Act, the entire section 8 of The Condominium Act which is being repealed and reconstituted and substituted by a new subsection 8, that the changes are not contrary to the changes that were originally passed by this Legislature.

If there are new amendments in any of these sections that in some form change the legislation that was there prior to re-enactment, I expect that the Attorney-General, because he certainly did not make any mention of that in his remarks on this Bill, that I will expect the Attorney-General will come back and say in committee or in closing, here are some of the changes in the Bills that are here that are different from the Bills that have been there and here are the reasons for those changes.

We are taking the Attorney-General at his word that all we are doing is making the corrections and there are no substantive changes in the sections proposed because it deals with many of the departments. There is the Minister of Agriculture, the Minister of Community Services, you have The Child Day Care Standards Act, the Minister of Housing.

This is a major change, The Condominium Act, dealing with the agreements to purchase a unit and the like. This one has substantive changes of some 13 subsections under The Condominium Act to make changes in the purchase agreements and the discharge of those agreements and the assessments and ownership of condominiums. The Attorney-General (Mr. McCrae) did acknowledge, or at least by his nods, that he will bring back any comments that may be of a substantive nature dealing with The Condominium Act—and the Minister of Housing (Mr. Ducharme) is here—because they are fairly substantive changes in the Act.

As well, The Corporations Act has a number of changes dealing with, I am assuming, the filing of reports, the definitions of what is called insiders and traders in the marketplace, and that those are mainly

renumbering sections and no major substantive changes in that Act.

In terms of The Employment Standards Act, it appears there that there is strictly a numerical change in the whole area of The Employment Standards Act.

In terms of The Energy Rate Stabilization Act, the one subsection is being struck out, and I think the Attorney-General (Mr. McCrae) will be explaining that as well.

* (1650)

I note in The Farm Machinery and Equipment Act, having had some familiarity with it, there was a—I guess the drafters did miss the question of the Court of Queen's Bench as a final arbiter in terms of the dispute settling mechanism under that Act, and that is being put back into it. It would have been a typographical error as it relates to the translation of that Act.

The Fisheries Act, there is a redefinition of a fisherman—or a producer, a redefinition of a producer and the translation of that Bill. As well, in The Health Services Insurance Act, it appears that again is a renumbering of the sections.

The changes that I spoke about earlier in my point of order deal with The Highways and Transportation Department Act. There is the version of the standard of road, Section 9(2), in this translation. This is what I was raising with the Attorney-General (Mr. McCrae), that the departmental roads shall be constructed and maintained to such standards as the Minister may deem necessary or desirable in each case and not necessarily to the same standard to which any other departmental road is constructed and maintained, and different roads may be constructed and maintained to different standards, giving the authority to the Minister of Highways. However, in the translation portion, that section remains not translated. It remains in English.

As well, Section 10(1) of the same translation of the Act remains the same, although there is a renumbering of 10(1) and a new 10(1) brought in. But again, in the translation portion, it remains in the English language. I think the Attorney-General (Mr. McCrae) will want to explain the reasons for those changes.

In The Law Society Act and The Legislative Assembly Act, those Acts, as I have checked them, are primarily, as I understand it, are renumbering sections, and the Minister will correct me if my assessment is wrong.

The question of The Mental Health Act, there is a misspelling of words which would have changed substantially the principle of the Act in the words "directment" or "indirectment" in terms of the legislation. Those changes are being made.

The Natural Products Marketing Act, there is no longer, under our legislation, a Minister of Mines and Natural Resources. There is only a Minister of Natural Resources. Those changes are being made, and so on.

Just to finish Part 1, there is the renumbering of the Acts under The Real Estate Brokers Act, The Religious Societies' Lands Act and The Retail Sales Tax Act,

where there are some minor changes in the definition sections and a renumbering of those sections.

The Revenue Act is amended and there are numerical changes in that piece of legislation.

As well, The Private Vocational Schools Act is amended by making some changes in the French version of the legislation.

In Part 2, which deals with this year's Re-enactment of the Statutes, there have been fairly substantive changes in the formula that was printed in the original Act, under The Civil Service Superannuation Act, which would have substantially changed I believe some of the calculations made in the Benefits section of the Act. There were some numerical changes which would have made quite a difference in the way the formula is structured.

The Dower Act, there are a number of changes in both the English and French versions, as well as some of the sections dealing with the residences of husband or wife and court orders.

The Motive Fuel Tax Act, there are a number of renumbering sections but there are also some changes in headings and making some name changes of headings in which they occur.

The Municipal Act has a number of renumbering sections and I see that we are now, in The Municipal Act, using the word "administrators" rather than "secretary-treasurers." I know that the secretary-treasurers have been lobbying for this professional change to call them administrators rather than secretary-treasurers. They actually had an additional name that they wished used but clearly they did not want to only be called secretary-treasurers because their training and their involvement in their roles in the municipal field is an administration field, much more than just the question of being a secretary-treasurer or basically a bookkeeper for the municipalities.

Their role has expanded far beyond that area and I see the Government using this area. I am not certain, perhaps the Attorney-General (Mr. McCrae) will want to comment on it, whether that section—this one I did not check out—whether this is an amendment pursuant to the request made by the administrators. Maybe the Minister of Municipal Affairs (Mr. Cummings) will want to do that or whether this is clearly the technical change that was in the previous Act.

In terms of The Securities Act, we believe that those changes are strictly spelling mistakes and changes. We will await the comments of the Attorney-General (Mr. McCrae) on some of the questions that I have had. I would hope that before he closes the Bill in third reading, before it goes to committee, maybe some other colleagues wish to take the adjournment or begin to speak. Thank you.

* (1700)

Mr. Richard Kozak (Transcona): Mr. Deputy Speaker, I move, seconded by the Honourable Member for Inkster (Mr. Lamoureux), that this Bill stand in the name of the Honourable Member for Seven Oaks (Mr. Minenko).

Mr. Deputy Speaker: Perhaps the Honourable Member would like to change his motion to have it stand in his name and have debate on this matter adjourned.

Mr. Kozak: Yes, Mr. Deputy Speaker, I am quite pleased to move, seconded by the Honourable Member for Inkster (Mr. Lamoureux), that debate on this Bill now be adjourned.

MOTION presented and carried.

Mr. Deputy Speaker: The hour being 5 p.m., it is time for Private Members' Hour.

PRIVATE MEMBERS' BUSINESS

PROPOSED RESOLUTIONS

**RES. 10—PROTECTION OF
THE OZONE LAYER**

Mr. Deputy Speaker: On the proposed resolution of the Honourable Member for The Pas, Resolution No. 10, Protection of the Ozone Layer, the Honourable Member for The Pas.

Mr. Harry Harapiak (The Pas): Mr. Deputy Speaker, I move, seconded by the Member for Thompspon (Mr. Ashton):

WHEREAS the ozone layer is of fundamental importance to the health of humans and their environment, the depletion of which results in increased incidences of skin cancer, cataracts, and depressed human immune system, and harms aquatic systems and agricultural crops; and

WHEREAS recognition of the seriousness of the problem has been identified in numerous environmental studies; and

WHEREAS Canada recently ratified the Montreal Protocol on substances that deplete the ozone layer, an unprecedented international agreement to reduce the production of chlorofluorocarbons (CFCs) and halons, chemicals that release chlorine and bromine which deplete the ozone layer, allowing increased penetration of harmful ultraviolet rays; and

WHEREAS, despite this acknowledgement of the problem, it will be several years before alternate processes or chemicals are substituted to replace all uses of CFCs and halons; and

WHEREAS the provincial Government could play a leading role in reducing emission levels by embarking on a major program to recover and destroy CFCs contained in refrigerators and automobile air conditioner units when they are disposed, preventing release of these substances to the atmosphere; and

WHEREAS by promoting higher air conditioner and refrigerator servicing standards, and encouraging the development and use of alternative substances for industrial applications,

the province could be contributing to a healthier environment for its citizens and those of the world.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba go on record as calling upon the provincial Government to develop standards and requirements to control emissions of CFCs into the atmosphere under the authority of The Dangerous Goods Handling and Transportation Act, as part of a new commitment towards ensuring Manitoba as a healthy place to live in, both now and in the future; and

BE IT FURTHER RESOLVED that this Assembly call upon the Minister of Environment and Workplace Safety and Health to proceed with an ambitious plan to recover, store and ultimately destroy CFCs contained in all refrigeration units when they are no longer of use for their intended purpose; and

BE IT FURTHER RESOLVED that this Assembly request the Minister of Environment and Workplace Safety and Health to explore a program to find alternatives for CFCs and to assist commercial users in adopting these alternatives; and

BE IT FURTHER RESOLVED that this Assembly go on record as fully supporting Canada's ratification of the Montreal Protocol and urging the federal Minister of the Environment to pursue revision of the Montreal Protocol in 1990 to ensure nearly complete elimination of emissions of fully-halogenated CFCs by the year 2000; and

BE IT FURTHER RESOLVED that this Assembly direct the Clerk to forward a copy of this resolution to the federal Minister of the Environment.

MOTION presented.

Mr. Harapiak: I am pleased to stand and speak on this resolution that has been brought to the House previously on a very important subject that affects all of us in society, not only in areas just in our immediate vicinity but it is an issue that concerns the people right across the world. Quite often, people see this as a subject that there really is not much that I can do about this. It is something that has to be addressed by people at world councils or at the political level or whatever level that such subjects of great magnitude are discussed. But I think it is important to note that each one of us in our everyday lives can play a small part in addressing the needs that are so urgently and strongly being brought to our attention.

When the Montreal Protocol was brought forward last year and when the Minister of the Environment at that time was present, he had taken part in some of the discussions. They came forward with some resolutions to help save the ozone zone. I think that there has been a lot of initiative taken in many quarters to help that but I cannot help but think that with the new information we have that it really has to be moved

up. We cannot leave the date of 1989 that we had previously in place. We cannot leave that, we have to move up that date. We have to cut down on the number of CFCs that are going into the atmosphere.

In the past, chlorofluorocarbons and halons were considered as a cheap, effective and non-toxic chemical for a variety of commercial uses. By the 1970s, concern over the theoretical role these substances played in the depletion of the ozone layer created a consumer-led reduction in the use of CFCs-propelled aerosol spray cans. The resulting reduction in consumption was quite strong right across the world. It was quite significant. But the world consumption rates are now higher than ever, due to the rising industrial use and installation of refrigerators in poorer countries. I guess the refrigerators are—not only is the Freon used as a cooling substance in the refrigerators but also CFCs are used in the walls of the refrigerator as well. So there is a double effect on the refrigerators in those countries. I guess that is one of the areas that we need to come forward with some plan on how we can utilize the Freon that is used in the refrigerators, when the refrigerators no longer have any use, how we can take up the Freon and either recycle it or gather it in a way that it is not released to the atmosphere so it is not out there affecting ozone zone.

* (1710)

Ozone levels in the spring over Antarctica extended about 45 degrees south had decreased significantly since the mid-1970s. The rapid change in the atmosphere now occurring through ozone depletion in the stratosphere and the "greenhouse effect" amounts to an uncontrolled global experiment. There are some people who feel that the "greenhouse effect" could have some positive effect for us in Canada and Manitoba, but I think that is taking a very short-sighted look at what is happening there. Sure, we could maybe get some increased production in agricultural areas that are presently too cold or else some different crops could be grown in southern Manitoba. But I think, if we look at the long-range effect that the depletion of the ozone has on all of society, then I think we all have to play a part in how we can be reducing the number of ozones that are going into the atmosphere.

In the lower atmosphere, the CFCs act as greenhouse gases. The rising ozone concentration at this level . . .

Some Honourable Members: Oh, oh!

(Mr. Speaker in the Chair.)

Mr. Speaker: Order, please.

Mr. Harapiak: These ozones which are acting as a greenhouse level are released through human activities. They also act as creating the "greenhouse effect" in our atmosphere. The chemical interaction of the atmosphere is an extremely complicated process which is difficult for a layperson to extend. They are very poorly understood by most of society. Reduced emissions of CFCs contribute to control the greenhouse gases in the lower atmosphere and reduce ozone depletion in the upper atmosphere.

In order to comply with the commitment made under the Montreal Protocol last year, the federal Government is rapidly developing regulations to control the use of CFCs in our society. These regulations will be in place by July of 1989. The national consumption levels will be frozen at the 1986 levels, and the 1986 levels will be cut in half by July of 1998. Two options are presently being considered by the federal Government. The first would control CFCs by apportioning production rights and controlling imports. Under Option No. 2, users would be apportioned a maximum use of quality and production rights limited. Imports would not be controlled. The proposed regulations are not expected until November or December of 1989.

Since the target of 50 percent global reduction in consumptions by 1989 was set, the degree of ozone depletion over Antarctica has intensified. It has intensified to such a degree that scientists are now warned a reduction in the consumption by 1998 of 85 percent is needed in order for us to really survive. This new target will likely receive considerable international support when the Montreal Protocol is next reviewed.

Amounts of CFCs recovered and destroyed are directly subtracted from regional production levels under the Montreal Protocol. The amounts recycled provide multiple use of the same amount before it is released to the atmosphere. The recycling and the destruction provide a bridge as the availabilities of CFCs and halons become increasingly restricted.

Action by the federal Government will place restrictions on the amount of CFCs that are available for consumption. The industry has already developed alternatives for it, although major uses such as refrigeration, a suitable alternative is still many years away. They still have not come up with any alternative gas that will replace the Freon that is used in refrigerators, and that plays a very big part.

Manitoba can contribute to the reduction in consumption of CFCs, in addition to the efforts undertaken by the federal Government and industry. These reductions can be achieved primarily through developing a program to destroy used CFCs, and to encourage recycling and reuse of CFCs. Further reduction can be achieved through higher standards to prevent unnecessary release of CFCs through servicing of equipment containing these substances. Alternatives for some industrial processes using CFCs are already available to some of the requirements for cooling agents. The province could develop and distribute information for the general public and for scientific industries about the problems associated with CFCs and how consumption can be reduced.

Recovering CFCs from used equipment and destroying them will cost money. The province could intercept the CFCs prior to disposal, but a better approach would be to pay a bounty to people who may be interested in salvaging some of the Freon that is presently not being utilized. The funds to pay the bounty could be raised by placing a surcharge on refrigeration equipment when it is purchased. I know that it is an additional cost but I think, if we take into consideration the depletion of the ozone and what kind of an effect it will have on us and future generations, then I think that we have to give that serious consideration.

The equipment to drain CFCs from domestic refrigerators, automobiles, air conditioners and large commercial refrigeration units is available. Contaminated CFCs can be purified for reuse but virgin CFCs, at present, cost less, so the reuse without purification is often possible for refrigeration purposes if the compressors are available at that point of use.

Developing of standards and requirements under The Dangerous Goods and Handling Transportation Act can be carried out by existing personnel. Collections of CFCs will eventually cost money, but the resolution does not call for immediate expenditures but rather would undertake the development of a process for a plan which could be brought forward. The departmental staff are called upon to conduct research and determine how such a goal could best be achieved in Manitoba. Existing staff could develop the information package needed to assist the commercial users in adopting the alternatives. The destruction of CFCs could be carried out by the Manitoba Hazardous Waste Management Corporation under the existing program to provide disposable hazardous waste.

As Members may be aware, Winnipeg has the chance to become a research centre for studying the greenhouse effects and other changes in the world's climate. Negotiations are currently going on to establish a centre where researchers use the latest technology. They will be able to predict the impact of the greenhouse effect upon the earth's atmosphere.

Some 15 organizations and companies are currently investigating the possibility of locating this centre at the Fort Whyte Centre here in Winnipeg. The provincial Government has been requested to pay for the construction of the building that would house the research centre. The former administration was keen to see the centre occur, and I urge the present Government to carry on with that initiative that the previous administration had brought forward.

I think it is an opportunity for us as a province to become a leader in that area, so I would urge the Minister of the Environment (Mr. Connery) to be in touch with—I am sure he is. He has touched base with many of them and there is some information that Scarth from the Environmental Centre has said that the Premier, Gary Filmon, has expressed some interest in the centre, and added the province could also provide valuable data on some soil types, crop production and water availability.

* (1720)

I guess that there are some people who say that Manitoba Hydro also has some keen interest in this, and is considering becoming a part of the new centre. It has thought of setting up its own study as well to see how they could destroy CFCs in the atmosphere.

It is an extremely important issue to us as a society, and I think that each one of us in our everyday lives can play some small part. I note that we, as Members of this Legislature, use drinking cups that are manufactured by CFCs. I think that we, as a Legislature, should maybe look at some alternative cups that we can be using. I think it is one thing for us to be espousing

some thoughts on how we can increase it, and I think that is one small way that we can make a contribution in reducing the CFCs that are being sent into the atmosphere.

So I just close by urging the Government and the Minister of the Environment (Mr. Connery) to do all that he can to try and see if they can locate that research centre in Winnipeg. I think we have an ideal location, and it would be great to have it located here.

Hon. Ed Connery (Minister of Environment): Mr. Speaker, and it is indeed a pleasure for me to speak on a very—(Interjection)—I can say that I appreciate the Member for The Pas (Mr. Harapiak) in bringing this resolution forward to make sure that the public is aware. Our department is looking at ozones and the ozone layer and the problems associated with it.

I would also like to congratulate whoever wrote the resolution for the Member. It was a well-written resolution in some aspects, although at the end we are going to have to make a couple of minor changes to it to bring it into line.

It is kind of ironic that, all of a sudden, the NDP are out of power and they become experts on environment. When they had an opportunity to do some very good things for the environment, they did virtually nothing. The report card that the national organization put out showing Manitoba being 10th out of the 10 provinces is a pretty sad commentary on the activities environmentally that the previous Government did. I am told by those who were involved that they were great on rhetoric and very low on decisions and, whenever it was time to make a very important and hard decision, they wanted more study done.

We can look at the Member for Flin Flon (Mr. Storie) who, all of a sudden when he is in Opposition, is very concerned about the product that was going into the Hudson Bay Mining and Smelting, material brought in when they were in power and, Mr. Speaker, had some 26 days to call for an environment hearing, if he thought it was so important after the time of the election, he should have done so.

In getting on to the—oh, yes, the Member for The Pas (Mr. Harapiak) also was a little tardy in bringing his important environment issue on the Manfor at The Pas to this House but, mind you, he had not been here, so it did not give him an opportunity to—oh, sorry, I cannot say that. I withdraw that, Mr. Speaker.

The ozone layer is really a major, major concern. It is not one that—and I do not think the Member for The Pas (Mr. Harapiak) is playing games with the ozone layer. I think, knowing the Member, he is an honest and concerned individual, concerned for this province.

An Honourable Member: Who? Who is?

Mr. Connery: Oh, this fellow. He is a fine fellow, the Member for The Pas (Mr. Harapiak). I like him. He is a nice individual and I think his intentions are good but a little misguided on what side of the House he is on, but that is—(Interjection)—Now that he is sitting on our side, maybe he will finally come to his senses and

move one seat further and we would welcome the Member, if he really wants to get down to it.

For generations, we have taken for granted the soil that we cultivate, the air we breath, the water we consume, and the products of nature we deem necessary for our everyday existence. It has only been in the last little while that people have really started to understand that our environment is not just something we use, but is something we have to preserve and something that we have to clean up.

We have made a mess of it, and it is going to take some time to clean it up. Even if we stopped using today any materials and substances that create CFCs and halogens, by the time they got into the ozone layer and the atmosphere, we would be several years down the road. It is imperative that we do something very quick.

It used to be just socially acceptable to be an environmentalist but today we are finding out that, if we are not just true environmentalists, we are not going to have an awful lot left for us.

Understanding the ozone layer is essential if one is to assess to any degree what impact its depletion might have. The ozone layer acts as a natural filter and absorbs most of the sun's ultraviolet rays. Specific evidence shows any depletion results in increased ultraviolet radiation at ground level. The limited research which has been done indicates the need for concern, especially when we consider the reality that excessive ultraviolet radiation can serious damage to animal and plant tissue.

Ultraviolet light is responsible for premature aging of the skin but even small changes in the ozone layer could, according to scientists, contribute to an increase in skin cancer, eye cataracts, a reduction in the body's ability to cope with disease, in addition to an impact on all living creatures in the environment. Laboratory evidence could indicate that we cannot take these concerns lightly. Not only human beings will be affected. This is a serious concern by the prospect of increased eye disease and cataracts and cancer—in cattle, pardon me, Mr. Speaker.

Wheat, rice, corn and soya bean crops are particularly sensitive to ultraviolet radiation. Depletion could result in a loss in yields. Aquatic life is at risk. The quality of air is in jeopardy. The impacts are as close as our own homes. Such industrial material as paints and plastic deteriorate more quickly, which means plastic siding becomes yellow and brittle more quickly.

The impacts or possible impacts not only result from the decrease in the concentration of ozone but from its distribution as well. Even if the actual amount of ozone were to remain as is, changes in the distribution could affect global climate and regional weather patterns. Chlorofluorocarbons not only destroy ozone, they contribute to the greenhouse effect which means, in addition to changes in weather, the possibility of rising sea levels, melting out of the polar icecaps and an increase in heat-related deaths.

It is interesting, Mr. Speaker, though that, to listen to Dr. Tim Ball—I think he is from the University of

Winnipeg—who indicated that maybe Manitoba's concern was not as great because, if anything, we may be able to use a little warming here. In respect for the whole planet, what might be good for us in the short-term, if it destroys —(Interjection)- he says we are not an island. Naturally, we are not an island. We are a nice big continent. We are a nice planet. But if we destroy other areas where there is food being produced now then, in the long-term, Manitoba has not gained any great advantage because we are not in the position to feed the whole world. We are dealing with a concern that is of a global nature. We cannot act in isolation. We have to encourage all areas to work in unison to resolve the ozone problem.

Chlorofluorocarbons and halogens are in common use. Therefore, limiting their use is not an easy task. The only practical control is at the manufacturing stage, and this rests within federal jurisdiction. A regulation to limit use of CFCs in Canada will be put into effect as part of our commitment under the Montreal Protocol. A federal-provincial advisory committee is reviewing chlorofluorocarbon standards. Canada is considering an international protocol for nitrogen compounds which may contribute to ozone depletion.

* (1730)

As a province, our department is also investigating what we can do unilaterally without having to wait for other jurisdictions to take action. We will take whatever action we see that is available to us. This will not happen quickly, because some of the concerns are great and whatever we do could have some serious effects.

Protection of the ozone layer, Manitoba is involved in the federal-provincial advisory committee set up under the Canada Environment Protection Act, and is supportive of regulations which will result in the reduction of chlorofluorocarbons in Canada. Manitoba's action is directed where it will do the most good, eliminating CFCs before they become waste products.

I have to agree with the Member for The Pas (Mr. Harapiak) when he was discussing refrigerators. They are a major contributor to the ozone problem. I think and I agree that there are mechanisms to recapture some of the material that is given out, some of the Freons that are released into the atmosphere.

We talk about a Party that was environmentally, we call it, negligent or if there is any environment there, but it is interesting now to see the Member for The Pas talking about refrigeration. We know that low pressure refrigeration using Freon, when there is a blow, the total amount of Freon goes into the air. It goes into the atmosphere. High pressure units have a self-containing system where the Freon does not go into the atmosphere. There were attempts for years by people to have this previous Government allow high-pressure refrigeration in the Province of Manitoba. They refused unless they were under the engineers. They had to, under the boiler and the steam laws, where they had to have an engineer in place whenever these machines were in operation. Because of the cost, high-pressure refrigeration units were not allowed into Manitoba, or they were allowed if they had an engineer

but nobody would bring them in. Our Party recognized the problem and accommodated that so we could bring in the higher-pressure ones to ensure that we would not have the Freon loss that the low-pressure ones do.

There are different kinds of Freon. Some are much better than others, and we need to be moving in the direction where we use those Freons that do the less damage to the ozone layer.

There are a few things that I would like to read into—and I see my time is going very quickly. When you are enjoying a subject, it does seem to go very quickly. There was a brochure put out and it talks about the ozone layer protection, and it was a very interesting document to read and to see some of the problems and to have a better understanding. I found it very interesting, and I would like to read into the record just a few things on it.

It says: "Although ozone can be found from ground level up to about 60 kilometres, the stratosphere contains approximately 90 percent of all ozone. With a peak concentration at 25 kilometres, ozone forms a layer about 20 kilometres thick, lying between 15 kilometres and 35 kilometres above the Earth's surface. Here, the ozone is spread so thinly that, if it were compressed to ground level pressure, it would form a layer of about three millimetres thick." So, we are not talking about something that is way up in the stars. We are talking about something that is very close to our surface, and can be damaged very readily by us.

They talk about, in this article, the hole in the sky, and they talk about the hole in the sky over the Antarctic, and that is the first one. They are now finding out there is a hole developing over the North Pole. So we are going to have two holes in our ozone layer which are going to allow in the ultraviolet light and do some very serious things to us.

It says here: "These ozone holes are of serious concern to the scientist, as they were not predicted by theory and still remain not fully understood. Although many theories have been proposed, increased experimental evidence is now pointing to CFCs as the major culprit in ozone destruction. Meteorology also plays a role setting up special conditions which influence the ozone layer."

I see my time is rapidly running out. I would ask all people, all Members of this Legislature to work towards those things that are necessary to stop the depletion of the ozone layer and, when plans come forward, to do it or to come forward with suggestions and ideas. Our department and I, as the Minister, would welcome any ideas from all Members of this Legislature as to how we can work together to save our planet. We are talking about our life, we are talking about the future of our children and grandchildren, and I think it is a pretty serious matter.

I do have an amendment that I would like to put forward to the resolution. While it basically is a good resolution, we think it needs to be touched up a little bit. Mr. Speaker, I move, seconded by the Member for Rhineland (Mr. Penner):

THAT the resolution be amended by deleting all the words after the fourth WHEREAS clause, and substituting therefor the following:

WHEREAS the depletion of the ozone layer is an international problem requiring cooperation between nations to ensure no further damage to the ozone layer; and

WHEREAS the Province of Manitoba can play a role within Canada to promote the development and use of alternative substances for industrial applications, thereby contributing to a healthier environment for its citizens and those of the world.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba go on record as calling upon the provincial Government to work cooperatively with the federal Government and other provincial administrations to develop standards and requirements to control the emissions of CFCs into the atmosphere; and

BE IT FURTHER RESOLVED that this Assembly request the Minister of Environment and Workplace Safety and Health to participate in the drafting of a national chlorofluorocarbons control regulation through the Canadian Environment Protection Act Federal/Provincial Advisory Committee; and

BE IT FURTHER RESOLVED that this Assembly go on record as fully supporting Canada's ratification of the Montreal Protocol and urging the federal Minister of the Environment to pursue revision of the Montreal Protocol in 1990 to ensure nearly complete elimination of emissions of fully-halogenated CFCs by the year 2000; and

BE IT FURTHER RESOLVED that this Assembly direct the Clerk to forward a copy of this resolution to the federal Minister of the Environment.

Mr. Jay Cowan (Churchill): A point of order, Mr. Speaker. As was the case yesterday—and I would hope we could establish a practice so that we could avoid any delays that result from the Opposition Members or even the Government Members, if it is an amendment by the Opposition, not having immediate access to the amendment. I would ask that we could be provided copies. I know the Liberal critic (Mr. Taylor) and the Acting House Leader would like copies of the amendment as well and an opportunity to peruse it for a few moments so that, if necessary, we could provide advice in a helpful fashion respecting our opinion on the amendment.

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

Mr. Connery: On the same point of order, Mr. Speaker, I agree, and I apologize for not having copies for the Opposition critics and would attempt to do so in the future.

Mr. Speaker: The Honourable Member for Churchill (Mr. Cowan) raises a valid argument.

On the point of order raised by the Honourable Member for Churchill (Mr. Cowan), there is no point of

order, but I think, as a courtesy, the Honourable Member does make that valid argument. I think, in the future, it would be appreciated if Honourable Ministers coming in with an amendment, kindly have them ready, or even Members on both sides of the House.

It has been moved by the Honourable Minister of the Environment (Mr. Connery), seconded by the Honourable Minister of Natural Resources (Mr. Penner), that—dispense? Is it the pleasure of the House to adopt the amendment? The Honourable Member for Wolseley.

* (1740)

Mr. Harold Taylor (Wolseley): On a quick perusal available here, given that we have not had a chance to review this previously, the indication I have on that quick perusal is that we are seeing here the changing of some of the sense of the original resolution. For example, this amendment says to delete the 4th and subsequent WHEREASes, which of course talks about the role that the provincial Government could play in dealing with standards on CFCs and their control in, for example, air conditioning units for automobiles, homes, refrigerators, etc.

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

Mr. Taylor: I am speaking as to the admissibility of this amendment, and I am saying is that—

An Honourable Member: You were late for that part.

Mr. Taylor: Is that right? Oh, well, I thought I would speak to it anyway.

Mr. Speaker, we are dealing with the acceptance of the amendment to the resolution proposed by Mr. Harapiak, or is that not correct?

Mr. Speaker: We are not dealing with the acceptance. We have put the amendment to the House.

Mr. Taylor: And I am speaking against the amendment.

Mr. Speaker: You are speaking to the amendment.

Mr. Taylor: Is that not—(Interjection)—

Mr. Speaker: Order here, please. Order.

An Honourable Member: Are you speaking against the acceptance of the amendment?

Mr. Taylor: No, I am speaking against your amendment. The amendment is on the floor, it it not?

An Honourable Member: Yes.

Mr. Taylor: That is what I am dealing with, and I am saying is that this amendment changes some of the sense of the original resolution and I am therefore speaking against it. Is that acceptable? Thank you.

Now to continue in speaking in my opposition to this amendment, I am saying is it changes the sense of the

original resolution as proposed because it deletes reference to the role to be played by the provincial Government in this jurisdiction as it relates to automobile air conditioners, home air conditioning systems and refrigeration systems. I think that is an important point that should be brought in.

Yes, it is fine to talk about participation in the setting of national standards, and there is no problem with that, but the ideas of deletion of it and weakening the resolution as a whole, that is what I take exception to. If it had been done, moved an amendment which changed only the THEREFORE BE IT RESOLVEDs and added in, in a friendly fashion, then I would suggest that maybe that would have been an acceptable amendment; but in that it does not, and I do not think it was offered in quite that fashion, then I am saying is that I, for one, am not prepared to support the resolution as presently drafted.

I hope you are on the end of that telephone line when I phone you, Ed.—(Interjection)— The emphasis placed on the—and the lack of a provincial initiative and the idea of only the cooperation between the federal and the other provincial Governments. That should go without saying. However, I would also suggest that initiatives here in this jurisdiction are essential and are contained in the original resolution and therefore feel that this amendment should be voted down. Thank you, Mr. Speaker.

Some Honourable Members: Oh, oh!

Mr. Taylor: No, I am going to speak to the main resolution later.

Mr. Speaker: Order, please. The Honourable Member for Thompson (Mr. Ashton). Order, please; order.

* (1750)

Mr. Steve Ashton (Thompson): Mr. Speaker, in speaking on the amendment, I, too, have had just a very brief opportunity to peruse the amendment.

Quite frankly, I am a bit surprised that the Minister responsible for the Environment (Mr. Connery) saw fit to bring in this amendment, because I think the original resolution is exactly what is needed here in Manitoba. It addressed the broader need. It addressed the need to deal with this issue, yes, at the federal level, but it also talked about the provincial Government taking "a leading role in reducing emission levels." It makes further reference to the province taking a leading role in a number of other areas, and the impact of this amendment would be to delete those words.

The impact of this amendment is to go and put the onus back on the federal Government and basically to talk about the provincial Government doing nothing more than "working cooperatively with the federal Government and other provincial administrations." It is not that I disagree that they should be working cooperatively. What I disagree with in this amendment is the fact that is substituting the very clear reference in the initial resolution that called for the provincial Government to take a lead role in this very important issue.

Let us talk about what is at stake. The last couple of years, really, we have only begun to realize the potential devastating impacts that we could be faced with because of the deterioration of the ozone layer. It is because, once again, of our inability to see the impact of man's activities, and see it early enough to take action.

There have been serious problems that have been caused by the production and use of CFCs, which the Member for The Pas (Mr. Harapiak) talked about earlier, that have led to clear indication that there are major shifts in weather patterns. There was reference, too, I notice, by the Member for The Pas, to the fact that in the Antarctic there is even a situation that has developed where the ozone layer has been virtually depleted and there is clear evidence of that. There has been increasing concern just within the last 18 months about just how important of an issue this is, how major a problem we are faced with.

The Member for The Pas once again referenced the fact that there was the Montreal accord and the fact that people have increasingly seen that those goals of reducing, over a period of time, the production and use of CFCs by approximately 50 percent, I believe, are just inadequate. There is talk now about the need for reduction in the range of 85 percent, and that is based on the evidence that we have seen in the last year and a half of how devastating this problem could be unless we move quickly. It is in that context I think we have to see this resolution and the amendment to the resolution.

Perhaps, if it was a minor environmental problem, it might be okay for Manitoba to, once again, "work cooperatively," to use the phrase from the amendment, with the federal Government of other Governments. I think it is important enough that here in Manitoba, rather than just going to a provincial conference of Ministers of the Environment and saying, yes, we agree it is a problem, that we develop practical steps here in Manitoba within our jurisdiction to reduce the use of CFCs. I really think that is important, because that is basically exactly what we are talking about when we are dealing with this particular issue, just how urgent it is. Quite frankly, as I said, I am amazed at the Minister of Environment (Mr. Connery), instead of standing up and saying yes, I support this Bill—the Minister that is always talking about concern, not too much action but talks about concern—basically stood up and for the first 15 minutes of his comments I thought he was going to support the resolution.

But what he has done by this rather sneakily-worded amendment and I use that because he said, oh, it really just "proves the resolution," is he has changed the bottom line. He has moved the onus off the provincial Government and basically put it entirely on the federal and other Governments. Mr. Speaker, that is not acceptable.

The reason we brought in this resolution is not because we wanted to debate a problem and get up and say how concerned we are, we wanted to bring in this resolution because we wanted two things. He has to recognize there is a problem, a concern, but second of all, we wanted action. That should really

come as no surprise for those of us who have been watching the Minister of Environment (Mr. Connery). You know, we have seen him do basically two things. He has this standard programmed answer when anything comes up to do with the environment. The first thing he usually says is, I am concerned about it. Of course, the next question that everybody is asking is, what is he going to do about it? There is usually very little that is ever to be done.

The second thing he does is he tries to say, oh, well, you can blame it on the previous Government for this, that, or the other—ignoring the fact as he has done in the last few days that the previous Government brought in, I would say, the best environment Act in Canada. He never mentions that and with good reason, because essentially he is trying to come up with excuses that do not require him to take action on the concerns that have been raised in this House. Once again, we are seeing this on this amendment.

The Minister for the Environment (Mr. Connery) is being derelict in his duty, I would say. His No. 1 duty should be to take action in terms of protecting the environment, not to stand up and pass the buck as he has done. He should get up and say, I recognize that there are things that can be done within provincial jurisdiction that can make a difference in terms of dealing with the problem of deterioration of the ozone, dealing with the use of CFCs. There are things that we can do here in Manitoba.

The Member for The Pas (Mr. Harapiak) has outlined that in the resolution. He further added to that in his comments in the debate. I do not intend to repeat that. I think basically he proved the point that things can be done here in Manitoba. So what I would say is, with all due respect to the Minister of the Environment (Mr. Connery), it is just not good enough to bring in an amendment like this, trying to disguise it as somehow a minor amendment, it changes the intent of the resolution.

I am sure I speak for all our caucus in saying we will not accept that. We intend to vote against this amendment and support the original resolution.

Mr. Speaker: The Honourable Member for Seven Oaks.

An Honourable Member: Question.

Mr. Speaker: The Honourable Minister for Northern and Native Affairs.

Hon. James Downey (Minister for Northern Affairs): Mr. Speaker, I wonder if it would be the consensus of the House to call it six o'clock.

Mr. Speaker: Is it the will of the House to call it six o'clock? The Honourable Minister for Northern and Native Affairs.

Mr. Downey: Well, Mr. Speaker, I asked the question whether it was the consensus of the House to call it six o'clock?

Mr. Speaker: No, it was not. No.

Mr. Downey: Well, Mr. Speaker, I rise to speak on the amendment—

Some Honourable Members: Oh, oh!

An Honourable Member: Six o'clock, they said six o'clock.

Mr. Downey: I rise to support the amendment introduced by my colleague, the Minister of Environment (Mr. Connery).

The whole question of where we are at today with the difficulties of the ozone layer and the greenhouse effect that is appearing to be happening in our country should not be taken lightly by any Member of any Legislative Assembly or by our society. When we look at the past few years that we have seen a definite change in the climate conditions, the fact that we are seeing an increase in our temperatures throughout the country and the province in which we live, I think we have to be prepared to deal with it in a very—not a way in which one has to be scared of what might be happening, but deal with it in a manner that is objective and prepare ourselves to cope with it.

When we look at the lack of moisture, the lack of rainfall, the continued lack in snowfall, we have before us a very serious situation. Of course, we have gone through debates this week about the Souris River and the difficulties that the Members opposite feel could be created because of the development of storage dams in Saskatchewan. I have to again remind these Members that, if we do not start protecting ourselves and our society in the conservation of water and we see a continuation of the greenhouse effect and the loss of the ozone layer and the impact that will have, then we are not acting responsibly. That is the kind of debate we heard here in the Legislature a few days ago from the Liberal Party, a very irresponsible debate trying to put before the public or trying to stop something that in fact could enhance this country and this province because of the impact of the greenhouse effect and the impact the removal or the loss of the ozone layer may have on our province.

I am today in receipt of a resolution of which the Member for Ellice (Ms. Gray) should be very, very familiar with. The Member for Ellice should be very familiar with the area in which I am now going to talk because of the resolution that I have received today.

Her former home, the community of which she has come from, is in a very serious situation as it relates to water flows on the Pipestone Creek. Pipestone Creek flows out of the Moosomin Dam, down into Oak Lake and eventually through the Plum Lake systems to the Souris River. The resolution from the R.M. of Pipestone is to ask the Saskatchewan Government to release water so that the people in Manitoba can have water in the Pipestone Creek in the Oak Lake system. How, Mr. Speaker, do you think the people of Saskatchewan are going to think about the Members opposite in the Government of Manitoba if we now ask for water out of the reservoir, which they had the foresight to build, when only three days ago the Liberal Party and the NDP were condemning them for trying to build more

storages. I would suggest, they are going to say to the people of Manitoba, you do not want water storages, then why should we give you any water out of the one in Moosomin. How foolish can they be?

An Honourable Member: You got the pumps all lined up waiting for the water to come down.

Mr. Downey: That is right. That is what I call irresponsible Opposition. We have a very, very serious situation developing when we are now going to be asking the Province of Saskatchewan for water out of the Moosomin Dam to supply water to our streams and our people because of the drought impact and the greenhouse effect. The Liberal Party and the NDP say it is a terrible thing for them to build a further reservoir to store more water so that we can have some of it down the road. That is the most irresponsible, most despicable thing that I have ever heard. The Member for Ellice (Ms. Gray), coming from that community, is going to deprive those people, her forefathers, that she was so pleased to tell us about in her first speech about her 4-H days, how she was so happy to come from that community, is prepared to see that community dry up on the vine because of her selfish political grandstanding. That, Mr. Speaker

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

Ms. Avis Gray (Ellice): I wonder if the House Leader (Mr. McCrae) on the opposite side could—he raised a point of order yesterday about my particular discussion on Rafferty-Alameda not being particularly relevant, and here we have the Member for Arthur (Mr. Downey) who is speaking about my 4-H days. Could the House Leader please explain the relevance of that to the Rafferty-Alameda Dam project?

Mr. Speaker: The Honourable Government House Leader, on the point of order.

Hon. James McCrae (Government House Leader): The Honourable Member for Ellice, who today reminds us that she is obviously a fan of Mr. T, brings to our attention the matter of relevancy. I can tell you one thing, Mr. Speaker, the Honourable Member for Arthur (Mr. Downey) is quite able to defend himself and really does not need my help on a frivolous point of order like this one raised by the Honourable Member for Ellice.

Mr. Speaker: Order, please. I would like to thank all Honourable Members for their input into this matter. The Honourable Member does not have a point of order.

Mr. Downey: To conclude my remarks, Mr. Speaker, what the amendment is telling or asking the Legislature to do is have all Governments work cooperatively, the Government of Canada, the Governments of western Canada and eastern Canada to work to protect the people against the impact of the loss of the ozone layer which in fact will encourage the greenhouse effect, which in fact will have a major impact on crop production. If the plant scientist who had joined us in this Legislature

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would have been aware of this earlier, he would have produced grains that would have in fact been able to cope with this increasing temperature, and we would have been able to maintain our yields. It is a demonstration of his failure in work capacity.

Anyway, to conclude my remarks, I would recommend all Members support the amendment brought forward

by the Minister of Environment (Mr. Connery), and look forward to voting in favour of that amendment.

Mr. Speaker: Order, please. The hour being 6 p.m., I have to interrupt the proceedings. When this matter is again before the House, the Honourable Minister will have eight minutes remaining.

This House is now adjourned and stands adjourned until 1:30 p.m. tomorrow (Thursday).