

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, October 18, 1989.

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Mr. Harold Gilleshammer (Chairman of Committees): Mr. Speaker, I beg to present the Second Report of the Standing Committee on Industrial Relations.

Mr. Clerk (William Remnant): Your Standing Committee on Industrial Relations presents the following as their Second Report:

Your committee met on Tuesday, October 10, 1989, at 10 a.m., in Room 255, and Tuesday, October 17, 1989, at 10 a.m., in Room 254 of the Legislative Building to consider Bills referred.

Your committee heard representations on Bill No. 54—The Highway Traffic Amendment Act (5); Loi no 5 modifiant le Code de la route, as follows:

Mr. Harvey Pollock—Citizens Against Impaired Driving.

Your committee has considered Bill No. 54—The Highway Traffic Amendment Act (5); Loi no 5 modifiant le Code de la route, and has agreed to report the same with the following amendments:

MOTION:

THAT Section 15 be struck out and the following substituted:

15. Subsection 263.2(6) is amended:

- (a) by adding "In a review under this section," before "The registrar";
- (b) in Clause (a), by striking out "or other information accompanying the application" and substituting "and any other relevant information"; and
- (c) in clause (d), by striking out "the evidence" and substituting "in addition to matters referred to in clauses (a), (b) and (c), any relevant evidence".

All of which is respectfully submitted.

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

MOTION presented and carried.

MINISTERIAL STATEMENTS

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, I would like to make a ministerial statement and I have copies for the Members of the Opposition.

Mr. Speaker, I am please to announce today the Government's approval of some \$500,000 from Lotteries revenue to enable the Departments of Northern Affairs, and Culture, Heritage and Recreation to jointly deliver a two-year Northern Remote Community Recreation Program.

My colleague, the Honourable Bonnie Mitchelson, Minister of Culture, Heritage and Recreation and I are proud to participate in this joint program to stimulate recreational opportunities in northern Manitoba.

The need for increased northern recreation was clearly identified at a Remote Communities Recreation Conference held in Thompson in March of 1989.

Northern residents, community leaders and representatives from Native organizations identified at that conference the need for leadership at the community level to motivate northern residents to participate more fully in sports and recreation activities.

My Government believes recreation is a positive influence in the development of youth as increased opportunity for recreation will build leadership skills and motivate people of all ages to pursue leisure-time activities that are both enjoyable and personally satisfying.

My Government also recognizes the need for local leadership to organize recreation programs and to offer communities a diversity of activities to meet their individual needs. To provide this leadership at the community level, my Government is proposing to employ eight recreational directors to organize full community participation in recreational programs and to ensure these programs reflect the diverse needs of the region. My department will administer the two-year program and will be responsible for placement of the directors and setting of local recreation committees, while the Department of Culture, Heritage and Recreation will be responsible for providing training.

There are three fundamental principles on which this program will be based. First, the communities will participate fully in the hiring and program development. The second criteria is that the program will be flexible and adaptable to ensure that it reflects the diversity of the needs of the northern communities.

Finally, my Government is aiming for long-term community involvement and commitment to future recreational programs in the North.

Mr. Speaker, I would like to as well add that we have with us today a former NHL hockey player in the person of Mr. Jim Neilsen, who is visiting us in the gallery, who

will as well be carrying out other recreational activities with the northern and Native youth.

Mr. Herold Driedger (Niakwa): I am pleased to respond to this statement. I am encouraged by the fact that we have here a program that has been a long-standing necessity. We know that the remote northern communities have many youth who need recreational activity, who need to be involved in organizational sports. This is a program that can develop leadership ability and can promote the motivation, as the Minister has acknowledged.

I notice also in the statement he made that some of the lottery revenues that have been collected are returning back to some of the people who do contribute much to this kind of activity for raising revenues. This is encouraging and I am pleased to recognize that this is done.

I also noticed that they did reference the fact that they are going to be getting community involvement in the hiring program and in the development. I trust this will also mean that the people who will be hired will be Northerners and that the training provided will be for future development of the same kind of skill development that the program itself is supposed to initiate in the youth. This will also be done in the part of the program that is bringing the leadership to that. In that respect I am pleased this program has been introduced. It reflects of course the fact that it is necessary.

I would like to see that some of the same kind of thinking goes on into some of the economic activities that take place in these northern communities, because much of this recreational need is as a result of the fact that other areas, other things are unable to be done and consequently employment too should be one of the highest criteria, highest objectives of this particular Government.

Mr. Elijah Harper (Rupertsland): I am pleased to hear the Minister of Northern Affairs (Mr. Downey) announce this program. We are in favour of such a program.

However, there are a lot of programs that have been discontinued by this Government, changed criteria for the people in the North, such as the Jobs Fund. We had a \$2 million program in which many of the communities, such as Garden Hill Band, were denied some funds for job creation.

* (1340)

Also under the NDA, we are very concerned about the progress of the NDA in which many of these things would be negotiated to cost share the development in our north. I believe the Minister is not doing enough to ensure that the federal Government has that responsibility and I do not know whether this program includes the northern reserves to be able to participate in this program. If they are, how many dollars are they looking at? It seems to me that \$500,000 for a two-year period is not enough. As the Minister had indicated, we have a lot of unemployment and he know that the employment situation runs as high as 90 percent in

those communities. We have a lot of issue that this Minister has bungled including Treaty Land Entitlement, the urban-Native strategy. I believe some of those programs like LAPD in which Limestone Aboriginal program contributed about \$350,000 for the training of youth, I do not know whether this Government is continuing that process.

I have some questions and with this response that I am getting from the Minister I do not know whether I will get anything. If I go on for two years, I am sure he would give me the same answer.

I welcome this opportunity to have some funds, it is not a new idea. It is an idea which I started in the Department of Northern Affairs to provide some recreation funding in the North. So it is not something new that this Government has brought up. Thank you, Mr. Speaker.

Hon. Gary Filmon (Premier): I have a brief statement that I would like to make to the House, Mr. Speaker. I have copies for the Opposition.

There are reports today that federal Communications Minister Marcel Masse plans to introduce legislation tomorrow that will give the federal Government regulatory control over provincially owned telephone utilities. Such a move would take away local control and autonomy from the Manitoba Telephone System and all of its ratepayers.

Mr. Speaker, this is an unprecedented federal intrusion into provincial jurisdiction. It is a direct assault on the Prairies and a direct assault on our rural communities.

Regional sensitivity is essential in regulating any publicly-owned body such as Manitoba Telephone System, which is mandated to serve all Manitobans regardless of where they choose to live in this province. As such, provincial responsibility for telecommunications is essential to protect consumers and to ensure telephone rates are sensitive to the needs of smaller and rural communities.

It is our understanding that under the federal Government's plan, the Public Utilities Board of Manitoba will lose all of its rights to regulate a Manitoba Crown Corporation and as such, remove the opportunity for Manitobans to be involved in managing the company which they rightfully own.

As Premier of Manitoba I am shocked and disappointed that the federal Government apparently has deemed it appropriate to exercise its regulatory muscle at the expense of Manitoba Telephone customers.

Mr. Speaker, this flies in the face of a recent Supreme Court of Canada decision involving Alberta Government Telephones. The Supreme Court ruled that telephone companies owned by the three prairie provincial Governments enjoy Crown immunity from federal jurisdiction. The federal Government has now deemed it appropriate to override the paramountcy of Crown immunity and take over regulatory control of Manitoba Telephone System.

Mr. Speaker, the federal Minister gave his word to this Government that there would be consultation before

such action would be considered. No such consultation has taken place.— (interjection)—

Mr. Speaker: Order, please. The Honourable Member will have an opportunity to get his remarks on the record. The Honourable the First Minister.

Mr. Filmon: There has been no consultation to address the concerns of ordinary Manitobans who depend on their provincial telephone system and who now through careful management of the Crown corporation enjoy among the lowest telephone rates in the country. Under the federal plan, as we understand it, these rates will be jeopardized with rates set by a regulatory body far removed from the realities and sensitivities of Manitoba.

I, as Premier, along with my Minister of Telecommunications, the Honourable Glen Findlay, will not accept this unilateral action by the federal Government. In the interests of protecting all Manitobans, our Government—my Ministers and I—will fight this decision with whatever means we have at our disposal including legal action.

Mrs. Sharon Carstairs (Leader of the Opposition): We too were shocked to learn this morning that legislation was already drafted and ready for presentation in the House of Commons tomorrow on the Railways Act, which would in fact impinge severely upon the ability of the Manitoba Telephone System and the Public Utilities Board in the Province of Manitoba to carry out their mandate as presently legislated.

We are pleased that the Premier has finally stood up to his federal counterparts on something that impacts on the Province of Manitoba. We certainly have heard little of anything on VIA, little of anything on UIC, little of anything on base closures, little of anything on grains payments, little of anything on GST from the Government; but more importantly, Mr. Speaker, we want to know where the Cabinet Ministers, representing the same political Party as the Premier of this province, have been while this legislation was presented to Cabinet and so is now in the position that it is ready to be presented to the people of Canada? Where was Jake Epp? Where was Charlie Mayer? Where is there no ability from our federal Conservative Members of Parliament and Cabinet to stand up to the needs of Manitobans.

Mr. Speaker, the Manitoba Telephone System and the Public Utilities Board must have the ability to continue with the mandate of service. Local service at local service rates will be severely impacted by this decision of the federal Government. It is intolerable, it is unacceptable and let us make sure that this ministerial statement by the Premier today is not the only action he takes.

Mr. Gary Doer (Leader of the Second Opposition): Mr. Speaker, it is a disgrace that has happened to the Province of Manitoba and western Canada with the announcement by the federal Government today. I would remind Members of this Chamber that when the original court decision came out, we warned the people of Manitoba and western Canada that this would be

the inevitable result because that was the action the federal Tories wanted to take, and roll the tape back, what the Minister said with the court decision, and roll the tape back, what the Premier said: oh, this is a good decision for Manitoba; oh, this will not hurt us at all; oh, the NDP is scaremongering. Roll the tape back because three to four weeks ago this Government should have got in and fought for western telephone systems, non-profit systems that have brought telephones to the North, to the farms and provided the lowest rates in North America—not today.

Mr. Speaker, we implored the Government then to get involved and these last minute fights are not going to work. You have got to be fighting from the day the gun is rung in terms of the fight-back campaign. You cannot surrender at the last minute as this Government does. Oh, yes, they will send out a press release, and they will bring it up at the First Minister's conference but nothing is happening. We are losing every battle.

Rural western Canada is being destroyed. It is the post offices in rural Manitoba, in western Canada, it is VIA Rail, it is Rural Economic Development grants. This country is destroying the regions. The publicly owned telephone system is just part of the break of our infrastructure and our quality of life in this country.

* (1350)

In conclusion, we sat and fought with Flora MacDonald until three in the morning to stop the takeover of the telephone system by the federal Government. We fought against Francis Fox when the Liberals wanted to do the same thing in terms of deregulating the Canadian telephone system.

I believe it is essential to fight this as much as we can, because the inevitable results will be that rates will go up 40 to 50 percent on the first step of the loss of our Telephone System with federal regulation and a deregulated free trade North American telecommunications environment.

Hon. Gerrie Hammond (Minister of Labour): I have a ministerial statement, Mr. Speaker.

Today is the 60th anniversary of Person's Day. Person's Day marks the first official recognition of women as having rights and privileges as "persons" in society.

Last year my colleague, the Honourable Charlotte Oleson, as the then Minister responsible for the Status of Women, announced the Women's Initiative, and I had the pleasure of chairing that initiative.

The Women's Initiative visited 24 communities in Manitoba and heard from over 1,000 women. The consulting committee submitted a report last March, on International Women's Day, that made 94 recommendations. It is my pleasure to announce that the majority of those recommendations have been acted on or are in process today.

We have heard major announcements that will mean a revamped and better funded wife abuse system that will see two crisis lines being funded in the upcoming year and two new shelters being opened, one designed for aboriginal women and Osborne House's new facility.

We are seeing a court system that is becoming more sensitive to the issues of domestic violence through training of Crown prosecutors and judges.

We have seen the introduction of a domestic violence tracking system that will monitor domestic violence cases so any problems in the courts can be identified and corrected.

We have seen the decentralization of my own department, the Manitoba Women's Directorate, to The Pas and Portage la Prairie so women can have better access to information.

We have seen education and training initiatives of far reaching proportions, distance education, augmentation of efforts to attract women into alternate occupations, and increases in such programs as Single Parent Job Access.

We are initiating programs that will make the existing systems more responsive to women. Beginning in January, single-parent families will have immediate access to the provincial social assistance program.

We know that women's issues have maintained a high profile. Issues are being treated with interest and concern as they are identified.

We have heard the Premier (Mr. Filmon) announce, at the request of Manitoba women in Government, an audit of the Civil Service, to identify any problem areas that may mean women do not have equitable access to all Civil Service jobs. This Government has maintained its commitments that women are persons in Manitoba and I would like to salute my women colleagues in the House and all women in Manitoba on this Person's Day.

Ms. Avis Gray (Ellice): Mr. Speaker, certainly we on this side of the House join with the Government in the celebration of Person's Day. We do not, however, quite have the same idea that in fact the recommendations of the Women's Initiative have by and large been completed by this Government. I think as we listen to the Minister this afternoon speak about the programs that they have put in place, one sees that in the area of some programs for women in regard to family violence, we have seen some moves. But there are a lot of other gaps in service and needs that were identified by women across the Province of Manitoba and those have not been addressed at all by this Minister or by this Government.

We waited for an implementation plan from the Women's Initiative team to be tabled in this House. We have yet to see those recommendations. We have yet to see that plan and it is five months later, Mr. Speaker.

We heard about the needs of women in rural Manitoba in regard to family counselling services, services in the area of mental health for women. We have yet to see any of those issues addressed. We still have the Women's Post-Treatment Centre with waiting lists of one year in order for women to get service. We still have the Fort Garry Women's Resource Centre with waiting lists of four months in order for women to get service. We still have rural and northern Manitoba who do not even have those resources.

I think that for the Minister to leave the illusion that they have moved far ahead in the area of the Women's Initiative and what those recommendations are, I say that they have not. We even have a situation where the shelters have got together for a conference and want to form a Manitoba coalition of shelters and the Government refused to send a representative, and at this point is not even recognizing this valuable organization as an advocacy group of the shelter. So I ask the Government, Mr. Speaker, where really is their commitment to women and to women's issue?

They talk about an audit of the Civil Service and, yes, we welcome that audit. It will take a long time. It will take probably months and months and months, but in the meantime we have a Government who deliberately defies the civil servants and what is going on and what is going to happen in the short term.

In summing up, Mr. Speaker, although we have seen some changes for wife abuse and in the shelter system, we have a Women's Initiative Report that dealt with many, many problems and very, very few of those issues have been addressed at all.

Ms. Judy Wasylycia-Leis (St. Johns): Mr. Speaker, on behalf of my caucus I would like to recognize this special day, the 60th anniversary of the Person's Case pay tribute to those women who championed that cause back in the early 1900s, the women by the names of Emily Murphy; Nellie McClung; Louise McKinney; Irene Parleby and Henrietta Muir Edwards, those women who championed the cause and fought a decision, a court ruling that said women are persons in matters of pains and penalties but not persons in matters of rights and privileges. On that same note, I want to pay tribute to all the women of this province who have pioneered so much on behalf of women's equality and worked to achieve so much.

Mr. Speaker, I want to admire the courage of this Government to stand up today and acknowledge Person's Day, acknowledge the 60th anniversary of this historic development on the day after it has snubbed its noses at the child care profession made up of over 90 percent women and said that they are not worth more than the \$15,000, \$16,000 a year they earn for providing incredible service to this province, to this country.

Mr. Speaker, not only has this Government snubbed its nose at the majority of women in the child care profession, it has refused to act on every significant area facing women in this province. It has studied the issues time and time again but refused to act. Not only has this Government refused to act on quality child care and recognition for child care workers, it has refused to move on pay equity legislation. Sixteen months or more this Government has been in power and it has still only said it is studying the question of extending pay equity to school boards, municipalities and the private sector.

Mr. Speaker, this Government two weeks ago tabled the report of the Advisory Council on the Status of Women which gave a scathing report card to this Government on every area of possible action for women.

It gave it a scathing report on day care, on pay equity, on the treatment of abused women in our justice system in terms of counselling services for women, in terms of not a single penny going to women's groups to help study the important issues of reproductive technologies, and the list goes on.

* (1400)

Today, Mr. Speaker, this Government has nothing to be proud of. The women have nothing to be proud of, and I think if they are serious about celebrating the 60th Anniversary of Person's Day, then they better put their money where their mouth is and start doing something on behalf of women and equality between women and men.

TABLING OF REPORTS

Hon. Edward Connery (Minister of Co-operative, Consumer and Corporate Affairs): Mr. Speaker, it is my pleasure to table the Annual Report of the Co-operative Promotion Board for 1987-88.

INTRODUCTION OF BILLS

BILL NO. 61—THE CITY OF WINNIPEG AMENDMENT ACT (2)

Hon. Gerald Ducharme (Minister of Housing) introduced, by leave, Bill No. 61, The City of Winnipeg Amendment Act (2); Loi no 2 modifiant la Loi sur la Ville de Winnipeg.

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

Hon. Edward Connery (Minister of Co-operative, Consumer and Corporate Affairs) introduced, by leave, Bill No. 63, The Consumer Protection Amendment Act (3); Loi no 3 modifiant la Loi sur la protection du consommateur.

BILL NO. 64—THE BUSINESS PRACTICES ACT

Hon. Edward Connery (Minister of Co-operative, Consumer and Corporate Affairs) introduced, by leave, Bill No. 64, The Business Practices Act; Loi sur les pratiques commerciales. (Recommended by His Honour the Lieutenant-Governor)

BILL NO. 65—THE FATALITY INQUIRIES ACT

Hon. James McCrae (Minister of Justice and Attorney General) introduced, by leave, Bill No. 65, The Fatality Inquiries Act; Loi sur les enquêtes médico-légales. (Recommended by His Honour the Lieutenant-Governor)

BILL NO. 66—THE SUMMARY CONVICTIONS AMENDMENT ACT

Hon. James McCrae (Minister of Justice and Attorney General) introduced, by leave, Bill No. 66, The Summary Convictions Amendment Act; Loi modifiant la Loi sur les poursuites sommaires.

INTRODUCTION OF GUESTS

Mr. Speaker: Prior to Oral Questions, may I direct Honourable Members' attention to the gallery where we have from the Princess Elizabeth School, thirty Grade 5 students under the direction of Anne Brow. This school is located in the constituency of the Honourable Member for Minnedosa (Mr. Gilleshammer).

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

ORAL QUESTION PERIOD

Tartan Lake Mine Closure

Mr. Paul Edwards (St. James): Mr. Speaker, my question is for the Minister of Energy and Mines (Mr. Neufeld).

Today we have learned, as this Government has, that another 87 Manitobans will lose their jobs as a result of the decision to close the Tartan mine near Flin Flon. This Minister indicated in the House two days ago, and I quote, the Tartan Lake mine may indeed close. How long has this Minister known that this mine would close and what did he do with that information, if anything?

Hon. Harold Neufeld (Minister of Energy and Mines): Mr. Speaker, the principles of Tartan Lake mine announced the closure today. It has been known in the mining community for some time that they were losing money.

The cost of production for Tartan Lake mine gold is approximately \$408 an ounce U.S., not counting the capital write-offs. As we all know, gold sells for about \$365 an ounce U.S. today and for that reason Tartan Lake has closed.

The ownership of Tartan Lake mine has changed recently. The new owners have indicated that they want to follow exploration for base metals. We encourage that because the greenstone belt in the Flin Flon and Snow Lake area is rich in base metals and we do believe that if they continue exploration in that area they will find deposits that have not yet been located.

Northern Communities Mining Closure Impact

Mr. Paul Edwards (St. James): The Minister indicates that the mining community has known for some time. I assume that he has known for some time.

Mr. Speaker, again for the same Minister, what the Minister clearly knows and has known for some time as well is that with the closure of the Lynn Lake mine

and now this closure, the mining industry in this province is in trouble. What other communities in northern Manitoba are at risk of losing jobs? Perhaps he can fill his colleagues in this time prior to the axe falling so that the Government can be prepared to protect the people and jobs in northern Manitoba.

Hon. Harold Neufeld (Minister of Energy and Mines): Mr. Speaker, Tartan Lake mine does not represent an isolated community. The miners at Tartan Lake all come from the Flin Flon area. It is not as though a community is closing up.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, order.

Mr. Neufeld: Mr. Speaker, it would be unfair of us to make comment of mines who are in danger of closing. The mines are publicly traded corporations and if we were to start announcing on behalf of the owners of the mine that they were in danger of closing it would not be fair to the owners, it would not be fair to the investors, it would not be fair to anybody at all.

* (1410)

Tartan Lake Mine Labour Adjustment Strategy

Mr. Paul Edwards (St. James): Mr. Speaker, if this Minister does not think that those 87 employees are not going to have an effect on the community of Flin Flon he better wake up. They are members of that community and it is going to have a very, very serious effect on that community. Did the Minister—we assume he has known for some time this closure was coming—take the time to walk up the hall to his colleague, the Minister of Labour (Mrs. Hammond) so that she could get some pro-active work in place in the Labour Adjustment Branch that would protect these jobs and keep these people in Manitoba?

Hon. Harold Neufeld (Minister of Energy and Mines): Mr. Speaker, the Minister of Labour (Mrs. Hammond) is aware of what is happening and was aware of what was about to happen at Tartan Lake and has been working and has continued to work in the interests of the miners at Tartan Lake.

Tartan Lake Mine Labour Adjustment Strategy

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

Mr. Paul Edwards (St. James): I have a new question to the Minister of Labour (Mrs. Hammond). The job losses in this province since this Government took office are now in the thousands. The Free Trade Agreement, the callousness and short-sightedness of the federal counterparts in Ottawa, and now the impending GST which is going to severely affect this province have put this province in deep trouble in terms of the labour

environment and this Government is asleep at the switch. There is no more telling evidence of that than the lip service given by this Minister to the labour adjustment needs of this province. The letter announcing the closing states that operations will be suspended as soon as this can be accomplished. My question is—

Mr. Speaker: Will the Honourable Member for St. James kindly put his question?

Mr. Edwards: My question is—

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

Hon. James McCrae (Government House Leader): Mr. Speaker, the Honourable Member for St. James is notorious in this House for his lengthy preambles, not only to his first questions but to all his subsequent supplementary questions. I would ask that he be called to order and not allowed to carry on with these lengthy preambles.

Mr. Speaker: I would like to thank the Honourable Government House Leader. The Honourable Opposition House Leader, on the same point of order.

Mr. Reg Alcock (Opposition House Leader): On the same point of order, Mr. Speaker, the Government House Leader knows full well the arrangements that have been made. The Member is speaking on a new question and considerable latitude has been allowed the first questioners.

Mr. Speaker: I would like to thank both Honourable Members.—(interjection)—Order, please. The Honourable Member for St. James was just going to put his question.

Mr. Edwards: What contact has this Minister had with the company and the union to ensure that a labour adjustment strategy is in place and has done its job before these employees stop getting pay cheques, given that the letter to the Minister specifically states that these jobs will be lost as soon as this can be accomplished?

Hon. Gerrie Hammond (Minister of Labour): I think that the Member probably knows there is a period that a company has to give before people are laid off in this type of a situation, and that the labour adjustment unit—the staff have been in contact, they will be in contact today to see if they wish a labour adjustment unit started at the mine.

Mr. Edwards: In fact that period in this case, by the advice of the company, will be 10 weeks.

What are this Minister's department's specific plans to get up to Flin Flon and start job counselling and start retraining procedures tomorrow given that this Government, by the admission of its Minister of Energy

and Mines (Mr. Neufeld), has known for some time that this is coming?

Mrs. Hammond: Labour adjustment units cannot go into a firm until we have been formally notified that there is going to be a closure. There is a procedure that they go through, and one of the areas that they have to do is that they have to survey the people who are going to be laid off to see what kind of help they need. We need to know their work background, the types of things that they need, what kind of retraining, and it is a very individual process and we will get moving on it immediately.

Hon. Harold Neufeld (Minister of Energy and Mines): A point of order, Mr. Speaker.

Mr. Speaker: The Honourable Minister of Energy and Mines, on a point of order.

Mr. Neufeld: The Member for St. James (Mr. Edwards) indicated that I had said that I knew they were going out of business. What I said, it was well-known in the mining community that they were in trouble, but there is a big difference between being in trouble and going out of business.

Mr. Speaker: The Honourable Minister does not have a point of order. A dispute over the facts—(interjection)—Order. Order, please. Are there Honourable Members wishing to carry on private conversations here?

Labour Adjustment Industry Analysis

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

Mr. Paul Edwards (St. James): Mr. Speaker, finally this is for the Minister of Labour (Mrs. Hammond). In fact, the de Grandpré Report indicates that labour adjustment branches in this country have to be pro-active and industry-specific. My question is: what is this Government doing to in fact be pro-active in the area of labour adjustment, and specifically, what industry analyses have been done by the labour adjustment branch to prepare this province for these increasingly common layoffs, given that the de Grandpré Report specifically mandates that they should be doing that now, and Manitoba is getting hurt worse than any province in this country?

* (1420)

Hon. Gerrie Hammond (Minister of Labour): Mr. Speaker, to my honourable friend from St. James, as a matter of fact the labour adjustment unit has been very successful in relocating people into other trades or jobs. I would like to say that we are very pro-active in the fact that the minute that we get a notice the department gets right in touch with the employees and the employer and they get something immediately started. So they are working with the employees, with the employers, to make sure that they all get jobs.

Manitoba Telephone System Jurisdictional Control

Mr. Gary Doer (Leader of the Second Opposition): Mr. Speaker, in the early '80s when the Telephone System and its ability to service Manitobans and western Canadians was threatened, there was a grass-roots movement developed with Governments, municipalities, consumers, seniors, other groups in our province, to fight the possible takeover of the Telephone System by the federal Government, and to fight the deregulation and competitive environment.

My question to the First Minister (Mr. Filmon) is: has there been any strategy at all by this Government to fight the federal Government in terms of its potential takeover of this Telephone System, and why has this Government not developed a grass-roots campaign so that we did not find ourselves with legislation that is proposed for tomorrow in the House of Commons?

Hon. Gary Filmon (Premier): Mr. Speaker, the Leader of the New Democratic Party continues to promote their style of politics which is to gather pep rallies together to try and create political support for themselves, but not to accomplish a purpose. Our purpose, Mr. Speaker, is to retain our jurisdictional control over the Telephone System.—(interjection)—

Mr. Speaker: Order.

Mr. Filmon: The New Democrats are not interested in hearing the answer.

Mr. Doer: Mr. Speaker, yes, we are interested in the answer. Your style is to surrender on every issue. You surrender on every issue instead of working with the people of Manitoba to stop these decisions.

My question to the Premier is—he did not answer why he did not develop a grass-roots campaign of Manitobans to fight this decision—did he discuss this issue and his objections, and our Government's and people of Manitoba's objections to any possible takeover, with the Prime Minister of this country in any discussions he had with the Prime Minister?

Mr. Filmon: Mr. Speaker, I can tell the Leader of the New Democratic Party that I made those objections clearly known to the Honourable Marcel Masse less than 10 days ago when he was in Winnipeg. I can tell—(interjection)—

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

Mr. Filmon: Mr. Speaker, clearly the Leader of the New Democratic Party has no control over the rabble in his backbenches. They all want to go on with their rabble-rousing with no interest in the issues of the day, with no concern about this serious issue to the people of Manitoba. They want to talk about pep rallies and disorganized rabble around here.

Mr. Speaker, that is not the issue before us. The issue is jurisdictional control. My Minister responsible for

Telecommunications has met not only with the Honourable Marcel Masse and expressed our very, very grave concerns and our total opposition to any move by the federal Government to take over jurisdiction. He has also met with and discussed the issue with his counterparts in Alberta and Saskatchewan. I might say that a similar announcement to the one that we made today is being made in the Saskatchewan Legislature today by the Honourable Grant Devine and his Minister responsible, Gary Lane. We are prepared to fight the federal Government with everything at our disposal, including whatever legal action is necessary under the circumstances to ensure that the federal Government knows that we do not want this takeover, and we will use everything and every power under our control to fight it.

Mr. Doer: The answer to my question, Mr. Speaker, is no, you did not contact the Prime Minister, you will not call for a First Ministers' meeting on VIA Rail, you will not fight the Prime Minister on other cutbacks in Manitoba, you cannot get a meeting on the basis of Manitoba's cutbacks in the province.

My question to the Premier (Mr. Filmon) is: why is he afraid to escalate our legitimate concerns to the Prime Minister and call on the Prime Minister to reverse this decision and fire Marcel Masse for taking away the authority of the telephone systems from western Canadian publicly owned corporations?

Mr. Filmon: Mr. Speaker, not only will I call on the federal Prime Minister who is away now overseas, if the Leader of the New Democratic Party (Mr. Doer) follows the news media, just as the Leader of the New Democratic Party was away when there was a day care rally here, the fact of the matter is that we will not only contact the federal Prime Minister and let him know that we are opposed to this and that we are going to take every step under our jurisdiction, including legal action to fight him on this issue, but we are also gaining the support of the other prairie provinces who will be similarly affected, and ensuring that we will have a joint action against Ottawa of all three provinces, because that is the best way for us to fight this issue.

Mr. Doer: Mr. Speaker, some of us do not have perimeter vision. We are outside of the City of Winnipeg on certain days.

My question to the First Minister, given the fact that the court case came down on August 14 and that many of us at that point described the situation as serious in terms of the jeopardy of our telephone systems, and given the fact that Manitoba had a joint agreement with all provinces a couple of years ago on terms of the jurisdiction of the telephone system, not just western provinces, my question to the First Minister (Mr. Filmon) is: is his lack of communication and contact with the Prime Minister on this issue a matter of being afraid of dealing with the Prime Minister or is it just naivety in terms of the court decision in terms of the Province of Manitoba?

Mr. Filmon: Mr. Speaker, let me begin by saying that—

Mr. Speaker: Order.

Mr. Filmon: —I again suggest to the Leader of the New Democratic Party (Mr. Doer) that he control his backbenchers. If they have a question that they want to be answered I will be happy to do so, but not with the nonsense that is going on from that side of the House.

Mr. Speaker: Order, order. The Honourable First Minister.

Mr. Filmon: Mr. Speaker, when the Supreme Court decision came down it provided for jurisdiction of the prairie provinces with their Crown-owned utilities over the telecommunications in our province. Under those circumstances, that was a victory for us.

What happened of course was—what is apparently happening is that the federal Government unilaterally is going to change legislation to remove that jurisdiction. There is a difference quite evidently that does not flow naturally from the Supreme Court decision. The Supreme Court upheld the jurisdiction of the prairie provinces and their Crown-owned utilities.

* (1430)

I might say that with respect to the telecommunications issue—I raised this at the Western Premiers' Conference and I raised it again at the Premiers' Conference in Quebec City and indeed there is support—

CN Rail Rail Line Abandonment

Mrs. Sharon Carstairs (Leader of the Opposition): Mr. Speaker, the federal Government has taken unilateral action almost consistently since this Government took office some 17 months ago, and we have heard barely whimpers out of the Government as the official representative of this province.

Perhaps the Premier (Mr. Filmon) should learn that leadership anticipates action. It just does not react to action.

Mr. Speaker, during the 17 months of this Government's administration, CN has cancelled \$16.6 million for upgrading of CN lines. CN has also abandoned the line from Optic Lake to Snow Lake and applied for abandonment of the rail line from Neepawa to Russell. My question to the Premier is, in that Mr. Lawless announced yesterday a further 4 percent which is the legal limit under NTA of rail lines cut this year, how many rail lines in Manitoba are now going to be affected by this recently announced abandonment program?

Hon. Gary Filmon (Premier): I wish that the leader of the Liberal Party would make up her mind. You know, when we went to Ottawa, twice with respect to the Portage air base closure, she said why do you not talk to the Prime Minister, Mr. Speaker. So I went to Ottawa and I spoke to the Prime Minister about the Portage base closure. She said I should not have been talking about the Portage base closure and economic

development for Manitoba, I should have been talking about something else. The Leader of the Liberal Party cannot make up her mind.

With respect to issues to do with transportation and any of those matters with regard to CN, those matters are being handled by the Minister of Transportation (Mr. Albert Driedger), and if she wants to ask any questions of the Minister of Transportation on what he has done to protect the interests of Manitoba, with respect to VIA rail cutbacks, transportation cutbacks in the federal sector of any sort, she is welcome to ask that question.

Mrs. Carstairs: Mr. Speaker, let us make the record straight. He went to Ottawa with Portage la Prairie people. He did not get to see the Prime Minister of this country, he got to see the Minister.

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

Hon. James McCrae (Government House Leader): The Honourable Leader of the Opposition is not the lead-off speaker today in Question Period. She yielded the floor earlier to the Honourable Member for St. James (Mr. Edwards), who the Honourable Member for Osborne (Mr. Alcock) reminds us should be given latitude because he was lead off questioner. Now, we find the Leader of the Opposition later on in the Question Period engaging in lengthy speeches during the course of preambles to questions, and we know that preambles are not part of supplementary questions. So I ask you to bring the Honourable Leader of the Opposition to order.- (interjection)- Which way do you want to have it?

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

Mr. Reg Alcock (Opposition House Leader): Mr. Speaker, I can understand the Government's embarrassment on this issue, and I can understand the need to buy a little time for his Premier to think up his answer. But, Mr. Speaker, we of this side have faith in your ability to determine the length of the preamble.

Mr. Speaker: That is right. The Honourable Member for Thompson, on the same point of order.

Mr. Steve Ashton (Second Opposition House Leader): On the point of order, Mr. Speaker, I do not know why the Government House Leader currently has such a great interest in the length of preambles. I would suggest if he wants to have better use of time he should start by talking to his Ministers to ask them to have more brief and to the point answers. I think that would assist us far more than these points of order that he has risen on repeatedly in this particular Session.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order. Order. I would like to remind all Honourable Members that answers to questions should be as brief as possible, supplementary questions asked to not require a preamble.

Federal Operations Job Layoffs

Mrs. Sharon Carstairs (Leader of the Opposition): With a question to the Premier who forgets to raise issues with the Prime Minister. Since he took office, Manitoba has lost 633 jobs. Can the Minister tell us how many of the additional 100 jobs announced yesterday are going to take place here in the Province of Manitoba?

Hon. Gary Filmon (Premier): Mr. Speaker, I would think that the Leader of the Liberal Party would be interested in knowing that there are 19,000 more people employed in Manitoba than when we took Government. It represents an increase, a net increase, of more than 1,000 jobs a month since we have taken Government. I would think that she would be happy with that, Mr. Speaker, but of course she is always negative; she is always critical; she always looks at the dark side of everything. She goes throughout this province to Toronto, to Ottawa, to the East Coast, to the West Coast, saying that Manitoba is a have-not province. She bad mouths, she poor mouths this province. I would think that she would be ashamed to ask a question like that in this House.

CN Rail Rail Line Abandonment

Mrs. Sharon Carstairs (Leader of the Opposition): Mr. Speaker, if we have finished the premierial temper tantrum, perhaps he would like to now answer this question? Can the Premier tell us what action his Government has taken with regard to the announcement yesterday that the maximum figure for rail line abandonment will be applied in this fiscal year?

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, in reply to the Leader of the Opposition's questions regarding our position on rail abandonment, I have to indicate that our position, which was formulated under the previous administration together with the three other western provinces, has always been the same from way back. We put forward a proposal to the federal Minister and the federal Government in terms of our proposal of how this should take effect. That was presented to the federal Minister in February of '89. That proposal went forward from the four provinces.

We received a reply on July 6, 1989, in which the federal Minister of Transport rejected the four western provinces' proposal that they put forward.

* (1440)

Mr. Speaker, we are proceeding and are hopeful that the annual review of the National Transportation Act

will result in policy changes being introduced in line with the western provinces' position to eliminate these long-standing barriers in the interests of both system efficiency and meeting the needs of all affected parties.

Municipal Works Yard Air Sampling

Mr. Harold Taylor (Wolseley): Mr. Speaker, silicon is a known cause of silicosis, a serious lung disease that leaves permanent debilitating scarring. Silicon dust also noticeably exacerbates breathing difficulties with people with other breathing problems. The Premier admitted only yesterday that the Municipal Works Yards have been an environmental problem for some years. My question is to the Minister of Urban Affairs (Mr. Ducharme). Will the Minister insist that the city immediately conduct air sampling and testing of dust blowing from those yards, testing which they are attempting to put off until spring, 1990?

Hon. Gerald Ducharme (Minister of Urban Affairs): Mr. Speaker, I will take that under advisement and pass it over to the Minister of Environment (Mr. Cummings).

Mr. Taylor: Mr. Speaker, the blowing of sand and dust in the yard has serious impacts on those with asthmatic conditions, particularly seniors and those in local day cares. Again to the same Minister, when can the day care and other children and other people bothered by breathing problems expect any relief? When can they be allowed to safely go outdoors at any time? Can the Minister address that, please?

Mr. Ducharme: Mr. Speaker, I am quite aware that the Member that is asking the question sat on the City Centre-Fort Rouge Community Committee for quite a length of time.- (interjection)-

Mr. Speaker: Order.

Mr. Ducharme: I know that the Minister of the Environment is continually working with the City of Winnipeg and I will pass that information on to the Minister of the Environment.

Relocation

Mr. Harold Taylor (Wolseley): Mr. Speaker, the Works Yard operations cause noise, traffic, and obviously air pollution problems. When will the Minister take a leadership role and initiate discussions with the City, with the goal being the relocation of those yards to a less sensitive site?

Hon. Gerald Ducharme (Minister of Urban Affairs): Mr. Speaker, I think the Premier explained yesterday, if that is what the Member is referring to. If the Member looks back in his past performances on dealing with these yards as a member of the Community Committee, he would not ask such a question.

Goods and Services Tax Impact on Manitoba

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, yesterday the Premier (Mr. Filmon) took three questions as notice. The Member for Osborne (Mr. Alcock) asked a question with respect to various impacts of the GST. Let me say that he showed some confusion in his question because of course there is a great difference as between the economic impact on the province and the fiscal impact as to the revenues of the Province of Manitoba.

Let me say, Mr. Speaker, that all the numbers that seem to be around are numbers that are legitimate and that stand. We sense that there could be an economic impact on the province, upwards of a quarter of a billion dollars. We sense that the direct fiscal impact on the revenue side of Government with respect to the implementation of the GST could be upwards of \$70 million. Furthermore, we sense that there may be an additional \$30 million on the expenditure side. So, Mr. Speaker, all the numbers add up.

The second question dealt with the tabling of a report.- (interjection)- Let me indicate to the Member opposite, the report that Ministers of Finance from across Canada discussed yesterday in Montreal is something that will be delivered to the Premiers for their consideration in their meeting next month, the First Ministers. At that time the Premiers will decide how that report is to be dealt with and in what fashion it will be released.

Mr. Speaker, I think most of the questions are now answered.

Northern Development Office Relocation

Mr. Elijah Harper (Rupertsland): Mr. Speaker, my question is to the Minister of Northern Affairs (Mr. Downey). I know he wants me to ask him some questions.

I knew he mentioned that I had been absent from the Chambers, but oftentimes some of our aboriginal beliefs and traditions take me away from the House. However, this time I was doing some work, and after the forest fire I did some practical research into the wildlife.

My question to the Minister is: does the Government consider it acceptable for the Northern Development office to be closed in Thompson, and also the staff being moved to Edmonton? How does this fit in with the Government's proposed commitment to decentralization?

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, I did not make any reference to the Member's absence from the House. I want to make that very clear.

I can tell him that the Minister or the Government of Manitoba are not moving anything out of Thompson. We are moving activities into Thompson which relates to northern development.

Northern Education Government Support

Mr. Elijah Harper (Rupertsland): The federal office is being moved to Edmonton.

However, I want to ask the Minister of Northern Affairs whether this Government or the Minister will commit to continued support on educational programs like social work, BUNTEP and northern nursing programs which have been part of the NDA funding process?

Also during the summer he participated in the Fast for Learning because the federal Government was cutting back on educational programs. Will he support those programs?

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, let me again put it on the record very clearly that this Government is very committed to development in the North and moving of offices to the North, the very opposite to what he and his Government were doing when they were in office.

Let me answer the second part of the question, Mr. Speaker. Yes, we do support educational and social programs that relate to northern Manitoba, but let me say, as has been demonstrated over the past few years, we still have some 90 percent unemployment that flows from the direction the previous administration had given to the Northern Development Agreement, as admitted by his speeches in the House. It is deplorable, the continued unemployment, and that is our objective, to create economic opportunities and jobs for his people in the North.

Aboriginal Leaders Government Support

Mr. Elijah Harper (Rupertsland): Mr. Speaker, will he take seriously the recommendations being made by the aboriginal leaders in northern Manitoba? I know that the Minister has been involved in the process. Will he take seriously the recommendations made by aboriginal people and not just the token input by aboriginal leaders?

* (1450)

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, I am not sure I was clear what the Member said, whether he referred to the token input of the aboriginal leaders. I would hope that is not what he said because I have not seen any tokenism come from the aboriginal leaders. I have seen very real and meaningful leadership come from the aboriginal leaders as it relates to education, a far greater concern than the Leader of the New Democratic Party (Mr. Doer) has shown in his last comments about the northern people when I just sat down a few minutes ago, his insincerity to solving problems in northern Manitoba.

Centre for Disease Control Site Selection Reversal

Mr. James Carr (Fort Rouge): Mr. Speaker, my question is for the Premier (Mr. Filmon). We were delighted to learn this morning, through a radio interview with the Honourable Jake Epp, that the federal Minister is prepared to rethink the decision to move the federal lab. The federal Minister has now said that he is prepared to look at the decision again should the council of the City of Winnipeg change its mind.

We were also very much encouraged by the remarks of the Premier (Mr. Filmon) yesterday, and we applaud the Premier for encouraging the council to do exactly that.

My question is very simple to the Premier. What form will this encouragement take?

Hon. Gary Filmon (Premier): I am not sure whether the Member for Fort Rouge (Mr. Carr) did not understand what I said yesterday or whether he still does not understand that the City of Winnipeg is the body who has to change its position, the council has to change its position.

One major opportunity for that to happen will be the election of a new City Council later this month. The mayor is onside with respect to this issue. In fact, he and I have been trading phone calls this morning, because I know he wants to talk further about the issue.

The federal Minister has indicated that the federal Government would be receptive to this, but what has to happen is for the new City Council to make the right decision this time around.

I have told them there will be a golden opportunity with the election of a new council to reconsider the issue, and I would hope he would start to go out and try and influence his friends on City Council to change their position so there will be a majority in favour of that downtown location.

Mr. Carr: I appreciated the challenge issued yesterday by the Premier, and I intend to take him up on it.

My question simply in return is: is he prepared to talk to some of his friends, Members of the Progressive Conservative Party, on City Hall, who voted the wrong way on that decision?

Mr. Filmon: That is a blockbuster. I may have difficulty with this one, Mr. Speaker.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. Let us give him a chance to answer to them.

Mr. Filmon: Yes, Mr. Speaker.

Site Selection Agreement

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

Mr. James Carr (Fort Rouge): Three levels of Government have co-operated in a number of ways in the City of Winnipeg, the North Portage Development Corporation, The Forks Corporation, Core Area One and Two and the Shoal Lake Agreement. Is the Premier prepared to participate in a three-level-of-Government solution to this problem?

Hon. Gary Filmon (Premier): The three-level solution only requires one level to make the decision. The federal Government has committed a \$96 million lab. The Member for Wolseley (Mr. Taylor) has already repeated the things I said about the land use inappropriateness of the current location of the yards, the possible environmental concerns and so on. All the good reasons are there.

I repeat, if what he is suggesting is that we dump millions of dollars on to the table and bribe the city councillors to do the decision that is right for the right reasons, I think he is crazy.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order. Order.

Water Resources Plumas District

Mr. Bill Uruski (Interlake): My question is to the Minister of Rural Development (Mr. Penner) responsible for water services in this province. Extensive studies to determine the best sources of water for the community of Plumas and district have been undertaken since the early '80s. PFRA, water resources and water services examined six possible alternatives and recommended a pipeline from the Assiniboine delta aquifer at Hammerstein (phonetic) to Plumas as the best and lowest cost option, while the Lake Manitoba alternative is being the most costly by at least 50 percent and being of poor quality.

I want to ask this Minister why he has acceded to the obvious political interference of the Member for Gladstone (Mrs. Oleson) and the Member of Parliament, the Honourable Charlie Mayer, in withholding this licence to the community, which was recommended by the Clean Environment Commission and issued by the Department of Environment on August 1.

Hon. Jack Penner (Minister of Rural Development): Mr. Speaker, I am somewhat surprised at the content of the question. If I remember correctly, last year during the debate on the Rafferty-Alameda, it was the Honourable Member from the area that indicated very clearly that we should make sure that we would not damage our most precious resource. That is our water—groundwater and service water. During that debate the opposition Members on both sides of the House indicated very clearly that we should assure Manitobans that those water resources would be maintained.

I am saying to the Honourable Member that it is our intent to assure ourselves that the studies that have been done are adequate and that the source of water that we will finally access to provide water to the West

Lake area will in fact be in the long term a sustainable supply.

* (1450)

Mr. Uruski: Mr. Speaker, can the Minister then explain why he, as Minister of Natural Resources in his department, issued new irrigation licences on that same aquifer while he is now denying the community of Plumas and district a source of water when they are short of water?

Mr. Penner: If memory serves me correctly, Mr. Speaker, the licences that the Honourable Member is referring to were two licences that were issued last year to irrigators in a severe drought situation when they in fact were in jeopardy of losing their crops. Those crops were dependent on keeping an industry that supplies a large number of jobs in rural Manitoba going. The Town of Carberry in fact depends on those jobs of that potato processing industry for their very survival. I am amazed now that the Honourable Member will imply that we should shut down that industry as well as shutting down the irrigation in that area.

Water Rights Act Violation

Mr. Bill Uruski (Interlake): Only 18 percent of that aquifer is committed. The irrigators are using eight times the amount of water that the West Lake project will use. Can this Minister indicate why he would violate The Water Rights Act which gives human consumption the prime use of water over potatoes and other irrigators when there is enough water for everybody? Why is he holding up that licence?

Hon. John Penner (Minister of Rural Development): Mr. Speaker, as I said in my first response to the Honourable Member, we were concerned that we would in fact source water for the West Lake area that would be a sustainable source and supply. We are not at all certain whether the aquifer can sustain the irrigation that is presently going on or the water use that is presently going on or whether we should allow others to access water from that area for supply. I think it is dependent and imperative that we make sure and ensure all Manitobans that the access that we make to supply water to that area is in fact a supply that will be sustained over a long period of time. That is the reason why the additional study is required.

Women's Initiative Action Plan

Ms. Avis Gray (Ellice): My question is for the Minister responsible for the Status of Women (Mrs. Hammond). Today the Minister has indicated in this House that the majority of recommendations through the Women's Initiative have been acted on or are in process.

Mr. Speaker, there are over 100 recommendations and there are at least 60 in this book that in fact have not been acted on. Now I know the Conservatives do not know what a majority is, but my question to the

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Minister is, will she please indicate to this House, by tabling in this House, what the specific action plan is from the Women's Initiative implementation team? We have been waiting for it for five months.

Hon. Gerrie Hammond (Minister of Labour): Mr. Speaker, we released the action plan some time ago. I will have to look and I think maybe the Member is having trouble counting today, I am sorry to say. We had 94 recommendations, not over 100, so we are well on our way to having all those recommendations implemented.

Mr. Speaker: The time for Oral Questions has expired.

NON-POLITICAL STATEMENT

Ms. Avis Gray (Ellice): May I have leave to make a non-political statement?

Mr. Speaker: Does the Honourable Member have leave to make a non-political statement?

Some Honourable Members: Leave.

Mr. Speaker: The Honourable Member for Ellice.

Ms. Gray: Mr. Speaker, I would like today to take this opportunity to indicate that this side of the House takes great pleasure in celebrating the 60th Anniversary of Person's Day. We know that Person's Day marks the official recognition of women having some rights and privileges as persons in our society, but lest we forget -(interjection)-

Mr. Speaker: Order, order. The Honourable Member for Ellice.

Ms. Gray: —we must also remember that some women were considered persons in 1929, but it was not until the early '60s that in fact our Inuit and Native women were in fact given the franchise.

I think as we look back over the history that it would be easy for women in Canada, and for people in Canada, to sometimes get the illusion that in fact we have progressed quickly in the last century in regard to the women's movement, in regard to women's rights. We now have more women in non-traditional careers. We have seen some move towards equal pay for work of equal value. We have access to child care and we have the franchise, but we must remember a quote that was given a number of years ago where an individual indicated, "Join the union girls because we must fight for equal pay for work of equal value." That particular statement was said by Susan B. Anthony in 1869. So we have had over 100 years and we have still have not been able to deal with that particular criteria.

I think, Mr. Speaker, it is important that as Person's Day that we look back on our successes of women in North America and in Canada and that we look forward to the future. We look forward to a movement where society's attitudes will change because they do need to change in regard to women and their equal place in society.

I am sure all women in this Legislature, and I am sure that all women in Manitoba, would join today in a celebration of Person's Day. Thank you, Mr. Speaker.

ORDERS OF THE DAY

* (1500)

Hon. James McCrae (Government House Leader): Mr. Speaker, would you be so kind as to call the Bills in the following order: Numbers 47 to 52, 54, 34, 42, 31, 32, 27, 6, and the remainder as listed on the Order Paper. If Bill 54 were to be concluded today, we would have His Honour come in today at 4:50 p.m. for Royal Assent.

SECOND READINGS

BILL NO. 47—THE DEPENDANTS RELIEF ACT

Hon. James McCrae (Minister of Justice and Attorney General) presented Bill No. 47, The Dependants Relief Act (Loi sur l'aide aux personnes à charge), for second reading, to be referred to a committee of this House.

MOTION presented.

Mr. McCrae: Mr. Speaker, as Honourable Members are aware, Bill 47 is the first of six Bills that constitute a package of reforms in the field of Family Law that grows out of a review process that has taken place over the last four years. In my remarks about Bill 47, I will provide the background that has led to all of the bills, and the principles that underlie these reforms. My remarks on the subsequent five Bills will therefore be much shorter. Clause-by-clause explanations of all the Bills will be provided to Opposition Critics.

Family Law reform has taken place in phases with the first major overhaul and modernization taking place in the late '70s when The Family Maintenance Act and The Marital Property Act were passed. Those two Acts still constitute the cornerstone of Family Law in Manitoba, although they have, naturally, been amended in detail since.

Under the previous NDP administration, significant reforms were carried through in the administration of Family Law, with the creation of a unified Family Court in the City of Winnipeg. There was a complete overhaul of the old Child Welfare Act to produce The Child and Family Services Act.

I believe it is fair to say that reform in Family Law has rarely been the subject of the partisan political battle, instead the policy considerations that have motivated Government action have usually been the subject of broad discussion before legislation reaches the House.-(interjection)- It would be good, Mr. Speaker, if the Honourable Member for Thompson (Mr. Ashton) had been listening to me a moment ago when I was giving him and his Party credit for certain Family Law reforms, important Family Law reforms, happening in this Province, and I would appreciate the opportunity to make my remarks without being heckled for the rest of the afternoon.

Mr. Steve Ashton (Thompson): I said not in 1977. . . .

Mr. McCrae: —and I referred to Family Law reform starting in the late '70s and dealing with the history of Family Law reform in Manitoba. I went on to refer to significant reforms being carried out by the previous NDP administration, including the creation of a unified Family Court in the City of Winnipeg, and there was a complete overhaul of the old Child Welfare Act to produce The Child and Family Services Act.

I believe that it is fair to say that reform in Family Law has rarely been the subject of a partisan political battle. The Honourable Member for Thompson seems to want to make this a partisan matter. I think it is an important matter. It is an important matter to families and to children in Manitoba. I do not know what I have said to deserve this outburst of heckling on the part of the Honourable Member for Thompson.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order. Order, please. The Honourable Member for Thompson will have ample opportunity to get his remarks on the record.

The Honourable Minister of Justice.

Mr. McCrae: Thank you, Mr. Speaker. I will say again what I said a minute ago. It is fair to say—for the benefit of all Honourable Members, I will say this for the third time. Reform in Family Law has rarely been the subject of partisan, political battle.— (interjection)— Mr. Speaker, the Honourable Member refers to 1977. The Honourable Member continues to refer to 1977, and here we are trying to introduce a package of Family Law reforms, which will be to the benefit of all Manitobans, I suggest, and the Honourable Member does not want to seem to let me finish my speech.

I am having difficulty, Mr. Speaker, getting through with this type of interjection this afternoon. It is nice to see the Honourable Members on the Liberal side of the House wishing to hear my speech. I appreciate that consideration.

An Honourable Member: Especially the Member for St. Boniface (Mr. Gaudry).

Mr. McCrae: Especially the Member for St. Boniface. The Member for Seven Oaks (Mr. Minenko) is being particularly charitable this afternoon, Mr. Speaker, and I do appreciate that. I should never forget the Honourable Member for Fort Garry (Mr. Laurie Evans) and his approach to parliamentary debate. I do appreciate it very much.

Mr. Speaker, instead of partisan political battle, the policy considerations that have motivated Government action have usually been the subject of broad discussion before legislation reaches the House. For example, the Carr Report on Family Law Reform was made public, and there was ample opportunity for reaction to the proposals from women's group, the Bar, and indeed from all interested Manitobans. I notice Liberal Leaders have really perked up now, Mr. Speaker.

Similarly, this legislation arises from a public procedure of consultation. It began with the publication of a series of Law Reform Commission Reports and the Law Reform Commission Recommendations, together with several other recommended changes in Family Law were circulated widely in the province by the publication of a Family Law Discussion Paper in 1987.

When the Government changed, it was decided to move quickly on those matters that clearly had consensus for early implementation. Last year the Government was pleased to announce that the Family Division of the Court of Queen's Bench would be expanded across the province, an expansion that has now taken place, an expansion we are very proud of, an expansion that began under the previous New Democratic Party Government, a good expansion seen by this Government to be a good thing and expanded throughout the province. We are very pleased about that.

* (1510)

Moreover, we were pleased to present to the House groundbreaking legislation creating the first Access Assistance Program in Canada. Other items in the Family Law Discussion Paper were held over to permit the Government to canvas fully the reaction to some of the proposals made in the discussion paper. The six Bills in the Legislature this Session dealing with Family Law are the result of that review.

The first Bill, entitled The Dependents Relief Act, is to replace The Testators Family Maintenance Act. The title of the Bill, as opposed to the existing Act, indicates the change in the law that the Government is recommending to the Assembly. Present legislation focuses on maintaining the family of the testator, and the courts have established a moral duty of the testator towards his or her family as being the primary test, while looking at the conduct and the character of the applicant and the state of dependency of the applicant as factors affecting the moral duty. This Bill changes the thrust of the legislation by restricting applicants to those who are truly dependent and do not have reasonable provision for maintenance and support, either from the estate of the diseased or from some other source. We submit that if a person has adequate independent means there should be no cause to rewrite their father's or their mother's or their relative's will.

Secondly, this Bill will expand the classes of eligible applicants. At present The Testators Family Maintenance Act restricts applications for relief by defining "dependant" to mean "spouse," "child" or "common-law spouse" under certain restrictive circumstances.

Bill 47 proposes to expand the scope to reflect modern views of what constitutes dependency. Accordingly it is proposed that former spouses having maintenance orders, grandchildren, parents, grandparents, or brothers and sisters of the diseased who were substantially dependent on the diseased, should all have the right to apply. Very importantly, the Bill will now permit a child, who is not the child of the

diseased but whom the deceased treated as his or her child and who was at the time of the death substantially dependent upon him or her, to make application.

These are the major changes in the legislation proposed by this Bill, although the Bill does make several important technical changes that will allow The Dependants Relief Act to mesh better with other legislation. First, it introduces a conflict of laws scheme to govern situations where the deceased dies in one jurisdiction with property located in another; second, the Bill give the court the power to make interim orders, as well as orders to vary existing orders; finally, the Bill provides for a supplement to a property-sharing regime. That means that the present rule that a spouse must choose between The Testators Family Maintenance Act or under The Dower Act will be abolished so that any award under The Dependants Relief Act will be a supplement to The Dower Act.

Mr. Speaker, the changes outlined above in The Dependants Relief Act will, we believe, more accurately reflect what Manitobans in general believe should be the rules that apply where a person dies. Therefore, I commend Bill 47, The Dependants Relief Act, to the House.

Mr. Paul Edwards (St. James): I move, seconded by the Member for Inkster (Mr. Lamoureux), that debate be adjourned.

MOTION presented and carried.

BILL NO. 48—THE INTESTATE SUCCESSION AND CONSEQUENTIAL AMENDMENTS ACT

Hon. James McCrae (Minister of Justice and Attorney General) presented Bill No. 48, The Intestate Succession and Consequential Amendments Act (Loi sur les successions ab intestat et modifiant diverses dispositions législatives), for second reading, to be referred to a committee of this House.

MOTION presented.

Mr. McCrae: Mr. Speaker, I assure Honourable Members that the remarks on the remaining five Family Law Bills are not as lengthy as they were for the first Bill. We will move through these as quickly as possible, recognizing of course the importance that we as a Government attach to these Bills which deal with Family Law in our province.

Bill 47 represents an updating of the law where a person dies without adequately providing for dependants. Bill 48, The Intestate Succession and Consequential Amendments Act, is a Bill that more accurately reflects how Manitobans would expect to have an estate distributed where a person dies without a will.

Bill 48 will repeal and replace The Devolution of Estates Act. The provisions of this Act are somewhat complicated but the principles of the Bill are relatively straightforward. First, in exceptional circumstances, the

Bill will provide that all of the deceased's estate will go to the spouse.

At present, under The Devolution of Estates Act, the surviving spouse receives the entire estate only if the estate is relatively small, less than \$50,000, or the intestate had no issue, that is no children, grandchildren, or other lineal descendants. The Bill provides that where a deceased is survived by a spouse and no issue or only by issue of the surviving spouse, the surviving spouse receives the entire estate. Where there are children of a previous marriage, the surviving spouse will receive the first \$50,000 or, where it is larger, the first half of the estate, and all the children by all of the marriages of the deceased would then divide half of the remainder of the estate with the surviving spouse receiving the other half of remainder of the estate.

An injustice under the present Devolution of Estates Act is that it does not make any differentiation between the spouse who was living with the deceased at the time of death and the spouse who was separated from the deceased. In both cases, the surviving spouse is presently entitled to share, although it is highly unlikely that the deceased really intended that the surviving spouse take the bulk of the estate. The Intestate Succession Act will provide clear rules for circumstances where a separated spouse loses the right to apply. In particular, where the parties have been separated for one year or where one of the parties has applied for a divorce or for an accounting under The Marital Property Act, or where there had been a course of conduct which showed an attempt of the spouses to finalize their affairs in recognition of the marriage breakdown, the right to a share of the estate will lapse.

Mr. Speaker, this Act also includes changes to the method of determining next of kin and introduces inheritance by representation. There are other rather technical and arcane matters and follow the recommendations made by the Law Reform Commission.

Mr. Speaker, I commend Bill 48, The Intestate Succession and Consequential Amendments Act, for the consideration of this House.

Mr. Mark Minenko (Seven Oaks): I move, seconded by the Honourable Member for Inkster (Mr. Lamoureux), that debate be adjourned.

MOTION presented and carried.

BILL NO. 49—THE DOWER AMENDMENT ACT

Hon. James McCrae (Minister of Justice and Attorney General) presented Bill 49, The Dower Amendment Act (Loi modifiant la Loi sur le douaire), for second reading, to be referred to a committee of this House.

MOTION presented.

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

Mr. McCrae: Mr. Deputy Speaker, Bill 49, The Dower Amendment Act is very much ancillary legislation to

The Dependants Relief Act and The Intestate Succession and Consequential Amendments Act. First, it provides that rights under The Dower Act take priority over an order made against the estate under The Dependants Relief Act. Honourable Members will realize this is essential if the plan to make an order under The Dependants Relief Act is supplement to Dower Act provisions is to be affected.

Secondly, the Bill will provide the same rules for determining when a separated spouse loses dower rights as applied to a separated spouse losing rights under The Intestate Succession Act. Separation should have the same effect on the surviving spouse whether the deceased leaves a will or not. Mr. Deputy Speaker, there is really nothing more to this Bill, and therefore I commend it to the House.

Mr. Edwards: I move, seconded by the Member for Seven Oaks (Mr. Minenko), that debate be adjourned.

MOTION presented and carried.

* (1520)

BILL NO. 50—THE WILLS AMENDMENT ACT

Hon. James McCrae (Minister of Justice and Attorney General) presented Bill No. 50, The Wills Amendment Act (Loi modifiant la Loi sur les testaments), for second reading, to be referred to a committee of this House.

MOTION presented.

Mr. McCrae: Mr. Deputy Speaker, this Bill makes some technical amendments to The Wills Act, but it does make a major amendment which again I submit reflects that what most Manitobans believe should be the rules, and furthermore, it implements the recommendation of the Manitoba Law Reform Commission.

Under the present legislation where a testator with a will leaving a gift to his or her child, and that child died before the testator's death without a will, the gift would be distributed as if the child had died intestate. In plain English that means that in almost all cases the gift will go to the spouse of the child rather than to the grandchildren of the person who died with a will.

The effect of the amendments proposed by this Bill is that the grandchildren of the deceased child, the testator's grandchildren, will inherit the gift. This amendment brings Manitoba in line with several other Canadian jurisdictions. The other amendments set out in the Bill are technical and merely implement recommendations made by the Law Reform Commission to make The Wills Act easier to read.

Mr. Deputy Speaker, with that brief explanation, I commend Bill 50, The Wills Amendment Act, to the House.

Mr. Paul Edwards (St. James): I move, seconded by the Member for Seven Oaks (Mr. Minenko), that debate be adjourned.

MOTION presented and carried.

BILL NO. 51—THE MARITAL PROPERTY AMENDMENT ACT

Hon. James McCrae (Minister of Justice and Attorney General) presented Bill No. 51, The Marital Property Amendment Act (Loi modifiant la Loi sur les biens matrimoniaux), for second reading, to be referred to a committee of this House.

MOTION presented.

Mr. McCrae: Mr. Deputy Speaker, you will be surprised when I tell you this, but it is impossible for me to keep my remarks on this Act as brief as the Act itself. It makes only one minor amendment to the Act and that permits a judge to make interim equalization payments, or other interim orders, under the Act pending the disposition of the application for equalization. In fact, the proceedings for equalization can be rather lengthy and several judges have made interim orders, but this amendment will make it clear that they do indeed have jurisdiction to do so. I commend it to the House.

Mr. Paul Edwards (St. James): I move, seconded by the Member for Seven Oaks (Mr. Minenko), that debate be adjourned.

MOTION presented and carried.

BILL NO. 52—THE FAMILY MAINTENANCE AMENDMENT ACT

Hon. James McCrae (Minister of Justice and Attorney General) presented Bill No. 52, The Family Maintenance Amendment Act (Loi modifiant la Loi sur l'obligation alimentaire), for second reading, to be referred to a committee of this House.

MOTION presented.

Mr. McCrae: Mr. Deputy Speaker, the Honourable Member for Elmwood (Mr. Maloway) I know is learning a lot from these speeches that I am making on these Bills, but he will be pleased to know that I am now coming to the end in my remarks on all six Bills, forming the Family Law amendments, proposed by the Government for this Session.

The amendments to The Family Maintenance Act proposed by Bill No. 52 are primarily of a housekeeping nature, but I draw the attention of the House to the fact that the Bill would enable the court to order that an obligation to pay child support be binding on the payer's estate. There is a similar provision in the Act now for spousal support, but no such provision with respect to ongoing support for children. I believe all Members of the House will agree that children should have this protection.

Mr. Deputy Speaker, the Bill also clarifies the right of access to the non-custodial parent to school and medical records. The existing section of the Act has been interpreted so that the non-custodial parent has not only the right to be informed of the reports but also a right to be consulted. Unfortunately it is not

normally in the best interests of the child that a parent not having custody be given this kind of right to consult. It can lead to disputes between the parents, as if there were joint custody, in a situation where the courts have already designated one parent to have custody of the child. It is the parent having custody who should make the decisions in these matters.

Finally the Act provides jurisdiction for the court to order intermittent serving of sentences imposed for failure to comply with the terms of a support order. Given that jail sentences may jeopardize some payers' employment or reduce his/her income, we believe the option of intermittent sentences should be available to the court. Of course since the provision is not mandatory, it is always possible for the judge to impose the imprisonment as a continuous term should the judge consider that to be better.

Again I remind Honourable Members that explanatory material prepared by the department, including the clause-by-clause explanation, will be given to each caucus to facilitate consideration of this and all the other Family Law Bills in this Session.

I commend Bill No. 52 for the consideration of the House, Mr. Deputy Speaker, and thank Honourable Members for their attention.

Mr. Paul Edwards (St. James): I move, seconded by the Member for Seven Oaks (Mr. Minenko), that debate on Bill No. 52 be adjourned.

MOTION presented and carried.

BILL NO.54—THE HIGHWAY TRAFFIC AMENDMENT ACT (5)

Hon. James McCrae (Minister of Justice and Attorney General): I can understand the problem here. Bill No. 54 is not listed on the Order Paper, and leave is required to bring it forward today.

By leave, I would move, on behalf of the Honourable Minister of Highways and Transportation (Mr. Albert Driedger), seconded by the Honourable Minister of Family Services (Mrs. Oleson) that Bill No. 54, The Highway Traffic Amendment Act (5) (Loi no 5 modifiant le Code de la route) as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

MOTION presented and carried.

THIRD READINGS

BILL NO. 54—THE HIGHWAY TRAFFIC AMENDMENT ACT (5)

Hon. James McCrae (Minister of Justice and Attorney General) presented, by leave, Bill No. 54, The Highway Traffic Amendment Act (5) (Loi no 5 modifiant le Code de la route), for third reading.

MOTION presented.

Mr. John Plohman (Dauphin): Mr. Deputy Speaker, I am pleased to enter into debate on third reading for

Bill No. 54, The Highway Traffic Amendment Act, dealing with an issue that was before this House last June, I am sure one that the Government does not want to be reminded about at this particular time, but one that it is very important, I think, that we do in Opposition remind the Government of. That is the fact that we discussed and debated at length the issue of drinking and driving and how the Government of this province should be responding to ensure that the incidence of drinking and driving and the pain and suffering and costs associated with it would be reduced in this province.

We did that with great sincerity and prided, I guess all the Parties but particularly the Government, itself that it was bringing forth legislation that was going to be the leading legislation insofar as toughness and action by a Government in this country. Yet only three or four months later we see another rather substantial Bill which is amendments to the Bill that was passed last year.

In other words, the Minister of Highways and Transportation (Mr. Albert Driedger), the Attorney General (Mr. McCrae), and his colleagues, did not have their act together to the extent that they could get these amendments done properly on the first go around.

As a matter of fact, it is not even a matter of the first go around, it is the second go around, because last June when they brought the Bill in they had to themselves, not on the part of the Opposition although the Liberal Critic did bring in a number of amendments. At the time I thought that he was just simply trying to make some points with the Government on doing things a different way, perhaps, but not necessarily substantial amendments that were really necessary. Since that time I have changed my mind a bit about some of the proposals that he has brought forward and I want to credit him with those.- (interjection)-

* (1530)

Well I will tell you who flip-flopped, it is this Government. They realized that they had a Bill that was such a mess it could not be implemented. Once they came forward with their Bill, they passed their Bill with the help of the opposition Parties because we believe this issue is so important and we wanted to see it addressed. We did not want to be seen to be holding up something as serious as this, as important as this for Manitobans.

Then we see the Government attempting to perfect its legislation after it is introduced in the House through a bunch of amendments, which shows incompetence at that point. On top of it, after that they do consultation on the Bill. Normally these Bills are developed in consultation with a lot of different groups that are affected beforehand, before it is even brought into the Legislature, but in their headlong rush to bring this forward they messed it up the first time, then they messed it up the second time with more amendments in the committee than the Bill was long initially. They had so many amendments brought in that they had to move.

So we co-operated with that in that process with a somewhat quiet amusement at the Government's

confusion on this issue. Then we see after a number of months it comes time to proclaim this important Bill, and they bring in another Bill when the Session resumes, which is again substantially long in terms of the number of amendments that they are bringing forward—another Bill, still confused at this point in time.

One wonders how many more Bills they will have to bring in, and how much more time will they have to waste of the Members of this Legislature on issues as they try to perfect their legislation in the House, instead of in a process beforehand in their caucus, in their Cabinet, where it should have been done in the first place, where it should have been perfected.

They have obviously not learned that they have to, before bringing in legislation, go through all of these hoops to perfect and to ensure that the legislation they are bringing in does precisely what they want it to do and only that, and does it in a way that is workable in the courts and is not full of loopholes so that anyone can get around the legislation when they go to challenge it in the courts. This is what we have at this particular time.

I want to say that the other day in Estimates of the Highways Department, Mr. Deputy Speaker, I called for the Minister's resignation. I said, why do you not resign? You have obviously been so incompetent with this Bill on drinking and driving last year, as one of the issues related to his incompetence and, of course, there were others. He took issue with this and he felt that I was not being fair to him, but I think this is very important and all these Ministers should recognize that there should be egg on their face. They should be embarrassed beyond description when they bring in a mess like they brought into this Legislature, when they attempt to rush things through without considering it carefully. They talk about being managers? They talk about being able to be successful business people, to deal with issues, to analyze? Where are they? What is wrong with them? Why were they not able to handle this issue in a competent way?

The Minister of Education (Mr. Derkach) does not like to hear this because he knows that it reflects on him too because he sat around the caucus table, he sat around the Cabinet Table, he approved these various amendments that were brought forward, he approved that Bill, he gave his endorsement without bringing forward corrections to it.

Now, what we have here, Mr. Deputy Speaker, are some amendments that hopefully will make this legislation workable. We hope that indeed it will be workable and it will be successful and that it will result in the saving of lives, in the reduction of drinking and driving on our highways, the saving of costs and so on in this province and that it will eliminate the tragedies that occur so frequently on our highways in this province, as well as in all countries on this globe. It is something that has to be addressed in a serious way, and that is why we have supported this initiative.

On the other hand, I say, Mr. Deputy Speaker, that this Government has to learn from this process because I would not want to see them go through this embarrassing process in the future.

Insofar as this particular Bill, I want to point out to the Minister that it is incumbent upon them, the Minister of Justice (Mr. McCrae), the Minister of Highways and Transportation (Mr. Albert Driedger) and the Government, to ensure that they monitor the impact of this Bill carefully, that they monitor the degree of compliance, that they monitor the number of cases that are involved and the number of convictions, the number of people charged and so on. Not convictions, but in terms of results, the number of licences suspended under this legislation, and to do a statistical analysis to have the university or other organizations conduct some statistical information and studies on the impact of this Bill so that we can determine exactly whether this Bill is working or whether in fact it is not.

Insofar as it is breaking new ground, it truly is. It means that there are much larger powers now in the hands of the police enforcement officers in this province, and they are going to be able to suspend, on the spot, drivers. What is important is that drivers and the people of Manitoba generally know their rights under this Bill.

As we said when we were debating this in the committee the other day, we feel it is absolutely important that this Government conduct a two-stage meaningful communications program with the public of this province. Not simply that drinking and driving is like the Broadcasters Association has sponsored that the Attorney General would sit in front of a picture of his Premier and say that drinking and driving is wrong. There is much more than that. I always notice the smiling picture of the Premier in behind the Attorney General. I thought it very strategically placed. It is not hidden by his head or anything. It is just sitting in there just perfect, and the square is very small, but it has been placed just perfectly. He is looking over the Justice Minister's shoulder as he speaks. It is quite nice. It means that me too, I agree with what my Minister is saying about drinking and driving.

An Honourable Member: He does agree.

Mr. Plozman: Yes, I am sure he does, as we all do. But let us not forget that we have here a need to communicate some major changes to The Highway Traffic Act and to the rights of drivers, or the privileges that drivers enjoy, and the impact of legislation on them.

* (1540)

The costs are going to be rather substantial. If a driver is stopped while drinking, he is going to lose his licence; he is going to have his car impounded. It will cost him \$35 for the impoundment charge; it will cost him \$50 for a garage keeper's charge, which he would be refunded only if his appeal is granted, and he demonstrates that in fact he was unjustly suspended. So he would incur that cost. He would incur a reinstatement after suspension of \$40.00. He would incur up to \$135 for an appeal, and he would incur \$5 a day for impoundment of that vehicle—30 days impoundment, \$150.00. The costs are \$410 for a driver for driving while drinking.

That is important that we know that. It is serious and it should be costly. There should be major impacts.

There should be laws that are tough, but let us remember that people have to be aware that when they get into that car or when they make arrangements to go to a social event where they are going to have to drive home that they may be facing these kinds of charges, if they should take that gamble and go onto the highways while they have been drinking, knowing—they have to know full well the impact of what is going to happen to them. This is where the Government has an obligation to publicize.

Then let us not forget the criminal code side of it, that there could be convictions on drinking and driving, or refusing a breathalyzer, or whatever, over .08, which will amount to an additional fine of a substantial amount by the courts, perhaps \$500 or more. In addition to that, they will try to protect their rights by hiring a lawyer perhaps, which will cost them another few hundred dollars. I see this coming in, Mr. Deputy Speaker, at least \$1,500, perhaps \$2,000 for an individual who gets stopped while he is driving, having been drinking at the same time, or before that, and so he is impaired.

That is a financial impact, a financial penalty that is prohibitive for many people in this province. There are many people who will not be able to afford to go through that process. Some may say, well, how can they afford to drink and drive. That is the message that we want to get out there. I think that makes my point, that because I have taken the time to add this up—and maybe I have not added it up quite right, but I think it is close. I had the opportunity of getting this information at a committee. The average person in this province is not going to have access to this information unless there is a concerted effort made by the Government to inform the public that these kinds of costs will take place. They will have that to face. Their family will feel the impact. They will not be able to pay their rent perhaps or buy the food that they want for their families, if they gamble on this.

So I think it is very important that the public generally knows about this, and in addition to that—and I think the Member for St. James (Mr. Edwards) raised some valid points. Those are dealing with the kinds of procedures they have to go through, the forms, the various agencies they have to deal with once they have gotten themselves into this mess. At that point in time, they have to know where to go for advice and information, and they have to have a number that they can call. There should not be utter confusion at that point, because that does not have to be part of the penalty—confusion in the system. The penalty is already there financially, the embarrassment, and many other impacts on their lives, and being without a driver's licence, losing their job perhaps.

That is the other part of it that I did not even mention, the financial cost. Many people will lose their jobs because perhaps they depend on a driver's licence for a livelihood and therefore they could lose their jobs. Those people who are into this mess have to know where to go so that they can move through the process, so there needs to be a communication process.

I think that at every opportunity, in written information, in the media of all kinds, the video media, audio media,

radio, television, all have to include information on this so people will be aware of it, but particularly targeted those who are in that mess, in that situation after the fact.

So we have to have two kinds of communication: one that tells the impacts to the public, what they should know; and then those that are impacted because they have in fact violated the provisions and have themselves in a situation where they have been stopped and have lost their licence.

(Mr. Speaker in the Chair)

So I say to this Minister, to this Government, that they should undertake this kind of a program. Of course, I believe they should undertake it, not strictly for information purposes so that people are aware, but because of the impact that it will have on their attitudes, the impact that it will have knowing that the Government, the legislators, this Legislature, feels that this is such a serious issue that they have put in place these kinds of penalties and procedures. Then I believe it will have an impact on their attitudes and on the incidence of drinking and driving, and so it will act as a preventative measure, as a deterrent, which is really what we want to do with this in any event.

We would like to have, I am sure all of us, fewer and fewer people penalized under this law, fewer and fewer incidents of this kind of activity, so that in fact we will not see as much or as many people put at risk by this activity in this province. That of course is the primary goal as a deterrent, as an educating device. It is important then, Mr. Speaker, that the Government undertake this as a deterrent in this information to people involved.

I think, as I have said in other issues that we talked about in this House, in the Environment and other important issues facing people of the province, this is an area that we should be providing as much education as possible to people in our schools, to our young people, so that they develop their attitudes toward alcohol that are responsible, moderate, safe, in terms of their approach.

I think that the Government, in addition, should be looking at the kinds of programs that are available through committees on drinking and driving, whatever other mechanisms they have at their disposal, to put in place additional measures if there are gaps and holes in the system at the present time, and to look at what age this information should start being provided through the school system.

I know that the schools have enormous pressures on them for so many different things, family life education, and many different pressures put on the schools, so they do not have enough time in the day to cover all of them. But we should look at whether there can be some things offered through the schools to ensure that our young people have access to the proper information, and so that they will learn the responsible attitudes towards drinking and that eventually we—in fact, the Minister of Education (Mr. Derkach) is here and I address that to him as well—at some point can look back and say, really, we are

the lowest per capita province in terms of incidence of drinking and driving in all of North America. Would that not be a position that we would like to achieve? Hold our heads high and say that Manitoba has the lowest incidence per 1,000 population or whatever other yardstick or measuring stick we want to use in this whole country.

When many of these Ministers have left this hallowed hall of the Legislature of Manitoba, when they are moved into oblivion, now recognizing that in fact they are temporary custodians in their positions that they hold in this province, they can look back and say, that was my greatest hour when I had a hand in putting forward measures that have reduced the incidence of drinking and driving to the point that Manitoba is the lowest incidence in the whole of North America. Would that not be a great record that they could point to?

So let all of us ensure that there is follow-up, that this is monitored to determine if it is effective, and if it is not effective that additional steps are put in place, that education takes place and that communications are put in place to ensure that all of the public is aware of what we have been doing here because that is critical. Thank you, Mr. Speaker.

Mr. Steve Ashton (Thompson): Mr. Speaker, I appreciate the opportunity to participate in the debate on this Bill. I share the sentiments that were put forward by the Member for Dauphin (Mr. Plohman). I know it is an area that the Member for Dauphin, as a former Highways Minister, has a great deal of interest in and played a leading role in the development of policy. The Member for Dauphin should be congratulated for that because I think one of the clear things that should be put on the record is that our Government previously did take a number of fairly significant initiatives in this regard and I think that should be said for the record because we recognized what I think has become a growing recognition from society as a whole that drinking and driving just is not acceptable in society.

* (1550)

We also recognized, as legislators, only a few months ago that one of the problems with the current structure to deal with people who continue to drink and drive is that while the systems we have in place are working with what I would call the law-abiding 95 percent of people, there are unfortunately that 1 percent, that 5 percent, whatever the figure is, of people who are not going to listen to the education that is taking place, who are not going to be responsible, who are not going to be affected by the views of their peers in society and are not going to stop drinking and driving. You know, I have seen a dramatic shift in attitudes over time to the point where I would say a significant majority of people now, for example, if they go to a social in my constituency, will take a cab afterwards. Now that is something that was almost unheard of 10 or 15 years ago. What has happened is there has been a change in attitudes in society. It is the same thing that has happened generally, but we are still left with a situation where a small percentage of people are the habitual offenders, and I know that was the intent of this particular Bill, to deal largely with that segment of our population.

I know some difficult decisions had to be made in terms of the trade off between rights and liberties on the one hand, and the public interest on the other in terms of preventing drinking drivers from being on the road. I know it was not an easy matter to deal with but, Mr. Speaker, I think it is unfortunate that here again we are having a sense of *deja vu* when in the same Session of the Legislature this Government has to come back in and has to be redrafting legislation, a time when we should be paying attention to the vast majority of Bills on the Order Paper that are being introduced for the first time, new Bills, going through those.

What are we dealing with right now? Dealing with a matter that has previously been raised and dealt with and I might say was—I hate to use this word, I hope the Justice Minister does not take any offence, but I think it was—bungled. It was messed up, Mr. Speaker. In fact I could use a few other words here, but I know in the Legislature we have to be careful of the language used. What would the Minister of Justice describe the situation as when we have to reconsider a Bill that was passed only a few months ago, and by leave?

Well, Mr. Speaker, it is interesting because we end up in a situation where in this Session of the Legislature we are seeing the Minister of Justice and Liberal Members, apart from the Leader of the Liberal Party, now having the opportunity to hear this Member in Opposition, he would be the first one to rise to his feet and criticize the previous Government for—in fact, he can use the word bunglers—incompetence, incompetence. There are Members sitting in this Chamber now, unfortunately there are not as many perhaps as should be sitting in this Chamber, who would remember this particular item. Mr. Speaker, if the Minister of Housing (Mr. Ducharme) wants an exact count of how many Government Members are in the House, I suppose that the Opposition Members could leave, call a quorum and they would find out, but I think we have shown every opportunity for this Government to try and get its act together. We are looking at a situation now, Mr. Speaker, and without referencing anybody's absence, there are less than a quorum present in this House for the Government. It is the Opposition that is maintaining the quorum.

Mr. Speaker: Order, please.

Mr. Speaker: The Honourable Minister of Housing, on a point of order.

Hon. Gerald Ducharme (Minister of Housing): Mr. Speaker, the Member for Thompson (Mr. Ashton) is referring to the Members in the House. I would like to maybe remark that uno, one NDP, uno.

Mr. Speaker: Order, please. The Honourable Member does not have a point of order. We do not make reference to the fact whether or not Members are present or not.

Mr. Speaker: The Honourable Member for Thompson.

Mr. Ashton: Not only does the Member not have a point of order, he also cannot count. This has been indicated by the Whip.

I would appreciate if the Conservative Whip would make sure there is a full attendance for listening to this speech because I would like to remind some of the Members who were so quick to be talking about incompetence only a few years ago to now sit here and listen and explain to me why this Government had to bring the same Bill in twice in the same Session of the Legislature, and through the leave from the opposition Parties, both when we considered it first time, and now we are considering it again.

Why does the Opposition have to bail this Government out of what I would say is the clearest case of incompetence in the eight years that I have been a Member of this Legislature? Why does the Opposition have to deal with that, Mr. Speaker? Well, it is because the Government is having a great deal of difficulty, I think, defining its agenda, sticking to its agenda. I hear a Member saying I am wrong. How can you explain the fact we are dealing with the same Bill here, as I said, through the leave of the Opposition? The Opposition is bailing out the Government because it could not get it right the first time.

The Government with all the resources of the Minister of Justice's department, all the legal resources, here the Opposition with limited resources in terms of legal expertise, they brought it in and within a few months, even before the whole policy was implemented, they had to come begging cap-in-hand to the Opposition saying, please, will you allow us to review this Bill, to bring in a new Bill, to change the Bill so that we can have it implemented in Manitoba by our deadline?

We were responsible. We said that we would assist the Government, we would bail them out of their own incompetence. The Minister of Justice (Mr. McCrae) says he appreciates it, and so he should, because as an Opposition Member, as I said, he would be the first one, even on the most minor point, to talk about incompetence, the most minor point. Here we have a significant omission on the part of this Government and this Government should recognize that.

I really do not know what is happening as I look at the rather pathetic Benches. I will not make any reference once again, Mr. Speaker, to absence of any specific Members. I realize that is against our rules but I must say it is unfortunate when the Government has even the difficulty in making sure that the most basic functioning of the Legislature, the time when we have in debates are met.

Once again right now, it is the Opposition that is bailing out the Government, because if the Opposition was to walk out of here there would be no quorum and we would not be debating this Bill. I consider that to be incompetence piled on incompetence on the part of this Government. They asked for the assistance of the Opposition in bringing this Bill. We said we would

give leave to have it debated today and have it passed today, and what is happening is they are showing no effort on their part to see it put through, Mr. Speaker. There is not even enough Government Members in the House to assure a quorum on this. It is only, once again, because of the Opposition Members.

Mr. Speaker: Order, order. The Honourable Member for Thompson is being totally irrelevant to the Bill which is being debated here today. The Honourable Member for Thompson kindly keep his remarks to the principle of the Bill. The Honourable Member for Thompson.

Mr. Ashton: I am referring to the fact that the Opposition Members have bailed out the Government on this Bill. I am referring to the fact that in this debate today—I recognize your ruling and I will abide by it—we are also bailing out the Government today because of their complete incompetence on this issue. I really did not see any reference in the Attorney General, pardon me, the Minister of Justice's comments. He has a new title now. I will use that title. There was no real reference to it, no real acknowledgement of the situation we are in, in terms of this Bill, why we are dealing with it. Sure, he acknowledged the fact that the Opposition did give leave, but there was no real acknowledgement of why this matter was bungled.

The Attorney General (Mr. McCrae) says he has not spoken. He has spoken at previous times on this Bill. He may not have spoken on this reading, and I hope when he does speak on this reading he will explain to this House and to the public of Manitoba why we have to be dealing with this matter again. I also ask for some assurance, before we do provide support to this Bill once again from the Minister of Justice, that we will not be again dealing with this Bill as we go into the Session.

This Session certainly appears to be here for awhile. I am not sure exactly when the Session will conclude, Mr. Speaker, but let us put it this way, as we head into the New Year I will be interested to see whether we are going to have yet another version of this Bill from the Minister of Justice (Mr. McCrae) saying, well, just before we go any further we want the opposition Parties to bail us out again. If at first you don't succeed, try, try again. First time, unlucky; second time, unlucky; third time, lucky. Is that what we are going to be dealing with?

* (1600)

Will the Minister of Justice, before we pass this Bill today, assure this Legislature that we will not be subject to the same sort of difficulty, the same incompetence, and will not be dealing with this matter, as I said, as we go further into the Legislature at a later point in time?

I am hoping the Minister of Justice (Mr. McCrae) will do that because really, I think, it is not the kind of message that we want to be sent to the courts, because the courts will interpret literally the wording that we have in place. We saw the Minister of Justice in a few short months recognize that his original draft had a major loophole in it that would have gutted the impact

of the Bill. That is essentially why we are dealing with it today.

Well, Mr. Speaker, the Minister of Justice says, no. Is he not saying that there would have been a serious problem with the original Bill if it had not been dealt with? I would hope the Minister will clarify because certainly I could tell you that our critic in this particular matter is dealing with this, providing the co-operation the Minister requested, because certainly the view was that if it was not to be acted upon there would be problems. There would be problems as I said, because of the incompetence on this matter. There would have been problems in enforcing the program that the Minister himself had planned.

In fact, the reason we are dealing with it by a "leave"—I mean, Mr. Speaker, we should be debating Bills normally right through the Session giving the type of consideration that is necessary, but we have given this Government essentially leave twice. We assisted in bringing it through prior to the recess in the summer, and we are bailing them out again here on October 18. For the second time in the same Session we are facilitating bringing this through.

It is frustrating, Mr. Speaker. It is frustrating as the New Democratic Party House Leader, it is frustrating as a Member of this Legislature to see the Government floundering on this particular item, to see the level of incompetence and to see that we are bailing them out.

We should not be dealing with this under normal circumstances. We have recognized that the intent was to bring it in as soon as possible, recognized that the general intent of the Bill was positive. We indicated that, and on second reading both times it was considered. Now as we deal with the final reading of this Bill, we are dealing with the specifics. That is why I am referencing the specific fact that this Government has not handled this matter properly.

I am sure the Minister will do everything possible to try and get the maximum amount of publicity on this matter. I have heard the advertisements on the radio from the Minister of Justice (Mr. McCrae), in his own voice, talking about drinking and driving. I am wondering if the Minister of Justice is going to put out a new series of ads saying, well, we blew it, but we finally got it right and now this is going to be the law in Manitoba. I wonder if that is going to be the approach.

I wonder if the Minister of Justice is going to say thanks to the opposition Parties, we have new changes to our system in dealing with drinkers and drivers. Is the Minister going to do that, Mr. Speaker, because I am sure the communicators in the Government must be having a very difficult time with this now. This, I am sure, was supposed to be one of the main initiatives in this Session. God knows this Government needs some major initiatives.

When I look at the legislative package, when one nets out matters that were drafted well before this Minister came into office, when one nets out what would be basically called very basic legislation, we have one Bill here which basically just changes the numbers on one particular Act, when one nets that out, what are

we left with, the Fiscal Stabilization Fund, final offer selection and this Bill? What does that speak for the agenda of this Government?

An Honourable Member: Major changes in The City of Winnipeg Act.

Mr. Ashton: Well, a major change in The City of Winnipeg Act. Perhaps coming from outside of the city, I do not put it in quite the same category as other Bills. I will defer to those Members such as the Minister of Industry, Trade and Tourism (Mr. Ernst) from the city in terms of the relative importance of that Bill.

So we are up to four major Bills in this Session. I would consider the Bill we are debating right now to be an important one. If it was not important we certainly would not have given leave back in June, and we would certainly not have given leave in October to deal with it. It is important because it deals with an important issue. As I said, even though attitudes are changing we need strength in legislation to deal with the people who are consistently ignoring the situation in this regard.

I want to make it clear to the Minister of Justice (Mr. McCrae) that yes, we will support the passage of this Bill today; but in doing so, we will place on the record the very clear fact that there was clear incompetence on this. I do not blame the Minister personally - (interjection)- Mr. Speaker, excuse me, but I know the Minister has another matter to deal with. That is why he is involved in the discussion, and I certainly do not feel there would be any problem because I know we have at least one other person wishing to speak on this matter if the Minister has to attend to other matters. I certainly would not consider that the case, because as I was just saying in my comments, the incompetence in this matter really should not just rest at the feet of one Minister. It is something that has to be accepted collectively by the rest of the Government.

I would like to know what discussions they had in caucus when they dealt with this matter again and they dealt with it the first time and they dealt with it the second time. Where were they when this matter was discussed? What questions were they asking? Why were the right questions not asked? Why was the proper legal advice not obtained? Why was the Minister allowed to bring in a Bill, then through the co-operation of the Opposition allowed to pass it by the end of June, something that was only done with a handful of Bills. Mr. Speaker, what questions were they asking?

That is why I am raising it now in the Third Reading because in terms of the specific wording, court after court after court has said if you do not say it we will not imply it, we will not read between the lines, you have to be very clear in terms of your intent. This Government was not clear in its intent and that is why I am raising this question now, because I do not wish to suggest that if an emergency situation was to come up on any Bill that we would deny leave again.

I am sure the Liberal Party would not deny leave if the matter was important enough, but I do not think the Conservative Government should be too surprised if they come back in again on a Bill like this and they

say that they wish to try it one more time that we will say, let us hold on a minute, you have tried to rush this through in June, you have tried to rush it through again in October, there is going to be no further opportunity for a rushed through, a badly done job, a poor Bill. There can be no further opportunity for incompetence on the part of the Minister and the Government that we are going to expect complete and absolute consideration.

We have given it our best consideration, Mr. Speaker, as opposition Members, but we do not have the legal resources. We do not have the legal resources. I appreciate the fact that the Minister of Natural Resources (Mr. Enns) said that it is a comfort that we have given our best consideration. We will also give the Bills that he has introduced our best consideration, but we do not have the detailed legal advice that is available to the Government, as the Minister knows, and that is the problem in this particular Bill.

The problem was that the Minister and his department allowed a Bill that was flawed to be introduced and passed through three readings in this House, and through the co-operation of the Opposition was ready to be put into place this October. I do not want to see it happen again, Mr. Speaker. I do not want to see it happen again.

I know our critic raised this in the committee hearings and a number of our Members of the Legislature raised it. We said quite clearly in the committee that this Minister has had the co-operation of the Opposition enough at the committee stage. We are getting rather tired of wasting time on this matter in terms of when the Government cannot get it right in the first place. Really, in the eight years that I have been here I do not think I have seen a Bill that has been more bungled. There have been Bills where there had been an unforeseen loophole that has appeared two or three years later in a court case, but this is the first time that I have ever seen a Bill introduced in a Session and the Government bring it back in again because they blew it the first time and they have to ask for the leave of the Opposition, not just once but twice in one Session of the Legislature.

I am saying this for the record now, because I know it may be a long Session of the Legislature. As I said, as we head into the new year I do not want in the new year, in January and February, to see the Minister of Justice (Mr. McCrae) come back again begging for the Opposition's assistance the third time. I might say that we may not be as co-operative on other items, not because we do not want to be co-operative generally, but we may start making the Minister of Justice perhaps slow down in his consideration of Bills to ensure they are dealt with properly.

* (1610)

You know, Mr. Speaker, I find it amazing that on one Bill, the Minister of Rural Development (Mr. Penner), there was an attempt to get the opposition Parties to agree to a Bill in word, in part, or it even be introduced in the Legislature. On Bills like this we have the situation where they attempt to get leave, and then other Bills

where they cannot get it through in one Session, the final offer selection Bill, they are determined to bring it in no matter what. Now what is the stand of this Government? Do they want Opposition approval on everything first?

An Honourable Member: Only after careful consideration.

Mr. Ashton: Only after careful consideration, said the Minister of Natural Resources (Mr. Enns). Well, Mr. Speaker, I would be quite happy if this Government would apply the same standards on all Bills, like the final offer selection Bill, and seek our views and our co-operation on, because they will not get any. We will tell them do not bring it in, we will fight that Bill, and we will fight it 100 percent. Similarly, in terms of other legislation this Government should not expect the Opposition to take away from them the responsibility to bring in legislation. They should not expect the Opposition to be agreeing before they even introduce a Bill into this House, Mr. Speaker, as they have on at least one occasion. They should not expect us to agree to approve it prior to being introduced in this House. They should expect from now on in, based on our experience on this Bill, complete and thorough scrutiny on every Bill they introduce in the Legislature.

That is not going to be a waste of time. It may take a long time. We may be here weeks, we may be here months, we may be here right into next year on Bills, especially such poorly drafted and ill-thought-out Bills as the final offer selection Bill. We are going to go through the complete stages on all their Bills, because we have learned from this Government that we cannot trust them in terms of their competence. We had the same Bill brought in twice in the same Session. That is clear and absolute incompetence. Yes, we will help out on this particular case, not because of this Government, but because we feel this an important matter for the people of this province. Thank you, Mr. Speaker.

Mr. Jay Cowan (Churchill): It is unfortunate that we have to have this debate today in the rush manner in which it is being conducted, just as the debate on this issue in the past has been oftentimes conducted in a rushed manner because of the incompetence of the Government in drafting this particular piece of legislation.

I first spoke to this Bill in its original form last year on June 19, or actually not last year, a few months ago on June 19 -(interjection)- it seems like last year, as the Member for Thompson (Mr. Ashton) indicates, and at that time I was critical of the Government because of the inconsistency between what they proposed and hoped to do in the legislation and their actions in a whole number of other areas.

Let me explain. They say that by this legislation they want to address a very serious problem in this province and in this country, and that is impaired driving. The results, the consequences and the tragedies that arise from impaired driving are all too familiar to all of us as legislators and as individuals, so we support them

in that effort to do whatever is possible to prevent drivers from operating motor vehicles while impaired or after having consumed alcoholic beverages. We think that is an admirable goal and we will bend over backwards, as we have done in the past, to co-operate with the Government to ensure that legislation is brought forward which accommodates that particular objective.

At the same time we are critical of the Government because while it is saying it wants to, through a legislative mechanism, prevent impaired driving and address that problem, which is a problem of education as much as one of legislation, and which is a problem of advertising as much as one of debates in this particular House, they on the other hand undertake a number of activities which counteract the intent of this particular Bill.

Last year when speaking to the Bill, Mr. Speaker, I indicated that I thought the Bill, while a good Bill unto its own, was tainted by the Government's actions. I am quoting from that speech: this Bill is undercut by the Government's actions, this Bill is made less effective by the Government's actions. This Bill will be a much better Bill if it was brought forward in an environment of trying to reduce alcohol consumption instead of trying to find every way possible to increase alcohol consumption.

I asked the Government at that time, in the context of their overall objectives, to rethink some of the other actions that they had taken which I felt undercut the impact of this legislation, or Bill No. 3 at that time. I asked them to rethink their cuts to the Alcoholism Foundation of Manitoba. I said I thought that was the wrong direction to go. I asked them to rethink the review, which is going on internally, about credit cards, cheque cashing and gift certificates for frequent drinkers. I thought that was the wrong way to go for the Government. I asked them to rethink the 24-hour drinking at the airport. I thought that was the wrong way to go for this Government. We asked them to rethink the Sunday purchasing of liquor. That was the wrong way to go. We asked them to rethink the changes to the advertising legislation which allowed for much greater advertising of products involving alcohol during times when much younger people would be subjected to that advertising.

We asked them to do all those things and they have not done it. The only thing it seems they have rethought is their original legislation, and they did that more out of necessity than out of good intentions because what we have before us now is a complete bungling of the first piece of legislation. So while we were concerned in the first instance about inconsistency between the legislation and what it intended to do in the Government actions that would tend to work against the legislation, we are now concerned about incompetence.-(interjection)-

The Member for Thompson (Mr. Ashton) in his comments referenced the fact that the Government has bungled this initiative from the very start.-(interjections)- Well, I hear from a couple of the Ministers that we are wrong. Well, I want to go back and read into the record some things that were said, Mr. Speaker,

that I think illustrate just how far this Government will go to make phony excuses to cover up their own incompetence and bungling.

When you cast aside those excuses, when you strip the veneer off of their attempts to evade responsibility for bad drafting and bad legislation, you will find underneath that thin veneer incompetence, bungling, a Government that cannot get its act together, a Government that does not even know how to write what they consider to be one of the most important legislative pieces of their tenure.

Let us hear what the Attorney General, Minister of Justice (Mr. McCrae), said in the committee hearings eight days ago when the Member for Flin Flon (Mr. Storie) objected to the way in which this legislation was being rushed through committee because of the need to proclaim it quickly, because it had been so badly drafted that the whole initiative was being threatened and put in peril by the Government's incompetence. How did the Attorney General respond to that? Well, he talked about this legislation being pioneering legislation and he said, and I quote—and actually he was referring to the Honourable Member for St. James, this is the Attorney General speaking—I know the Honourable Member for St. James, Mr. Edwards, suggests that every “i” should have been dotted and every “t” crossed, last June when the House gave us authority to proceed with the implementation phase of this legislation he is speaking about.

Continuing to quote the Attorney General, he says, I assume the Honourable Member for St. James would have liked to see the Government do all that work which involved a great deal of money and human resources and a lot of time, then without any assurance that the Legislature would accept in principle the general thrust of the legislation. I suggest that is putting the cart before the horse and a waste of taxpayers' money and a waste of the excellent human resources we have not only in the Department of Justice, but also in the Department of Highways. That was said by the Attorney General.

Now, what that shows to me is that the Attorney General either takes his job not quite seriously enough and approaches his staff in a very lackadaisical way, or that he does not understand how legislation is developed and should be developed. Because I can tell you I have been responsible for bringing legislation to this Chamber, and before the legislation came to this Chamber a tremendous amount of work went into it, so not that we would not waste the bureaucrats' and the department's time, but so that we would not waste the taxpayers' time as we stand here and debate the legislation.

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

We are now carrying on a second debate that would not be necessary if the Minister of Highways (Mr. Albert Driedger) and if the Minister responsible for Justice and the Attorney General (Mr. McCrae) were competent in their task of developing the first piece of legislation. I have to tell you, Mr. Acting Speaker, that criticism, as harsh as it may be, I believe to be true and justified

but that also applies to every Member of that Cabinet. I will tell you why I say that. Because when I read the comments of the Attorney General and found out that he suggested the problem was in the legislation, that not enough work had been done at the departmental level to ensure that it would be good legislation, I was flabbergasted.

An Honourable Member: That is incredible!

Mr. Cowan: It is incredible, as the Member for Thompson (Mr. Ashton) says. That is not the way things are done. So I said to myself, well, maybe I missed something, because I remember listening to the debate on Bill No. 3 when it was first introduced, and I thought I had heard most of what had been said. Never did I hear the Government, the Attorney General, the Minister of Highways, or any Member of that Cabinet suggest that this was just a trial run, that this was just a balloon that was being floated to see if in fact they wanted to put the time and effort into the legislation.

* (1620)

As a matter of fact, what I had heard them say, or what I thought I had heard them say, was that this legislation was the result of a lot of hard work by the departments, and a lot of hard work by the Cabinet Ministers, and a lot of hard work by the Cabinet. I thought I heard them say that. So when I read the comments of the Attorney General the other day which said that was not the case, I went back and reviewed the record, and the record is contained in Hansard. Hansard is, as you know, Mr. Acting Speaker, a direct transcript of what is said in this House. It is a reliable source.

I have never heard the transcript in this particular instance corrected. I have never heard the Attorney General (Mr. McCrae) or the Minister of Highways and Transportation (Mr. Albert Driedger) stand up and say: I am sorry, when I spoke to this Bill, on June 16 and last year, I said something that was incorrect and I would like to correct the record. Now I hear several months later an inconsistency, a contradiction. The two different things that are being said, both cannot be true. One of them is not true.

An Honourable Member: Which is not true?

Mr. Cowan: Well, I will read them and you can determine, Mr. Acting Speaker, which is true and which is untrue.

Let us listen to the Minister of Highways (Mr. Albert Driedger) when he put The Highway Traffic Amendment Act, Bill No. 3, before the House on June 16, 1989. Now remember this is a legislation that the Attorney General just told us did not have a lot of work done on it, because they could not be assured of passage to the House.

Okay, Mr. Acting Speaker, I am now quoting from the Minister of Highways and Transportation (Mr. Albert Driedger): I might just indicate that many, many avenues were looked at and we have done a lot of comparative work to see whether we can come up with

the best program we feel could work in Manitoba. The impaired driving program that was worked out by the Government was a co-operative effort of several departments and involved literally hundreds of hours of work by civil servants. There was consultation with the police and a very thorough review, particularly by the personnel of the Department of Highways and by the Department of Justice, of the programs and the policies that were in place in other jurisdictions. From this review a series of options were prepared for consideration, first with a small subcommittee of Ministers, then with the full Cabinet.

So what that tells me is that when either the Minister of Highways stood in this House on June 16, and said a lot of work had been done, he was not portraying the situation accurately. He was not—I have to choose my words carefully, because I do not want to say he was not telling the truth, but—

An Honourable Member: You could say that, but it would be unparliamentary.

Mr. Cowan: —his comments—

An Honourable Member: Remember, we have Hansard.

Mr. Cowan: Oh yes, the Minister of Housing (Mr. Ducharme) says, remember we have Hansard. We also have some other Hansards we want to quote from in a moment, but before doing that I want to make the point that there is a very severe contradiction between what the Attorney General (Mr. McCrae) said on October 6, and what the Minister of Highways (Mr. Albert Driedger) said on June 16.

Then I said to myself, we have heard the Attorney General's side of it now, and we have heard the Minister of Highways and Transportation's side of it now. One of them is not telling the same story as the other, so one of them is not telling the accurate story. One of them is not telling the full story. One of them is telling a story that is in conflict with reality, and now I have two very learned and honourable gentlemen telling different stories.

So I had to do a bit more research to find out which one of them was right. So I read on in Hansard a few more days, and I came across a presentation of Bill No. 3, on June 19, by the Attorney General. Therein lies —(interjection)— well, therein has to lie the answer, because if the Attorney General said on October 6, a lot of work was not done because they did not want to put the civil servants through a lot of work and that was the reason for the problems, not his own incompetence, and he said that on June 16, then I would really have to take his word over the word of the Minister of Highways and Transportation (Mr. Albert Driedger). But if he had said something different, then I would be in a bit of a dilemma again. So I read through his comments and here is what he had to say, it was a pleasure to take part in the debate. Then he said, and I quote the Attorney General, June 19, 1989: I must say I am pleased at the support which ultimately has come around this Bill. I think it is a tribute. These

are the key words: I think it is a tribute to the large amount of dedicated work that has been done by various departments of Government over some extended period of time in order to get a Bill that will receive, ultimately I hope, the resounding support of this House, and I think it already has the resounding support of Manitobans.

The dilemma becomes much more of a dilemma now, Mr. Acting Speaker, because now I have the Minister of Highways (Mr. Albert Driedger) contradicting the Minister of Justice and Attorney General (Mr. McCrae), and I have the Minister of Justice and Attorney General contradicting the Minister of Highways, and I have the Minister of Justice contradicting the Attorney General, and the Attorney General contradicting the Minister of Justice.

When was he telling us what really happened? Was it on June 19, when he said there was a lot of work over an extended period of time that would make this Bill a success, or was it on October 6, when he said that the problem with the Bill was not incompetence or not bungling or not the fact that the Government cannot prepare legislation that works, but was because not enough work had gone into it in the first instance?

(Mr. Speaker in the Chair)

Mr. Speaker, I think he has failed the test as an Attorney General and a Minister of Justice. I think the Minister of Highways has failed the test. When he did so, he implicated the full Cabinet, because he said not only did this Bill receive review by the Ministers that were responsible, but by a subcommittee of Cabinet—I do not know who was on that subcommittee, but obviously they are implicated in the bungling—and also by the full Cabinet.

They were very proud a number of months ago of the large amount of work that had gone into this Bill over an extended time, and now they are looking really quite incompetent. They are looking as if they do not know what they are doing, they are not certain why they are doing it, they cannot get their act together. Then they come and they continually ask the House to bail them out of their dilemma, to bail them out of their problem, because they need to pass this Act quickly.

I think perhaps the Attorney General should spend a bit more time on developing the legislation for which he has responsibility and a bit less time on preparing radio ads. Then he might be able to do his job in here a bit better, because quite frankly, Mr. Speaker, because of their bungling, because of their incompetence, because of their lack of expertise in this area, because of their lack of commitment to put in the hard work that is required to make legislation work properly, this Bill has not served the purpose for which it was intended so many months ago.

What has happened, Mr. Speaker, is that we have been in the Province of Manitoba without the protection that we would like to see have happened, because of their incompetence. They are the ones who are putting the public at risk. They are the ones who are ensuring that we do not have the most effective legislation in

place that is possible. They are the ones who are creating the difficulties. Then they come to us and beg and plead to be let off the hook by passing things through in very quick order.

We have done it this time, Mr. Speaker. I am not going to begrudge the fact that we did it, because we think the legislation is important. I do hope the general public, who pays attention to these proceedings, is listening very carefully to what is being said here today. If they are, they should be fearful as to whether or not these amendments in fact are going to pass the test of time and whether or not we are going to be put in this situation a number of weeks or a number of months down the road once again, where an incompetent Government that has shown its incompetence on so many different issues fails to do its work, fails to live up to its responsibilities of Government, where Ministers fail to do their work, fail to live up to their responsibility, and then rely upon the good will of a minority Government situation to get them through the crunch.—(interjection)—

Well the Minister of Natural Resources (Mr. Enns) asks, do we have your good will? I think we have indicated very clearly that you have our good will, that we have gone the extra step, that we have bent over backwards to help the Government out, but that has to stop sooner or later. Sooner or later the Government is going to have to not try to make excuses for their incompetence but, I would say, try to do things better in the first instance.

* (1630)

Mr. Speaker, when I first spoke to this Bill a while ago I was, as I indicated earlier, somewhat critical of the actions of the Government when compared side by side with the Bill itself and what they suggest is their intent and their overall objective with respect to dealing with alcohol problems. I want to reinforce those comments, because in the time that has passed between those speeches in mid-June and these speeches in mid-October, we have not seen any change in their course of direction. We had asked them at that time to rethink the number of initiatives that we felt worked counter to their objective of reducing drinking, particularly drinking and driving, and helping individuals who have alcohol problems and substance abuse problems.

Mr. Speaker, we would have hoped that in the time that had passed they would have rethought those particular actions, and when they brought this Bill back in they would have been able to say, we rethought the impact of advertising and opening up advertising for liquor, and we are going to come forward with something to amend our earlier actions. We rethought the cuts to the Alcoholism Foundation of Manitoba, and we are going to do something to re-institute some of those programs.

An Honourable Member: Did they do that?

Mr. Cowan: The Member for Thompson asks, did they do that? No, at least they have given no indication of having done that. All they have done in essence is

depended once again upon the good graces of the Opposition to help them with a stated objective of reducing alcohol consumption, particularly when involved with drinking and driving, and at the same time not listened to us when we provided some constructive advice and constructive criticism on other ways that they might be able to accomplish that.

Mr. Speaker, the Minister of Highways (Mr. Albert Driedger), in his comments on Bill No. 3 said, and I quote: I am certain that reducing the number of impaired drivers is a goal that every Member of this Assembly supports. Yes, indeed every Member of this Assembly does support that particular goal. The Minister of Highways also said in his comments on June 19, and I quote: It is this change in the attitude which is fundamental to produce any significant change in the number of drivers who get behind the wheel when they are impaired, and they say that change in attitude will save the lives of hundreds of Manitobans and greatly reduce as well the number of people who are injured in such car accidents.

If we are talking about a change in attitude, certainly this legislation is going to help bring about a change in attitude. I do not think that change in attitude is inspired by the most altruistic motives. It is really inspired out of fear of being caught, but I think it will work and for that reason I think the legislation, if it is in this instance drafted properly, will be good legislation, Mr. Speaker.

I also think that there are other more positive ways of changing behaviour and changing attitudes that have to fit into the total package, and that is not just a radio advertisement by the Attorney General, or a 10-second or 15-second sound bite that comes on at the end of an advertisement with respect to drinking and driving, it goes far beyond that. It involves the Minister of Health (Mr. Orchard) and the Alcoholism Foundation of Manitoba, and the fact that agency should be supported, and its activities should be expanded rather than reduced and cut back by this Government.

There is an inconsistency as well when one Member of Cabinet is cutting back programs to agencies that have been mandated specifically, as a matter of fact I think established in the first instance, to effect change in attitude around substance abuse. The Minister that sits right next to him, the Minister of Highways (Mr. Albert Driedger), suggests that we need a change in attitude that comes about through education and will save hundreds of lives.

What I see being done and hear being said is that we are not saving hundreds of lives because we are not taking the extra step to change the attitude. If the logic is impeccable, if the Minister of Highways says a change in attitude will save hundreds of lives, and the Government cuts back a program that is intended to provide a positive focus for changed attitudes around substance abuse, then they in fact are costing us hundreds of lives. That logic is linear, that logic is impeccable, that logic is sound, and what bothers me is not so much that they did not see it on June 19, because obviously they were rushing through trying to get this legislation developed, but that they have not seen it in the intervening period of time, and that they have not taken action to change the attitude.

So I do not think they should be quite so boastful about what they were doing and what they are doing when they have the record that they now have, and when they continue on with those cutbacks. We have not heard anything that would indicate that they have changed their minds with respect to advertising liquor on television during hours when there is a large audience of young people. Yet we know if we want to stop drinking problems at the start, in many instances we have to begin with focusing our attention at young people because a lot of young people develop bad habits in that period of time that last with them a lifetime. If you want to prevent that sort of tragedy you have to look very seriously at the ways in which you discourage individuals from substance abuse.

I do not think anyone in their right mind would suggest that you discourage individuals from drinking alcohol by expanding the amount of advertising to which they are subjected because that advertising is intended to increase alcohol consumption.

We are told by the advertising agencies that it is really just intended to affect brand preference. That is not the case. Every empirical study shows that is not the case. The fact is that when you go out and you advertise alcohol consumption in the way in which the advertising now appears on television, you are encouraging people to drink and if those people have not already started drinking, you are encouraging them to begin a drinking habit. The people who are most likely to be affected in such a way, in other words, to start a drinking habit, are young people who have not yet started to drink.

When you open up the advertising for a period of the television day when they are most likely to watch for beer and liquor you are going to increase alcohol abuse as day follows night and night follows day among young people in this province. Anything that you do to expand and increase advertising, I believe will expand and increase consumption because the alcohol and the liquor industry is not stupid. They would not spend money on advertising, which costs them considerable amounts of money, if they did not believe that they would receive more back in revenues than it costs them for that advertising. The only way they can receive more back in revenues is to have more people drinking. This whole concept of brand preference does not work if you just take it from one liquor manufacturer and extend it to the global picture. They are smart enough to know that they have to keep that market expanding or they are going to not expend that type of money on advertising.

We see no evidence that the Government has accepted that logic, yet they cannot dispel that logic, they cannot deny that logic. I was disappointed with the Liberals on this particular Bill because I believe some of them, if not all of them, and I would have to go back and look at the record, supported increased advertising during those hours when young people are more likely to be watching TV. I think that was wrong and I hope they are rethinking that position because I believe it will result in exactly the opposite of what this Bill is trying to achieve.

I do not know whether, Mr. Speaker, that is incompetence, or that is inconsistency. It certainly is

inconsistent to say you want to reduce drinking and at the same time provide for increased advertising and promotion of drinking. That is inconsistent. I also think that is incompetence because you spend a lot of time and effort trying to develop legislation that will ultimately work, we hope, and at the same time you are opening up other avenues that will work contrary to that legislation. You are working against yourself. If working against yourself is not incompetence, I do not really know what is. In fact having thought this through on my feet during this debate, I think it probably is a little bit of inconsistency and a lot of incompetence with respect to the actions versus the words of the Government.

* (1640)

The Minister of Highways (Mr. Albert Driedger), whom I think should be embarrassed by this debate today because it does reflect badly on him and his department, and I know he may have missed the first part of my comments, but I think it is important to reiterate them to him so he knows exactly what one of our concerns is. I would ask him if he could indicate by a nod of his head if he agrees with the Minister of Justice and the Attorney General (Mr. McCrae) that the reason this Bill is back here now is because the Government did not want to put a lot of time, energy and work into developing it in the first instance because they did not know whether it would have the support of both sides of the House.— (interjection)— He says that is not so.

That is an interesting comment, and I see the Attorney General (Mr. McCrae) at least passing by the seat if not talking to him now, because he has just let me out of my dilemma which I indicated to you earlier was a problem. I now know who was telling the truth and who was making an excuse.

Certainly the Minister of Highways (Mr. Albert Driedger) was telling the truth when he said back on June 19 that a lot of hard work by departmental staff, a lot of hard work by himself, a lot of hard work by the the Cabinet subcommittee, and a lot of hard work by the Cabinet went into developing this legislation.

He just said from his seat when I asked him if he could confirm the Attorney General's excuse that the reason this was back here was because they did not want to do that work, he said, "not so," and that is a direct quote. I do not want to misquote him or misrepresent what he said so I will certainly give him an opportunity to correct the record right now if I have misinterpreted what he said to me or if he had misinterpreted my question in the first instance.

An Honourable Member: We will do that on the third reading.

Mr. Cowan: We are already into the sixth reading of this Bill, Mr. Speaker. I do not know how many more readings the Government wants us to go through on this particular Bill. We have gone through first, second and third reading on the first kick at the cat and we are going through those same readings on the second kick at the cat.

Quite frankly, unless they have done a better job today than they did the last time, or unless they have

done a better job than they did in making excuses for their incompetence in the committee, we are going to be back here for a third kick at the cat.

Quite frankly, Mr. Speaker, that is not something that one should necessarily say will not happen, because it is a probability as much as a possibility given the track record, and that is all we have to go on.

I want to get back—after having solved the dilemma and found out that it really was a bad excuse that the Attorney General and the Minister of Justice (Mr. McCrae) provided to the committee on October 6—to the issue at hand which is in fact whether or not the Government is approaching the problem of alcohol abuse and impaired driving in a substantive and in a consistent way. I have indicated some of the concerns that I have.

The main concern, Mr. Speaker, is with respect to advertising and cuts in the Alcoholism Foundation of Manitoba programming.

I am also concerned about what was suggested to be on the Government agenda not that long ago with respect to changes in the procedures at the Liquor Control Commission with respect to gift certificates, with respect to cheque cashing, and with respect to credit cards for preferred customers or frequent drinkers.

I would hope that once the Ministers in this debate or in another debate or at another opportunity for them to speak in this House would stand to their feet and say, it is not so. I wish they would state categorically that it is not being considered by the Liquor Control Commission, that they are not so cynical and not so hungry for revenue that they would allow the Liquor Control Commission to proceed with those sorts of initiatives at a time when they say they are trying to cut back on drinking and alcohol abuse. So, Mr. Speaker, I hope they take an opportunity to confirm that that is not the case if in fact it is not the case.

I note that the Member for St. James (Mr. Edwards) also as a critic wants to speak to this Bill. So Mr. Speaker, I am going to give up some of my time on the assumption that he will stand and also make some comments to this very important piece of legislation before us.

Mr. Paul Edwards (St. James): Mr. Speaker, it is with regret that I stand at this time yet again to speak to this initiative—regret because this is the second time a Bill has come forward before this House on this specific initiative. I am not sure I can be any more eloquent than my friend the Member for Churchill in going over the inconsistencies in the Government's statements about this Bill and about what they have done to prepare this Bill, in fact, what they have not done to prepare this Bill. They brought it before the House and I simply reference again the statements made on October 6 at the committee stage on this second Bill put forward by the Minister of Justice (Mr. McCrae).

I called them, I think, bazaar comments at the time. I stand by that. They certainly were bazaar comments.

They were also very irresponsible comments. The basic thrust of them was that it was the intention of the Minister in this particular initiative—and I wonder how many other initiatives on the part of the Government this applies to?—to bring forward a piece of legislation and basically stick their finger up in the wind just to see which way it was blowing, just to test the waters and see which way the other two Parties might feel about this legislation before taking the time to get it right, Mr. Speaker.

That goes beyond an abuse of the House. I think that is abuse of taxpayers' money because the taxpayers are paying us to be legislators and to be here, and they are paying for the efforts of the committee and all of the support staff and everything that is required to get a piece of legislation through the House, and when two pieces have to go through, that is double the time, double the expense and, in my view, double the negligence on the part of this Government in bringing forward this initiative.

Nobody but nobody disputes the need for this initiative. We called on this Government for 15 months to come forward with something in this area after they had committed in the first Speech from the Throne they gave upon becoming a new Government. I above anyone else, I might say, Mr. Speaker, or as much as anyone else, hope that this initiative now is sufficiently competently written that it will succeed.

I simply put that on the record because as my friend, the Member for Thompson (Mr. Ashton), states it is quite clear that given the early indications and the history of this initiative so far, there is not a lot of hopefulness that this will be the last time. I fear that we are yet again going to be back in this House correcting what should have been done right the first time.

I think what was interesting was that even at the committee yesterday, there were a number of things which came forward, which I brought forward, which this Government had yet to think about. One in particular, let me reference the case of the stolen vehicle where the person who has had their vehicle stolen and the person who stole it is a suspended driver, gets their vehicle impounded, that person would be in a position where they would be paying the fees to the garage keeper and also to the Government, even though they were the victim of a theft. That was something that this Government had not considered.

When we got to the committee stage in June as I recall, I proposed a number of amendments, one of them, a significant one was in fact agreed to by the third Party and went through, and I think that was significant. That was the amendment which put in the 10-day time limit for a written hearing and a 20-day time limit for an oral hearing when you have your licence suspended. In my view, those amendments will significantly buttress this legislation against a successful challenge in the courts.

Mr. Speaker, another amendment that I brought forward was in fact successful yesterday. That amendment was put forward to keep the hearing process, when a person has had their licence

suspended, as open as possible and keep as much fairness in it as possible. In that regard, I was pleased that the Government saw the wisdom of the amendment that I put forward, went back and in fact came up with their own amendment which reflected what I wanted to do, and that gained the support of the committee. So again I think we have improved this legislation and hopefully it can go forward now.

Other concerns that I put forward at committee stage yesterday included many about the forms which have been drafted up as part of the implementation of this initiative. Specifically, it is my belief that those forms should have included the phone number which the Government is already setting up, the information line which it indicates it already will have in place, so that the Members of the public, the garage keepers who will be involved, and indeed the police will have someone to call to get answers about this very detailed initiative.

* (1650)

Let us be clear, this initiative is very, very complicated. The legalities of impounding vehicles and taking away people's driver's licences are fairly detailed and fairly particularized. What that means, Mr. Speaker, is that people who had their licences taken away and have no ability to get it back for hardship—you cannot get your licence back any more for losing your job—they are going to take that very seriously.

The first thing they are going to do is want some information on how to go about disputing the loss of their licence. We have to make provisions for those people to get information about what the grounds of appeal are. They are going to go to their lawyers and that is going to cost a lot of money.

I think we all agree that if someone can call an information line and get some information, they will be well-served by this Government in finding out exactly what the law is. This significant educational campaign I think has to take place around this initiative. I think that is something we heard a bit about yesterday, at the committee stage, but it is my belief that those forms should be amended to include more detailed information about the appeal process and about the ability to dispute whether or not you should have had your licence taken away.

Let us be clear. There are many victims of drinking and driving, but a person who is innocent and charged is also a victim. What we want to do is make sure that we get the right people. We do not want people who are innocent to lose their jobs and find out later that we were wrong. In my view it is in the interest of the survival of this legislation, through the Charter process which it will inevitably go through in the courts, and it is in the interests of surviving that Charter challenge that we need the basic minimum fairness guarantees in place. That has been the thrust of my amendments to ensure that this initiative can survive a challenge.

On that point, in conclusion, I simply reference the Minnesota experience where they did have an administrative hearing process that in my view was superior to the one we have. They indicated that less than 1 percent of the people who applied for the review actually ended up getting their licences back.

We are not talking about all kinds of people getting off on technicalities and getting their licences back. We are talking about less than 1 percent. All the more reason to put in place the minimum guarantees of fairness so that someone does not have to lose their job, and lose their ability to feed their families, when they are not in fact guilty.

If we are going to do all this before a trial—before what is the standard place where these issues are determined in our society and has been for 400 years, if we are going to do this before a trial, we have to put in those minimum guarantees.

Another important statement made by the Minister of Highways and Transportation (Mr. Albert Driedger) yesterday in committee was that the hearing, when you have had your car impounded, will happen within three days. That is not in the law, that guarantee is not there in the law. We have a statement by the Minister that it is their understanding, and it is their belief that they can hold that hearing within three days.

Again a person who loses their car, that is a significant loss to most people. They do not have another car in most cases. We have to ensure that in the case where a car is stolen and impounded, because the guy who stole it is a suspended driver, that the person can get the car back as soon as possible.

I look forward to the three-day guideline which the Minister has indicated being held to so that we can hold those hearings within 72 hours.

I have indicated that I still have many doubts about the thoroughness of this legislation. I am sure that the Government is unsure as well. The history of this Bill I think proves that and the number of amendments they have brought forward since introducing it, over 30, over 30 amendments. The Member for Thompson (Mr. Ashton) indicated that in his eight years in this House he had rarely seen incompetence of this magnitude. I can tell you, Mr. Speaker, I hope I never see it again. I think it is absolutely outrageous that the public should have to put up with 30 amendments from the Government to their own Bill.

As I said back in June, I brought in a number of amendments and the NDP opposed most of those amendments. It was interesting for me to hear the Member for Dauphin (Mr. Plohma) say, well, maybe the Member for St. James was right about a number of those. I am glad he has finally come around to that way of thinking. It is a little late, but I appreciate the commendation at this time in any event. I simply wish that perhaps he and his colleagues had taken a little more time to think about my amendments and this Bill before the committee in June, where I think all of my amendments were very reasonable, and again worked towards ensuring that this legislation and this initiative survives the courts, is effective and provides the assurance to Manitobans that drinking and driving will be curtailed, that they want.

Mr. Speaker, I have indicated that I am astounded and shocked by the procedure that this Minister has adopted with respect to this Bill, and I am also astounded and shocked by the procedure that this

Minister has adopted with respect to this Bill, and I am also astounded and shocked that he has not retracted that and seen the error of his ways. He appears to continue to feel that it is appropriate to bring forward legislation that is incompetently drafted, and that it is important to him to test the waters and just see which way things are going. You do not have to worry about dotting the i's and crossing the t's. No, just bring it forward and let her fly and see what happens—go back and get it right later.

In this case, of course, they have gone back and gotten it and attempted to get it right, at least twice. They went to committee stage in the first Bill, brought forward 15 amendments. The whole Bill only had 16 sections. Now they came forward with another Bill that has got 18 more amendments. Again, the whole Bill only had 16 sections. We got over 30 amendments to a 16 section Bill.

Mr. Speaker, I think it is a necessary part of being a Minister of the Crown that you go back and get it right the first time and do not waste taxpayers' money and do not waste Members' time in redoing what should have been done right the first time.

Mr. Speaker, the fact is that aside from all of the statements given by the Minister and his officials, this is a punitive Bill. I understand that they do not like that statement, because it has criminal connotations, but the fact is it is punitive. The person who has their licence taken away will in fact in many cases lose their job, because hardship will not be a grounds for getting a licence back. Think about that in the context of rural Manitobans, and think about it in terms of people who have no ability to take a bus or no funds to take a cab to their work. That is it, they lose their job; because I tell you, if your job relies on a licence and you lose your licence for 90 days, you are out of a job.

Mr. Speaker, I think that the specially punitive nature of this Act for rural Manitobans is important to recognize in taking the review process seriously so that we make sure the person we punish is in fact guilty, and that we know that as much as is possible within the framework of what is administratively reasonable and possible.

Mr. Speaker, I want to conclude by going beyond the obvious punitive nature of this Bill and remind the Government that at the same time they brought forward this initiative with much fanfare, saying they had spent hundreds of hours working on it, which at this point we are not sure about, considering they have gone back twice to get it right. They also committed themselves to an educational initiative in this area, and they made a governmental commitment. We know that the Government must participate with the private sector in educating the public about this initiative and so far we have seen the private sector come forward, and I credit them for that in putting together ads that express the necessity of taking drinking responsibly, but the fact is, we require the Government to take a similar initiative, and this Government has yet to do that. We are still waiting for the Government to make that initiative and co-operate with the private sector in coming forward with a significant educational initiative to make sure that drinking and driving is not acceptable

in our society and, in particular, is not acceptable amongst youth. We do not want that image, that feeling that drinking and driving is necessarily a part of being socially acceptable in a junior high or high school to go any further.

Mr. Speaker, thank you, and again we are happy to support the conclusion we hope in the Legislature of this initiative.

* (1700)

Mr. McCrae: Mr. Speaker, many things have been said. Time does march on, and I am left with little time to respond to all of the interesting and indeed constructive comments made by Honourable Members on the other side of the House. I do appreciate the remarks of the Honourable Member for Dauphin (Mr. Plohma), and he has asked me some questions, or made some comments about the process of this Bill. The answers to those questions have been given, are on the record. There is no dispute about the reasons behind bringing forward these amendments. We do appreciate, however, the support of the Honourable Members even if they do see the process in a slightly different light from the process we see.

The Honourable Member for Thompson (Mr. Ashton) asked for assurances that there would not be a repeat of Bills like this. The Honourable Member has been in Government. The Honourable Member already knows that in committee it was stated that The Highway Traffic Act is undergoing a modernization and we will hear more about The Highway Traffic Act in the future. Honourable Members know that.

I did not hear all of the comments of the Honourable Member for Churchill (Mr. Cowan), but I am sure that as usual they were pleasant, helpful and constructive. I just know they were, Mr. Speaker, and, of course, the Honourable Member for St. James (Mr. Edwards) was at his usual helpful nature today and his comments are appreciated. But more than that, Mr. Speaker, you cut through all the comments and we do sincerely appreciate the support of Honourable Members of this House. It is by working together like this, regardless of our rhetoric, that we can pass measures that will protect people in this Province of Manitoba, we can bring in measures that will have the effect of protecting people.

On behalf of my colleague, the Minister of Highways and Transportation (Mr. Albert Driedger), who along with his department and my department, has done an extremely good job in getting this legislation ready under such a tight schedule. We have had a lot of work to do, we have done it and we appreciate the support and we look forward to Nov. 1 when we can put this into practice and protect Manitobans on our streets and highways. Thank you, Mr. Speaker.

QUESTION put, MOTION carried.

Mr. Speaker: I am advised that His Honour the Lieutenant-Governor is about to arrive to grant Royal Assent to Bill No. 54.

ROYAL ASSENT

Sergeant-at-Arms (Mr. Cliff Morrissey): His Honour the Lieutenant-Governor.

His Honour, George Johnson, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the Throne, Mr. Speaker addressed His Honour in the following words:

Mr. Speaker: May it please Your Honour:

The Legislative Assembly, at its present Session, passed a Bill, which in the name of the Assembly, I present to Your Honour and to which Bill I respectfully request Your Honour's Assent:

Bill No. 54—The Highway Traffic Amendment Act (5); Loi no. 5 modifiant le Code de la route.

Mr. Clerk: In Her Majesty's name, His Honour the Lieutenant-Governor, doth assent to this Bill.

His Honour was then pleased to retire.

Hon. James McCrae (Government House Leader): Mr. Speaker, we have not quite completed the list of Bills on the Order Paper today, but I suggest we call it five o'clock.

Mr. Speaker: Is it the will of the House to call it five o'clock? (Agreed)

PRIVATE MEMBERS' BUSINESS

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

ORDERS FOR RETURN, ADDRESSES FOR PAPERS REFERRED FOR DEBATE

Mr. Speaker: Orders for Return, Addresses for Papers Referred for Debate, the Honourable Member for Churchill (Mr. Cowan), standing in the name of the Honourable Minister of Housing (Mr. Ducharme). (Stand)

PROPOSED RESOLUTIONS

RES. NO. 13—WASTE MANAGEMENT

Mr. Speaker: On the proposed resolution of the Honourable Member for The Pas (Mr. Harapiak), Resolution No. 13, Waste Management, the Honourable Member for The Pas.

Mr. Harry Harapiak (The Pas): Mr. Speaker, I move, seconded by the Member for Flin Flin (Mr. Storie), that

WHEREAS the depletion of Canada's natural resources is occurring at an alarming rate, to where it has been acknowledged by the Brundtland Commission, to whose ideals Canada is committed, that we must practise sustainable development in order to ensure the use of our natural resources in perpetuity; and

WHEREAS these natural resources are used in the production of consumer and other goods,

and subsequently disposed of as solid waste in landfills, thereby removing otherwise potentially productive land for better use; and

WHEREAS these landfills create a potential hazard to our underground water as a result of toxic leakage as well as result in annoying odors to nearby communities; and

WHEREAS many urban centres are experiencing serious and increasing litter problems; and

WHEREAS through the development of a comprehensive waste management program for Manitoba, we can significantly reduce the demand of and depletion of our natural resources, reduce the need for landfill sites and associated problems, and control the vast amount of litter on our streets.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba call upon the Provincial Government to expand upon a public awareness campaign to encourage the recycling of household wastes; and

BE IT FURTHER RESOLVED that this Assembly go on record as calling upon the Provincial Government to implement a comprehensive waste management plan, a key component of which is recycling; and

BE IT FURTHER RESOLVED that this Assembly call upon the Minister of Environment to give consideration to fund pilot projects in the cities of Winnipeg and Brandon and other municipalities to establish curbside recycling programs of household wastes in Manitoba and to consider providing financial assistance to municipalities in the development of such programs; and

BE IT FURTHER RESOLVED that this Assembly call upon the Minister of Environment to consider providing incentives to industries that are engaged in recycling programs and those who use recycled materials in their production processes.

MOTION presented.

Mr. Harapiak: Mr. Speaker, I am pleased to have an opportunity to speak on this very important Bill. I think it is a process we found that we went through. We established the Environmental Task Force, which I cochaired with Brian Pannell, a lawyer in Manitoba who is past president of the Manitoba Environmental Council. He is also a vice chairman of Manitoba Eco-Network and a member of the National Environmental Council. We travelled throughout Manitoba. We had many public meetings with many organizations and received many suggestions from the public on things that we could be doing as a society and the Government should be doing to make improvements in how we address the waste that we have in our society.

Other members of the Environmental Task Force, who made a significant contribution to the task force, were people who were not of a political nature but

people who had very good professional credentials and also a genuine concern for the environment.

Other members of the task force are, Dr. Eva Pip, who is a professor of biology in the University of Winnipeg. Heather Henderson, an educator and a parent. She has been active in the community and a very strong advocate for environmental issues. Dr. Peter Miller, who is a professor of philosophy at the University of Winnipeg. He is a member of the task force who was responsible for dealing with the paper, dealing with recycling. I think that portion of the report was very well done, and I think there are some excellent recommendations that were put forward by Dr. Peter Miller.

* (1710)

Another member of the task force was a John Whitaker, a farmer and a fish biologist. He is also a chairperson of the Environment Committee of the National Farmers' Union. In his report dealing with agriculture, there were some issues that we dealt with during the hearings where we were dealing with the management of spray cans that in previous years had been scattered throughout the country. I think with the Manitoba Hazardous Waste Corporation getting into place, there were some recommendations made and those cans were being handled in a much more responsible way. There were still some municipalities where we went to that were not satisfied with the way those spray cans were being handled by the municipality so there were some recommendations that had come forward, that we should be putting a much larger deposit on the cans so it would make it more profitable or there would be more incentive for people to bring those cans in.

Another person who was a member of the Environmental Task Force was Dr. William Pruitt who is a professor of zoology at the University of Manitoba. He is also a member of the Wildlife Committee and the Manitoba Environmental Council. He certainly has a world of knowledge in the whole field of forestry, and he was able to bring a lot of knowledge to the committee. I think that there were many members of the public who made presentations who were very impressed with Dr. Pruitt's knowledge in that field.

Another member of the committee was Barry Wild who is a farmer and a chairperson of the Wildlife Committee and Environmental Council as well. Rob Hilliard, who is an Occupational Health and Safety representative from the Manitoba Federation of Labour. Rob was responsible for the area that was dealing with the Workplace, Safety and Health. We are looking forward to receiving a final copy of that report, and I know that there are going to be some great recommendations because we had some presentations that were made from the unions right across the province who are very concerned about the hazardous waste materials that people had to deal with in the workplace. So we look forward to getting a copy of the report.

Dr. Bernie Wiebe, a professor of Mennonite Studies at the University of Winnipeg also was a member of

the Environmental Task Force. He certainly made a worthwhile contribution.

In dealing with recycling, I think that there is a difficulty with dealing with some of the hazardous materials in society. The Manitoba Hazardous Waste Commission was started up when we were in Government. I think they have been doing an excellent job of going out and educating the public on some of the needs that are out there, and how we need to have a place for disposal of some of the wastes that are created by society, by not only industry but some of the individual home owners in their everyday living.

The Manitoba Hazardous Waste Commission have gone out and held hearings and they have made some recommendations as to where the location should be, what type of a location it should be located on. I think they have narrowed it down to where it can be located and now they are looking forward to receiving—they have received recommendations or proposals from some municipalities who are anxious—

Anxious might be the wrong word for it, but there are mixed emotions. Some people in communities want to have the Hazardous Waste Corporation located in their community because of the jobs it would create, and yet there are other people who are afraid of the hazards that Manitoba Hazardous Waste Commission being in their community would cause them.

I think that it would be appropriate if the City of Winnipeg would come forward and make a recommendation to the Manitoba Hazardous Waste Corporation to have the Hazardous Waste Corporation located within the City of Winnipeg. I think the technology is here, is available now, that we could just as easily dispose of all the hazardous waste within the perimeters of the city as we can by taking it out to some community 50, 60, 100 miles from the city. The majority of the population lives in the City of Winnipeg and the majority of the hazardous waste that we have in our society is created right here in the City of Winnipeg. It can be disposed of just as safely on the corner of Portage and Main as it can be in Neepawa or Russell or any other community that is out there.

I think that there are some people who have fears, and I think one of the things that the Manitoba Hazardous Waste Corporation has to do is to convince the people that it is not as dangerous as a lot of people make it out to be. I really think that the City of Winnipeg—there is an election being held within the next week and I think that hopefully the new councillors who are elected will be a little more open to coming forward to the Manitoba Hazardous Waste Corporation and making a proposal to have the Hazardous Waste Corporation located within the City of Winnipeg.

I think if you look at moving all of the hazardous wastes on the highway, although there are ways of controlling that and moving in a safe manner, I still think that the less distance you have to move it the less exposure there is to the general public. I would hope that people would have an open mind. I know that there are some who feel very strongly about that, and some of their constituents feel very strongly as well that they would not like to have it located within

the City of Winnipeg, but I would hope that they would be open to that proposal.

I think one of the things that there has been discussed with the Manitoba Hazardous Waste Commission is they want to allow the private sector to have an opportunity to compete. I think that the private sector should have an opportunity to compete as long as there is a level playing field. I think there is some concern that there will be creaming in a selection of a particular wastes because of easier handling and ease of disposal, so then it would not be a level playing field. I think that is one of the concerns that we have, that the people coming in with the private sector would come in and compete in the areas where there is handling of waste that is profitable and easily recyclable. Then they would pick it up. I think that is one of the things we should make sure, that the playing field remains level and that the Manitoba Hazardous Waste Commission is not caught with handling all of the wastes which are not profitable, and therefore it would not be very long before this Crown corporation was in a very highly deficit position and it would be highly critical.

Last fall I attended a conference where Colin Isaac, who was an executive director with Pollution Probe, made a presentation along with several other people which showed that there is profit in dealing with many of the materials that we have treated as waste up to this time. I think that there are many presenters that have made presentations during those discussions, which showed that some of the cities are much more advanced than the City of Winnipeg in dealing with waste. I think some of the people that need to be acknowledged, because of the role they have played in the whole recycling field, are in the Recycling Council of Manitoba. Harvey Stevens is the present president of the Recycling Council of Canada, and I know that he along with Bob Fenton, the founding president, were very helpful to Peter Miller when Peter Miller was dealing with recycling.

I know now that there has been a call for handling the recycling material by curb-side recycling as Ontario cities have dealt with it. I think we must follow the example that has been taking place in some of the larger Canadian cities in Ontario where they have the blue boxes, and the people are very willing to co-operate and separate their wastes.

(Mr. Deputy Speaker in the Chair)

The curb-side recycling project that is being done in Winnipeg right now will show that people are very willing to co-operate when they are dealing with—I think that John Barker who was with the Resource Recovery Institute who was involved, to a great degree, in starting up the recycling project needs to be given credit for the work that he has done.

* (1720)

We as a society must become very aware of some of the things that we should do to reduce the amount of waste that we create as a society. We should be following the four Rs that we quite often hear about, and those were to reduce, renew, replace the products that are there. We realize by reducing the number of

products I think it is one of the easiest ways we can follow.

Examples of those are when we are utilizing newsprint we can print on both sides rather than on a single side, and also newspapers should be recycled. I think that is one of the things we heard from our presentations. People are encouraging companies like Abitibi-Price and Repap to look at the possibility of recycling paper, because the virgin forest can be saved to a great degree if we go and practice the recycling in the newspaper area.

We also should reuse whatever we can, because there are examples of reusing material, that is when we can use refillable pop and beer bottles, and some people object to this but there are garage sales in which people can utilize a lot of hand-me-down clothes. I think that is one area that they can and do reuse to a great degree.

An Honourable Member: How many minutes are you getting?

Mr. Harapiak: I get 15 minutes. Normally that is how many people get. The Minister was wondering how many minutes I get, and normally it is 15 minutes for private Members, and I did not know there was a reduction in the time that we could utilize.

I think one of the areas that also has taken off in Manitoba is recycling.

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

Mr. Harold Taylor (Wolseley): Mr. Deputy Speaker, it is with pleasure I rise to speak on the subject of waste management kicked off by the Private Members' Resolution No. 13.

I think this is a subject that probably would not have been looked upon with much interest a few years ago. It was one that would be—well, it is one of those nice warm fuzzy ideas, but do not waste my time and do not really waste yours either, but my how times have changed.

I think back though, when we look at waste and what it was that our parents and our grandparents grew up with, and maybe there was a little different philosophy in the family, and in the community of waste not, want not. People thought a little more about throwing things away and not getting the maximum use out of them before they really were ready for the nuisance grounds or the local garbage tip as they called them.

Mr. Deputy Speaker, I can recall growing up in a family of two people that had gone through the depression and I will tell you—maybe it was a Scottish tradition in our family, but I know there was a lot of other families at the same time that thought very much about reusing things around the house and on the farm before they threw them out. Reusable containers, for example, were something that everybody made use of, glass bottles for this, and glass bottles for that. We did not have much plastic then; lots of tin containers

with closing lids that sealed properly. We seem to have gotten away from that. We are into a disposable society. I wonder when they are going to throw away us next.

Seriously, the rate at which we as a society now generate refuse is absolutely amazing, and for the larger population centres we are to the point where it is impractical and expensive to develop disposal methods.

We have seen terrible debates in places like the British Columbia lower mainland, southern Ontario, southwestern Quebec, where municipalities no longer have the large tracts of land in which they can dump this tremendous amount of garbage that is generated daily. They have gotten into hellish debates quite frankly, Mr. Deputy Speaker, with the communities alongside where they have attempted to buy land in those adjacent communities to create the municipal garbage dump which they can no longer contain within their own boundaries.

Toronto has just been looking at one up in the Caledon Hills just northwest of Toronto. The local municipality does not like it. They own the land. The proposal is to put a train line, a rail line, in which will bring in the garbage in special rail cars and that sort of thing. I think what we have got to have though is another thing that I think we can look at from the Ontario experience, and that is our own variation of what is called the blue box program, but I will get into that in a moment, Mr. Deputy Speaker.

The recycling we talk about in this resolution begs a point. The point is, recycle yes, but reuse first. That is why I led in with those earlier comments. We should be reusing things. I for one am still not a subscriber to the concept of plastic bottles for soft drinks. I still believe that the old ginger ale and Coke bottle glass that you return on a Saturday morning for 10 cents as a kid, so you had some money for gum, chocolate bars and cards, et cetera, is still the way to go.

I am not convinced by this plastic recycling in which we collect 30 maybe on a good week 40 percent of the plastic containers, soft drink containers, here in this province, and shred them up in north end Winnipeg and ship the plastic down to Alabama for reprocessing into something different. I am still convinced, as I think the brewing industry in this country is, that it is better to reuse. I still think that is the way to go.

There are some things we will not be able to reuse and refill, and recap them, and send them out again onto the store shelves. The sort of things we have got to talk about are other plastics as well as that one that is on the table at the moment, the soft drink bottles, clear glass from all sorts of containers, newspapers, tin cans, and aluminum cans.

I have to say, Mr. Deputy Speaker, I am very pleased to live within the community of Manitoba where the Blue Bag, not box, Test Program is under way in my community in Wolseley, 500 homes in Wolseley have been operating on garbage day with a Blue Bag Program.

What happens there is that we were given tieable large blue garbage bags in which we are to put those five items, with the exception of the newspapers that

we put alongside, and on every evening on the night the garbage is put out we dutifully tie up those bags and put them out on the curb-side, along with the green garbage bags or the garbage cans, for collection and two trucks come along. A big yellow city truck comes and takes the refuse from the cans and collects the green garbage bags, but a smaller truck follows and collects the blue bags with the recyclable materials.

They are taken to the Resource Recovery Institute on Aikins Street in Winnipeg and there they are physically separated, they are batched, in the case of glass it is crushed into small bits, and in the case of cans of both types they are crushed, and then they are sold commercially to offset the operating costs of that program. I think that is the way we should be going.

I was very pleased to see an announcement two days ago in the Winnipeg Free Press that 500 more homes in Wolseley are going on this program in another two weeks, and a first 1,000 homes in south Fort Garry. I think that is just great. In a matter of a month and a half, we have grown the program from 500 to 2,000. I think that is just great, it is the way to go.

What we do need though is to see this not as a little experiment that is something nice to do, but we have to see this as the introduction of a program in what I would hope as a minimum is to be the two largest communities in this province as a start, and then smaller communities thereafter. I refer to the whole of the City of Winnipeg and the City of Brandon.

* (1730)

There are some costs to these programs. The way this program got started was by joint funding from each, the city, the province and the federal Government. I think that was the right thing to do. I think we saw it, however, as a private initiative. We did not see it as a Government initiative by this Government and certainly not by the previous Government. It was initiated by a private group of concerned environmentalists who named themselves the Resource Recovery Institute and are operating this on a not-for-profit, not-for-fee basis.

I am hoping much will be learned. I am hoping we will see it as the harbinger of what could come in this province, I hope along the paths of what has happened in Alberta and along the paths of what happened in Ontario. In Ontario there is now 1,100,000 homes—not people, homes—on the Blue Box Program. Every major community in that province is on the Blue Box Program.

I visited with my sister a few months back in Ottawa and saw that she had a couple of these blue boxes in the garage, and I questioned her quite intently as to what was going on and how successful it was. The interesting thing that came out is that neighbours talk to each other and interestingly enough neighbours talk about each other. If you do not put your blue box out on Monday morning, assuming Monday morning is garbage day, the neighbour is going to ask you how come you did not have your blue box out there with the recyclable materials out of your garbage. There is

this little, if you will, neighbourhood enforcement of the program. I was quite amused at this, and said does this really happen? She said it sure as heck does. What is happening is that it has become a watchword in that province. I am hoping that the learning that we are going to be doing in first in Wolseley and now in Fort Garry is going to lead us to that sort of situation.

I have to admit I did complain to John Barker, the head of the Resource Recovery Institute, about it. I said, you know you have those blue bags from Glad, and I think they are strong enough and there is a good tie on them, but could they not put a little more blue dye in those bags because they can see all my liquor bottles in there. So he said that he would speak to them about that.

In all seriousness, we have to get on with this. We have seen the previous administration that was in power for fourteen and a half of the last 20 years, Mr. Deputy Speaker, and took on no initiatives of this nature whatsoever. I think that is disappointing.

I agree with the philosophy of this resolution. How could I argue with it? It is along the lines of things that I advocated previous to being at this forum of Government and worked with a number of people towards recycling on a hit-and-miss basis over the years before a program of this nature came.

We are starting to see recycling not just at the curb side, Mr. Deputy Speaker. We are seeing recycling trucks pulling up for a day at the local shopping centre. The grocery store that I patronize on Portage Avenue, Harry's, he has it there every second Tuesday, and you know what? There are lineups for that truck. There are lineups and some days they have to send a second truck because the first one is full. Now that is people voluntarily taking time out of their busy day to come to their local grocery store—hopefully they are going to buy a few things too, I would guess that is part of the intent—but they are lining up there and providing the recycling people with their materials and getting a few cents and in some cases a few dollars back, and it is working.

Why is it working? Because people are interested in this sort of thing and there are some dollars to be made in recycling materials like plastic, glass and aluminum. Unfortunately, there is not quite as much money in recycling newspapers. I would like to put on the record that the Liberals would advocate the recycling of newspapers on a scale basis in this province. One of the things that should be done by this Government is the taking of dollars from the Western Diversification Fund with the co-operation of the Federal Government to establish a de-inking plant here in Manitoba, either in Winnipeg or up at Pine Falls by the Abitibi-Price paper plant, so that we can recycle those newspapers, because right now the nearest market, Mr. Deputy Speaker, is Edmonton, 850 miles northwest of here.—(interjection)—Right, too far, said the Minister of Health (Mr. Orchard). Right on. In fact, sometimes they do not even want them there. They have too much. We have even shipped some as far away as Korea and that is not dollar-effective.

Let us do the job here in Manitoba. Let us stay here and keep the newspaper here and recycle it. We will

create more jobs at Abitibi-Price. There will be a few fewer trees required, but it is more environmentally sound to operate that way. It would be the creation of industrial jobs that I think would be beneficial to Manitoba. We have not seen that sort of leadership yet from this Government. We have seen the co-operation on this specific project, but I think there will have to be more of an effort on the part of this administration and this Environment Department than we have seen. So while speaking in support of this resolution in principle, I have to say, where were the NDP most of the last 20 years? I know that they have just had the completion of their Environmental Task Force that went all around the province, pontificated to the environmentalists, bored them to tears, in fact lost the support of a few of them, because of all the things they were saying and all the things they did not do, Mr. Deputy Speaker.

So we have here a case of "do what I say, not do what I do," because the NDP has done a lot of saying and little doing. I know that appeals to certain Members on the other side of the House, but I sincerely on the basis of this Waste Management resolution ask the Government Members, and in particular the Cabinet Ministers, to consider the position they take on waste management. I look forward to more initiatives out of this Government to a very important issue. Thank you, Mr. Deputy Speaker.

Hon. Jack Penner (Minister of Rural Development):

Mr. Deputy Speaker, it is certainly a pleasure for me to be able to rise in the House to deal with the resolution on Waste Management. Those of us who have been born and raised in rural Manitoba and especially were fortunate enough to be able to farm and be involved in the agricultural community for a long, long time have an interest, especially in hazardous waste and waste management and disposal of waste. The resolution clearly defines and speaks on a subject that is very dear to my heart and most of my colleagues. The sustainable development that Brundtland refers to in areas of not only resources, but many other areas, is something that I think all of us need to pay a lot of attention to.

It is important not only to sustain our natural resources, as the resolution says, and to be able to dispose of and deal with landfill sites that concerns me. It is this whole area of waste disposal and how we initiate programs, whether it is either through developmental initiatives, by encouraging us to recycle and all those kind of things, that really concerns me. When you look at what is happening in some of the larger major centres that have been initiating recycling programs and you look at what is happening to the products that they have targeted for recycling, I think it should lead us all to be concerned.

There are a number of products I suppose that we could look at to use specifically for such things as roads. Glass can be recycled and reused and even some of the plastics. However, I think it is important to recognize that in any product, and having had some experience in business, you realize very quickly that you have to have a market for any product that you are going to produce. Recycling of some of the waste material that

we are into certainly leads to exactly that, the creation of products that are going to be put on the market that are going to have to be competitive with products that are currently on the market. Therefore, it leads me to wonder whether we could, when we initiate recycling projects and when we gather materials that can be recycled, such as bottles and plastics and rubber tires and what not all and store them, whether we in fact it might lead to the establishment of waste dumps within our urban centres.

I am very concerned that the dump sites that we have now are, at least in some of the communities, in such a state that would lead me to believe that action must be taken. Maybe some of the best action that we can take is not necessarily recycling, or the gathering of materials for some future recycling, in other words, creating large inventories of recyclable materials within our urban centres, or maybe even outside of the urban centres, but that would lead to less waste. I think we are all guilty of buying things that we use for a very short period of time and throwing it away, creating large mounds of garbage. I think we were all guilty of buying for our children or our families things that we might not need.

* (1740)

I refer to this matter specifically because it gave me some pleasure, my wife and I, to be able to travel to Africa on our holiday this last winter and experience a part of the world that few people are able to experience. It was in Kenya and Tanzania in the outback that we experienced and had the ability to observe how important material things really could become. We visited some of the villages of the native people and those native people still hunted with their bows and arrows and had nothing to wear other than animal skins that they could skin and what they could bring down with their spears. The tin cans that we had brought along with some food were valuable, very valuable to those people. They used them as cooking utensils. The plastic milk bottle that we brought with us was used, and they immediately grabbed it when we offered it, to carry water, carry water up to 10 and 20 miles. These people simply did not have access to drinking water at their villages.

(Mr. Speaker in the Chair)

So some of the things, the material things that we have become so accustomed to, and so used to throwing away and wasting, these people held very dear. They became very valuable items to them.

I believe, Mr. Speaker, that it is time that maybe some of us, all of us in this Chamber, need to reflect on some time. That is that there are people living in this world that are much, much less fortunate than we are. Maybe we should pay some attention to changing our lifestyle a bit to create less of the waste, specifically some of the hazardous waste when we dump materials into deep pits and cover it with ground, that we create an environmental situation and reaction underground that creates hazardous gasses and other things. We should all be conscious of the role that each of us as individuals have to play in making sure that less of

those waste products that we have become so accustomed to are really put into the environment.

I believe the resolution is lacking in a number of areas. It does not say clearly what to do with those very products once you recycle them, once you have been able to segregate them, and what you are going to do with them in the meantime. I think it is important that we are able to identify clearly, when resolutions such as this are put before this Legislature, specifically what should be done. It is my belief that our Government could be quite involved—I am surprised that the resolution does not indicate this—in educating, educating our people, our society, in ways and means to decrease the throwaway things that we have become so used to buying. Maybe we could initiate, at some point in time, marketing opportunity. Maybe we could develop markets by creating new uses for recyclable products. I see the resolution does not touch on that at all.

Therefore, I would say to you, Mr. Speaker, that legislation such as our Minister of Environment (Mr. Cummings) introduced not too long ago when he introduced the ACRE program, announced the ACRE program, is by far advanced to what we are currently discussing here, and I believe will lead eventually to the kind of things that I have been suggesting here, better education, less waste, and in the long-term will help municipalities, local Governments, provincial Governments, federal Governments to deal more economically with the disposal of products that we have become so used to using.

With that, Mr. Speaker, I would like to say that it would be virtually impossible for me to support a resolution such as this, that really does not have much substance to it except to identify some of the problems that we are incurring at this time and will incur to maybe even a greater degree at future dates unless we are able to educate our young people in changing their lifestyle and using less of the products that are disposable.

I want to thank you, Mr. Speaker, for the opportunity to rise on this matter and voice my opinions on it.

Mr. Jay Cowan (Churchill): It is interesting that as legislators we partake in this debate today in a Chamber with 60 desks, 57 of them full of paper and notes and books. Perhaps even your seat yourself, Mr. Speaker, is full of paper and notes and books, as is the Clerk's Table, as are the offices in which we operate—and I can tell you there is a tremendous amount of paper and books in my own office—yet there is probably not one piece of recycled paper in all that mess.

The Member for Selkirk (Mrs. Charles) shows that she indeed does have a piece of recycled paper, and perhaps I overstated the case because I know in our caucus we have recycled paper as well. I want to talk about that in a bit more detail later on in my comments if there is time. I think even the Member for Selkirk would agree with me that there is far too little recycled paper. Perhaps if we are going to talk about these sorts of problems from a position of integrity and from a position of some experience, we ought to look inward

in the first instance as a Legislature and as legislators to determine if we cannot in our own work life, in home life and using our own work style, accommodate some of the very important principles that are contained in this resolution by my colleague, the Member for The Pas (Mr. Harapiak).- (interjection)-

The Minister of Finance (Mr. Manness) says maybe we should try and reduce the paper flow, and I note that he has been trying to do that by denying access to documents quite frequently to groups that have requested them. However, I am certain that is not what was intended when one put forward the resolution with respect to recycling.- (interjection)-

Mr. Speaker: Order. The Honourable Member for Churchill.

Mr. Cowan: Mr. Speaker, the problem is a serious problem notwithstanding my own comments and asides, and notwithstanding the rather frivolous comments by the Member for Pembina, the Minister of Health (Mr. Orchard), from his seat.- (interjection)-

I would ask your assistance. The Member for Pembina seems to be quite tense in the Chamber lately and easily excitable, and it is difficult to carry on with a serious debate when those sort of flippant asides are a constant interruption. I am certain that he intends them to distract and intends them to cause difficulty, but I do request some assistance from time to time in trying to control the Member for Pembina.

Having said that, Mr. Speaker, I want to go back to the very serious nature of this resolution. I want to address my comments first to the Minister of Rural Development (Mr. Penner) who just spoke and said that he could not support this resolution.- (interjection)-

Mr. Speaker: I am having great difficulty in hearing the remarks of the Honourable Member for Churchill (Mr. Cowan). Honourable Members wishing to participate in this debate will have ample opportunity to do so. As of now, the Honourable Member for Churchill.

Mr. Cowan: The Minister of Rural Development said he could not support this resolution because it did not go far enough. I think he mentioned two specific areas where he believed it did not go far enough. One was with respect to education around the issues associated with recycling and that includes the reduction of the use of toxins in our society, that includes the reuse of those substances where possible, the recycling where possible, and other avenues to reduce waste that needs to be managed.

I would point out to him that there is a BE IT THEREFORE RESOLVED in the resolution that does deal exactly with that concern of his. It states that the Assembly call upon the Government to expand upon a public awareness campaign to encourage the recycling of household wastes, and that public awareness campaign would indeed be an educational campaign.

If the Government wanted to accept the recommendations in the resolution and carry them

forward, they could also expand upon that public awareness campaign by putting it into the schools, which I think is a very positive contribution that the Minister of Rural Development made to the debate, that suggestion, by even having educational campaigns that apply to those like ourselves who do not have the opportunity to undergo formal education to the extent that our younger population does, and to provide that sort of education. We agree with him that it is very important and I believe that it is anticipated in the resolution in that particular RESOLVED.

He also said that one of the other areas that the resolution was weak and I know—I do not want to speak for the Member for the Pas (Mr. Harapiak)—that we would accept any positive amendments to the resolution that strengthened it in these areas. That may be something that the Minister wants to think about, have one of his colleagues provide, since he has now spoken on it, in a later contribution, but if he feels that the wording is not distinct enough or not strong enough, then we would certainly look at friendly amendments that would strengthen it.

* (1750)

I have to disagree with him that there is not contemplated in the resolution the addressing of the problem of the reduction and the reuse of waste products, because what it calls for in the BE IT FURTHER RESOLVED is a comprehensive waste management plan and that wording was chosen very carefully. That is not a comprehensive waste disposal plan which, if it was, I would then agree with the Minister that it did not go far enough because that would only involve itself with the disposal of the waste, rather than the management. But because it calls for a waste management plan, it does contemplate managing the waste in other ways than just disposal. That management could include reuse, and that management could include reduction in the amount of wastes that are put into the system, and that comprehensive waste management plan could also include other ways of reducing and recycling.

The Minister then went on to suggest that there has to be some way to encourage recycling and reduction. The last BE IT FURTHER RESOLVED calls upon the Minister of Environment (Mr. Cummings) to consider providing incentives to industries that are engaged in recycling programs and those who use recycled materials in their production processes.

I believe that the resolution in fact does address the issues which he said would prevent him from supporting it. For that reason I would hope that we could count on his support. If he believes that it does not go far enough in addressing those specific issues then perhaps friendly amendments could help make all of us feel more comfortable with the resolution.

Indeed it is an extremely serious issue that affects each and every one of us. I want to quote from a comment by Mr. Donald Worster in an essay entitled "Man and the Nature Order" which is part of the Earth Report, 1989. Mr. Worster says, and I quote, never before in our history has the organic world around us

been in so much trouble. We are creating an environment of gaseous wounds, disorganization, and death.

I do not believe that Mr. Worster is overstating the case when he indicates that we are indeed in serious trouble and that we are indeed wreaking havoc on ourselves. We are doing it not in an intentional manner, but I think more so out of ignorance. Up to a certain period of time, that ignorance could almost be forgiven. That is not to say that there were not very forward-thinking people who were warning us a long time ago about the problems we were creating for ourselves and trying to stop some of the havoc and destruction which we have been imposing upon ourselves. There were those individuals, but they were few in number and their impact was relatively limited, unfortunately so.

Over the past number of years, and almost entirely within the past decade or at least the past generation, those voices have become stronger, those voices have become more knowledgeable, those voices have had more effect and impact on us because of not only what they were saying to us, but because we were able to see first hand some of that destruction take place around us.

Being human beings it is sometimes necessary for us to experience things first hand before we can put them into the proper context. While there may have been excuses a generation ago, our generation has no excuse. We have no pleas of ignorance to fall back upon. We know what we are doing. At least we should know what we are doing. We should know the consequences of what we are doing. That is why the education campaign that the Minister of Rural Development (Mr. Penner) referenced is so important. It is important because we need to make certain that future generations talking to this sort of issue do not blame us for not having taken action when there was absolutely no excuse to prevent us from taking that action.

The issue of waste management is probably one of the most important issues that confront those who care about their environment, those who love this planet. It is because of the amount of waste which is going into the environment through discarding after manufacturing process or after use at the home or after use on the farm or after just general use by the population. We have to take action to deal with that in a comprehensive way.

In the past, we have relied much too much on dilute and disperse methodologies. At the time, those particular methodologies were in favour. They had political acceptance, they had scientific acceptance, they were felt to be the proper way to deal with waste and around that whole theory of dilute and disperse came the landfill waste management system.

The landfill waste management system has served us for some period of time, not very well, but we did not realize just how many problems we were creating for ourselves by not implementing a proper waste management system in the first instance.

It is known that more than 90 percent of the world's domestic and hazardous wastes are disposed of in

landfill sites. Think about that for a moment—more than 90 percent. In Manitoba I understand, and I could be corrected, but I believe the figure is 1.5 million tonnes of waste in this province in a given year. That is expected to go up to about 3.5 million tonnes in the next number of years, over the next five-year period. That is a tremendous amount of waste, and 90 percent of that is disposed of in landfill sites. I believe there are approximately 530 landfill sites in the province. So you know that almost every community is served by a landfill site to a greater or a lesser extent and therefore any problems that are associated with this method of disposal are going to affect a large number, if not all, of the communities in Manitoba. So it is a problem, one that is germane to every community whether it be northern Manitoba, rural Manitoba or the cities.

I said that we have gotten some information recently that was not available to us before that should make us act a bit more quickly, but what is interesting and I am leaning on the experiences in other areas and other jurisdictions to make these comments, but health surveys had shown that those living near hazardous waste landfills have shown higher than expected rates of cancer.

There was a study done in 1986, one of the more recent ones in this area, in rural Louisiana which said that there was a disproportionate number of hazardous waste sites that was 19 percent higher than expected. That was as a result of toxins that had filtered through those landfill sites, not just that day that the survey was done, not just that year, but for decades before.

So what that tells me is that there are some very serious concerns that have to be addressed, that it is probably too late to prevent the problem in its entirety,

but it is not late to start the work on the solution. That is what this particular amendment calls for, a comprehensive waste management program that prevents those types of health hazards as a result of inappropriate disposal of waste.

That program must contain four distinction elements, Mr. Speaker. There must be a reduction of waste, whether it be considered hazardous or domestic waste it oftentimes has the same effect. So we must start by each and every one of ourselves acting to reduce the amount of waste that we produce in our work and in our home life.

The second must be the reuse of products where that is possible and that is something that the Minister of Rural Development (Mr. Penner) touched upon and probably one of the most important areas. The Member for Brandon for the second time has held up a reusable envelope that has probably 30 names on it, so it shows that we can in fact reuse things.

I have two more points to make very quickly, Mr. Speaker, because I note my time is short. We must recycle and we must recover. I think if we put together a comprehensive program of reduction, reuse, recycling and recovering of waste products, we will have made a large step forward in making certain that generations in the future will be able to look back upon this period of time as a period of progress rather than a period of problem.

Mr. Speaker: Is it the will of the House to call it six o'clock? (Agreed)

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