



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

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**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Fifth Legislature**

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

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	LIB
ASHTON, Steve	Thompson	ND
BARRETT, Becky	Wellington	ND
CARR, James	Crescentwood	LIB
CARSTAIRS, Sharon	River Heights	LIB
CERILLI, Marianne	Radisson	ND
CHEEMA, Gulzar	The Maples	LIB
CHOMIAK, Dave	Kildonan	ND
CONNERY, Edward	Portage la Prairie	PC
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	ND
DOER, Gary	Concordia	ND
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	LIB
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Clif	Interlake	ND
EVANS, Leonard S.	Brandon East	ND
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	ND
GAUDRY, Neil	St. Boniface	LIB
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
HARPER, Elijah	Rupertsland	ND
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	ND
LAMOUREUX, Kevin	Inkster	LIB
LATHLIN, Oscar	The Pas	ND
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	ND
MANNES, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	ND
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold, Hon.	Rossmere	PC
ORCHARD, Donald, Hon.	Pembina	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	ND
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	ND
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	ND
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	ND
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	ND
WOWCHUK, Rosann	Swan River	ND

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 24, 1991

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

**Mr. Doug Martindale (Burrows):** Mr. Speaker, I beg to present the petition of Faye Settler, Iona Victor, D. Kozak and others requesting withdrawal of funding and prevention of construction of The Pines project and to prevent projects similar in nature from destroying the community.

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**Mr. Jack Reimer (Chairman of the Standing Committee on Law Amendments):** Mr. Speaker, I beg to present the Sixth Report on the Committee on Law Amendments.

**Mr. Clerk (William Remnant):** Your Standing Committee on Law Amendments presents the following as their Sixth Report.

Your committee met on Tuesday, July 23, 1991, at 3 p.m. in Room 254 of the Legislative Building to consider bills referred. On July 23, 1991, your committee elected Mr. Reimer as Chairperson.

Your committee has considered:

Bill 65—The Statute Law Amendment Act, 1991; Loi de 1991 modifiant diverses dispositions législatives

and has agreed to report the same with the following amendments:

Your committee voted to defeat Clause 1 of the bill.

Your committee also voted to defeat Clause 30 of the bill.

#### MOTION:

THAT Legislative Counsel be authorized to change all section numbers and internal references necessary to carry out the amendments adopted by this committee.

**Mr. Reimer:** I move, seconded by the honourable member for Fort Garry (Mrs. Vodrey), that the report of the committee be received.

Motion agreed to.

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**Mrs. Louise Dacquay (Chairman of Committees):** Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the honourable member for La Verendrye (Mr. Sveinson), that the report of the committee be received.

Motion agreed to.

### TABLING OF REPORTS

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, it is my pleasure to table the unaudited year-end statement, Preliminary Financial Report of the province, year ending March 31, 1991.

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, it is my pleasure to table for all members the Annual Report of the Manitoba Health Services Commission for the year 1990-91.

\* (1335)

**Hon. Darren Praznik (Minister of Labour):** I would like to table on behalf of the ministry of Labour, Pay Equity Bureau, a report entitled Pay Equity Implementation in Manitoba Crown Corporations and Universities.

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, may I direct the attention of honourable members to the gallery, where we have with us this afternoon, 30 children from the Norquay Community Club, and they are under the direction of Melissa Budd. This community club is located in the constituency of the honourable member for Point Douglas (Mr. Hickey).

On behalf of all honourable members, I welcome you here this afternoon.

## ORAL QUESTION PERIOD

### Health Sciences Centre Emergency Nurses Program

**Mr. Gary Doer (Leader of the Opposition):** We have just been informed, as the Premier has been informed, by nurses working in the emergency areas of the province of Manitoba that in fact the program that has graduated over 135 nurses in emergency training throughout the province over the last number of years is in jeopardy with decisions from the provincial government, and the 1991 class, which is scheduled to start in five weeks, the beginning of September, is in fact going to be cancelled.

This is a program that trains emergency nurses to work throughout Manitoba. It is a well-recognized program, Mr. Speaker, that deals with vulnerable people—our elderly, our homeless, our life-threatened and primary health care consumers—according to national papers.

I would ask the Premier, as head of Treasury Board: Has he approved the decision to cancel the emergency nurses' program at the Health Sciences Centre, the 1991-92 year, which is scheduled to begin in five weeks, September of this year?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, what my honourable friend is in receipt of is a letter from the Emergency Nurses' Association of Manitoba, surrounding an Urban Hospital Council issue in which investigation, discussion and recommendations were to flow regarding establishment of a core area program for specialty nursing training.

That was a recommendation made by the Urban Hospital Council, not by government, to come around the issue of training in those very specialty areas.

Let me say to my honourable friend that one of his statements in his preamble is not accurate. There is no recommendation to cancel the emergency nurses' training course, as my honourable friend has indicated, and I would not want my honourable friend to leave that kind of an impression out there. The status of this investigation by the Urban Hospital Council is that they have met over the last number of months, they have put together a series of recommendations, which I understand have been distributed for discussion. Pending the feedback they get from the recommendations to the steering

committee, certain decisions or certain recommendations for decision may be made.

At this stage of the game, government has not even availed itself, nor will it avail itself, of interim recommendations. It is the final recommendations we will deal with, but I want to reinforce the point that my honourable friend is wrong where he says there is any intention of cancelling the emergency nursing course in the province of Manitoba. That is not accurate.

### Health Care System Underspensing

**Mr. Gary Doer (Leader of the Opposition):** We have the letter from the Emergency Nurses' Association, and we did a little more work. We have a copy of the log entry in the emergency nurses' area itself, the log book that nurses enter the instructions of management into on the various wards. I quote right from the log book from the nurses themselves, not from the Minister of Health's circuitous answers that he always gives in this House—you know, March is summer and January is summer in terms of bed closures, the kind of answers we get all the time from this minister—has confirmed the following: The emergency program will not—underlined by the nurses—run this fall.

\* (1340)

Mr. Speaker, they also state that the reasons for cancelling this program in the '91-92 program is a quote according to the financial restraints of the provincial government. Today, we are in receipt of the fourth quarter statement from the provincial government just tabled a few minutes ago, where it states that the provincial government Department of Health underspent its budget by \$26 million. This is after they underspent their budget by \$65 million over the last two years.

How many more hardships are being placed on Manitobans because this minister underspends what this Legislature authorizes for patients and staff in our health care system in the province of Manitoba?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, an outside observer might call my honourable friend somewhat dishonest in his preamble to this statement. Now, I cannot because parliamentary rules forbid that.

Mr. Speaker, what my honourable friend ought to say, if he was being completely honest, is that in

underspending the departmental budgets the very hospitals that he is talking about have at least expended what was budgeted and not underexpended, and this year is no exception where the hospitals of Manitoba, including the Health Sciences Centre, have expended their budgets as printed in the Estimates and I believe \$4 million in addition to that.

**Mr. Speaker,** any impression that my honourable friend wants to leave that it is underspending in the hospital system that causes some of these issues to rise is wrong, because the hospitals have not been underspending their budgets. They have at least been spending them. So let me correct that incorrect statement.

Now, **Mr. Speaker,** the Urban Hospital Council, in looking at the training program for emergency nurses, is circulating recommendations. The Urban Hospital Council has not made a final report, has not received the final report from the subcommittee, and when it does, will then formulate recommendations to government which we will consider.

**Mr. Speaker,** I cannot answer for interim recommendations. I cannot answer for the kind of log book notations that are there, but I will answer for any recommendation this government accedes to once it receives it from the Urban Hospital Council. Then, **Sir,** I am accountable for decisions that I agree to, not recommendations whether they exist or do not exist in terms of a think-tank to come around the issue.

**Mr. Doer:** **Mr. Speaker,** the decisions are being communicated to the staff, to the future students, nursing students in the hospitals. The decisions are being communicated in log books, in communications that are coming from the nurses' association, the Emergency Nurses' Association. So if the minister said he did not approve it, something is wrong in terms of the policy of this government from the Health department minister to the actual operations of the wards.

Something is wrong with this minister when we were talking about patients in the hallways. Something is wrong when we talk about the layoffs and the cutbacks of beds at the Health Sciences Centre when we find out 65 beds are going to be cut for six extra months in the winter of this year extending the summer close down. Something happens in terms of the cup when it gets to the lip with the Minister of Health, because he cannot give

us straight answers in this House about decisions that are being made in his department.

I would ask this minister: Given the fact that we have underspent the Department of Health by \$92 million in the last three years, how many patients waiting for emergency surgery and elective surgery could have been served if we would have utilized that money? How many patients who are in hallways now across the province would not be in those hallways, and how many nurses and programs that are being cut could be restored with the money this Legislature authorized?

**Mr. Orchard:** **Mr. Speaker,** let me tell my honourable friend before his dishonesty pervades and spreads, in the budgets of the hospitals of the province of Manitoba, there have been—

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

#### Point of Order

**Mr. Steve Ashton (Opposition House Leader):** Yes, **Mr. Speaker,** the comments of the Minister of Health were clearly unparliamentary. I would cite Beauchesne, where there are various references in that regard. I understand the minister is sensitive about the questioning, but he ought not question the honesty of the Leader of the Opposition when his own answers are creating the difficulty for him. I would ask you to have him withdraw that unparliamentary remark.

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

\* \* \*

**Mr. Speaker:** The honourable Minister of Health, to finish his response.

**Mr. Orchard:** **Mr. Speaker,** my honourable friend attempts to say that hospitals have underspent their budgets. That is false. That has been false this year. That was false last year when he made the accusation. It was false the year before when he made the accusation. It is also false when the Leader of the New Democratic Party (**Mr. Doer**) says that we are doing less surgeries. We have done more ophthalmology, more knee replacement, more surgeries, more open-heart surgeries, than ever before in the history of the province of Manitoba.

Why is that, **Sir?** It is because we have increased the budget to the hospitals in three successive budgets by approximately 20 percent over the last

three years. That has allowed us to do more, not less.

Now, when my honourable friend makes these kinds of false accusations, he attempts to mask the significant changes and reform that we have undertaken in the last three years, that previous administrations have been powerless to do. For the first time, Mr. Speaker, we have an Urban Hospital Council with all CEOs around the table in order to come to grips with issues common to the health care system, not to make decisions unilaterally per institution, but rather for the system, for the benefit of the patient and the taxpayer who happen to be—

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

\* (1345)

### Bill 70 Withdrawal

**Mr. Steve Ashton (Thompson):** Mr. Speaker, just a few minutes ago, the Coalition for Fairness delivered 30,000 protest cards against Bill 70 that state: "I've had enough. Withdraw Bill 70! Stop attacking Manitobans. I will NOT vote for anyone who takes away my rights!"

Mr. Speaker, they delivered it to us because many of them are civil servants who are afraid to have their names associated with such a petition in the context of this government. That is how far we have sunk in this province with that kind of fear.

My question quite simply to the First Minister is in regard to his own previous statements, when he said: "We will act in good faith at all times in the open free collective bargaining process with all of the employees with whom we have to negotiate."

My question to the Premier: In light of the clear opposition for many of those Manitobans who previously have enjoyed collective bargaining rights, will this Minister, if he would not listen in committee, now listen to the 30,000 Manitobans and many more who are protesting against this government and withdraw Bill 70?

**Hon. Gary Fillmon (Premier):** Mr. Speaker, Susan Hart-Kulbaba has never been afraid to come and see me personally or privately and chat with me about it. She did not need to deliver those to the opposition caucus other than that she knows where her friends are, the people who take their lead from the Manitoba Federation of Labour, the farm team of the Manitoba Federation of Labour sitting in the New Democratic benches. So let him not suggest

that somehow this is in any way a matter that is a matter of concern to the entire province of Manitoba.

Mr. Speaker, the people of this province want their taxes kept down. The people of this province want the province to be strengthened economically. The people of this province know and understand that sometimes difficult measures must be taken in order to ensure that we can have a sound economic base. We have listened to the people, all the people, not just to the union leaders of this province.

**Mr. Ashton:** Mr. Speaker, the people just want a Premier who keeps his word.

I want to stress again—this is in my question to the Premier—these are 30,000 ordinary Manitobans, many of them impacted directly by this bill, who are concerned about repercussions if their names are given to this government. After having laid off as many employees as it has, this government should understand that.

My question to the Premier once again is in regard to these many Manitobans whom the Premier and his government cut off at the committee hearings. These are ordinary people expressing their views. Will he not listen to them and stop the personal insults and attacks this minister makes repeatedly on people? Would he not listen to these many ordinary Manitobans who are against—

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

**Mr. Fillmon:** Mr. Speaker, we are always prepared to listen to any and all people in this province.

I have spent most of my weekends this summer going throughout the province. I was in Thompson at Nickel Days listening to people when I was up there. I was in many, many communities throughout this province listening to people, talking with people and hearing about their real concerns.

They have serious concerns about people such as New Democrats who drive up taxes in this province, who only want to spend and spend and spend public money and then raise taxes to make it unaffordable for people to live in this province and to make it difficult for businesses to operate and make it difficult—(interjection)— Mr. Speaker, I wonder if the Leader of the Opposition wants to ask that question. I cannot make him out. He keeps interrupting. I will be happy to have him ask that question.

### Labour Relations Government Initiatives

**Mr. Steve Ashton (Thompson):** My final question, Mr. Speaker, is to the Premier.

If he is not going to listen, if he is going to be ramming through Bill 70, I would like to ask—

### Point of Order

**Hon. Gary Filmon (Premier):** Mr. Speaker, on a point of order, I said I would listen, and I have been listening.

**Mr. Speaker:** The honourable First Minister does not have a point of order.

\* \* \*

**Mr. Ashton:** Mr. Speaker, in the same sense the Minister of Natural Resources (Mr. Enns) in committee said he had to be there, but he did not have to listen. That is the way Conservatives approach listening to the people in Manitoba.

My question was: If the Premier is not going to withdraw Bill 70 and is going to push it through, I would like to ask him how he intends on repairing the damage this government has already wrought in the worst situation in terms of work stoppages, days lost to strikes, in 10 years, a situation that is going to get a lot worse in the upcoming years.

How is he going to repair the damage to the social fabric, to labour peace in this province?

\* (1350)

**Mr. Filmon:** Mr. Speaker, what I did say to the member for Thompson is that, indeed, I have listened and I will continue to listen to all Manitobans, not just to the union bosses who pull the strings of the New Democrats. I will listen to each and every Manitoban right throughout this province, taxpayers who are having difficulty making ends meet, taxpayers who are having difficulty being able to keep their families going because the New Democrats want to spend more money and drive up taxes.

I will listen to all of them, Mr. Speaker, to their difficult circumstances. I will understand and be prepared to make the difficult choices that have to be made in order to keep this province going forward for a better future.

### Health Sciences Centre Emergency Nurses Program

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, my question is to the Minister of Health.

The Minister of Health a few minutes ago said that the program to train emergency nurses is not on hold. Can he explain therefore why students are being informed that they should look at alternative programs because there is not going to be this program offered in 1991-92? If it has not been cancelled, why are the nurses of this province being given this false information?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, that is a very good question. It is a little more accurate than the impression my honourable friend left that the whole program was going to be cancelled.

What the Urban Hospital Council—and I will read exactly the issue that was to be discussed at the Urban Hospital Council, to consider, and this was suggested by the Urban Hospital Council, not government. As I understand it, specialty training programs are offered at several facilities, and the issue was to modify existing ICU emergency training programs by providing a core program for these students and continue training in the specific area of the job. It was designed to build upon the excellence that is already there, to investigate whether there is duplication and where there is duplication in the health care system, where there may be inappropriate use of resource.

The objective is to continue with a program which builds excellence, improves on an excellent record and makes sure that we have available to the health care system qualified and trained individuals to carry out the needed care requirements at our emergencies and in our neonatal health care units, et cetera, all of that being studied by the Urban Hospital Council subcommittee, Mr. Speaker.

**Mrs. Carstairs:** Mr. Speaker, it is one thing to study an issue. It is another thing to cancel a program when it has clearly been identified that we have a shortage of emergency doctors, a shortage of emergency-trained nurses, in the province of Manitoba.

Why would the minister accept a recommendation to close a program for an academic year when there is still a clearly defined need for those people in our community?

**Mr. Orchard:** Mr. Speaker, that is exactly what I have been telling my honourable friend I have not done. The Urban Hospital Council has not, as of today, dealt with this issue and any recommendations that have come from the task force.

The task force -(interjection)- Well, Mr. Speaker, my honourable friend says, not at this time. When the Urban Hospital Council deals with the task force report, they may or may not accept any or all of the recommendations. The same parameter applies to myself and to government.

My honourable friends want to preclude any discussion on any issue. That is not what we are about. When decisions are made to government from the Urban Hospital Council, we will consider those recommendations, ask the appropriate questions and take the appropriate answers—

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

**Mrs. Carstairs:** Mr. Speaker, it may come as a dreadful shock to the Minister of Health, but academic years are generally considered from September to April. We are five weeks away from the commencement of the '91-92 academic year, and students are looking for programs that they will enroll in in that academic year. They are being told this program is not going to be offered.

Why has this minister allowed the decision, because apparently he has not made the decision? He simply allowed the decision to be made that this program will not be offered in this academic year.

\* (1355)

**Mr. Orchard:** Mr. Speaker, I cannot make it any more clear to my honourable friend the Leader of the Liberal Party, who, you might recall, 18 months ago had an interim report on extended treatment care, wherein my honourable friend said we should move with the recommendations immediately. It left out the whole northeast quadrant of the city of Winnipeg. We, Sir, did not have that recommendation because the task force of the Health Advisory Network made that recommendation, but the Health Advisory Network made a different one.

We have services in the northeast quadrant in the city of Winnipeg. We would not have had them had we followed my honourable friend's advice. Mr. Speaker, the same process is in place today. The Urban Hospital Council will make

recommendations. They have not yet, to date, made recommendations. When they do, we will—

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

### **Bill 38 Withdrawal**

**Ms. Marianne Cerilli (Radisson):** Mr. Speaker, as we speak, there is a national campaign being launched against this government by Conservation Canada and various other groups against their disregard for nature with Bill 38 and the proposed tourist and office complex at Oak Hammock Marsh.

I would like to read from the press release that journalists from across North America are telling their readers that Manitoba's Bill 38 must not be passed, because it is designed to contravene the international Brundtland report, the Migratory Birds Act of 1916 and the North American Waterfowl Management Plan.

My question is to the Premier. Will he listen to the people across the country? Will he not only listen, but will he do what they ask? Will he withdraw Bill 38?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I want to remind the New Democratic member for Radisson, who is, I believe, the Environment critic, that the process that was set up for the review of any such proposal in the act that was drafted and ultimately passed by the New Democratic administration which preceded us called for complete review, public hearings and evaluation with expert testimony, witness and advice to come before the Clean Environment Commission. That process was taken through to the letter. There was extensive testimony from people who were proponents of the plan, from experts, including—

**An Honourable Member:** A sham.

\* (1400)

**Mr. Filmon:** Mr. Speaker, the member opposite says that her legislation and her process of the New Democratic Party was a sham. Well, that is a problem that she is going to have to take up with her New Democratic colleagues, because she called their process and she called their act a sham. That is a problem that New Democrats have. New Democrats try to be on both sides of every issue. New Democrats will not take responsibility to carry through a process that is mandated by law. That process was carried through. The process was independent of government, and the process did a



complete review, listened to both sides and arrived at a decision and a recommendation.

**Ms. Cerilli:** Mr. Speaker, this is a classic example of the manipulation and tyranny of this government.

Can the Premier explain to the House how Bill 38 is democratic when it is reversing The Wildlife Act by permitting development rather than prohibiting it, and all of this under the authority of one minister? How is that democratic?

**Mr. Filmon:** Mr. Speaker, Bill 38 confirms in legislation what was done by regulation by New Democratic ministers throughout the 1980s. The member for Dauphin (Mr. Plohm) and others of his predecessors permitted all sorts of developments within wildlife management areas, including oil wells. They were permitted by regulation by New Democratic Ministers of Natural Resources. Now, if the New Democrats are saying that was wrong, then they confirm exactly what I have been saying, that they operate out of both sides of their mouths; that when they are in government, they permit oil wells in wildlife management areas and when they are out, they say nothing. That is wrong. They are absolutely—

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

**Ms. Cerilli:** The Premier well knows that all of those developments are allowed under the act, and the reason we have Bill 38 is because an office building is not allowed under the act.

### Oak Hammock Marsh Ducks Unlimited Headquarters

**Ms. Marianne Cerilli (Radlsson):** Mr. Speaker, I also have a resolution from the Canadian Nature Federation which says: Be it resolved that the Canadian Nature Federation strongly opposes any such development at Oak Hammock Marsh.

Will the Premier of this province stand accountable and see that the Ducks Unlimited building is moved out of Oak Hammock Marsh?

**Hon. Gary Filmon (Premier):** Mr. Speaker, the Ducks Unlimited proposal was the subject of perhaps the most extensive environmental assessment and review process that this province has ever seen. After that extensive environmental assessment and review process that was done by an independent, third-party evaluating body, the Clean Environment Commission, as provided for under The Environment Act, which was passed and drafted by the New Democratic administration that

preceded us, it was approved and we go along with the act. We support the act and we support the process, and it is only New Democrats who try and have it both ways. They put in place an act and a process, and when that results in a decision, then they say they disagree with the decision despite the fact that it conforms with every aspect of the act that they passed and the process that they took in place.

### Health Care System Deinsurance—Psychoanalysis

**Ms. Judy Wasylycia-Lels (St. Johns):** Mr. Speaker, the American Psychoanalysts Association has just written to the Premier indicating that they believe medical psychoanalysis is a standard medical practice, and it is a necessary treatment for certain pervasive conditions.

**An Honourable Member:** I thought you did not like American medicine.

**Ms. Wasylycia-Lels:** Mr. Speaker, in response to the minister's heckling, this association asked, why am I, as a United States citizen, writing to you, the Premier, and the response is, first, to psychoanalysts, every individual is important and no one is expendable; second, United States psychiatrists admire the Canadian health system for its nondiscriminatory approach to the treatment of mental illness.

So I would ask the Premier: Will his government do this, treat every individual as important, ensure a nondiscriminatory approach to the treatment of mental illness and ensure that psychoanalysis is covered as a medically required service here in the province of Manitoba?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I am really now uncertain as to where the New Democratic health policy is coming from. Do they want the Americanized system, as my honourable friend is now quoting, saying it is wonderful and it is great and it is good, or do they not want it when they say it is wrong, and inappropriate, et cetera? What a confused group in the New Democratic Party. First of all they are here, then they are there.

Mr. Speaker, let me deal specifically, as I have very, very directly with my honourable friend in Estimates on three or four or five different days and occasions. In Question Period on several occasions and directly on a number of occasions, I have indicated to my honourable friend that

psychoanalysis was never a service which was billable under the Manitoba Health Services Commission. We had a circumstance, as did the New Democrats when they were government, where psychoanalysis was being billed as psychotherapy improperly. That issue is being come around in terms of discussions with the psychiatric association of Manitoba, and we are going to address the issue. In doing so, I would suspect that we will have dollars surplus to care better for Manitobans than if we continued the improper billing of psychoanalysis improperly as psychotherapy.

### Deinsurance—Skin Lesions

**Ms. Judy Wasylycia-Lels (St. Johns):** I have another question for the Premier (Mr. Filmon), Mr. Speaker.

A reputable Canadian journal, entitled Hospital Medicine, has written an article on skin lesions and asked, "Is the beauty mark a potentially fatal melanoma?" and answers, "If there is any suspicion that it is or that it may be a precursor, it should be excised."

I would ask the Premier: Will he reverse his Minister of Health's decision to deinsure the removal of nevi, warts and skin lesions, leave this matter to sound medical opinion and ensure that all steps are taken to preserve health and save lives?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I could not agree more with that statement, and that is exactly why in those circumstances, where the suspicion that the lesion, the nevi, the wart, is a medical problem, i.e., cancerous, it will be removed and it will be paid for by the taxpayers of Manitoba. That is exactly what we believe in for protecting medically necessary services in the province of Manitoba.

However, where those are for cosmetic removal, yes, we will not insure those costs. Physicians will be able to bill for the removal where they suspect there are disease implications but where asymptomatic, no. Exactly as my honourable friend has read from and recommended, we are doing, Mr. Speaker.

### Deinsurance—Sterilization Reversal

**Ms. Judy Wasylycia-Lels (St. Johns):** Mr. Speaker, a final question to the Premier (Mr. Filmon): Considering that the deinsurance of

surgery for reversal of sterilization denies families under changed family circumstances the right to have children and hits women particularly hard, who will now have to pay over \$300,000 for tubal reconstruction, will the Premier reverse this Minister of Health's decision and ensure all families the right to make decisions around children, the right to have children, period?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, all Manitobans have today and will continue to have the right to have children. My honourable friend is really into theatrics over the last couple of days when she tries to make a link step that we are denying the right for people to have children. That may be her philosophy but it is not ours.

Now let me deal with the issue of reversal of voluntary sterilization. At the request of my honourable friend the member for The Maples (Mr. Cheema), he suggested in a responsible fashion that there are circumstances such as the sudden loss of a spouse which may change one's personal circumstances. In those circumstances I said I would take that to my cabinet and caucus colleagues.

We did that, and from this caucus came the second suggestion. What about the tragic and sudden loss of a child or children? We have, Sir, built those protections into the reversal. If the circumstance is there of a sudden loss of a spouse or the loss of a child, those reversals will be covered by the taxpayers of Manitoba. That was a positive suggestion from the member for The Maples. I have yet to receive one from the NDP.

\* (1410)

### Decentralization Status Report

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, earlier this week the Minister responsible for Decentralization took as notice my question as to the number of new jobs in Manitoba if the decentralized jobs are subtracted from the Civil Service layoffs.

Can the minister now tell the House what is the answer to that question?

**Hon. James Downey (Minister responsible for Decentralization):** Mr. Speaker, we reported that the numbers of positions that, due to budgetary decisions, would not be moved under the

decentralization initiative, I believe, were 44. That was the number under the initiative. To the point at that time at which I had reported, there were some 146 positions moved in the Civil Service and 104 with Crown corporations, which made a total of 250 positions.

Following the budgetary exercise, as of yesterday's numbers, there have been an additional 200 positions moved since the budgetary decision, some substantial more than what we reported earlier on at Estimate time.

**Mrs. Carstairs:** Mr. Speaker, the reality is that 146 positions have been moved to this point in time. At the same time, there are 61 fewer working in rural Manitoba in Natural Resources, eight fewer in Agriculture, 13 fewer in Rural Development and 85 fewer in Highways.

Can the minister tell the House how 21 fewer positions in the province of Manitoba is an example of an effective decentralization program?

**Mr. Downey:** Mr. Speaker, I do not know where the member is getting her numbers, but I can say as of yesterday's update—

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

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

**Mr. Downey:** Yes, there were reductions, responsible reductions based on budgetary necessity because of the horrendous debt load that was left on the backs of the people of Manitoba by the irresponsible NDP, which in majority have been supported in expenditure increases by the Liberals. As of yesterday the decisions following budget to complete over the next few weeks, the next months, there will be some 200 additional positions as part of the overall initial package.

### **Portage la Prairie Proposal Call**

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, proposals have been called for the office in Portage. Those proposals will be for renovations to house to-be-moved civil servants to those offices in that community. Those proposals will be accepted in secret, and they will be judged in Winnipeg rather than in the community of Portage la Prairie.

Can the Minister of Rural Development explain to the House why those proposals could not be considered in the community of Portage la Prairie?

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

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

**Hon. James Downey (Minister responsible for Decentralization):** Mr. Speaker, finally, someone has made some comments that the Leader of the Liberal Party (Mrs. Carstairs) has listened to. The member for Portage la Prairie (Mr. Connery) in his lecture and scolding of the irresponsible statement of the Liberal Leader and the fact that decisions could not be made by rural people in rural development bonds has finally sunk into her.

There has been a process over a period of time of decision making in areas of responsibility. The important thing is, I am sure, for the people of Portage la Prairie, there is a commitment by this government to decentralization and to jobs in Portage la Prairie, unlike what the Liberal Leader would do.

### **St. Germain, Manitoba Secession**

**Mrs. Louise Dacquay (Seine River):** I would like to direct my question to the Minister of Urban Affairs.

Yesterday morning, July 23, 1991, on the steps of this Legislature, Dr. James Shapiro, on behalf of the St. Germain Community Residents Association presented me with a petition of over 400 names, stated that they wanted to pursue the potential of seceding from the City of Winnipeg, and more specifically, requesting that the province initiate a study similar to the Headingley area study of 1988. I wish to table that petition now.

My question to the honourable minister is: In light of this request, has the Minister of Urban Affairs advanced this government's position on tax equity for large-lot residential properties to the City of Winnipeg?

**Hon. Jim Ernst (Minister of Urban Affairs):** As is perhaps known, I have advanced the position on behalf of the government to the City of Winnipeg to try and address the issues of limited services for large lot suburban areas in the periphery of Winnipeg. I advanced that position to the city some two or three weeks ago, looking at an opportunity, I think, to address some of the concerns of people like those from Headingley, like those from St. Germain, actually have been facing.

**Mr. Speaker:** Prior to recognizing the honourable member for Seine River, I would like to remind the honourable member that we do have under Routine

Proceedings, Presenting Petitions, as part of our Routine Proceedings.

The honourable member has tabled a petition. What I will do, I will review the petition that the honourable member has tabled, and I will report back to the House as to the accuracy of said petition. I will recognize the honourable member for Seine River.

**Mrs. Dacquay:** My supplementary question, Mr. Speaker: Has the Minister of Urban Affairs received any response from the City of Winnipeg relative to that proposal?

**Mr. Ernst:** In the letter that I sent to the mayor with regard to this issue, I indicated that, because I had given certain undertakings to the people of Headingley with regard to action in this area, I requested the City of Winnipeg to respond by the end of August. Today, close to the end of July, they still have another month to respond, so I am eagerly awaiting their response.

**Mrs. Dacquay:** My supplementary question is: Will the Minister of Urban Affairs give consideration to the request of the residents of St. Germain to initiate such a study?

**Mr. Ernst:** Mr. Speaker, in 1987, when I was in opposition and the member of the Legislature for Charleswood, I presented the now Leader of the New Democratic Party, then Minister of Urban Affairs (Mr. Doer), with a petition on behalf of the people of Headingley, quite similar, I gather—although I have not yet seen it—to the one that has been tabled today by the member for Seine River.

Mr. Speaker, I think it would behoove our government to do no less.

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

### Nonpolitical Statements

**Ms. Judy Wasylycia-Lels (St. Johns):** May I have leave to make a nonpolitical statement?

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

**Some Honourable Members:** Leave.

**Mr. Speaker:** Leave? It is agreed.

**Ms. Wasylycia-Lels:** I would like to offer the congratulations of this Legislative Assembly to a constituent of mine, Doug Olafson, a student at St. John's High School, who won a grand prize recently at the 1990-91 Manitoba Schools Science

Symposium for a very timely project, that dealing with mosquitoes.

The project is entitled The Sounds of Mosquitoes, deals with new methods in killing mosquitoes by using sound frequencies and not hazardous chemicals and sprays.

Mr. Speaker, this study is investigating how mosquitoes attract each other with sound frequencies. Evidently, the female mosquito emits the sound frequency when searching for a male. Olafson's experiment shows a sound generator can imitate the sound of the female mosquito, a pitch almost unbearable to the human ear, but if you have an electrode in the front of the sound degenerator, the males fly into it and they are zapped. You reduce the population because there are no males to fertilize the females.

Mr. Speaker, I think that is certainly an important research project. It should be noted that this project not only resulted in this award here in Manitoba, but resulted in Mr. Olafson winning the silver medal at the national competition in Vancouver this spring. As a result of his achievements, he is now spending time at the London Youth Science Fortnight.

I should also mention, Mr. Speaker, that Mr. Olafson is also working with a mentor, Dr. Brust at the University of Manitoba, Entomology Department, in furthering his research and study into the whole question of mosquitoes and mosquito genetics.

On behalf of everyone in this House, Mr. Speaker, I would like to congratulate Doug Olafson and wish him the very best in this important area of research.

\* (1420)

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**Mr. Gerry McAlpine (Sturgeon Creek):** Mr. Speaker, do I have leave to make a nonpolitical statement?

**Mr. Speaker:** Does the honourable member for Sturgeon Creek have leave to make a nonpolitical statement? Leave? It is agreed.

**Mr. McAlpine:** Mr. Speaker, I am extremely proud to rise in the House today to pay tribute to some members of my community and to share in their success story for all Manitobans.

The music album, The Ghosts That Haunt Me, by the local Winnipeg group, Crash Test Dummies, was simultaneously released by BMG in Canada

and Aristes in the United States on April 5, 1991. On June 24, the album reached gold status, and on July 19, it went platinum. Superman's Song, the first single and video is one of the highlights of an album which includes acoustic folk, R and B, country, pop and traditional Irish flavours. Brad Roberts, lead vocalist, acoustic and electric guitar, and his brother, Dan, bass guitar, are the sons of Norman and Eunice Roberts who reside in the Sturgeon Creek constituency.

Brad and Dan are both graduates of Sturgeon Creek Regional Secondary School. They have performed in major cities across Canada. The group is planning a promotion tour in the United States, England and Europe. Their overnight success has surprised them and greatly pleased their followers. They will open for Sting in his August performances in Winnipeg, Saskatoon, and Calgary.

Although the group has been encouraged to move to larger centres outside this province, they have chosen to remain based in Winnipeg. I am sure all members of the House join with me in thanking the Roberts for their loyalty to Winnipeg and Manitoba and wish them every success and good health in all their future endeavours and productions. Thank you.

**Hon. James McCrae (Minister of Justice and Attorney General):** Mr. Speaker, I would request leave of the House to make a nonpolitical statement.

**Mr. Speaker:** Does the honourable Minister of Justice have leave to make a nonpolitical statement?

**An Honourable Member:** Leave.

**Mr. Speaker:** Leave? It is agreed.

**Mr. McCrae:** Mr. Speaker, while we are paying tribute, I think it appropriate to take note of the fact that the World Youth Baseball Championships will be beginning in Brandon, Manitoba, on Friday. I think it is an opportunity to pay tribute to all of those who helped organize this event.

Certainly Brandon will be hosting the world, competitors and all those who travel with them to that community. We have the facilities there, and we have the community spirit that helps us put on such an event.

I would like to extend a welcome to all competitors, coaches and others coming to our community and wish the organizers and everyone

involved well in seeing this championship to a successful conclusion.

## ORDERS OF THE DAY

### Messages

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I have a message from his Honour the Lieutenant-Governor.

**Mr. Speaker:** All members will please rise.

The Lieutenant-Governor transmits to the Legislative Assembly of Manitoba revised Estimates of sums required for the services of the province for Capital Expenditures and recommends these revised Estimates to the Legislative Assembly.

Signed by His Honour the Lieutenant-Governor, Dr. George Johnson, Winnipeg, Manitoba, June 1991.

**Mr. Manness:** Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that the said message, together with the Estimates accompanying the same be referred to the Committee of Supply.

**Motion agreed to.**

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**Mr. Manness:** Mr. Speaker, I move, seconded by the Minister of Rural Development (Mr. Downey), that Mr. Speaker do now leave the Chair and the House resolve itself into Committee to consider of the Supply to be granted to Her Majesty.

**Motion agreed to,** and the House resolved itself into a committee to consider of the Supply to be granted to Her Majesty with the honourable member for Seine River (Mrs. Dacquay) in the Chair.

## SUPPLY—CAPITAL SUPPLY

### COMMITTEE OF SUPPLY

**Madam Chairman (Louise Dacquay):** Order, please. Will the Committee of Supply please come to order. We have before us for our consideration the resolution respecting the Capital Supply Bill.

I would remind all members that as the 240 hours allowed for consideration of Supply and Ways and Means resolutions has expired, pursuant to Rule 64.1(1), these resolutions are not debatable.

The resolution for Capital Supply reads as follows:

RESOLVED that there be granted to Her Majesty a sum not exceeding \$855,319,700 for Capital Supply for the fiscal year ending the 31st day of March, 1992—pass.

**Mr. Leonard Evans (Brandon East):** I would like to ask on a point of procedure, or the Minister of Finance (Mr. Manness), how far down does he want to take us in this listing today? It is a matter of order, I guess, that I am asking. How far does the minister plan to go in this list today?

**Hon. Clayton Manness (Government House Leader):** Madam Chair, in committees we only go to the point before Committee of the Whole, and my intention is once we go into Committee of the Whole, we will consider not only The Loan Act, but also Main Appropriation Act, and indeed, Bill 54, The Statute Law Amendments, so we do not have to go into Committee of the Whole several times. We will just do it once, so step 14 I think is where we would draw the line.

**Mr. Leonard Evans:** In accordance with your observation, Madam Chairperson, about the inability of any member of the House in debating this because we have reached the limit on a number of hours for Estimates review, or Supply review, are you suggesting that there could not be any discussion whatsoever of loan—

**Mr. Manness:** Madam Chairman, the 240 hours pertains also to Committee of the Whole, and as I indicated to House leaders yesterday, if they chose to use the 240 hours yesterday in the Estimates of the final departments, that they would forgo their opportunity to cross-examine ministers today.

Certainly the member has every right to debate on second and third reading.

**Madam Chairman:** Shall the resolution be passed—pass.

Committee rise. Call in the Speaker.

\* (1430)

## IN SESSION

### Committee Report

**Mrs. Louise Dacquay (Chairman of Committees):** Mr. Speaker, the Committee of Supply has adopted a certain resolution, directs me to report the same, and asks leave to sit again.

I move, seconded by the honourable member for Sturgeon Creek (Mr. McAlpine), that the report of the committee be received.

**Motion agreed to.**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Highways and Transportation (Mr. Driedger), that Mr. Speaker do now leave the Chair for the House to go into Committee of Ways and Means.

**Motion agreed to,** and the House resolved itself into a committee to consider of the Ways and Means for raising of the Supply to be granted to Her Majesty with the honourable member for Seine River (Mrs. Dacquay) in the Chair.

## SUPPLY—CAPITAL SUPPLY

### COMMITTEE OF WAYS AND MEANS

**Madam Chairman (Louise Dacquay):** Order, please. Will the Committee of Ways and Means please come to order.

We have before us for consideration the resolution respecting the Capital Supply Bill. The resolution for Capital Supply Bill reads:

RESOLVED that towards making good certain sums of money for Capital purposes, the sum of \$855,319,700 be granted out of the Consolidated Fund—pass.

**Madam Chairman:** Committee rise. Call in the Speaker.

## IN SESSION

### Committee Report

**Mrs. Louise Dacquay (Chairman of Committees):** Mr. Speaker, the Committee of Ways and Means has adopted a certain resolution, directs me to report the same and asks leave to sit again.

I move, seconded by the honourable member for Emerson (Mr. Penner), that the report of the committee be received.

**Motion agreed to.**

## INTRODUCTION OF BILLS

### Bill 72—The Loan Act, 1991

**Hon. James Downey (Minister of Rural Development):** Mr. Speaker, by leave, I move that leave be given to introduce Bill 72, The Loan Act, 1991; Loi d'emprunt de 1991, be read a first time and be ordered for second reading immediately,

seconded by the Minister of Highways and Transportation (Mr. Driedger).

**Motion agreed to.**

## SECOND READINGS

### Bill 72—The Loan Act, 1991

**Hon. James Downey (Minister of Rural Development):** Mr. Speaker, I move, seconded by the Minister of Culture, Heritage and Citizenship (Mrs. Mitchelson), that Bill 72, The Loan Act, 1991; Loi d'emprunt de 1991, be now read a second time and be referred to a committee of this House. That was by leave.

**Mr. Speaker:** Does the honourable minister have leave? Leave? Agreed.

**Motion presented.**

**Mr. Leonard Evans (Brandon East):** Unfortunately, we are at the time of the session where one does not have as much opportunity to review these matters as one would like. Having just received Bill 72 and this information in Schedules A and B as to the specifics of the amount of money that the government is asking for, does not give one an opportunity to sit down and ponder the implications of this. Nevertheless, Mr. Speaker, as my colleague the member for Dauphin (Mr. Plohman) indicated, it is a large amount of money, Schedule A \$855 million, the bulk of which is for Manitoba Hydro.

Of course, we have gone beyond the stage of being able to ask the responsible ministers specific questions on these items of expenditure, but nevertheless, there is well over \$700 million for The Manitoba Hydro-Electric Board, primarily Conawapa and Bipole III, and that could easily lead us into debate as to the future development of Manitoba Hydro, the timing of the development of Conawapa, the need for additional energy resources in Manitoba and indeed the possibilities of future export sales from Hydro to Ontario or the United States or wherever.

We would also have liked to have had more opportunity to consider the implications of this \$33 million being requested for the Manitoba Telephone System. There is a great deal of criticism in rural Manitoba in particular about telephone service in this province, Mr. Speaker. People in particular are anxious to get larger telephone areas so that they do not have to pay as much as they are presently

for utilizing the telephones that they do have in their farm residences or their residences in the small towns.

We would have liked to have been able to have more opportunity to consider the ramifications of \$49 million being requested for the Hudson Bay Mining and Smelting Company modernization project. We certainly would support the modernization of the mine. We consider it to be a well-established company in Manitoba, providing jobs, providing badly-needed economic activity in the mining industry. Nevertheless, it would have been much better if we had had more time to debate this and consider some other aspects of mining in the province.

Business support, I see, is mainly for the Industrial Opportunities Program, and this is something that we do not have very much information on as to how the government intends to utilize the program to create jobs. Goodness knows, we do not have sufficient jobs in this province. The figures show a disastrous situation in terms of employment opportunities for people and this is being reflected almost daily, if not certainly weekly, from reports coming from Statistics Canada indicating the lack of economic activity in this province. The insufficient economic activity, whether you look at it in terms of retail sales decline, whether you look in the decline in manufacturing output, whether you look at it in the decline in the residential construction industry, it is in a pretty sad state.

(Mr. Jack Penner, Acting Speaker, in the Chair)

There has been no real increase in job opportunities in this province. We would hope we would be supportive of the Industrial Opportunities Program, but again we do not have the detail and we do not have data showing the success or lack of success of this program in the past year.

We are concerned that there are only \$2 million in the Manitoba Water Services program, although there may be some explanation because of the Southern Development Initiative, which is a joint federal-provincial-municipal approach. Is \$5 million enough for Manitoba Hazardous Waste Management Corporation? Again, we do not have the detail on that. I, do not, at least have it and am not in a position to discuss this. Ten million dollars is earmarked for the Rural Development Bonds Program and, again I guess, we have to do everything we possibly can to create jobs and

economic activity in the province and most especially in rural Manitoba where there is serious population decline, so much so that we see towns declining, the smaller ones virtually disappearing. Mr. Acting Speaker, the facts are that there has been an absolute decline in rural population in this province in the last couple of years. Again, according to information from Statistics Canada—and that has not occurred in the past—there has been slower growth in the rural parts of the province, but we have not had the absolute decline in the population of Manitoba outside of Winnipeg that we have had in the past year or two.

Mr. Acting Speaker, it will be interesting to see how this Rural Development Bonds program proceeds. We still do not have all the details of how it will operate. We are rather skeptical of the take-up that might occur because of the limitations of the program. As I understand it, it is only the principal that the government will be guaranteeing. There is no reference to interest rate payments as such, and we fail to see how a lot of people with savings in the province would wish to put money into these bonds.

\* (1440)

Nevertheless, this program has been established in Saskatchewan, and I imagine the program as outlined is more or less following the Saskatchewan model, but again, I am not too clear. As I said the other day in the Estimates of Finance, the road to hell is paved with good intentions. We will be watching and noting the progress of this program to see just how effective it really is, whether it really will create more activity than what would occur otherwise.

Mr. Acting Speaker, I would say in passing, in more or less concluding my remarks at this point, that I for one regret that this government is doing nothing to offset the economic decline in this province. We are doing nothing to offset the economic recession we are now experiencing. I say "now experiencing" advisedly because, as far as I am concerned, we are not out of the recession and, compared to the many parts of Canada, we are doing more poorly. Part of it is because the government has sat back, taken a very laissez-faire approach, if you will, and really has decided to do absolutely nothing to stimulate the economy in co-operation with the private sector and in co-operation with municipalities.

I think back of the Schreyer years, Mr. Acting Speaker, where under Loan Authority, loan authority was provided under this Loan Act, this very same type of act that we have before us now, to allow the government of the day to loan monies to municipalities to give them an incentive, to encourage them to bring forward worthwhile public works projects in order to create jobs and economic activity in those municipalities.

It helped the municipalities enormously because they contributed towards the cost of those public works, whether it be 50 percent or 60 percent of the cost or whatever the formula was. It did vary from time to time, but it was an incentive for the local governments in this province to bring forward needed projects in those communities. It alleviated the municipal taxpayers, and at the same time, it provided jobs that would not have occurred in a recessionary period otherwise.

I regret that there has been no move by this government to provide the Loan Authority to allow it to engage in a program with the municipalities to bring about more economic activity in those communities and to increase employment opportunities as well. As such, Mr. Acting Speaker, I just see this province continuing to decline, continuing to stagnate, and the data that we received today in the preliminary report tabled by the Minister of Finance (Mr. Manness) for the year ended March 31, 1991, that on the one hand our revenues are down from what was forecast, the revenues are down from what we obtained last year.

As a matter of fact from taxation alone, the revenues were down by—I am sorry, I am referring to taxation revenues—taxation revenues were down by \$45.6 million which to me reflects a very weak economic situation because where the revenues are down most dramatically are in corporation income taxes, reflecting a weak corporate sector. They are down in mining taxes, reflecting weakness in the mining sector, and they are certainly down in the retail sales tax, reflecting a drop in consumer spending.

Yet on the other hand we note that in the expenditure side there are certain major programs, areas that we are concerned about, that have been underfinanced, including Health, particularly Health. We are also concerned about the underspending, I am sure my colleague the MLA for Dauphin (Mr. Plohman), in particular, notes the underspending from what was estimated there of over \$16 million.



But the irony of it is, Mr. Acting Speaker, when it is all said and done, this document reflects on the one hand a weakness of the economy, the stagnation of the economy, because the revenues are not coming in, and yet on the other hand, it reflects inadequacy of administration because I do not think it adequate to say to the Legislature that you need X millions of dollars for Health and you turn around and underspend those amounts of money.

Having said that, Mr. Acting Speaker, because I know members opposite are always concerned about the debt, and in the amount of debt we have, I would just like to remind them that in the process they have increased the debt for Manitoba, of each Manitoban by \$1,000 in this past year. So as of March 31, 1990, the debt per capita was \$9,172; as of March 31, 1991, the debt per capita is now \$10,129, an increase, Mr. Acting Speaker, of nearly \$1,000. For all the members opposite who are very exercised about the provincial debt, I just want to remind them that the debt is going up under this administration and indeed has been ever since they took office.

So we are concerned about many aspects of this particular Loan Act. Regrettably we are nearing the end of the session. We do not have as much time as we might like to discuss it, but nevertheless, we hope, some members on this side hope, to have an opportunity to make some remarks in the short time that is available. Having said that, I will sit down at this point and see who else may wish to speak on this particular Bill 72.

**Mr. John Plohan (Dauphin):** Mr. Acting Speaker, I move, seconded by the member for Transcona (Mr. Reid), that debate be adjourned.

**Motion agreed to.**

**Hon. Clayton Manness (Government House Leader):** Mr. Acting Speaker, I would like you to call third readings of amended bills starting Bill 4, 20, 35 and so on.

### THIRD READINGS—AMENDED BILLS

#### BILL 4—The Health Services Insurance Amendment Act

**Hon. Clayton Manness (Government House Leader):** Mr. Acting Speaker, I move, seconded by the Minister of Energy and Mines (Mr. Neufeld) that Bill 4, The Health Services Insurance Amendment

Act; (Loi modifiant la Loi sur l'assurance-maladie), be now read a third time and passed.

**Motion presented.**

**Mr. Gary Doer (Leader of the Opposition):** Mr. Acting Speaker, I would like to put a few words on the record prior to this matter being disposed of. I had the opportunity to sit in at the committee hearings and listen to the various presentations. We would like to thank the Minister of Health (Mr. Orchard) for agreeing to a few recommendations that were made with respect to changes in terms of privacy, confidentiality, changes in terms of other matters related to The Health Services Insurance Amendment Act.

We still have some concerns that our critic has raised, the member for St. Johns (Ms. Wasylycia-Leis), in terms of subjugation and the policies on subjugation, Mr. Acting Speaker, and we have raised a number of issues that we expect the Minister of Health to deal with over the next 12 months. A lot of unanswered questions will, of course, have to be answered in terms of this bill.

\* (1450)

Mr. Acting Speaker, the presentations we received from the public were very, very thorough and very detailed. I think one of the advantages of being on these committees is all of us learn a lot listening to people who are actually working in the area particularly in dealing with community-based mental health. I think the matters raised there are very important. The whole issue of adjudication and what will be used as adjudication was also very important in the committee meetings. We want to know that when the committee that has been established by the minister under this act, the College of Physicians and Surgeons, the Manitoba Medical Association and others in the committee will consider in their deliberations creative and preventative health care, another concern that was raised by the member for St. Johns in dealing with this very important act.

So, Mr. Acting Speaker, I just want to put those comments on the record that we feel the bill has some improvements, but we feel that there could have been other improvements made and I am sure the member for St. Johns (Ms. Wasylycia-Leis), our Health critic, will delineate those prior to the disposal of this bill in this session of the Legislature and with that, Mr. Acting Speaker, I will sit down and leave it to our Health care critic.

**Ms. Judy Wasylycia-Lels (St. Johns):** I would be pleased to put some further comments on record at this third reading stage of Bill 4, The Health Services Insurance Amendment Act.

Let me at the outset indicate that we remain concerned and will continue to voice our opposition to this government's plan to deinsure a number of medically required services.

This bill before us interestingly amends The Health Services Insurance Act legislation which has over the years upheld the principles of our universal accessible quality health care system. It is now before us for amendment at a time when this government has chosen to put itself on a path to erode that universal accessible quality system.

Mr. Acting Speaker, it was very interesting to note today in Question Period, when we raised the issue of insurance coverage for psychoanalysis, something that this government has decided to do away with, it was rather embarrassing. We have tried bringing to the attention of this government the advice, the recommendations, the opinion of Canadian experts in the field, the Manitoba Medical Association, the Canadian Medical Association, local reputable psychiatrists, strongly worded health documentaries, but they would not listen to the advice of those highly reputable experts and opinion makers in this province today.

We were forced to bring to this House an opinion from outside of this country, that of the American Psychoanalytic Association, to try to drive this government into action, into coming to its senses, to restore a universally accessible medically required service. That American opinion was, to this government, do not tamper with your universal medical system, do not let them tear it apart, do not let them take it away, do not let them erode our system step by step, bit by bit. Mr. Acting Speaker, even that did not make any difference with this government, did not make them think about what they were doing to a system of universal health care that has stood us in good stead for decades and decades and ensured that Manitobans and Canadians everywhere, regardless of where they live, regardless of their economic situation, regardless of their income, regardless of their family circumstances, are able to access medically required services.

So their mockery of that opinion today and our repeated efforts to get this government to consider

reversing its deinsurance plans, is living proof that this government has put itself on a course of action to begin to erode our universal accessible health care system, to violate the principles as outlined in the Canada Health Act of universality, of accessibility, of affordability, of portability and of nonprofit administration. Because, Mr. Acting Speaker, they are forcing Manitobans to turn to private services and are allowing Manitobans access to medically required services only if they can afford to pay.

Mr. Acting Speaker, that point should have been driven home today when I raised the issue again in Question Period of the reversal of sterilization. This government has callously disregarded the wishes of families and has entrenched discriminatory treatment against women in this province. This government likes to put itself in the seat of judgment and act as medical advisers and professionals rather than upholding the principles of medicare and ensuring that our medical professionals are able to practise to the best of their ability.

Let us exemplify that a bit. This government, in the process of deinsuring reversal of sterilization, is ignoring the fact that most requests for reversal of sterilization come from individuals where the family circumstances have changed.

Now, Mr. Acting Speaker, that may be a result of a death of one of the partners in a relationship, but in most of the cases it means the breakup of a family as a result of divorce or separation and new families being formed and new wishes being expressed to be able to have a child. This government has callously said those individuals who are faced with new family circumstances as a result of breakup, as a result of divorce, as a result of separation, as a result of families splitting up, are not able to make those decisions and have access to those services. No, instead, this government is now saying to those individuals and particularly women who are most often at this decision point, to now pay \$3,000 for the reversal of sterilization or tubal reconstruction.

It does not take much of an analyst or a scientist or whatever to figure out that there are not a heck of a lot of people in Manitoba who can find the wherewithal to come up with \$3,000 because they wish to have a family, to have a child, as a result of changing family circumstances.

\* (1500)

Sure, Mr. Acting Speaker, perhaps there are individuals in parts of this province, particularly in some of the areas the members across the way, members of the Conservative Party represent, who will be able to afford \$3,000. Well, I can tell members opposite that there are not going to be many people in the inner city, in Point Douglas, there are not going to be many people in St. Johns, or in Kildonan, or in Concordia who can afford \$3,000 for an operation to reverse sterilization.

**Mr. Marcel Laurendeau (St. Norbert):** So do not get it done in the first place.

**Ms. Wasylycia-Lels:** Well, Mr. Acting Speaker, the member for LaVerendrye shouts across the way, maybe they should—from where? —(interjection)— Sorry, excuse me, the member for St. Norbert (Mr. Laurendeau) yells across the way, they should not have sterilization to begin with.

Well, is that not an interesting comment coming from a male member of this House who has never been put in the difficult position of making a decision about whether or not to use one of our birth control measures today that are not exactly medically proven to be safe, are not insured to be absolutely soundproof in terms of the health of the women or the individual who must turn to birth control. I would suggest -

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

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

**Ms. Wasylycia-Lels:** —that members across the way, particularly the men who are making these comments, should put themselves in the shoes of a woman, women in this province who are being faced with very few options when it comes to birth control and reproductive health matters. They are left with choosing from among some very unacceptable options.

Let me further add, many people—and maybe the member for St. Norbert does not ever find himself in this position—make decisions at one point in their life, based on everything they know and all of the factors before them, and find themselves in totally changed circumstances down the road.

**Mr. Laurendeau:** The minister is acting on that.

**Ms. Wasylycia-Lels:** No, Mr. Acting Speaker, the member for St. Norbert better talk to the Minister of Health (Mr. Orchard), because the Minister of Health has not addressed this matter; the Minister of Health has said simply that he will look at this deinsurance

policy in the event of death. He has not said he will look at the circumstances of families that have been broken up for a variety of reasons, where people separate, where marriages do not last. The member for St. Norbert should get his facts straight before he jumps to the defence of the Minister of Health who is applying a discriminatory policy both when it comes to families of different income in this province and when it comes to women in this province.

I would hope that they would come to their senses and realize that they are implementing policies that are going to mean very few dollars saved and a lot of grief and pain to individuals and, most of all, an erosion of something that we believe is a long-standing tradition and a national treasure of this country—our medicare system. They are nibbling away at the edges. It is death by a thousand cuts, and I think if those members would get properly briefed from the Minister of Health (Mr. Orchard), they would probably have different thoughts on this matter and start speaking up for families and women and people who need the medically required services that this government is deinsuring.

So, Mr. Acting Speaker, our concerns remain with respect to this government's intentions in the whole insurance area, specifically on some of the issues being addressed in Bill 4, The Health Services Insurance Amendment Act. We had a thorough discussion in committee the other night. There were a number of presentations from representatives of the community. All of those concerns of ours, of the New Democratic Party, and all of those concerns of the community were not fully and satisfactorily addressed by the Minister of Health, and we remain very concerned about the impact of some of the changes to The Health Services Insurance Act that are evident as a result of Bill 4.

Of primary concern is the question of confidentiality and the question of patients' rights. We wanted this government to tighten up some of the procedures being outlined in Bill 4 for review of medical records to ensure confidentiality of patients and their records. We made some specific suggestions to help ensure that would be the case, and we were turned down in that request with the exception of two small amendments. The minister did accept the addition of the word "confidential" in Section 85(1), which tightens it up somewhat, and

he did agree with our suggestion to add a clause ensuring that individuals, patients, who are not able to testify for medical reasons are not required or forced to testify.

So those two amendments, Mr. Acting Speaker, were included, but the two major concerns are still before us. One is, how can we be sure that patients' records will be kept confidential. One of our suggestions was—and we were attempting to compromise, to find the areas of compromise around this bill—to suggest that patients be informed when their medical practitioner was being required to turn over patient records. It is a simple matter. Inform the patient so the patient is unable to take whatever action is appropriate or necessary and that is not an unusual provision. It is a provision provided in Health legislation generally in this province and across this country, but it was not accepted or recognized as important by the Minister of Health (Mr. Orchard) or this government.

Mr. Acting Speaker, this second area of concern that we raise, which we believe is a very serious issue, is that which our Leader, the member for Concordia (Mr. Doer) has said is the issue of subjugation. This bill makes a fundamental shift in policy and a fundamental change in our legal traditions around such issues as awards and settlements in the case of accident and mishap. This bill, for the first time, suggests that when an award is less than adequate in terms of the full damages that need to be covered and the full cost of the settlement, then that award shall be divided on a prorated basis between the client or the victim and the Manitoba Health Services Insurance Commission.

Mr. Acting Speaker, we heard from a number of individuals and organizations about how that will impact on those already placed in a most vulnerable, difficult position. Those who have been the victims of a mishap or an accident are already facing enormous challenges, already living in poverty, already having a great deal of trouble making ends meet and adjusting to their new life under very difficult circumstances. This bill, if it is applied as written, will actually have an even greater impact on those already difficult conditions facing victims of accidents and mishaps.

Mr. Acting Speaker, the minister, after this issue was raised by the New Democratic Party and by other members in the community, did concede to an additional clause that will give this government the

ability to waive this prorated sharing of awards in the case of hardship cases. So we are pleased that step was taken. We remain concerned that the minister felt it necessary to keep Clause 92.2, subsection 1 in this bill because it clearly leaves it wide open for this government to follow the letter of the law or for future governments to apply less than desirable directions and decisions in cases that we are dealing with.

\* (1510)

I would like to also mention that there are concerns that have been raised about the question of who has access to records and how the whole question of records will be handled. We still have questions for the Minister of Health that we feel should be answered and hope will be answered by him before this legislation is actually proclaimed. We would like to ask the Minister of Health, and this government, who will be entitled access to the confidential medical records within the Manitoba Health Services Commission? Who will have access, Mr. Acting Speaker? That is a very good question. Will it be medical staff, people with medical credentials, or will they be laypersons who have no knowledge or understanding of medical information?

A second area of concern, Mr. Acting Speaker, is will the original medical records and files be removed from the physician's office or will they be reviewed onsite? Now, we did not have the time to get into all of these issues the other night in committee, but that is a very legitimate question raised with us, raised with the minister, that needs to be answered in terms of this whole process and may require, in fact, some reopening of this legislation.

A third question, Mr. Acting Speaker, is that given the existence, given the beefed-up provisions with respect to the Medical Review Committee, a question has been asked. Why is it necessary for the commission to have equivalent powers of investigation? So the question around that is, is the process not now well served by the Medical Review Committee, especially with the beefed-up provisions of Bill 4 in terms of the Medical Review Committee, so there remains a question about how the effectiveness of the Medical Review Committee is perceived and why the Manitoba Health Services insurance commission is left with equivalent types of investigative powers.

A final question being raised by us and others that has not yet been answered is that pertaining to appeal from the medical practitioners' side of view. Questions are being raised such as, are physicians entitled to appeal the results of an audit?

Mr. Acting Speaker, those are some issues that need to be addressed and should be pursued in other ways. We have said we have some serious concerns with Bill 4. We have raised those concerns. We are pleased with some of the amendments that were accepted by the Minister of Health (Mr. Orchard). We regret that others were not taken into consideration.

We will however, give our support to the bill having drawn the attention of this House to those concerns and with the request that we work together on a co-operative, collaborative approach to ensure that these worrisome issues are dealt with in a very serious constructive way.

Thank you, Mr. Acting Speaker.

**The Acting Speaker (Mr. Penner):** Is the House ready for the question? The question before you is third reading of Bill 4. All those in favour, agreed?

**Some Honourable Members:** Agreed.

**The Acting Speaker (Mr. Penner):** Agreed and so ordered.

### **Bill 20—The Animal Husbandry Amendment Act**

**Hon. Clayton Manness (Government House Leader):** Mr. Acting Speaker, I move, seconded by the Minister of Agriculture (Mr. Findlay), that Bill 20, The Animal Husbandry Amendment Act (Loi modifiant la Loi sur l'élevage), be now read a third time and passed.

**Motion presented.**

**Mr. John Plohman (Dauphin):** Mr. Acting Speaker, I will make some brief remarks on this bill in third reading.

During the committee stage there was representation from a couple of groups concerned about this bill. One in particular, the Sheep Breeders' Association, had asked that there be an amendment. The minister had made one amendment at the time dealing with a valuer for animals that might be killed in various locations in the province, a valuer that would be appointed by the minister. That was something that we

supported, although we did not feel that it went far enough in dealing with the problem.

In the definition section there was a reference to concern by the Sheep Breeders' Association that working dogs that they use for the purpose of herding sheep should not be excluded in the bill by definition under the definitions changes. The minister indicated at that time that he would be prepared to look at an amendment that would exclude those animals from inclusion in this definition. There was some discussion at that time. He said he would come back.

We have at this point a decision to make about passing a bill for third reading and have not heard anything from the minister on that. I am raising it now for him to indicate how he intends to deal with that issue, whether it is by some other means or by an amendment at third reading, as he indicated in the Hansard in the discussions at committee that he would be prepared to do. With those comments, if it is going to be remedied, we would thank the minister for that. If it is not, it would be just another issue of concern with this minister in terms of him keeping his word.

**Hon. Glen Findlay (Minister of Agriculture):** I would just like to remind the member that the amendment has already been made in report stage on this bill. It is done.

**The Acting Speaker (Mr. Penner):** Thank you. Is the House ready for the question?

**Some Honourable Members:** Question.

**The Acting Speaker (Mr. Penner):** All those in favour of Bill 20. Agreed?

**An Honourable Member:** Agreed.

**The Acting Speaker (Mr. Penner):** Agreed. I call Bill 35.

### **Bill 35—The City of Winnipeg Amendment Act**

**Hon. Clayton Manness (Government House Leader):** I move, seconded by the Minister of Family Services (Mr. Gilleshammer), that Bill 35, The City of Winnipeg Amendment Act (Loi modifiant la Loi sur la Ville de Winnipeg), be now read a third time and passed.

**Motion presented.**

**Mr. Gary Doer (Leader of the Opposition):** I know that members opposite do not care about the city of Winnipeg, but it is part of our province. We believe

in a city of Winnipeg that believes in the aspirations and the visions of northern Manitobans, rural Manitobans and the people who live in the city of Winnipeg on an equal basis. I would note that we are the only provincial caucus represented in all three of our major geographic regions of the province: the North, the rural areas and the city of Winnipeg.

The member for Arthur (Mr. Downey) may not like that and he may not like the citizens of Winnipeg, but we believe it is important to speak on these bills that are important to the people of this province. -(interjection)-

Well, I can refer members opposite who have not heard the member for Arthur's comments on property tax assessment in 1987. I would note former deputy mayors would remember the member for Arthur's comments on property assessment when we were in a bit of a problem trying to deal with property assessment. We seemed to have one former deputy mayor and another deputy mayor on one side, and the member for Arthur on another side about the proposals to have differential mill rates and have a solution to deal with some 25 years of taxation problems, which leads us to the first issue in Bill 35.

That, of course, is, there is a provision enabling legislation on the business tax. That is a section of the act that our critic the member for Wolseley (Ms. Friesen) has raised in the Chamber and in the House. It is something the members of City Council unanimously have requested that it clarifies certain rights that the city needs in terms of the taxation policies that were actually implemented in their last civic budget. Of course, they are now a part of the fabric of the City of Winnipeg.

\* (1520)

The other parts of Bill 35 deal with Section 20 or The Planning Act of the City of Winnipeg, and we would like to make a few comments on those sections, particularly those sections that are missing from this act.

One must recognize that the City of Winnipeg is in a bit of chaos in terms of their position on Section 20, which is rather remarkable considering that the City of Winnipeg will be primarily the implementer of Section 20 as the fundamental jurisdiction of implementing planning frameworks that are within The City of Winnipeg Act. I think members of the Legislature probably noted the various positions

that various members of council took on Section 20 of the act. Not exactly their finest hour in terms of coming to a definitive position on a very important act and coming together with a consensus position, rather than having individual councillors presenting individual opinions on individual sections of the act.

Of course, the minister, too, was not on line fully. He had to bring in a number of amendments to the act in a rather rushed way at the last moment. Of course, it is better to have an amended act, I would say, than amendments that are not in the act, but I always have trouble when bills are presented with 20, 30 amendments. It tells me that we had a little bit of problem in the drafting and consultative stage prior to the bill being presented in this Legislature.

There are a number of issues in the act dealing with Section 20 and planning of the city of Winnipeg that we want to put on the record. The rivers and streams section of the act—and we have raised this before in this Chamber—the erosion of powers that were passed in this Legislature, and the erosion of a principle dealing with The City of Winnipeg Act, really concerns us.

We believe that the environment is paramount to the province of Manitoba, and that the rivers and streams should remain the paramountcy of jurisdiction with all our municipalities, including the city, and should be with the Province of Manitoba. We believe the provincial government has the right and the responsibility and the principal position of being able to take legislative measures to protect the quality and quantity and access of our rivers and streams and our environment in the province of Manitoba.

This is very consistent with The Environment Act we passed in the province in 1987 and proclaimed in 1988. We took away the exemption for the city of Winnipeg to be covered under The Environment Act. I was the minister responsible for Urban Affairs at the time, and I really believe that the air, the water, the ground carries on from one community to another in the province of Manitoba, and that we should have planning decisions and principled positions on our environment that are province-wide. In fact I believe, if I have to go further, in national environmental standards.

I do not want to be competing one province to another on environmental standards and having decisions and competition for the various enterprises based on differential standards in the

environment between one jurisdiction and another. I believe that ecosystems cross provincial boundaries, they should be national jurisdictions, we should have international co-operation.

It is certainly in the City of Winnipeg—the City of Winnipeg should be treated the same as any other municipality. Why should Portage la Prairie have to go before the provincial Environment Commission and why should the City of Winnipeg be able to be exempt? Why should the sewage systems in Portage have one set of standards, and why should the City of Winnipeg be exempt and therefore not accountable, not responsible, not licensed and not processed in the city of Winnipeg? So we, of course, removed the exemption from the City of Winnipeg in 1987, and proclaimed that in 1988.

Over the period of time before 1988 we were also involved and there were some major fights with the City of Winnipeg under The Rivers and Streams Act. We believe that the development that the City Council had approved—I believe it was the Marwest development, if I am not mistaken, but if I am wrong, I offer my apologies beforehand—but we believe that development, the six-storey apartment blocks on Omands Creek with the parking facilities and others over top of the creek was totally inconsistent with the vision that Winnipeggers and the province had on The Rivers and Streams Act.

We believed that should be protected so we, of course, took action, both legislative action and we took action in terms of negotiating with the city, with the developer to protect the Omands Creek area, and eventually we developed, in consultation with the community—in fact I attended three community meetings myself—a small park area that abuts the other Omands Creek area that is a beautiful park area on a waterway in the city of Winnipeg in our urban area. Therefore, we were quite disturbed by the minister's change on dealing with the Omands Creek or any other rivers and streams in the city of Winnipeg under The City of Winnipeg Act.

We believe that the rivers and streams should be there for the public. We have practised that with the ARC Program that we developed with the former Liberal government, where The Forks really was brought back under public ownership. The original 10-acre Forks park was actually a federal-provincial park program.

The Tache Promenade, the St. Norbert program, the Trappist Monastery program, the access to

rivers at Kildonan Park, even the modest other access programs on the Red River, Mr. Acting Speaker, those were developed with the provincial government taking a leadership position with the federal government and really started the ball rolling to greater public access to our own waterways.

The 10-acre park was followed by another 50-acre development of public ownership at The Forks, which really was the original waterway walkway. I was involved with the Honourable Jake Epp and the mayor in negotiating the public ownership of those 50 acres of land. I think that Manitobans and Winnipeggers are happy with those two developments. It has not developed perfectly, but I generally believe that the ARC Program and The Forks program were very successful.

In keeping with that, Mr. Acting Speaker, I would say to the minister, who has been a former deputy mayor of the City of Winnipeg, compare the record between the city and the province. I believe that you will find over a period of time—and I know some councillors and former deputy mayors may be a touch sensitive on this issue. I think the province, if necessary, should have the ability to resist developments on our riverways and on our -(interjection)-

Well, the member opposite says: the city. Mr. Acting Speaker, the city approved the six-storey apartment block on Omands Creek. The city was not the one that brought back the public ownership of the ARC Program at The Forks. It came in on the rebound with the second Forks program. It was not in on the first program, I can assure you. It was the former Minister of Urban Affairs, Mr. Kostyra, and the former federal minister responsible for Manitoba, Mr. Axworthy, who were involved in that program, and other federal cabinet ministers and other provincial ministers. It was not the city. The city's record on Omands Creek is not great. The member opposite should check that.

For the government now to accede to the law of the developer's jungle on Omands Creek, I think is a real sad commentary and a real step backward and totally inconsistent with the environmental act and the vision of this province, that the province itself has the principle responsibility to protect our rivers, our streams as they flow in and out of municipalities, because the city of Winnipeg water, whether it is a stream or river, impacts on the municipalities downstream just as the municipalities

upstream impact on the city of Winnipeg water quality as it flows through.

We believe the province should maintain the paramount responsibility and be able to block developments like the Omands Creek development. That is totally consistent with The Environment Act and totally consistent with provincial responsibility, which this minister should not delegate and which this minister and this province should not allow this matter to be resolved just by the City of Winnipeg. We cannot take that chance. We cannot delegate that authority. We have the province-wide responsibility. This is not a junior city hall here. This is the area in which provincial laws are determined for the provincial benefit of the public of Manitoba.

\* (1530)

I think the minister has failed in that regard, and we were disappointed that the Tory majority defeated the amendment that we moved at committee on Friday, and we were also very disappointed that the Tory majority refused to listen to the Manitoba Environmental Council and other environmental organizations that moved amendments to ensure that this act would be subject to the new Environment Act. We think that it is absolutely essential that the new Environment Act -(interjection)-

I know, it was supported by, as I say, just the Tory majority. The Liberals also supported that, as we supported their amendments in the Omands Creek matter a couple of years ago. It was a band-aid amendment. The minister will not get any argument from me on that, and I do not believe in band-aid amendments. I thought the minister would come back with a comprehensive, principled position in Bill 20 saying the province has the responsibility, but we did not see that. We just said delete it. It is unfortunate that happened.

Secondly, I thought that the government would have been much stronger in the protection of airports, and I thought particularly this minister, who has had an interesting set of correspondence from the Minister of Highways and Transportation (Mr. Driedger) and has been in the middle of an interesting political debate, would have had much more provincial presence in the area of development of land use around the economic and safety base of the city of Winnipeg airport.

This airport is an international airport. Surely the provincial government must take a leadership position. I refer the Minister of Urban Affairs and Housing (Mr. Ernst) to the letters that were written by the Minister of Highways and Transportation. I would refer the minister to letters that were written by Marshall Rothstein, an excellent person, a person who is not of our political persuasion but is an excellent lawyer on transportation, who has stated clearly and unequivocally that the province (a) must stop the Pines project and (b) must have long-term land use policy dealing with the economic and safety factors around the airport of Winnipeg.

The province therefore had a choice in this bill. It could have delegated this issue to the City of Winnipeg or it could have maintained paramountcy in the Section 20 of the act. It could have maintained the powers in the provincial area for the international airport, or they could have delegated to the city. They chose to delegate it again to the city, and I do not know whether it is because of the bias of the former deputy mayor of the City of Winnipeg who moved an amendment in 1984 at the City of Winnipeg dealing with Section 20, the planning section of The City of Winnipeg Act—I believe the member, and he will recall this, had a one-line planning section that he proposed when he was deputy mayor for the City of Winnipeg. It said: All matters dealing with planning and land use shall be delegated to the City of Winnipeg. Stop. That was the vision of the Minister of Urban Affairs, and he articulated it very consistently.

This time we have a Minister of Urban Affairs who has 30 pages of all the things that cities must consider, but does he maintain the control of those issues in the provincial jurisdiction? No. He delegates them back to the city. Where does this come from? It comes from that old chestnut policy of the former deputy mayor who, by the way, is going the absolute opposite direction of any other provincial government in dealing with land use and economic base in dealing with municipalities. Everywhere else in Canada, in Alberta, in Quebec, in B.C., in Ontario, they are going in the opposite direction.

Ask the Minister of Transportation (Mr. Driedger), what directions are provinces going with international, economic bases? Are they allowing that to be dealt with on the whimsy of a council that comes and goes and could develop something on a whimsy? No. They are maintaining the jurisdiction



of those issues in their own planning document. This minister has failed, I believe, because he has chosen to go back to his old bias of delegating it to the municipality rather than maintaining the kind of information that the Minister of Transportation has put on the record, that the Minister of Rural Development (Mr. Downey) has for other municipalities much stronger authority for decisions in land use planning in those acts. Do you know why, Mr. Acting Speaker? Because authority and responsibility go hand in glove.

When you delegate away your authority, as the minister has done, you delegate away your ability to make changes. You delegate away your responsibility, because ultimately it is our responsibility for the economic development of that airport along with the federal government, and we should not allow it to go in a delegated way to be part of the deals and counter deals that take place at City Hall. So another minister had a choice and delegated it basically to the city.

Mr. Acting Speaker, there are other sections dealing with Plan Winnipeg that deal with the urban limit lines. I have always believed that urban limit line and urban sprawl should be dealt with differently than what the minister has suggested. Again, the minister has all kinds of points of reference. He has a check list of things you have to look at, but I would suggest that, again, the province must have more jurisdiction in the area of things that the city will consider on subdivisions and changes to the urban limit line.

Mr. Acting Speaker, this provincial government and whoever is in provincial government office must pay for a number of costs associated with subdivisions and with changes to the urban limit line. Right now, in the city of Winnipeg you have schools closing down in Norwood and class size changed radically in Norwood, whereas south St. Vital which was developed initially without legal jurisdiction by the City of Winnipeg has all kinds of population growth associated with it.

It is this Chamber and this Legislature that is responsible for the capital costs of schools. It is this Chamber and this Legislature that is responsible for up to 69 percent of the operating costs of schools. It is this Chamber and this Legislature that pay for part of the transit budgets in terms of public transportation. It is the taxpayers that pay for increased police costs, increased library costs, increased costs all the way along the line.

You cannot worry about your costs on the one hand for education, health care and many of the other soft costs of services and not in your planning bill require full disclosure, not of the costs of roads and sewers, but full disclosure of the potential cost to the health care system, the potential cost to our education system, the potential cost to our many other services—transit, school, library, maintenance, et cetera.

We have a City of Winnipeg that can go along willy-nilly on many of these issues on Plan Winnipeg, and that is the philosophy of the Minister of Urban Affairs (Mr. Ernst). Yes, they have to go through a check list, but they go along willy-nilly on these items, and the buck stops here. The bucks stop here in very big ways. I suggest that there should have been a full and complete disclosure of all capital and operating costs for not only the city, but the province of Manitoba, with any subdivision, with any change in the urban limit line.

We have a city right now, Mr. Acting Speaker—the reason why taxation is too high in the city of Winnipeg right now is we have an urban limit line to a population of about 750,000 people and we have a population of 610,000 people and unless you have a lot of extra cash in your hands, you cannot afford to have and pay for, and we cannot afford to pay for a city that has a size that is inconsistent with its population. That is one of the problems with the plan, Section 20 of the act, in my opinion, Mr. Acting Speaker.

I give the minister credit for having greater points of reference in Plan Winnipeg but I think we should have had much more teeth, particularly around the areas of financial disclosure.

Mr. Acting Speaker, those are some of the comments we have to make on Bill 35, or I have to make. Many others will talk about the appeal body, many changes to the appeal body, and who it goes to and why it goes to what body, and who will establish it and there will be other discussions about the accountability of various corporations inside the city of Winnipeg. I will leave those comments for our Urban Affairs critic and for other members of the Chamber.

I just wanted to say a few things in my opinion about Bill 35 and certainly, Mr. Acting Speaker, I believe we could have improved this bill remarkably if we had maintained the principle that the Province of Manitoba has paramountcy on a number of these

jurisdictions and the Province of Manitoba has responsibility for a number of the costs and the costs should be fully disclosed and fully fact.

We do not want another Omands Creek scandal. We had two in six years, and we had a chance, we had an opportunity, we had a choice to take a stand on behalf of the rivers and streams of this province through our municipalities and I think it is unfair that the community of Portage, the community of Steinbach, the community of Brandon goes through one set of accountability, the City of Winnipeg, our largest municipality has another standard based on The City of Winnipeg Act.

I say, we should have one standard and one area of jurisdiction and that should be provincially the rivers and streams flow through our cities, and just like The Environment Act, we should treat them accordingly, not the way we delegated that authority in this bill, Bill 35, before this Legislature.

\* (1540)

We could have a much better bill, Mr. Acting Speaker, and unfortunately, because of the philosophy of the former deputy mayor and the present Urban Affairs Minister (Mr. Ernst), a philosophy that says whatever the city wants to do they can do it. That is his philosophy on planning. That is what we see when we separate the wheat from the chaff in this bill. It is too bad because you are going the opposite direction of every other province in Canada when it maintains some authority and responsibility for planning decisions within our municipalities. Just as we do in rural municipalities, we should do also in the city of Winnipeg.

**Mr. Paul Edwards (St. James):** Mr. Acting Speaker, my comments on Bill 35 will be short and to the point. I stand to speak most strenuously against passage of Bill 35 for the fundamental reason that it represents a backward step in terms of the quality of life for my constituents. This bill repeals the section which was put into place by my colleague, at the instance of my colleague the former member for Wolseley which I assisted in drafting and in making sure that we had the requisite support to have passed some 14 months ago, and this bill seeks to repeal that section which would have prevented the construction of commercial operations, commercial developments over waterways in the city of Winnipeg.

I must say to the minister that at the time that section was put into place, we received nothing but accolades. We received support from all of the environmental community. We received the support of the local community in amazing numbers who stood up yet again for the protection of Omands Creek. Indeed, we received accolades from the business community as well.

Mr. Acting Speaker, as I am sure the minister will be aware, there was an editorial, in fact, in the Real Estate News representing the interests of realtors and developers to a large extent that heaped praise on the foresight of the members of the committee who put that section into place and, I might add, overrode the objections of the chairperson of that committee who is now the present minister.

The people in the west end who use Bluestem Park and Omands Creek parkway have fought the fight for that creek three times and, I can assure this minister, will gear up for a fourth time. They have yet to lose, simply because no matter who the developer, no matter who the proponents at the political level; the people of that community have spoken with one voice, a strong voice indeed, and they have done whatever it took to make sure that green space, that parkway, up the Omands Creek valley was protected.

I can assure the minister they will do it again. The minister has passed the buck back to the city, not being willing to accept responsibility at the provincial level for the protection of that particular waterway or, indeed, any other waterway within the city of Winnipeg. That is not only a regressive move, in terms of our relationship with the City of Winnipeg, but it is a regressive move environmentally.

It is one, I think, which speaks very loudly about this government's real commitment to protect the environment. When you cut away the rhetoric, the fact is that buried in this bill, as in so many others, is an underlying concern for not quality of life in communities like St. James but for development and developers and their plans. He has passed the buck to the City of Winnipeg who have so often and so consistently abandoned the principles of development of inner-city communities, protection of green space in inner-city communities in the past, that we can only assume he is willing to accept that same result by turning over the power and the authority as the sole authority on issues like the proposed development on Omands Creek.

That development, by the way, in case some members may have forgotten, was a six-storey office tower and a car wash to be built on a concrete platform over Omands Creek. One can only imagine the negative impact of that development. Could there be worse development in terms of destroying that parkway? I cannot think of one myself, Mr. Acting Speaker. That is going to be precisely out the backdoor of literally hundreds of thousands of people. It is a very densely populated area. They use that natural park, which is now Bluestem Park and to the south, Omands Creek Park. The minister should go and should see the use of that park. It has been preserved as a pristine environmental habitat. The natural prairie grasses grow there, and it was very interesting to me to see in the province's recently released report on the Status of the Environment in Manitoba, a very nice report indeed, a beautiful picture of Omands Creek parkway. There it was buried in the report, heralded as one of the pristine environmental habitats in the province, something worthy of protection, and the government applauded itself in that report for protecting that parkway.

Well, far from it—Bill 35 seeks to destroy that protection which we, as provincial legislators, decided to do some 14 months ago, and this government is turning back the hands on the clock. Why? One reason—because they have a majority. That is it, that is the only reason. I say again to the minister that he may have changed the venue of the fight that will ensue should that developer seek to proceed with the development, but the fact is, it will come back to his door because people will know and people will understand that the provincial government had an opportunity to make a law stick which was progressive for all Winnipeggers and this government chose not to do that.

Mr. Acting Speaker, another issue which is particularly important to the western part of my constituency is the airport. I, in co-operation with Mr. Harvard, the Member of Parliament for that area, established in 1988 an airport noise advisory committee, and it was the first time any such committee had been struck in Winnipeg. There have been numerous committees of a similar type set up across this country. We patterned it on some of the experience in Toronto and Vancouver and Montreal where airports very definitely and very severely impact on residential areas. We, in Winnipeg, had not had any such committee which

involved community people, people living on the flight paths in a directory role in terms of a noise abatement program, despite the fact that our airport is right smack in the middle of a residential area, a very densely populated area, an area which became more densely populated. Why? Because the City of Winnipeg chose to allow development around the airport. That is the same group that wants to allow the Pines development right smack on the flight line.

\* (1550)

This government, again, is passing the buck to the City of Winnipeg and saying they do not have a role to play in protecting what they call the jewel in the Manitoba economy—not the Winnipeg economy, the Manitoba economy. If it is truly the jewel in the Manitoba economy and an asset economically worthy of protection for the province, then why is the province turning its back on doing just that and protecting it, I might add, against the wishes of its own committee?

Through the Minister of Highways and Transportation (Mr. Driedger), a committee was struck which initially did not include even one representative from the community committee which I had played a role in establishing back in 1988, but because I raised the issue with the Minister of Highways and Transportation, and I acknowledge the fact that he listened to my concerns, we did get a representative on the provincial government committee, Mr. George Chapman, well known, well respected person in the community of St. James, lawyer in the area and has practised for many years. He sat on that committee, and that committee came up with a report which recommended legislation similar to that in place in Alberta which would protect the area directly affected by airports.

Mr. Acting Speaker, I was very encouraged and pleased at the initial response of the Minister of Highways and Transportation (Mr. Driedger) to that report. He was willing to take initiative at the provincial level to protect the airport and to ensure that development which occurred around the airport and in the areas directly affected was consistent with the long-term viability and survivability of that asset, being the airport.

It is important to note that they recommended, and in fact in recent months it has been achieved, that the airport's operations are increasingly consistent with the residential needs of the area, that is, the

need not to be the subject of a constant nuisance of air noise and, indeed, pollution.

Through the efforts, I believe, inside the cabinet, which of course I am not privy to, but I assume they must have taken place, the Minister of Urban Affairs (Mr. Ernst) was able to override his colleague, the Minister of Highways and Transportation (Mr. Driedger). We now see the result of that—the result being that this government is willing to put back to the City of Winnipeg total responsibility and total authority over development in and around the airport.

Mr. Acting Speaker, that is truly a regrettable move and, again I think, the lies, the real intentions of this government which are to turn the clock back, go back to the way it was and just deal with these problems as they arise by pretending that they do not exist. Areas like Omands Creek are being threatened and will continue to be threatened, and I can assure the minister, the residents will continue to speak out for the protection of that area.

The airport is, indeed, an asset whose importance will only grow in terms of our economy both locally and provincially, and the pressure on the airport to put in restrictions which would curtail that economic growth will continue to grow. This minister cannot turn back the hands of time. They are going ahead and, regrettably, they are going ahead without the input of the provincial Legislature.

I hope that the minister will see in time the error of his ways. Thank you, Mr. Acting Speaker.

**The Acting Speaker (Mr. Penner):** Is the House ready for the question?

**Ms. Marianne Cerilli (Radisson):** Mr. Acting Speaker, I will submit my comments on Bill 35. -(interjection)-

**The Acting Speaker (Mr. Penner):** For the edification of the House, I recognized the honourable member for Radisson (Ms. Cerilli), not the honourable member for Dauphin (Mr. Plohman).

**Ms. Cerilli:** Thank you, Mr. Acting Speaker.

I want to start off with some general comments about the approach that this bill takes, which is so similar to many of the other bills and actions of this government, which is a general trend away from community-based participatory democracy or community-based involvement in -(interjection)- The member for Assiniboia (Mrs. McIntosh) says that I have never heard of representative

democracy. I am not hesitant to take the position that I think in our country and in our province we certainly have to move towards more of a participatory democracy. The Mulroney government, I think, in Ottawa and, as we are now seeing, this government in Manitoba is showing that very clearly.

This bill is an example of how they will destroy any kind of a structure that is in place that allows people to comment on government action, to put their thoughts and their opinions and their suggestions forward to a government. The City of Winnipeg amendments have destroyed community committees. They have eliminated in this bill, on a number of occasions, the ability of the public to comment on regulations pertaining especially to rivers and streams and, thereby, eliminating the public's ability to have an influence on development and environment protection in our city. I would say that this is definitely not the way to go.

I asked a question on this briefly during the Estimates, and the Minister of Environment (Mr. Cummings) said: I am aware of the concerns that the member is raising and, in fact, she may very well be quoting out of the report from MEC, which is the Manitoba Environment Council.

I have looked at their brief that they presented to the committee on Bill 35 where they condemned this government yet again for not putting any kind of protection or consideration on the environment and wholeheartedly, heavy-handedly going ahead and letting the developers have full control of the agenda to go as they might and develop where they may without any consideration for environment protection. That is what this bill does in terms of the environment over and over and over again.

The other thing though that the minister said in answer to my question during Estimates about the intention and the advantages, as he saw it, with this bill for the City of Winnipeg. He said: Aside from the legislative aspects of it, we do not have any problems with those changes and we do not see them as a reduction of anybody's capacity to protect the environment.

(Mr. Speaker in the Chair)

Well, I would question, what did the minister mean by aside from the legislative aspects of it? Perhaps the Minister of Environment (Mr. Cummings) too does have concerns about this bill. I would say definitely it does restrict anybody's, particularly the

people in Winnipeg and in Manitoba, from participating and protecting the environment.

\* (1600)

One of the other areas that caused great concern is that they have deleted the protection from building over the rivers, and I am starting to question if the government has some megaproject harebrained scheme to have yet another kind of development as we heard they had at Omands Creek where they wanted to put a car wash over the creek. I do not know if they had plans to somehow hook up a tube that would use Omands Creek water to wash cars over the creek. Maybe that was one of the developments they had in mind. I do not know if they want to put some kind of a super skydome over a river so that they can use land that should be designated as protected so that people can enjoy our riverways. All of this, quite frankly, is not that unlikely or out of the question when we see what they have done in wildlife management areas.

I want to read part of the presentation that was made by the Manitoba Environment Council on this bill where they said: "Without a doubt, the worst aspect of this Bill is that it eliminates the protection for the waterways of the city that was afforded by the subsection 624.1 of the existing City of Winnipeg Act—" Here is the good part: "—which prohibits the construction of any structures other than utilities that would span a watercourse in the city. We all know that in the many years before 1989 during which this was a City Council responsibility, that the influence of developers on those councils was such that they never provided this fundamental protection for what may be the city's most important natural features, and throwing the onus for this back to the city is clearly a reactionary move, inappropriate for a government committed to environmental protection. As with the infamous Bill 38, it seems to be a case of responding to an individual legal challenge by fundamentally weakening the environmental components of major legislation."

They have raised a number of issues there. We know that developers have controlled City Council for some years in this city and we have now a move away from that. We have the reaction of this government and the City Council members that are left who represent those interests to put forward the other city bill which is going to reduce the size of City Council. Every time we make a move to balance things out, we have some kind of a scheme that is

going to yet again restore powers to the powers that be with their short-sighted developmental interests.

I would just say that I am not surprised that they would do this. They will not ban mining on Winnipeg's water supply. Why should they protect our waterways in Winnipeg?

The other area that is of great concern is, not only have they disenfranchised the public from participating in a number of regulations and withdrawal of regulations that pertain to environment protection in the city, but they have also given the power to issue permits and take them away to one person within the city bureaucracy. This again is a move away from what I would call democracy in any kind of environmental concern for our city. Once again, they have eliminated the opportunity for public hearings in a lot of regulated areas.

A couple of the other concerns that I have with giving generally city waterways authority to the City of Winnipeg. The city of Winnipeg is one of the main polluters of our waterways, of our rivers and streams. It is something that, as governments, we have put off for a long time in dealing with this problem, and the longer we put it off, the more expensive it is going to be to deal with. It is going to create, I think, less of an ability for the provincial government to influence the city to work with all levels of government—because navigable waters are a federal jurisdiction—but it is going to limit, I think, our ability to put in place some solutions that are going to deal with the serious sewage problems for the rivers in Winnipeg.

We cannot forget, when we are dealing with authority over the rivers in Winnipeg, that Selkirk drinks Red River water. We cannot forget that other communities rely on the Red River to provide them with their drinking water. Again, I am concerned that giving the jurisdiction over the Red River to the City of Winnipeg, within the city boundaries, is going to limit the province's ability to ensure that Selkirk has safe drinking water and that the necessary precautions are taken.

The other thing that this amendment does, is it seems to open the door—I will try to find the specific section: Section 492.1(2) part 5, where there is an opportunity to divert waterways or alter the channelling of waterways. Again, does the City of Winnipeg and this government have some scheme where they want to start diverting water inside the

city of Winnipeg boundaries from the Red or the Assiniboine River? Diversion projects in this province are one of the biggest environmental issues going on right now, where one city or community diverts water to meet its own needs at the expense of the downstream communities. Throughout the province, drinking water is being threatened for a variety of reasons, but this is one of the biggest problems that we are facing. We cannot deal with our waterways in a greedy, shortsighted way, where we are not considering the downstream effects.

To conclude, I will just mention briefly that our party had a number of amendments on Bill 35 which, unfortunately, were defeated. We proposed that there be mandatory environment impact assessments for private projects in Winnipeg and, unfortunately, that was defeated. One of the problems that we face in our city right now is that so much of the development goes unchallenged, unquestioned, and unknown to a lot of the public and a lot of the people that have an adverse impact from the development, before anyone even realizes the effects. It is only when it is too late that we realize the damage that we have done.

The other amendment that our party proposed was an amendment to protect riverbeds and this did not pass. This would have dealt with the Omands Creek problem and the Bluestem Park problem. Again, I appreciate the comments from the member for St. James (Mr. Edwards). I have utilized those parks myself. It is one of the few places in our prairie city that you can run hills and there are a number of people, from not only the west side of the river, but the east side of the river that use those parks. Those are the kinds of resources in our community that we have to fight to protect.

In conclusion, our party has taken the position with the debate on this bill that authority over rivers and streams in Winnipeg should be a joint responsibility. There is a reason why federal government has authority over navigable waters, and it has to do with a sense that particularly when you are looking at rivers, you have to have an ecosystem approach and you have to have an understanding of the relationship between rivers and the surrounding areas. This bill, like so many others by this government, does not take that into consideration and does not seem to take into consideration protection of environment and our rivers in Winnipeg. Thank you.

**Mr. James Carr (Crescentwood):** Mr. Speaker, the whole process of watching Bill 35 develop and then move to committee stage has been fascinating. Fascinating because it reveals some of the strengths and the weaknesses of the ways in which we make law in the province of Manitoba.

Firstly, we have to deal with the appropriateness of the Province of Manitoba dealing with a number of the clauses contained within Bill 35 and the extent to which it ought to consult the City of Winnipeg, because it is after all the City of Winnipeg which has to abide by the provisions within the bill. In the case both of Bill 35 and Bill 68, what we do here in this Legislature impacts tremendously on the operations of the City of Winnipeg.

\* (1610)

We tried to determine, it was a bit like farce, a bit like theatre in its essence, what the City of Winnipeg Council believed to be in the interests of the City of Winnipeg as they interpreted it about Bill 35. We could not determine that because the City of Winnipeg did not have a position. During the public hearings we heard councillors one after another tell us what their own personal view was about the contents of Bill 35. They always spoke after the disclaimer that came at the beginning of their remarks and the disclaimer was, I do not speak for the City of Winnipeg.

Well, you could ask rhetorically, who did speak for the City of Winnipeg as we determined the nuts and bolts of how the City of Winnipeg does its business, how it plans, how it deals with zoning, Plan Winnipeg, by-laws, conditional use, variance? The answer to the question who speaks for the City of Winnipeg was no one. That in itself is a very serious commentary on the ways in which we attempt as legislators to create a blueprint that is going to affect another level of government.

Obviously there are issues that ought to be the jurisdiction of the province, and my colleague the member for St. James (Mr. Edwards), I think, very eloquently has indicated at least two and other members have echoed that interest. There are other occasions when the City of Winnipeg ought to have autonomy in determining how it conducts its own affairs. It has no constitutional authority of its own so it has to rely, at least for now, on the wisdom of this Legislature to determine how it does its business, but we could not determine what was in the interests of the City of Winnipeg according to

those who were elected by the citizens of Winnipeg to implement and administer The City of Winnipeg Act. That was very frustrating, because as members of the Legislature, with legislative authority, we felt constrained by the silence that we were getting, the deafening silence from the City of Winnipeg on the major provisions of this bill.

That was a very serious fault with the way in which this bill came through. I could if I wanted, I suppose, put some blame at the feet of the minister for having tabled the bill some time in May and for not being aggressive enough in trying to search out that very elusive consensus from the City of Winnipeg. Equally, Mr. Speaker, we have to wonder why the city could not get its own act together.

As a matter of fact, one day last week the City of Winnipeg was having a full council meeting at the same time that the Executive Policy Committee was meeting to talk about something else. So for a while they had a difficult time coming up with a quorum. In one chamber in City Hall they were talking about Bill 68, The City of Winnipeg Act, and in another chamber in City Hall they were talking about Bill 35. Meanwhile, that very night we were in committee in this House, and then just a day or two later going through clause by clause—very difficult to make legislation in that kind of a vacuum.

The whole section on planning, Section 20 of Bill 35, went through a major overhaul through the public hearing process. I think it is very important to dissect the way in which that law was made, because again I think it has a lesson or two to teach us as legislators. In the original drafting of Bill 35 the minister wanted to give an appeal board the authority to overturn decisions that were taken by members of City Council. The government, in its wisdom, thought the city of Winnipeg would be better administered if the final say on conditional use and variance applications was given to an appeal board that was selected by City Council.

That is a major principle that we had difficulty with and said so during second reading of Bill 35, that appointed people ought to be able to overturn the will of the elected members of City Council. We said so in our speech in second reading to Bill 35 and so did a number of presenters, including members of council who were not sure what the city's position was, could not speak on behalf of the city, but spoke on behalf of themselves as members of the council with certain experience.

The minister, to his credit—and the record should show this—introduced 37 amendments to the bill that would accommodate a major change in principle. The effect of the change in that principle was to say that a board of adjustment appointed by the City of Winnipeg could have the first review of changes to variance or conditional use, but any appeal ought to go to members of council, the elected representatives of the citizens of Winnipeg.

The minister did the right thing. That required, I would think, many, many hours of drafting by Legislative Counsel and credit should be given to those individuals. They are, by name, Heather MacKnight and Norm Larson, who spent probably dozens of hours accommodating the change of principle that came out of public hearings, which gave meaning to public hearings.

What good is it to sit there hour after hour after hour if there is no will among legislators to listen to what the people are saying? How many times have we seen that in this Chamber? We sit there long into the night, sometimes until four in the morning or five in the morning, and we say thank you very much for the people who have spent half the night waiting to make their views known, but there is nothing we can do about it. They might as well be talking to a sphinx or to the wall.

In this case, and uniquely in this case, the minister was listening. In spite of the fact that he had to overturn a principle that was stated in the original drafting of the bill, in spite of the fact that it put a lot of people to work burning the candles at both ends, it was done. I think there is a lesson for all of us in the way in which the amendments to Bill 35 came forward, and that lesson is that public hearings at committee, Mr. Speaker, are not pro forma.

They are not a public relations exercise. They are not an excuse to pretend you are listening. Public hearings are a genuine reaching out to the people in this province in order to improve legislation, to say to legislators, well, you did a good job over here, but maybe you could do a little better over here and to actually accommodate those positive changes that ultimately result in law. That is what happened in the case of Bill 35.

We may be critical of some sections of the bill and we are. The member for St. James (Mr. Edwards) has put on the record some sections that we still quibble with, but the point is, and maybe the overriding point is, that this bill has been

substantially improved because of public presentations at committee and because the minister, who has taken a lot of criticism on a lot of other issues, had the patience and the willingness to make those amendments on behalf of the people of the city of Winnipeg. For that, we congratulate the minister.

There are other areas of this bill that are very important. Mr. Speaker, this bill deals with the way in which Plan Winnipeg is structured, who has the final authority, whether it is the minister or the Lieutenant-Governor-in-Council, the way zoning is handled, really the nuts and bolts of the way the city of Winnipeg is administered and governed. We think the bill in that section, Mr. Speaker, on Section 20, now is largely good and represents an improvement over the legislation that preceded it.

On the whole issue of waterways, we believe that when a river starts in one part of the province and ends up in another part of the province and flows through a municipality, flows through the city of Winnipeg, that obviously there must be some joint jurisdiction. It is not appropriate for the provincial authority to say we do not have any jurisdiction over those waterways. We must have, because what happens to those waterways as they flow through the city of Winnipeg obviously affects the province as a whole.

So how can we, as legislators, say that there is no appropriateness for us to legislate in that area? Of course we must, and that is why we oppose those sections of the bill which delegate to the City of Winnipeg more authority, leaving the province without the proper jurisdiction and the proper controls and the proper levers to ensure that the waterways and the floodways are properly handled.

So, Mr. Speaker, if there is anything that I will remember about Bill 35 as we look back on this legislative session months or perhaps years from now, it was that a major bill that affects the city of Winnipeg was passed in this Chamber without the benefit of advice from the elected officials from the City of Winnipeg who were charged with administering. The second thing that I will remember is that this bill was substantially improved by the public process and by the wisdom that was passed on to legislators by the people of the city of Winnipeg. For that, we should all be grateful.

In conclusion, Mr. Speaker, there is much about this bill which is positive, there is much about this

bill which does not go far enough and there are holes which remain. We will have other opportunities in succeeding sessions of the Legislature to attempt to improve this bill, and we intend to do precisely that.

Thank you, Mr. Speaker.

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, I am glad to be able to speak again and for the last time on Bill 35. There are a number of areas where we think that this bill is satisfactory. It is part of a regular review process of The City of Winnipeg Act, and I think that is an important element that the government has produced in formal forum, the reviews that have been done of the planning and waterways section of this particular act. I think it is important to continue that kind of review for the city of Winnipeg.

\* (1620)

The city in a way is a barometer of the kind of changes that are happening in Manitoba. I think it is important that we have the kind of regular process of evaluation and examination of the kind of changes that should be made in city government and in the relationship between the province and the city.

Winnipeg is an important part of Manitoba. As we have said often, it represents two-thirds of the jobs created in Manitoba and 60 percent of the population. What happens in Winnipeg affects every Manitoban. So although this Bill 35 addresses specifically the relationship between Manitoba and Winnipeg or between the province and Winnipeg, it is something which even the details of, I think, are important to all Manitobans. In many ways, Winnipeg is the economic engine of the province. As Winnipeg goes, so goes most of the fortunes of the province. It is important that we have a well-designed and well-designated relationship between the city and the province.

It is important, Mr. Speaker, to notice two areas of this bill with which we have had difficulties. We approve of some parts of it, but there are two areas which we did try and amend through the public hearing process, but in which we were unsuccessful. I think I have many disappointments about that, and some of them, in particular, I find it difficult to see why the government could not have supported them. They chose not to, and I guess they will stand on the record just as we will.

The most important of these, of course, is the treatment of environmental issues. One of the



concerns that we have always had is the transfer of waterways to the control of the City of Winnipeg. It is certainly true that the Cherniack report did recommend some changes in the bylaws and in the ability to adopt broad-scale bylaws for rivers and waterways in the city of Winnipeg. It did this. It made this recommendation in the context of a rivers authority, bilateral if possible, trilateral also a possibility.

It seems to me that the government has gone at this backwards, that what they should have done is to have pursued the initiatives that they did begin in trying to make a federal, provincial and municipal or, at least in their case, a bilateral arrangement between the city and the province for the rivers. When they were rebuffed by the city, they seemed to simply withdraw from that, throw up their hands and turn over the entire authority to the city. It seems to me, Mr. Speaker, that was putting the cart before the horse. We should have looked first of all, particularly in The City of Winnipeg Act, at the broader structure to ensure that the provincial leadership position in environmental issues be maintained.

It seems to me that we have lost an important opportunity there by giving the City of Winnipeg this kind of authority at this stage over the waterways. We were very reluctant to see that, and we certainly voted against those parts of the bill. We tried to ensure that the kind of legislation, the amendments which we had supported and which protected areas like Omands Creek were reinstated in this bill. Again, we can only hope that the City of Winnipeg, through the public process and through the pressure of environmental organizations and the general public, that the kind of protections that had been ensured by the acts of this Legislature will be maintained in the new bylaws of the City of Winnipeg.

The second area of environmental issues I think which disappointed me in this bill was the proposals that came from the public hearing process. We had a reasoned proposal from the Environmental Council of Manitoba. This proposed that there be environmental impact studies mandated, required under certain conditions in The City of Winnipeg Act. It seems to me that that is an appropriate kind of requirement and an appropriate kind of relationship of context for the province to establish.

We did take up the suggestion of the Environmental Council and propose that

environmental impact assessments be required in areas of major public use and also of private development. This is something which is widely accepted, for example, in the heritage field. The Heritage Act of Manitoba proposes that there be mandatory impact assessments for any disturbance of the subsoil. It seems to me, Mr. Speaker, this is quite a reasonable proposal which can be made by the province and which could, by reasonable people, have been enforced.

The government chose to believe that it could not be enforced. They voted against it, and it did not pass. I am disappointed that these, what seemed to me very reasonable and very appropriate and certainly not revolutionary proposals of the Environmental Council of Manitoba were not incorporated into the act at this time.

In two areas we were disappointed in this bill. We thought it had the opportunity to go much further and to perhaps bring Manitoba into line with other jurisdictions in environmental concerns within the city of Winnipeg.

I think also I was disappointed with the heritage proposals that were part of the bill. They did not require the city to go very far in the planning of heritage resources. It is possible that something like that might come out of the Plan Winnipeg review. I hope that it would be, that it perhaps could be initiated from the city, and the province would see its way to at least adopting some of those principles, particularly the principles of co-operation that are going to be required between the city and the province to preserve the heritage fabric of the city of Winnipeg.

The second part of this bill that gave us some cause for alarm was the provisions that were in there for what appeared to be limits and changes in public access to information and to public hearings. For example, there was one section of the bill which said quite clearly that boards, committees and City Council could impose limits on public hearings.

Again, reasonably interpreted, one would assume that there was some rationale for that. Given the recent context of hearings in this Legislature when people were cut out of the hearing process at two, three and four o'clock in the morning, Mr. Speaker, it seemed to me that there might be some purpose, some reassurance for citizens of Winnipeg who had their rights denied in the middle of the night, some reassurance that that kind of leeway, that kind of

licence which was given to city boards and commissions under this act would, in fact, have some kind of reasonable limit.

So we proposed an amendment which said that these should not be unreasonably restricted. Again, unfortunately, this was not a successful amendment, but one which could have been, I believe, reasonably interpreted by reasonable people and would have given assurance to the public of Manitoba that the reactions of this government to Bill 70 and to the public hearing process there were perhaps an aberration. What we see in fact is that they were not an aberration. They were indeed the policy of this government, and they intended to impose it as well and to give the City of Winnipeg the same kinds of opportunities.

I think second of all, under the general heading of citizen access, the Cherniack commission and many others have recommended that the bill, The City of Winnipeg Act, be made much more available to the citizens. It is a very long bill. It is not written in plain English, as indeed many other bills are not, but it does seem to me time to look at The City of Winnipeg Act and to provide a citizens' version of it, to give much greater access to this legislative structure of the relationship between the city and the province that would be much more available to the average citizen.

There was also, I think, great cause for concern in that the bill made it permissive for the City of Winnipeg to prefer the use of newspaper advertising for the alerting of citizens to changes in zoning variance and conditional use, to make it possible just to use newspaper advertising rather than to necessarily include the posting of signs. That was one thing which we had alerted the minister to in our early comments on this bill.

There were indeed some changes to it, Mr. Speaker. They did not go as far as we would have liked, and it seems to me again that that first stage of citizen awareness of changes to their community life, changes to the value of their property, are things which we would want to preserve and, in fact, enhance citizen access to the ability to deal with those changes in their own way of life. So we were disappointed again about the limits, changes which we saw were being brought to citizen access. So we were glad to see that the government, to some extent, amended some of that, but again not to the extent that we would have liked.

I think in conclusion, Mr. Speaker, I would like to point out that it was our view, it was their view, it was the view of many of Winnipeg city councillors, not just of our political stripe either, that this was not the time to rush through these changes to The City of Winnipeg Act. They were done quite quickly. Four or five weeks was given to City Council members who were in the middle of dealing with many other important issues.

\* (1630)

There were quite direct requests from City Council to delay this bill, first of all, to give them more time to discuss it—it is a bill of 90 pages—and second of all, of course, to ensure that the Plan Winnipeg review, which is underway at the moment, had been completed before these kinds of changes were brought about. Both of those requests to me seem quite reasonable, and I am disappointed that the government could not have waited for some of those. So the timing was, I think, a question and, again, it did not seem to us that for the most part there was great need to rush most of this through. It could have waited until Plan Winnipeg had been completed in its review.

Finally, the one area I think that many people had concerns about, and there was a great division of opinion within, I think, different political parties on this, was the issue of the proposed, what is now called the board of adjustment. The government had initially proposed that an adjustment board of private citizens, appointed, not elected officials, have the final word on a number of quite significant issues dealing with variance and with rezoning and with new subdivisions.

During the hearing process this was changed and a compromise, I believe—I do not think it was the only position that could have been reached—but an alternative position was reached whereby the board of adjustment, the nonpolitical appointed body became advisory and an appeal became possible to the political level of council, to a committee of council which, I think, still has its problems. Remember this is a committee of council which is going to be appointed by a gang of eight, not by a council of 29. It is going to be appointed by a relatively small number of people, but it does leave an appeal to a political body. That principle, I think, we certainly spoke of in our first speeches on this bill, and we are glad to see that principle has been incorporated into the act.

With those reservations, I think I will conclude and certainly the public hearings on this bill—although there were not many people who did present for Bill 35, I think the presentations we did get were thoughtful, addressed a number of issues dealing with the bill, and certainly gave us more information. Some of them were effective in bringing amendments both from our side and from the government's side.

**Hon. Jim Ernst (Minister of Urban Affairs):** Mr. Speaker, I just want to put a few comments on the record in closing debate. First of all, Bill 35 is a significant three-year-long review of the planning sections of The City of Winnipeg Act. This is not something that happened overnight. There has been consultation with the city over and over again over a long period of time trying to obtain the proper arrangements for these parts of The City of Winnipeg Act.

The Rivers and Streams section, Mr. Speaker—what happened previously was the City of Winnipeg under The Rivers and Streams Act was the authority. They had all the authority. Not the province, the City of Winnipeg had the authority. What happened is they had only two sections where they could effectively deal with the question of waterways. Under this act and under this bill, those sections are broadly expanded so that they have a number of issues now that they can deal with where they could not deal with them in the past.

The former government did nothing about it. The former government sat on the Cherniack report for three years and did nothing. We have acted. We have given them the authority, given them the powers to deal with those problems that are related to the rivers and streams in this city.

With respect to the one issue that was raised by the member for St. James (Mr. Edwards) regarding The Rivers and Streams Act is the fact that it is not repealed until such time as the City of Winnipeg puts a bylaw into place to replace the sections in The City of Winnipeg Act. It is our view that all of the sections related to planning and building construction in the city of Winnipeg should be consolidated, and we have done that. We have done that in this act.

Mr. Speaker, that section will not be repealed until such time as the City of Winnipeg puts a replacement bylaw into place to deal with it.

The question of airports was also raised. We have consistently said that the question of airports

will be dealt with by the City of Winnipeg under the Plan Winnipeg review process. This is a very extensive public hearing process, will deal with a wide variety of issues. It deals not just with one development here or one there, but deals with existing developments that are impacted significantly far more than any potential new developments that have been discussed in this Chamber over the past while, existing developments that are impacted far more severely. Something has to be done about them as well, because they are the ones the major problems are going to come from.

That will be done during that process, and when it is completed the province will review it. If it is not adequate, if it does not go far enough, if it does not deal with the appropriate issues that the province thinks it should, we will act, and we have given that commitment publicly, both my Premier (Mr. Filmon) and myself. So I do not think anyone needs to concern themselves with regard to it.

I have to chuckle a little bit about the member for Radisson (Ms. Cerilli) and the member for Wolseley (Ms. Friesen) suggesting that somehow, because council has the ability to limit presentations, citizen access is being restricted. Let me inform those two honourable members that council has had the ability to limit access to speakers ever since I became a councillor in 1973 and in fact have done that at every single council meeting since that time. Otherwise you would have more chaos than you have at the present in City Hall.

If you had delegations at every council meeting with unlimited time, they will sit four, five, six o'clock in the morning and all day because of the inability for council to function because of those representations, but, Mr. Speaker, I do not think anybody has ever been denied the right to speak before a committee of council. I have sat for many, many hours listening to many, many delegations. That has not changed. This act does not change any of that, so they ought not to put on the record things such as limiting the ability of people to make representations.

This bill will give, I think, a great number of powers to the City of Winnipeg to be able to more effectively deal with their operations and the fact that their members of council will be able to concentrate more on policy, given now that the board of adjustment will be able to take a large volume of lesser important issues off their agenda.

Mr. Speaker, I commend the bill, and I think it will go a good long way in order to more effectively operate the City of Winnipeg.

**Mr. Speaker:** Is the House ready for the question? The question before the House is third reading of Bill 35, The City of Winnipeg Amendment Act; Loi Modifiant La Loi sur la Ville de Winnipeg. Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed and so ordered.

### **Bill 45—The Securities Amendment Act**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Urban Affairs (Mr. Ernst), that Bill 45, The Securities Amendment Act (Loi modifiant la Loi sur les valeurs mobilières) be now read a third time and passed.

**Motion agreed to.**

### **House Business**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, on House Business, would you determine whether or not there is a willingness to waive private members' hour?

**Mr. Speaker:** Is it the will of the House to waive private members' hour? Agreed.

**Mr. Manness:** Mr. Speaker, furthermore on House Business, I would ask you to ask whether there is a willingness to reconvene this evening at seven o'clock.

**Mr. Speaker:** Is it the will of the House to reconvene today's sitting at 7 p.m.

**Some Honourable Members:** No.

**Mr. Speaker:** Leave is denied.

**Mr. Steve Ashton (Opposition House Leader):** Mr. Speaker, there is agreement to resume at seven, but I believe the agreement is to sit between seven o'clock and ten o'clock.

**Mr. Speaker:** Is it the will of the House to sit between the hours of seven and 10 this evening?

**Some Honourable Members:** No.

**Mr. Speaker:** Leave is denied.

\* \* \*

\* (1640)

### **Bill 47—The Highway Traffic Amendment and Consequential Amendments Act**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Rural Development (Mr. Downey), that Bill 47, The Highway Traffic Amendment and Consequential Amendments Act (Loi modifiant le Code de la route et d'autres dispositions législatives) be now read a third time and passed.

**Motion agreed to.**

### **Bill 50—The Liquor Control Amendment Act**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Government Services (Mr. Ducharme), that Bill 50, The Liquor Control Amendment Act (Loi modifiant la Loi sur la réglementation des alcools) be now read a third time and passed.

**Motion presented.**

**Mr. Doug Martindale (Burrows):** I would like to put a few remarks on the record regarding Bill 50, The Liquor Control Amendment Act. Mr. Speaker, this is one of the issues that affects all of us as members, not only of this House, but as individuals in our society, the issue being, liquor licence laws in our province, and its effects on individuals and on society, not just on those who have licensed establishments.

Some of us, I think, are more affected than others, and I think I am one of those. For example, last week I attended probably one of the saddest funerals that I have ever attended, that of a 20-year-old boy. The obituary in the newspaper said, it is only beer, and it was only beer that killed him as far as his family were concerned. This young man had recognized that he had a problem and had sought treatment for his problem. The family thought that everything was under control when in fact it was not.

I have a particular concern for changes in legislation which affect the availability of alcohol, legislation that affects the hospitality industry. I have a concern for society's attitude towards alcohol and alcohol consumption, as I think all members of the House and all members of society have, or I hope do have. My concern comes from things like being in the emergency department of a hospital when a young man is brought in, a fatality, the result of drinking and driving. The doctor comes into the

room where the family and I are waiting and tells the family members that their son and brother has died and then walks out and leaves me, as the clergyperson, to deal with the grief of the family for the next hour.

It has also affected me as I went to court with a family who had lost a daughter as a result of drinking and driving. The driver of the car, the best friend of their daughter, was charged with manslaughter. I tried to provide some comfort and support to that family in their grief.

It affects me as I conduct funerals for people who are the victims of drinking and driving and one case, the result of a drowning accident. So I see the results of society's attitude towards alcohol and the results of society's laws which we, as MLAs, have the right to decide and how those laws affect individuals, not just the economic interests involved in trying to change those laws.

The effects of changes in legislation and legislation itself and, in fact, the consumption of alcoholic beverages affect me as I help families through their grief, oftentimes as a result of drinking and driving or suicide or any other result of people using alcoholic beverages in inappropriate ways. The effects on me as a pastor in those situations are incomparable to the grief of families and individuals who are much more directly affected by its consequences.

This law, I think, can be put in a certain societal context. Right now that context is that people are saying well, it is okay to liberalize our laws because we also have very tough laws for things like drinking and driving and so the current philosophy is one of deterrence, that it is okay to increase the availability of alcoholic beverages as long as you have strict and tough laws about deterrence.

Does deterrence work? One is led to wonder whether or not it does when you read statistics like this. Approximately half of all motor vehicle fatalities each year in the United States are alcohol related. This is 25,000 deaths, 500 every week, 71 every day and one every 20 minutes. In addition, 560,000 people are injured each year in alcohol-related crashes in the United States.

If Canada has approximately 10 percent of the population of the United States, then we might extrapolate that 2,500 people are killed each year just as the result of drinking and driving. So we might want to question whether or not deterrence

and tough laws, such as drinking and driving laws, really work.

The other question that needs to be asked is, is there a connection between alcohol availability and an increase in fatal automobile accidents? Well, I did some research. I found an excellent publication which was obtained for me through the Legislative Library. It is called "Effective Strategies to Combat Drinking and Driving, an edited collection of papers presented at the International Congress on Drinking and Driving, Edmonton, Alberta, March 28-30, 1990."

I read summaries of all the papers presented at that congress. Most of them had to do with driving laws in provinces, but it was also an international symposium and there were papers on many different topics.

One of them particularly addressed alcohol availability in the social environment. It was a paper called Drinking and Driving, Global Perspectives by Dr. Ross Homel. He quotes a study done on availability of alcohol, particularly the effects of liberalizing licensing laws and on traffic fatalities. I quote:

In a most interesting early study he evaluated the effects on traffic fatalities and injury crashes of the law of July 1, 1970, legalizing the sale and supply of liquor on Sundays in the Perth metropolitan area. Smith concluded that the results of the study were consistent with, but did not actually prove the hypothesis that the introduction of Sunday sessions in Perth had a detrimental effect on traffic safety. A 64 percent increase in fatal accidents occurring on Sunday was observed. Other studies by Smith confirmed the general conclusion that increased hours of sale, later closing times and more flexible trading hours probably increased the number of injury-producing traffic crashes.

\* (1650)

So there is some evidence that when you liberalize laws affecting the availability of alcoholic beverages such as increasing the availability on Sundays, there is a correlation with that and increased traffic fatalities, although in the study it says it was a hypothesis, but it did not actually prove what he was trying to say. However, I think that it is an important study and it suggests that we need to study the effects of liberalizing laws in Canada so

that we can say in our context whether or not changes in laws do affect fatalities. -(interjection)-

The minister responsible for this act asked me to request the Attorney General for statistics, and I think that is a good suggestion. I will do that and I will follow up on that. In fact, one of the reasons why I and our party are supporting this legislation is because there is evidence that drinking and tough driving legislation are a deterrent and do work and that consumption in society in general is going down. I think that is because society's attitudes are changing. However, I do think that we have a much greater distance to go. There is more that can be done to change society's attitudes and individuals' attitudes so that it is eventually totally unacceptable, for example, to drink and drive after drinking.

Finally, I would like to comment on the committee presentations. I happened to be there for the presentations and I have copies of them. They were quite interesting, and I asked questions of the presenters. I think part of the problem with us sitting here in the summer is that people who have an economic interest are going to come out and make presentations, but people who may have other interests may not be aware the legislation is before the House and are not as likely to come to a committee and make presentations.

I am on an ad hoc committee to try and effect some rules changes, along with representatives of all three parties. One of the things that we have been discussing is to not sit in the summer anymore, something that I think will be met with favour by all three parties and probably other people here as well.

I think that would be an improvement when it comes to public presentations at committee. I think the public is much more available at times of the year other than the summer, and people who have interests other than economic interests will be much more likely to come to committee and make presentations.

I have also concluded in my short time here in the Legislature that it seems the economic metaphor is the predominant metaphor that guides the Legislature and maybe even governments in general. I regret that, especially as a New Democrat who believes that people should come first.

I think the presentations at this committee were a good example of that. We had a brief submitted by

the Manitoba Hotel Association, a brief submitted by the Hospitality Corporation of Manitoba Inc., and a brief by the Manitoba Restaurant and Food Services Association. We did not have any other members of the public. We did not have anybody who might have been opposed to the bill in general making public presentation. I think one of the reasons for that is the fact we were sitting in the summer at a time when people are not as likely to come out. So I look forward to the discussions in the Rules Committee on changing the legislative calendar, so that we do not sit here in the summer in the future.

In conclusion, Mr. Speaker, my party is supporting this bill, and I am supporting it as well, but I wanted to put on record some of the concerns that I have for the people who bear the effects and the consequences of inappropriate behaviour resulting from liquor consumption and some of the, in many cases, fatal consequences of that kind of behaviour. As a result, I am concerned about any changes to legislation which may result in increased consumption or increased drinking and driving or increased fatalities.

Thank you, Mr. Speaker.

**Mr. Gary Doer (Leader of the Opposition):** Just a few brief comments on Bill 50, The Liquor Control Amendment Act. The member for Burrows (Mr. Martindale) has raised a number of issues in the act.

This is an act that changes a few sections dealing with The Liquor Control Act in the province. Our major objection to the original bill was the provision to expand the licensing entitlements of cabarets. We felt that the obligations the cabarets had under the licensing system in the province of Manitoba were different than hotels and, therefore, they should not enjoy the same licensing advantages of hotels to serve meals at lunch time without having some of the same obligations, i.e., to provide rooms and parking.

We were pleased that the government agreed with our proposal or voted with us to delete that provision for cabarets, because we think it would be an unfair advantage for people who are making investments in hotels and people who are making investments in cabarets. I think the presentations of the committee supported that position from the restaurants, the hotels and the hospitality industry, in general, and that is why we had proposed the change.

Mr. Speaker, there are a couple of other changes, the serving of alcohol products in lounge areas, in facilities on Sunday, and there was a further amendment moved in the committee to deal with allowing special permits on Sundays for community events based on the decision of the Liquor Control Commission.

(Madam Deputy Speaker in the Chair)

We believe that amendment was not canvassed properly with the numbers of the community-based groups, the nonprofit organizations, and we are not so sure that was a good amendment or not. We had not done enough consultation, Madam Deputy Speaker, on that amendment. We asked the government whether they felt comfortable with it, and we asked the Minister of Cultural Affairs (Mrs. Mitchelson) whether she felt comfortable with the amendment. They both felt that this would not affect the ability of nonprofit organizations that are running community-based events to maintain their head above the water and keep their nonprofit organization going. So we took the two ministers at their word. I just want to say on the record that the proof will be in the pudding. The Liberals and the Tories have passed that amendment. We did not support it one way or the other. We did not vote against it or for it. We just like to do our homework on these issues, and we had not done our homework. We hope the government and the Liberal members have done their homework. So we were pleased to be able to delete the cabaret section in the bill, and we are pleased to deal with this legislation. Liquor control acts are ongoing pieces of legislation. I think it has been changed every one or two years.

I would like to put one other issue on the record. I am quite concerned about whether the opening of beverage rooms on Sundays will affect the ability of our nonprofit, community-based football team to maintain its financial situation, and the amendment that the Liberals have moved, supported the Conservatives, I am worried about that being impacting on the Sunday black-out regulations. Many of the games are on Sundays, and I am worried about the local audience on Sundays.

We will be watching to see whether that impacts at all on the revenues of the Winnipeg Football Club. Of course, it is a very fragile financial situation, and the CFL is a very fragile organization financially right now in this country. We think it is vital to our community and to our province and to the country

of Canada, and we are not too sure that the licences may not impact on that. So I raise that point, Madam Deputy Speaker, a point we raised in committee, and we will see what happens over a period of time.

Obviously, this bill is consistent with changes in The Liquor Control Act over the numbers of years. We are slowly moving into a situation where the liquor act has changed to reflect modern realities, and I have always believed it is not fair that in my community you can get a beer on Sunday at the Rossmere Golf Club if you are a private member, but you cannot get a beer at the Curtis Hotel. So that is my own personal feeling.

\* (1700)

I would suggest on Liquor Control Act amendments there are always a variety of opinions in a variety of different ways in a variety of caucuses. That is as it should be because we all have different opinions on bills of this nature, and they cross party lines, I would suggest. There are people who have the same position in our caucus who would probably have the same position in the Conservative caucus, and there are people who would probably have—I am sure there are members in other communities who would have a different opinion on liberalizing liquor laws.

I want to be honest about that. We always have interesting debates about liquor law changes in our caucus, as I am sure members opposite do, because there is no such thing as party boundaries on these kinds of things. They are just really how you reflect the community values and how best you implement those into legislation, giving the people in the industry a fair break and giving the community the kind of standards and values that we think they want, even though we recognize there are all kinds of discrepancies between what you can do in private clubs versus public establishments.

So with that, Madam Deputy Speaker, we will see this bill into law and we will evaluate the success of the bill over time as it is implemented.

**Madam Deputy Speaker:** Is the House ready for the question?

The question before the House is third reading of Bill 50, The Liquor Control Amendment Act; (Loi modifiant la Loi sur la réglementation des alcools) on the proposed motion of the honourable Minister of Co-operative, Consumer and Corporate Affairs (Mrs. McIntosh).

I called the question on Bill 50. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Deputy Speaker:** Agreed? Agreed and so ordered.

### **Bill 53—The Natural Products Marketing Amendment Act**

**Hon. Clayton Manness (Government House Leader):** Madam Deputy Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 53, The Natural Products Marketing Amendment Act (Loi modifiant la Loi sur la commercialisation des produits naturels) be now read a third time and passed.

**Motion agreed to.**

### **Bill 59—The Workers Compensation Amendment and Consequential Amendments Act**

**Hon. Clayton Manness (Government House Leader):** Madam Deputy Speaker, I move, seconded by the Minister of Labour (Mr. Praznik), that Bill 59, The Workers Compensation Amendment and Consequential Amendments Act (Loi modifiant la Loi sur les accidents du travail et diverses dispositions législatives) be now read a third time and passed.

**Motion presented.**

**Mr. Gary Doer (Leader of the Opposition):** Madam Deputy Speaker, we are very much opposed to this act. The public hearings clearly illustrated again that we have absolutely no consensus on this piece of legislation in the province of Manitoba. The few improvements in the act have been, quite frankly, overshadowed by massive erosion of rights for working people and their families, a massive implementation of a very narrow agenda.

I guess we should have been forewarned and Manitobans should have been forearmed when last year we saw the fundraising letter that went out to the various corporations calling on the corporations to ante up, because the real agenda of the Conservative Party could not be implemented without massive funding for their corporate friends so they can implement with a majority government the things that they have to do and have to achieve on behalf of the narrow interests that they represent.

This legislation, brought in with I believe to be the worst Minister of Labour (Mr. Praznik) I have ever witnessed in my short 25-year career dealing with labour-management relations, is -(interjection)- Including the member for Portage (Mr. Connery), yes. I do not think the member for Portage would have been as unilateral and as unconsultative as the present Minister of Labour, who is arrogant, who has not developed a consensus, who is a total disgrace to the office he holds, a total disgrace because he does not represent the working people at the cabinet table, he just sits idly by because he wants to be one of the group implementing the corporate agenda. You know, he has got greater ambitions, Madam Deputy Speaker, and he is going to use those ambitions to trample on working people and their families to get ahead in the Conservative Party and his newly appointed job.

Widows are going to get less entitlement under this minister's bill under Workers Compensation because this minister does not have the backbone to stand up to his other cabinet colleagues in implementing fair workers' compensation. He is a total and utter disgrace, and it is absolutely contrary to the traditions of this House where a Minister of Labour, no matter what political party they are from, has represented, hopefully to some degree working people at the cabinet table, has not just gone idly along so they could be one of the group ingratiating themselves in future political ambitions that they may have.

That includes Obie Baizley in the Duff Roblin regime, and that includes Buzz Paulley in a period of time in the Schreyer government who passed The Labour Relations Act that the Conservatives did not change when they were elected in 1977. Oh, yes, they had the business community asking them to change the bill, but the former Premier, Premier Lyon, did not change it because he had somebody at the Labour helm that had a little bit of experience in labour-management relations and understood it was a balance, one Ken MacMaster. At least he stood up for working people at the cabinet. He did not always win the battles, but at least he had a backbone and knew who he represented at the cabinet table.

Madam Deputy Speaker, in the 80s we had other good Ministers of Labour in the government of Manitoba because the bottom line was that days lost to strikes and lockouts through that period of time, whether the Minister of Labour was Vic Schroeder,



as originally appointed, the late Mary Beth Dolin, as appointed later, or Al Mackling there was somebody standing up for labour, not always winning the battles at cabinet.

I believe the former Minister of Labour under the Conservative government who I was very critical of on environmental issues—I make no apologies for that and the member knows that—at least I believed that he would have a fight with the group he was dealing with, he would fight it out one way or the other with labour or not, and if they had a good argument, he would bring it back into the cabinet room with a little bit of a backbone. I really believe that about the member for Portage (Mr. Connery), the former Minister of Labour. We may not have always agreed with him on his labour vision, his Labour portfolio, but I at least believe he took things under advice and would try to come forward into cabinet room representing that, but there is nobody doing that now with anything except their own ambitions, in my opinion, on the line.

Madam Deputy Speaker, we just want to say that this minister is ramming this bill through as part of phase two of the Tory agenda. You know, it does not surprise us because members of the management group were going to the bargaining table and telling us what the Conservatives were going to do six months before you brought the bill in, four months rather. They were telling us what you were going to do before you even tabled the legislation, and it is too bad that a few of the management people that represent certain corporations have this inside information to the Minister of Labour (Mr. Praznik), but it does not surprise us, because we see the bill as a very unilateral bill on Workers Compensation.

Madam Deputy Speaker, we have a situation now where many people in unions today believe they cannot trust the Workers Compensation system anymore. We get more—I do not think there is any MLA, certainly on this side of the Chamber, that does not get more constituency issues raised in terms of Workers Compensation than any other matter that an MLA has to represent. I find it troublesome that a system that obviously needs to be reformed—it has to be reformed in the area of rehabilitation and preventative health care at the workplace. Prevention and rehabilitation are the keys to Workers Compensation, not the erosion of rights for working people and especially widows and other members of their family.

\* (1710)

Madam Deputy Speaker, the legislation before us does not represent a balance, does not represent a fair way of implementing Workers Compensation. It is going to be a lot bigger issue than the Conservatives realize, because when it trickles into the workplace across this province, when people realize what the changes are going to be, they are not going to be very happy about it. It troubles us greatly that many workers now and their unions are saying, we should go back to a system where people have to use torts in the court to resolve liability in terms of injury rather than a universal system like Workers Compensation. That is a disgrace for the Minister of Labour to have a situation now where people would prefer to go 120 years backwards because they think this bill may be even worse, where they want to use torts in court rather than a system at the workplace.

Madam Deputy Speaker, the working people, labour across the board, has called on this minister to scrap the bill and start all over again. Start all over again and spend some time with people that are actually at workplaces, people that work in the railways, people that work in the hospitals, people that work on construction, people that work on our hydro system, people that work on the highways, people that work in the telephone system, people that work in all walks of life in our province. They have asked this minister from all walks of life to scrap it, but no, he wants to be one of the group that implements phase two. We have an ambitious minister, not a minister that represents working people in the cabinet and caucus.

It is a shame, a shame for the working people. We will have a lot more to say when we have a chance to go before the people in the next election, whenever that is called, about the cavalier and callous attitude of this government on Bill 59 and what it represents for working people and their families when they really find out what this government is passing. It is a real shame, and that is why we are proud to say we are voting with working people and against the Tories, against this bill.

**Mr. Paul Edwards (St. James):** Madam Deputy Speaker, it is with some sadness that we see this bill come to third reading, because the unequivocal, uncontradicted result of the public hearing process was that the bill is hopelessly flawed and hopelessly

weighted in favour of employers and employer groups who fund the workers compensation system.

Madam Deputy Speaker, my comments will be brief, but I want to indicate that at the end of the clause by clause, at the end of the public hearing process, hearing what the minister had to say, one thing is clear. This bill is designed to save the employers who fund the workers compensation system money and is designed to save them money not out of administrative efficiency but out of the pockets of injured workers in this province. That is the bottom line with Bill 59. It is designed to save employers money at the expense of injured working people.

Can there be a more heinous, a more regrettable, a more backward, a more callous and unfair premise upon which to base a bill than that? I doubt it. Whether it is through the shamefully low payments for permanently or partially injured workers, whether it is a \$250 penalty held out as a disincentive to appeal in the event that it is decided that an appeal is frivolous—regardless of the fact that no one can show us that there were any frivolous appeals. There was not a problem, but they felt they had to build in a \$250 disincentive—or whether it is the unduly restrictive and regressive definition of occupational disease which medical advice which came before the committee told us was unworkable and was a recipe for dispute between doctors, using up time and money which could otherwise be spent serving the needs of injured workers, because of this unworkable definition of occupational disease which is worthy of at least four different interpretations, that is the term “dominant cause.” It is not a workable piece of legislation except insofar as it saves the system money.

Now, Madam Deputy Speaker, I do not defend the financial irresponsibility of the former administration in handling the workers compensation scheme. They were putting injured workers' benefits at risk because they were so incompetent in handling the Workers Compensation Board. It was a financial mess. No one could argue otherwise than that state of affairs under the former administration. But administrative efficiency is one thing; saving employers money out of the pockets of injured workers and their widows and their dependents is another.

The agenda here is only in very small part to attack the financial inefficiencies of the Workers Compensation Board. The vast majority of the

proposals which came forward in Bill 59 have one goal and one agenda, and that is to save money at the expense of those who need it most, those who have the least ability to advocate on their own behalf, and those who will increasingly end up on the welfare rolls as injured workers and their dependents, because this government has sided with the employers who seek through this bill to restrict, further than any province in this country, the amounts that they will have to pay to injured workers and their dependents.

Madam Deputy Speaker, that is a regressive and a regrettable move by this government, and it is one which should provoke the ire of every working person in this province, whether or not they are injured. They may be injured down the road, and they will see what this government has done to the workers compensation scheme. While we acknowledge, as we did at committee, that there are some—and they are small—but there are some beneficial provisions in this act, they are far outweighed by the problematic and the very regressive moves which are taken in this act with respect to the workers compensation scheme.

I implore the minister once again to take a step back from this precipice and to rethink this bill, because there are just too many indications of a corporate agenda.

(Mr. Speaker in the Chair)

It is important to remember that the workers compensation scheme is a trade-off. It was not a gift to workers; it was a trade-off; it was win-win. It is fallacy to suggest that employers did not win something when the compensation scheme was established at the beginning of this century. In fact, they got the assurance that they would not be taken to court. They did not have to face the court awards which they could not predict, which meant that in terms of financial planning and financial stability, it increased their risk. They gained that, and in return they made an offer to workers to give them a decent standard of living in the event that they were injured at work. That was a trade-off, and employers gained from that. We see the agenda here is that employers cast workers compensation as a tax, it is a penalty they have to pay, and the government has bought into that view of workers compensation, that it is a burden for employers. That is not true, Mr. Speaker, the fact is employers gained and can still gain if we retain the essential integrity of the trade-off which was struck.

This bill represents an attack on that deal and on that trade-off, an attack, clearly, which favours the corporate agenda, and for that, Mr. Speaker, I believe this minister will rue the day that this bill passes into legislation, because ultimately employers will lose as well if the workers compensation scheme cannot serve the needs of workers, because it will not survive the test of time if it is a weighted one-sided equation. That is the way that we are going. Thank you, Mr. Speaker.

**Mr. Steve Ashton (Thompson):** I move, seconded by the member for Concordia (Mr. Doer), that debate be adjourned.

**Motion agreed to.**

### House Business

**Mr. Clayton Manness (Government House Leader):** Mr. Speaker, again I would ask whether or not there is leave of the House to recess from six to seven and begin sitting again at seven o'clock.

\* (1720)

**Mr. Speaker:** Is there leave to allow this House to continue sitting again at 7 p.m. this evening?

**Some Honourable Members:** Leave.

**Mr. Speaker:** That is agreed? There is leave.

### Bill 63—The Northern Affairs Amendment Act

**Hon. Clayton Manness (Government House Leader):** I move, seconded by the Minister of Highways and Transportation (Mr. Driedger), that Bill 63, The Northern Affairs Amendment Act; Loi modifiant la Loi sur les Affaires du Nord, be now read a third time and passed.

**Motion agreed to.**

### Bill 68—The City of Winnipeg Amendment Act (2)

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Urban Affairs (Mr. Ernst), that Bill 68, The City of Winnipeg Amendment Act (2); (Loi no 2 modifiant la Loi sur la Ville de Winnipeg), be now read a third time and passed.

**Motion presented.**

**Mr. Jim Maloway (Elmwood):** I had to restrain myself there. I have been waiting so long today to get up and speak to this bill that I just could not wait to get into it.

**Mr. Speaker,** I am not happy with this bill. I sat through a few hours on the committee listening to the presenters and there were some very good presentations made by people on the bill, particularly by a professor who was there the last night through who gave a very rational and well-reasoned position arguing for the size of City Council to be left where it is.

I think we have to look back a bit to the history of The City of Winnipeg Act and when, in fact, it was brought into force back in 1970 as something that was evolutionary and revolutionary in North America. The original intent of The City of Winnipeg Act at that time was to allow for the election of a mayor, not at large, but out of the majority party at City Hall.

So a party system was envisioned at City Council whereby the leader of the largest group, the majority group at City Council after the election, be they Liberal, Conservative, NDP or other political group, would, in fact, be the—the leader of that group would be the mayor and would have authority similar to, in scope, to a provincial cabinet.

It is no surprise that when that original plan was not acceded to, was not followed through, that the whole system fell apart, so it does not really matter how many city councillors one has in City Council, the structural problems are still there. If we have a hundred city councillors, we will have the same problems that we had with 50, we will have the same problems that we have with 29, and so going down to 15 is not going to help the problem.

In fact, one could argue that if we are to go to 15, if that does not work after a couple of years, are we going to suggest that seven is a better number, and then if that does not work, are we going to go down to one? So really, I think, the numbers game is not really a very, very good argument here. The fundamental problem is that the city does not have the power to take care of the major problems that a quasiparty-type system would have brought to the City of Winnipeg.

We have a real problem here with the number of city councillors being reduced to 15. We are going to have the wards increase, city councillors are going to be representing 20,000 to 40,000 members. In fact, people who have made the argument, and some of them mistakenly, came to committee thinking that this was going to save money. In fact, the minister himself has indicated

that this will not save money, but the government has successfully bamboozled people out there into believing that this may be a cost-saving measure. Regardless of whether they have tried to promote it or not, people believe that to be true. In actual fact, that is not going to happen.

In fact, what is going to happen is councillors are going to be full time. They are going to be higher paid. They are going to be hiring executive assistants, and what you are going to find is a more centralized City Council and one that is more easily dominated by the interest groups, the land developers and so on at City Hall. I think that this government sees, with the advent of WIN and the support that they are getting, that they see that the gang of 18 is losing some ground at City Hall. This is a stop-gap measure on the part of the provincial government to tinker with the system, to stop WIN from making further progress, because they can see that people are in tune with WIN. They are supportive of what WIN wants to do.

By reducing the number of seats at City Council, what they essentially do is cut out people who are running who have a very close rapport with their constituents and people who are from the grassroots running in these smaller wards and winning. What it will effectively do is it will mean that people with money—incumbents who are well known now will be able to run successfully in larger areas and hold the power. I think that is part of the, sort of, dying gasp of the gang of 18 to maintain their power. The government, I think, has the potential here to achieve its goals. I think that is what the real goal of this move is. -(interjection)-

The member for Inkster (Mr. Lamoureux) is making some comment about taking my speech and distributing it in Elmwood where he thinks that my stand will be unpopular. I invite him to do it because they did what they could in the last couple of elections and we saw how short they fell. So I would suggest that he worry about his own seat in the next election. Based on recent polls and so on, the Liberals are falling and falling fast. I think they will be lucky to be retaining one or two seats in the next election. So I would not put too much stock in the member for Inkster doing much with my speech today vis-a-vis my constituents. In fact, I would be very prepared to have any of my constituents phone me about my position on the size of City Hall.

In fact, I have talked to members over the last few months. When members have brought it up to me,

I have certainly mentioned to them what my position is on the size of City Council. As a matter of fact, the Minister of Energy (Mr. Neufeld) is one of my constituents and, I must admit, one of my better constituents. I am still convinced that he voted for me. I am sure of it, and I must say I think he made a good decision.

This government feels that it is polling, and I believe that it is not doing anything unless it polls these days. I believe its polling has indicated that it is popular out there, and this is what it is trying to do, but it will not solve the problem. It will not solve the fundamental problem that has been there from Day One. Only the change to allow the mayor, allow the leader of the city to be elected by the largest political grouping at City Council is going to solve the problem.

Thank you very much, Mr. Speaker.

**Mr. Doug Martindale (Burrows):** Mr. Speaker, I am pleased to add my comments to those of my colleagues on this bill, another example of Draconian Tory legislation. In fact, it fits a pattern of bills that are undemocratic, or at least go in the opposite direction of democracy. No surprise coming from the Minister of Housing (Mr. Ernst) who, with one Order-in-Council wiped out 98 locally controlled, appointed boards of housing authorities, replaced them with one housing authority for all of Manitoba. The same government abolished Child and Family Services agencies in the city of Winnipeg with volunteer boards and replaced them with a paid board of directors, probably going to all the Tory appointees.

The change in City Council is just another example where, instead of getting more input from local residents, more access to government by individuals, instead, what do we have—less access to elected representatives, a less democratic institution.

Mr. Speaker, I would like to begin by talking about the rationale that I think the government had in mind when they decided to reduce the size of City Council from 29 to 15 members. Why is the government doing it? I think they believe that a reduced City Council will be more efficient, that somehow decision making will be improved, probably that decision making will be streamlined, and I am going to rebut all these arguments in the course of my speech.

\* (1730)

I do not believe that there is a serious problem with efficiency now in spite of the fact that we have a part-time council. They only meet—what is it?—twice a month for council meetings. -(interjection)- Every three weeks, I stand corrected. They seldom meet for more than six hours. Sometimes they go for 12 hours, but those marathon meetings are an exception, although they are probably longer now because they start in early afternoon instead of starting in the evening.

The second rationale that I think this government has is that they really believe in a management model of council. They believe that the smaller number of councillors there are that the easier it is to govern in a management style.

Finally, the third reason that I believe that they have, whether or not it is a stated reason or a public reason or an admitted reason, is because the Gang of 18 has lost control of City Council. They are concerned and the Minister of Urban Affairs (Mr. Ernst) is concerned that the WIN councillors voting with independent councillors might actually be able to control council on a permanent basis. So they are hoping that by reducing City Council to 15 that, instead of having a gang of 18 controlling council, they will have a gang of eight controlling City Council.

Now I read the comments of the Chamber of Commerce on the size of City Council, and they sound quite similar to the rationale that I have been given. In fact, some people might say that the Chamber of Commerce is the farm team for the Tory cabinet. In fact, the Chamber of Commerce and I agree on one thing. The Chamber of Commerce and I are opposed to the Rotary Pines project, as my friend from Crescentwood points out.

However, in this instance and in most instances the Conservative caucus is in agreement with the Chamber of Commerce. They believe that the present structure forces council to be involved in day-to-day management of civic affairs as opposed to the establishment of a strategic overall plan to develop and monitor policies which will allow the city to be managed by its administrative staff.

Why should councillors be involved in day-to-day management? Some people might argue that they should not get involved in the details of running a city, and I would probably have to agree with that argument. What is the problem of giving the bureaucracy more power? I think it is an issue of

accountability. To whom are the administration accountable? They are accountable to the elected representatives, the city councillors. Are they accountable to the public, to the people who vote for City Council? In a way they are, but it is an indirect accountability. I think it is preferable to have direct accountability, and you have more accountability if you have 29 councillors than if you have 15 councillors.

I think there are dangers in giving the bureaucracy more power. In fact, some people would argue that the bureaucracy currently have too much power and too much decision making. I remember reading recently a survey that was done of MLAs in the province of Alberta and they said, who has more power in the province of Alberta, MLAs or the bureaucracy? Something like 78 percent said the bureaucracy has more power than MLAs in the province of Alberta. I think that is an unhealthy situation, because I think that the government of the day, regardless of which political party, are the ones that should have the power and should direct the bureaucracy.

The same is true of City Council. The people who are in charge, the people who ultimately have the responsibility and the power and the accountability are the elected people, the city councillors. They should be the ones who give the direction and give the order to the bureaucracy and not the other way around as is sometimes the case. To whom should they be accountable? The bureaucracy should be accountable to the council and the councillors should be accountable to the people.

The other argument used by the Chamber of Commerce is that a smaller council will be less prone to parochialism. I understand and believe that parochialism is a problem at City Council. I have heard, for example, that one of the unwritten rules at City Council—and certainly members on the government side would know all about this—is that you do not vote against something in my ward; I will not vote against something in your ward. So it is sort of an "I scratch your back you scratch my back" philosophy that runs City Council. We see members nodding their heads in agreement. That is kind of an unwritten rule.

So it is suggested that by only having 15 members instead of 29, that all those councillors will govern in the best interests of the whole city of Winnipeg, rather than being parochial and only making decisions on the basis of their small ward.

I do not think that reducing City Council to 15 is any guarantee at all that will happen. In fact, my colleague says it will make it easier. It probably will. If a majority like the gang of 18 wants to caucus, wants to have a caucus before council meets and decide what is going to happen in this ward, what is going to happen in that ward, and what is going to happen in this development application; it will be that much easier to approve projects in other people's wards instead of looking at them on their merits and trying to decide whether or not individual applications and zoning variances and that sort of thing are in the best interests of the whole city rather than in the best interests of an individual councillor or an individual ward.

Why is the NDP caucus opposed to a smaller caucus? I believe that one of the arguments that was originally used was that the smaller council would save money. However, even the minister has changed his mind and now admits that a smaller council will not save money. In fact, we know that the result of a reduced council will probably be that their salaries will be doubled. They will be full-time councillors, and so there will not be any savings in dollars from a reduced size of City Council. In fact, there will probably be increased expenses, because they will almost certainly be provided with support staff. I think they should be provided with support staff. They will probably have secretarial staff of some kind and/or a researcher or a constituency assistant, and so the cost of providing services to councillors will almost certainly go up.

Secondly, the new ward boundaries will almost certainly lump inner-city neighbourhoods with suburban, even without pie-shaped wards. I think there is some evidence for this if you examine the report of the Winnipeg Wards Review Committee of May 1991. If you look at the maps in the back, and I realize that these maps will not necessarily be the ones that will be used, but if you look at them you can see that it is quite apparent that some very poor inner-city neighbourhoods are going to be lumped with much more affluent suburban neighbourhoods, I believe, to the detriment of older and poorer inner-city neighbourhoods. Why is this a problem? Well, I believe it is a problem because the interests of the inner-city neighbourhoods and their people will not be well-served, but the interest of suburban people will be looked after and will be served.

Thirdly, we know that the new wards will have twice as many constituents. The average number

of constituents will increase from something like 20,000 per ward to 40,000 per ward. Who will this affect the most? This will certainly affect inner-city residents the most, and I believe to their detriment. They will effectively be disenfranchised. All of these people—in fact, all Winnipeggers will have less access to their councillors. I think it will be more difficult for them to reach their councillor. In fact, I could not possibly even return all the phone calls that I get without having a constituency assistant, certainly not when the House is in session.

I think that, when you have somebody with 40,000 constituents instead of 20,000, it is going to be much more difficult to reach them on the phone and to return their phone calls personally, and so people are going to become more remote from their councillors. They are going to have their research staff or their assistant returning phone calls and people will not be able to get through to their councillor.

\* (1740)

The members on the government side say, I have never been there. It is true. I have never been a city councillor, but I do not think you can compare the experience of the people on the government side with the current size of wards with people who are going to be representing 40,000 people. I also believe that there are different demands made on people whether it is in the inner city or the suburbs. Certainly the kinds of phone calls that I get may not be the kinds of phone calls that people in the suburbs get simply because of the problems that people in my constituency have.

I believe that this bill and these changes are basically undemocratic and they disenfranchise people. The people who are the most affected by that are people in the inner city and the people who live in poorer neighbourhoods. They are going to get less representation. They are going to get poorer representation. They are going to get representation from people who probably are more affluent and live in the suburbs.

We are going to see a much different kind of councillor, I think. No longer in the future will we see councillors who, for example, work part time for the CPR and are also on City Council. We will not see councillors like Councillor Thomas who ran an election campaign on \$3,000. That will be a thing of the past. I think people are going to need \$15,000 at least to run a successful election campaign. You

are going to get even more business people, even more people with developer friends as their backers running for City Council and fewer people from the inner city, fewer people of less means running for council and being successful.

Fourthly, I believe the decision-making power will be concentrated in the suburbs to the detriment of the inner city. It will be easier then for those suburban councillors to close inner-city libraries. It will be easier for them to close wading pools in the inner city. It will be easier for them to give more money to suburban community centres and less money to inner-city community centres. This will directly and detrimentally affect the people who I represent.

I believe those people need as much representation as they can possibly have. They need people who live in those neighbourhoods. They need people who understand those neighbourhoods. I am not at all convinced that people who live in Mynarski Ward now are going to be well represented by someone who lives in West Kildonan, even if those people are in the same ward because, come election time, we know that the people in West Kildonan are going to vote in higher percentages than people in Mynarski and the councillor is much more likely to come from West Kildonan than from Mynarski.

Who are those people in my constituency who I think need a councillor who lives in their neighbourhood and a councillor who understands their concerns and appreciates their concerns? Well, a week ago we read that Statistics Canada had compiled Revenue Canada information about median incomes of people across Canada. What did they find? They found that the second lowest median income in all of Canada, by the first three letters of the postal code, are in the constituency of Point Douglas and the constituency of Burrows, in the R2A postal code area, the second poorest postal code by median income in all of Canada. Those people need good representatives. They need people who live in their community, people who understand them. Why is that? Because these are the people who have problems with accommodation, people who have to call the health inspector in, people who have to call in housing inspectors because of the serious problems in their neighbourhood.

Mr. Speaker, I would like to make two final arguments before I wind up. One really follows from

the arguments that I have already been making, that is, that some of the current problems that we have in the city of Winnipeg are going to continue and probably become worse because of the concentration of power in suburban Winnipeg. One of those problems is suburban sprawl. I do not think there is going to be any will on the part of a new council, with a majority of people in suburban Winnipeg, to contain development in the city of Winnipeg at all, in spite of the fact that there is something like 20,000 lots that already have the zoning necessary for residential development. So we are going to see very costly suburban development but paid for by all taxpayers of the city of Winnipeg.

Secondly, other issues identified by Plan Winnipeg are not going to be carried out. In fact, the new Plan Winnipeg might be quite different. In the last Plan Winnipeg that was discussed in the early '80s, and I went to many of the public presentations on Plan Winnipeg and the administration's presentation on Plan Winnipeg, and I know for example that there was a recommendation under transportation that public transportation be the No. 1 priority and that private transportation be the second priority.

I think what is going to happen with a majority of councillors from the suburb is that the automobile is going to be promoted at the expense of public transit, and that should concern all of us because of the cost of building new roads and extending existing ones, and the upkeep on existing roads, and the consequences for the environment in terms of pollution. I do not think there is any willingness in the current majority of the old gang on City Council to look seriously at air pollution in the city of Winnipeg, unlike the city of Toronto and other places that have set goals for themselves in terms of reducing pollution.

In fact, I think Winnipeg is way behind the time when it comes to all kinds of environmental concerns. Whereas in other places they have door-to-door curbside pickup of recyclable materials, in Winnipeg we have nothing but a scattered bunch of private free enterprises because the provincial government as well as the city government does not have any commitment to recycling. -(interjection)- Well, the member for St. Norbert (Mr. Laurendeau) says we have pickup in our area, but we do not in the north end and we do not in most of the inner city. In fact, probably 90

percent of the city of Winnipeg does not have any curbside pickup of recyclables. What they depend on is their private market economics, or if you want to pay \$5 you sign up with some private company, instead of saying what we need is a goal for the whole city of Winnipeg.

We need to have curbside pickup for 100 percent of the city of Winnipeg, and it is only because we think we have an unlimited supply of land that we continue to fill up our landfill sites. -(interjection)- Well, the member for St. Norbert (Mr. Laurendeau) seems to be an expert on landfill sites, but wait till they run out and it has to go to some other area and then it comes to cabinet or to his caucus for a decision. Then everybody will be saying, not in my back yard, the NIMBY syndrome again that the member for St. Norbert is so familiar with. He knows all about NIMBY. In fact, he stands for NIMBY. Mr. Nimby we should call him, Nimby from Norbert.

The result of a reduced City Council and increased concentration of power in suburban Winnipeg will be that even more decisions will be made in the commercial interest of the business and economic community in Winnipeg. We have a long history of this in the city of Winnipeg.

Mr. Speaker, I have been rereading some very interesting books on the history of Winnipeg, for example, Winnipeg, An Illustrated History by Alan Artibise—an excellent publication. He has a hard-cover book as well called Winnipeg, A Social History of Urban Growth from 1874 to 1914, and he talks about how the commercial interests in Winnipeg have shaped the city of Winnipeg for their own benefit, not for the benefit of the majority of the city of Winnipeg. -(interjection)- I have at least 40 minutes left.

For example, the best example—some members are anxious to get out of here, I can tell, Mr. Speaker—probably the best example that a person could find and one that is used by Alan Artibise in his book is the Canadian Pacific Railroad coming to Winnipeg. He says, and I quote: The upsurge in Winnipeg's fortunes that followed the coming of the CPR reaffirmed the conviction that railways were the key to rapid and sustained growth. Thereafter, City Council did everything to encourage railway development and nothing to control it.

That continues to the present day, where for example we tried to relocate the CPR yards and it was unsuccessful and so council in a compromise

passed a resolution to build a new Salter Bridge, a new Arlington Bridge, a new overpass over McPhillips and the CPR and an underpass at Keewatin, an underpass at King Edward. These are costing about \$30 million each.

\* (1750)

The discussions between the CPR and the City Council committee are fascinating. I have read them. I would recommend that other people read them. What do they show? The CPR asks for something, and what does the City Council do? They say, you have it, even when it costs extra money to the city taxpayers. When the CPR says, we want this, the City Council says, you have it. I think what is going to continue with a reduced City Council is that the economic and business interests in the city of Winnipeg are going to continue to dominate politics at the city level and are going to continue to get what they want regardless of whether it is in the best interests of all Winnipeggers or not.

Finally, Mr. Speaker, I would like to talk about the community committees being reduced from six to five. Public input to the Eldon Ross review committee said that community committees as they are now should be kept. The review committees in the government, though, overruled the public and the result is a reduction from six to five.

There are already some inherent problems in smaller community committees. One of those is St. James-Assiniboia, where you have a three-member committee. Some people have said that it does not work, because you have a problem getting a quorum. What is going to happen when you have five community committees all with three members and you cannot get a quorum? I think it is going to be a serious detriment to conducting the business affairs of the City of Winnipeg.

Who is going to lose out? Which community is going to lose their community committee? Well, we certainly hope it is not the inner city and older neighbourhoods. It will be very interesting to see how the new community committee boundaries are drawn.

I believe the community committees are extremely important and that having six is therefore better than five, because it is community committees that review zoning applications. The time at which you get the most citizen input into City Hall decisions is when people feel comfortable and



they go to their local community committee and they present their brief or they speak orally and they tell their councillors from their local community committee what their concerns are about a development application. There are many fewer people who go to Executive Policy Committee and who go to standing committees and who go to City Council itself than there are people who go to their community committee. Therefore, I believe that we need all of the community committees not fewer.

Mr. Speaker, I would like to conclude my remarks now and just in general summarize and say, we in our party are opposed to this bill and, in particular, we are opposed to reducing council from 29 to 15. We are opposed to the number of community committees being reduced from six to five.

Thank you, Mr. Speaker.

**Mr. Conrad Santos (Broadway):** Mr. Speaker, if we look at the history of the growth of envelopment of the City Council in the City of Winnipeg we cannot fail but see a pattern in the gradual evolution of the City Council in the City of Winnipeg. We started with a large number of councillors, and gradually, throughout the years, this large number has been reduced continually, insidiously. The pattern is very clear: from 50 councillors in 1972 to 29 councillors in 1977 to 15 councillors in 1991. By definition, there is a relationship between the number of city councillors in the city's rule-making body and the number of citizens that they represent. There is an inverse relationship between the size of the City Council and the size of the constituency that they represent in terms of the number of people that they represent. The larger the City Council, by definition, the smaller will be the number of people they represent. The smaller the City Council, by definition, the larger the number of citizens that they represent.

For example, when there were 50 councillors, there were at least 10,000 people on the average that its councillor represented. When we reduced that to 29 councillors, there are approximately 21,000 people that they represent. If we should again reduce these 29 councillors to 15, there would be more or less 41,000 people whom they would represent, each of the City Council members.

There is a relationship between the size of the City Council and access to their own representative at the city level of government: the larger the number of constituents, by definition the more difficult it is for

every one of those citizens to have access to their own city representatives. When there is limited access of citizens to their own elected delegates to their city government, by definition there will be less and less accountability on the part of those who are serving the city level of government.

There is also a relationship between the numbers of City Council—

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

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

**Mr. Santos:** Thank you, Mr. Speaker.

There is also a relationship between the size of the City Council and the cost of being elected to that body, the City Council. If there will be a lesser number of councillors, by definition there will be a larger territorial area that they will have to represent. When there is a larger geographical area that they have to represent, that means that they have to spend more money in order to run the civic election. If they spend more money to run their civic election, by definition there will be people who would otherwise not run because they cannot afford it. There are people who will have abilities but no money, and therefore there will be very limited opportunity for them to serve the public. There is a diminution of opportunity to serve the public interest on the part of people who are capable but who are possessed with very limited resources.

Again there is the relationship between the opportunity to run and the understanding of the needs of the people. The larger the area that they represent, the less their understanding of the needs of the local constituents. Because they will have to deal with so many constituents at the same time, they will have very limited time to understand the basic needs, the basic aspirations and desires of the people who they represent.

This is an erosion of the democratic way of life. Again, we say that the saving of money is one of the objectives of reducing the number of City Council. The less the number of City Council, the greater will be the need for secretaries and assistants and research staff for each member of the City Council. The more secretaries there are, the more public money has to be spent to pay their salaries, because these secretaries and assistants and supportive staff are needed by these councillors who will be representing a very large number of people. If there are more secretaries, more staff, more salaries paid, there will be less savings.

Again, there is an effect of that in the nature of the service at the city level of government, because, as you know, the more secretaries there are, the more layers of bureaucracy there will be. There will be shifting. There will be calls of constituents that will be tied down by the secretaries. They cannot reach their own representative, their own delegate, in time. They will have more waiting for the calls to get through. Secretaries will be used as a shield by this elected representative who represents so many people that they could hardly deal with each of their constituents and have time for their individual needs and individual complaints.

So we could see the evolving nature of the service of city government. It becomes less and less

accessible to the citizen. It will become more elitist in term of the number of councillors who will be able to run for public office. There will be less opportunity for the citizens to have access to their elected representatives. There will be a gradual emasculation of citizens' participation which is the lifeblood at the city level, at the local level and municipal level of government.

**Mr. Speaker:** Order, please. When this matter is again before the House, the honourable member for Broadway will have 33 minutes remaining.

The hour being 6 p.m., I am leaving the Chair with the understanding that the House will reconvene at 7 p.m. by leave.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 24, 1991

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		Cerilli	5257
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<b>Bill 47, Highway Traffic Amendment and Consequential Amendments Act</b>	<b>5265</b>
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<b>Bill 53, Natural Products Marketing Amendment Act</b>	<b>5269</b>
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