



Third Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 23, 1997

The House met at 7 p.m.

ORDERS OF THE DAY (Continued)

Madam Speaker: To resume second reading debate on Bill 61—[interjection] The honourable Leader of the official opposition, on a matter of House business.

House Business

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, on a matter of House business. I believe the House leaders are talking about calling Bills 300 and 301 and also dealing with a private member's resolution dealing with diabetes and so—

Hon. James McCrae (Government House Leader): Madam Speaker, the Leader of the Opposition has set it out, but I understand after we are finished 300, 301, the resolution to which the honourable member has referred, we would then return to the debate underway on Bill 61—

An Honourable Member: Resolution No. 9.

Mr. McCrae: And that would be Resolution No. 9 that we are talking about.

SECOND READINGS—PRIVATE BILLS

Bill 300—The TD Trust Company and Central Guaranty Trust Company Act

Mr. Marcel Laurendeau (St. Norbert): Madam Speaker, I move, seconded by the honourable member for Sturgeon Creek (Mr. McAlpine), that Bill 300, The TD Trust Company and Central Guaranty Trust Company Act; Loi concernant la Société de fiducie TD et la Compagnie Trust Central Guaranty, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Laurendeau: Madam Speaker, for the benefit of all members of the House, I would like to leave a few words of explanation of this bill on the record.

In December of 1992, the Toronto Dominion Bank and the subsidiaries acquired substantially all the assets of Central Guaranty Trust Company. The CGT's operations were at that time no longer financially viable. The TD Trust Company, a wholly owned subsidiary of the TD Bank acquired the fiduciary business of CGT.

The need for this bill arises from the fact that the trusts and estates that named the Central Guaranty Trust Company as the trustees need to be changed to recognize the fact that TD Trust is a successor trustee. This bill will achieve that goal. Due to the number of trusts and estates involved in this transaction, the alternative method of ensuring that each trust and estate appoint TD Trust as a successor trustee to CGT would be impractical and extremely expensive to the individual trust or estates as well as to the public judicial system. In fact, in the past in transactions of this type, special legislation has been passed in a form that is similar to the bill which has just been introduced in the Chamber to accomplish a transfer of trusteeship from one trust company to another.

Madam Speaker, this bill is important and beneficial to those whose estates and trusts are administered by Central Guaranty Trust Company and, as such, I ask for the support of all honourable members of this House. Thank you.

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, I would like to put a few words on the record in dealing with Bill 300. I want to thank the member for St. Norbert for his in-depth explanation of the intricacies between The Toronto Dominion Trust Company and Central Guarantee Trust Company Act. His in-depth analysis and review of this matter was of great assistance to members on this side.

As you have heard, the Toronto Dominion Trust has been operating as a Central Guarantee Trust as its agent since 1993. Central Guarantee is in receivership, another victim of the marketplace, and is being taken over by Toronto Dominion Trust. The purpose of this private member's bill is to appoint Toronto Dominion Trust as a successor trustee to Central Guarantee Trust

which means that it assumes assets and liabilities respecting all trustee, adult trusts and estates formerly held by Central Guaranty. This liability, as we understand it by this act, commences January 1, '93, however, the research we have received from the member for St. Norbert (Mr. Laurendeau) indicates there are no claims currently filed against Central Guaranty.

The argument for passing this bill is that it is extremely cumbersome to go through the process of appointing Toronto Dominion Trust as successor trustee, one trustee at a time. Madam Speaker, we have inquired into other provinces on how they have dealt with this bill. We had two questions: why pass it and why a private member's bill? We are informed that the reason for passing it is it is easier for people, individuals rather than take on these issues on a case-by-case basis to have this liability and asset transferred through this private member's act. We understand that other provinces, New Brunswick, PEI, Nova Scotia and Ontario have most recently passed this act, and we found that also Saskatchewan had just passed this act in this last session of the Saskatchewan Legislature.

Of course when we heard from the legal counsel that Ontario had passed the bill, we were worried. We note that Conservative provinces have passed this bill, Liberal provinces have passed this bill, and we were most interested in reading for ourselves the research that was conducted in the province of Saskatchewan. I have been reading this legislative debate hour after hour in the province of Saskatchewan. If anybody would like to borrow these Hansards, I am quite willing to share them with people.

Now, the New Democrats always have suspicions about these kinds of bills coming in at the last minute, and with just cause I might point out. If we were able to trade this bill for reownership of the Manitoba Telephone System, we would certainly be willing to look at it, or if we could get other—

An Honourable Member: No.

Mr. Doer: Well, the member for Springfield (Mr. Findlay), my good friend who told us in October of 1995 that the telephone system was not for sale, and we just read the brokers had been commissioned in July of

1995. I just wish the Premier (Mr. Filmon) had informed him, because I actually think deep down in his heart he agrees with us, but he can never say it, because being a member of the Executive Council he could never say that. Perhaps if we could trade off this bill with the member, we could do it, but I am sure in the week of the Pol Pot disappearance, I am sure we cannot do that with the government of the day.

Madam Speaker, we have discussed this bill with the province of Saskatchewan. As I understand it, they thought that this bill was worthy of our support. We have talked to the research director in the province of the government caucus. In fact, their question to us was they thought that this bill had already passed in every other Legislature. Maybe that is the way that the lawyers are using this, the methods they are using, saying it has passed everywhere else but here. But we talked to the lawyers, and they are good and honourable people as well.

Madam Speaker, we certainly are willing to pass this on to public hearings and listen to the people about how this will impact on their lives. Therefore, we will support the decision made in Saskatchewan and ratify that same decision here in Manitoba, subject to the views of the public. Thank you very much.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I, too, would like to put a few words on the record with respect to Bill 300.

This legislation has been put forward because the TD Bank has acquired all the voting shares of the Central Guaranty Trust. Given the nature of this transaction, it would be impractical with the number of trusts and estates comprising the personal trusteeship and personal agency business of the TD Trust Company, largely a waste of time to apply under The Trustee Act for each individual trust, so they have enacted this legislation that transfers legal ownership and responsibility in one fell swoop. It is an administrative process that requires legislative action. In that respect, it is different from many of the other private members' bills this House deals with, and of no less importance. It is a simple and straightforward act. It has been passed in other jurisdictions with very little comment. There is no legislative sleight of hand at work that we have been able to detect per se.

The legislation is needed. Without banks and trust companies, our economy would be managed that much more difficult. As much as an opposition has dislike of the banks, at least some oppositions in the bank profits, they all have bank accounts, some probably would be bigger than mine.

This is a very serious piece of legislation that the TD Bank has requested the member for St. Norbert (Mr. Laurendeau) to put forward to this House. It is about banks taking responsibility for their industry after reviewing the legislation. We have no problem with supporting it. If the members of this Chamber do their homework, they will see that it is more administrative manner but one that arose in rare circumstance when a private company has to pass a bill before the House.

With those few words and, I guess, maybe the one caveat, I am sure I am not in a conflict of interest because I have a TD Bank account, Madam Speaker, but there is not that much in that account nor will I resign over it. Thank you for allowing me to put those few words on the record.

* (1910)

Madam Speaker: Is the House ready for the question? The question before the House is second reading of Bill 300, The Toronto Dominion Trust Company and Central Guaranty Trust Company Act.

Is it the will of the House to adopt the motion?

An Honourable Member: Agreed.

Madam Speaker: Agreed? Agreed and so ordered.

Bill 301—The Bank of Nova Scotia Trust Company, Montreal Trust Company of Canada and Montreal Trust Company Act

Mr. Marcel Laurendeau (St. Norbert): Madam Speaker, I move, seconded by the honourable member for Sturgeon Creek (Mr. McAlpine), that Bill 301, The Bank of Nova Scotia Trust Company, Montreal Trust Company of Canada and Montreal Trust Company Act; Loi concernant la Société de fiducie Banque de Nouvelle-Écosse, la Compagnie Montréal Trust du

Canada et la Compagnie Montréal Trust, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Laurendeau: Madam Speaker, I would also like to put a few words on the record in relation to Bill 301. Somewhat similar to the bill just introduced, this bill seeks to allow for the continued reorganization of the business of Montreal Trust to fit with the operations of the Bank of Nova Scotia which acquired control of the Montreal Trust Company of Canada in April of 1994.

Madam Speaker, this bill will allow Scotia Trust, as controlled by the Bank of Nova Scotia, to substitute its name in place of Montreal Trust on all personal estates. Further, under the provisions of this bill, Scotia Trust will remain responsible for all the actions of the predecessor, Montreal Trust. This bill will also save those individuals whose estates currently name Montreal Trust as the trustee to the time and expense of having them changed. Therefore, this bill will benefit those individuals whose estates and trusts name Montreal Trust as the trustee, and I, therefore, ask all honourable members for their support.

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, I would like to also state that this act deals with the Bank of Nova Scotia acquiring control of the Montreal Trust Company, including its subsidiaries Montreal Trust Company of Canada and Montreal Trust Company. As the member has said this is very similar to Bill 300, and it makes it easier for individuals dealing with their estates and trusts to have this legislation passed rather than having to petition one person at a time.

Madam Speaker, similar legislation has been passed in New Brunswick, Nova Scotia, PEI and Ontario. Again, having those cautionary notes, knowing the relationship Conservatives and Liberals have with financial institutions, we went to Saskatchewan where they have the great relationship with the credit unions, et cetera, and we went through again the debates and proceedings on this bill. I would like to state that Saskatchewan felt this was important for individual citizens in Saskatchewan. They felt this was better for the average citizen.

We are not dealing with bills now dealing with financial institutions. We are dealing with the customers and families that are dealing with the companies that have gone bankrupt, who would have been victims of the marketplace, and, Madam Speaker, as in Saskatchewan, we obviously do not have the capacity to do all the research ourselves, but Saskatchewan felt it was necessary in the public interest to pass the bill. We, therefore, will pass this on to public hearings, and we will allow the people to speak on this very important matter before this Legislature. We will allow this bill to pass at second reading.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I, too, would like to put a few words on the record with respect to Bill 301 also. This legislation has been put forward because the Bank of Nova Scotia has acquired all the voting shares of Montreal Trust. Given the nature of this transaction, it would be impractical with the number of trusts and estates comprising the personal trusteeship in personal agency business of the Montreal Trust Company. Largely a waste of time to apply under The Trustee Act for each individual trust, so they have enacted this legislation that transfers legal ownership in responsibility in one fell swoop.

The Bank of Nova Scotia has already purchased the voting shares. What we are doing in some measure is approving the sale as it applies to the legal status of these trusts in Manitoba. It is a primarily administrative process that requires legislative action. As an example, one could point out the benefits that the small investors who may have some claim or another against Montreal Trust will have similar rights to pursue actions under this legislation against the Bank of Nova Scotia. The successor trust, the Bank of Nova Scotia, will still have to act responsibly for filling the original purpose of original trustees in carrying it out in many functions. Thank you.

Madam Speaker: Is the House ready for the question? The question before the House is second reading of Bill 301, The Bank of Nova Scotia Trust Company, Montreal Trust Company of Canada and Montreal Trust Company Act.

Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed? Agreed and so ordered.

PROPOSED RESOLUTIONS

Res. 9—Diabetes and Aboriginal Health

Madam Speaker: To resume debate on private member's Resolution 9, Diabetes and Aboriginal Health, standing in the name of the honourable member for Sturgeon Creek (Mr. McAlpine), who has five minutes remaining.

Is there leave to permit the bill to remain standing?

An Honourable Member: No.

Madam Speaker: No? Leave has been denied.

Mr. Marcel Laurendeau (St. Norbert): Madam Speaker, I think it was an important issue to bring forward this resolution that the honourable member for The Pas (Mr. Lathlin) has brought forward. For all too long the aboriginal community has been suffering with the disease that has reached epidemic form, and our province of all provinces feels that equation very drastically within our medical expenses.

Madam Speaker, I know that the member for The Pas speaks from his heart when he brought this resolution forward. I want him to know that I am behind him when he speaks about the concern that he has got within his community, because it is part of my community, because it is part of Manitoba, and I do not believe that we have to segregate ourselves. We have to look at Manitoba as a whole community, and we have to work together in bringing this motion forward. It will help us bring the provincial, the federal and the aboriginal community together to battle a disease that is affecting us now in a way that, if we do not bring it under control, it will be an epidemic in the very, very near future.

So, Madam Speaker, without too much more, I move, seconded by the honourable member for The Pas (Mr. Lathlin),

THAT Resolution 9, Diabetes and Aboriginal Health, be amended by deleting the existing "THEREFORE BE

IT RESOLVED” and the “BE IT FURTHER RESOLVED” clauses and substituting the following:

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba encourage the Manitoba Department of Health, the federal Department of Health and Indian and Northern Affairs and the leadership of the Manitoba First Nations to consider developing and implementing a co-ordinated strategy to combat this disease; and

BE IT FURTHER RESOLVED that this Assembly additionally request that the Manitoba Department of Health consider working with the Medical Services branch of Health Canada to prioritize the installation and upkeep of dialysis machines, where numbers warrant, in rural and northern communities.

Motion presented.

* (1920)

Mr. Oscar Lathlin (The Pas): Madam Speaker, I would just like to add on a few more words to this resolution. I am very thankful to the Assembly here that this resolution has been deemed to be important in the sense that it will probably help set direction and give guidance to those who are going to be working to alleviate the crises situation we have here in Manitoba, and now across Canada, in the aboriginal communities, that is to say, to combat the disease of diabetes which has reached epidemic proportions.

In my initial speech, it is true, I spoke from my heart. Whenever I speak for aboriginal people, I speak from my heart, but I neglected to say in my initial speech that my mother died of diabetes in February of 1991, also my grandmother on my mother's side died of diabetes, and my grandmother on my father's side died of diabetes. Now a couple of my sisters are affected with the disease. So I have, I think, a pretty good understanding anyway, at least at the stage where this disease has almost completely devoured our people. By that, I mean to say that when I saw my grandmother's leg being amputated, then the other one, and then seeing her die of diabetes, at least I have that understanding of the disease, that that is how it ends up for those people who contract or who have diabetes.

So I very grateful for members of this Assembly for having seen fit to support this resolution with some very minor amendments, and look forward to working with others in the federal government side, the Assembly of Manitoba Chiefs, MKO, Swampy Cree Tribal Council and even our own First Nation, OCN, to continue to look for a better way, maybe in the end find a cure, but in the meantime, look for a better way to treat our people, but at the same time emphasize the need for a comprehensive prevention and awareness program. Thank you very much.

Mr. Eric Robinson (Rupertsland): Madam Speaker, I am going to be very brief in my remarks. I want to thank the member for St. Norbert (Mr. Laurendeau) for his comments on this very serious illness that is unfortunately being experienced by many aboriginal people, First Nations people, particularly in the province of Manitoba.

Almost in every First Nations community of the 62 that we have visited in Manitoba, we have found people that are suffering from this unfortunate illness. It has been told through the teachings of our elders that, unfortunately, because of the instability of our way of life and the living conditions and because of our newfound way of diet and food source and the traditional economies being a thing of history now that many of our people have been subjected to foreign foods into their system, consequently resulting in illnesses like diabetes entering our communities.

We have brought this to the attention of members of this House prior. Garden Hill, for example, a community that I represent and is in a central location in the Island Lake territory of north central Manitoba, alone has 10 people in the community that are affected by the disease. Many of them have had to leave their community, have had to be dislocated from their families, their grandchildren and children and close family members, to receive treatment in the city of Winnipeg. Not only is there the problem of loneliness for these people that have to relocate to Winnipeg to receive treatment to deal with their illness, but there is also the dislocation and the isolation in a foreign community like Winnipeg. So that is very unfortunate.

We believe that with a catchment area of roughly 7,000 people in the Island Lake area, which includes, of course, St. Theresa Point, Wasagamach, Red Sucker

Lake and the community of Garden Hill alone, measures can be taken to try and address the problem, as my colleague from The Pas indicated.

Yes, the problem with diabetes and aboriginal people is severe. It is getting to a point of a crisis currently in not only northern communities but indeed all aboriginal communities in this province and across Canada.

It is also a recommendation that was made by the Royal Commission on Aboriginal Peoples, which calls upon the federal government—and at a given point perhaps in the future, the federal government will catch up with us here in Manitoba in establishing working relationships with the various provinces and other aboriginal representative organizations and we will begin to deal with these many long-standing issues. Health, of course, is a very serious issue, and diabetes is among those health problems that aboriginal people are faced with.

So I believe that the resolution brought forth by my colleague from The Pas and the words added on by the member for St. Norbert only illustrate some of the recommendations of the 440 that are contained in the Royal Commission on Aboriginal Peoples in dealing with these matters that have been long-standing in many aboriginal communities. I want to thank the remarks of the member for St. Norbert (Mr. Laurendeau) and, of course, I commend my colleague the member for The Pas (Mr. Lathlin) for bringing this to the attention of the Assembly.

I believe slowly we are gaining the attention of the true reality of the aboriginal concerns that exist out there. Sometimes it is very frustrating for my colleague and me to bring these to the attention of this Assembly. We see this each and every day. Yes, we have friends, we have family members that have been afflicted by this disease. We know many. Some have lost portions of their limbs and others have died, and we speak from first-hand experience the dramatic effects that this has had on people and most particularly with sometimes in some cases the children that are left behind and causing further problems that I do not really want to get into at this time.

So I do thank members of this Assembly for their support on this very critical resolution that has come forth, and I am sure that we are going to be displaying

a way of working with aboriginal people and our national government in addressing this issue. Thank you, Madam Speaker, for allowing me a few moments.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I too would like to put just a few words on the record with respect to this particular resolution brought forward by the member for The Pas (Mr. Lathlin). In fact, I would go as far as to applaud all of those that were involved in bringing forward this particular issue inside the Legislative Assembly, because even though it is fairly easy for many of us to sympathize with what might be happening out in many of the different rural communities, it is another thing to hear first-hand from individuals that literally empathize and they speak from their heart, which is a very important issue that has to be dealt with.

When I look at the resolution, I do not believe the resolution is asking for that much. What it is in essence asking for is a higher sense of awareness and that we all work together to try to resolve a problem that is there in which we have had members of this Chamber articulate with very strong feelings as to the importance of resolving this issue.

With those very few words, it is with great pride that I would support this resolution passing today.

Madam Speaker: Is it the will of the House to adopt the amendment?

An Honourable Member: Agreed.

Madam Speaker: Agreed? Resolution as amended?

An Honourable Member: Agreed.

* (1930)

Madam Speaker: Agreed? Agreed and so ordered.

DEBATE ON SECOND READINGS

Bill 61—The Sustainable Development and Consequential Amendments Act

Madam Speaker: To continue second reading debate on Bill 61, (The Sustainable Development and

Consequential Amendments Act; Loi sur le développement durable et modifications corrélatives), standing in the name of the honourable member for Dauphin (Mr. Struthers).

Mr. Stan Struthers (Dauphin): Madam Speaker, as I was saying, one of the reasons, one of the problems that has arisen in the area of the environment and sustainability in the province of Manitoba is the lack of confidence in which the citizens of Manitoba view the past record of this government. That becomes a problem because whatever the government comes up with is going to be under a microscope from a lot of different groups and a lot of different people throughout our province. The sustainable development draft act that the government put forth back in August, which I was just referring to a while ago, is a perfect example of the kind of mistrust that Manitobans have with this government when it comes to setting the process and making decisions having to do with sustainable development.

What we saw, Madam Speaker, in essence, was the Conservative government vision of sustainability being put forth and the Conservative government vision of sustainability being shot down by citizens and groups from one part of our province to the next. Now, the other thing that we should learn by the response of Manitobans to the white paper on sustainable development is that the criticism spanned from one spectrum to the other, right across the whole spectrum of political views contained within our province. This white paper that was presented by this government was not well accepted in any corner of our province, and I would suggest that there are some very good reasons why there was so much criticism of this government's vision on sustainable development.

To begin with, I think what people took a good, hard look at was a white paper being put forth by a government who have acted in the past contrary to what most Manitobans see as acceptable sustainable development practices. We do not have to dig back through our memories too long to remember the process that this government got itself into with BFI. I mentioned earlier the Louisiana-Pacific process, processes that saw a skewing, a loading up of power on the side of the developer by this government, by the rules that this government put in place, and all the

power on the side of the developer and leaving citizens of Manitoba, concerned citizens about whatever project we are talking about, high and dry to struggle along with their own means, to struggle along with their own limited resources to put forth their vision of what they would like to see in their own communities.

So what the government has to do is try to find that balance, try to take the playing field and make it fair and, as I was saying, the white paper that this government put forth that created the high degree of furor that it did, received those criticisms at least partially based on its own track record, its own track record that stated that they are in favour of weighting the system in favour of the developer and excluding the views of local citizens.

What we have are basically two visions. The Conservative government put forth their vision back in August in the white paper. It received a lot of criticism for that vision and now has backed away from many of the things that it had originally been pushing for. What we know is going to happen in the period of time after the debate on this particular bill is over is that there will be an undertaking on the part of this government to revisit many of the controversial items, in particular some of the items that are found in Section 7 of the white paper, and there will be an attempt on the part of this government to try to bridge those ideas again.

Now, both the Premier and minister have committed publicly to a consultation process and, within this bill, there is mention of consultation on the different factors, the different issues that were controversial. Both the Premier (Mr. Filmon) and the current Minister of Natural Resources (Mr. Cummings), I would say to their credit, have publicly stated that they will embark on a period of consultation, and they have left several years, depending on which issue we are dealing with, in which to do that consultation.

My hope is that they will seriously consult. My hope is that the consultation will be serious and will not be the kind of consultation we have seen from this government in the past where they pretend to listen to what citizens of Manitoba have to say, and then simply go behind a closed door and decide on what they are going to do no matter what the consultation process had produced.

The other thing that I appreciate is that this current Minister of Natural Resources has committed in the press and in writing to me through letter that when these other issues involving The Sustainable Development Act involving sustainability of the environment, when these other issues are approached by this government that they will occur through this Legislature, either through an act, an amendment to this Sustainable Development Act or through another bill that will address those issues, a companion bill to The Sustainable Development Act.

That, Madam Speaker, I think is positive. I have observed just over two years that I have been a member of this Legislative Assembly that this particular government has almost a desire to govern without being here answerable to people. It has been my observation that this government would much prefer to run the province through Order-in-Council, rather than through the Legislature where they need to be accountable to the citizens of Manitoba through the legislative process. So, I am quite relieved, I am quite satisfied that the more controversial aspects of the Conservative government vision will be addressed here in the Legislature with my colleagues and I and others having an opportunity to question and to debate some of the contentious issues that I am sure we will be dealing with at some point in the future. So, from that perspective, I do commend the current minister and this government for making that undertaking.

The government ran into some problems with its draft, with its white paper, and some of the draft acts that it has been dealing with for a number of reasons and in a number of ways. The government originally in its vision of environmental process that it sees there to be made available to Manitobans had supported removing of all the development classifications that currently exist within The Environment Act. The government also is looking at a wide net that they are casting here, taking in a hundred of pieces of legislation, including acts in Finance, in Health, and Education.

One of the concerns that was brought forward not only to the government but to legislators on this side of the House was that there was very little or no consultation done before the government put forth its vision of this act.

* (1940)

This government sees charging access fees for public information as part of its vision. Looking through the process that was undertaken and looking through the white paper that was introduced in August of '96, one can only conclude that this government was in favour of reducing public input, including participation from our First Nations communities. The government also puts forth the notion that proponents determine public consultation in the licensing process. One of the parts that also received a lot of criticism was this government's suggestion that municipal governments be overridden and creating new administrative costs that the municipalities would then have to incur.

Madam Speaker, for a number of reasons the original vision that this government put forth was shot down. One of the main reasons was that people saw it as being too pro-development. As a matter of fact, Mr. Bob Sopuck who at one point was the head of the Sustainable Development Unit was quoted as saying that The Sustainable Development Act will be unabashedly pro-development. Now, that I believe is the true Conservative agenda. That was part of the Conservative agenda that was shot down and part of the Conservative agenda that was eventually pulled out of this act that we are debating here today.

The other criticism that we heard a lot of was the criticism that too much power was being centralized on the desk of the minister, and too many decisions were going to be made by a small group of people in cabinet rather than an extensive consultation process including Manitobans.

Another concern that was expressed to us had to do with the weakening of the democratic process within what was being proposed by the Conservative government. One of those was that the CEC, the Clean Environment Commission, was replaced with an appointed Sustainable Development Commission that had no autonomy in conducting outside research for obtaining technical advice. Now, one of the good parts about the legislation that is being proposed before us in the House is that many of the concerns that were brought forth to the minister have now dissipated. The minister has come up with a bill that is quite innocuous.

The business community as well was not very happy with the vision that the Conservative government was putting forth, and they had some very important, I think, and very clear criticisms of what the government was attempting to do with sustainable development. One of them was the development guidelines were removed and decisions are directed and finalized by appointed officials. The business community described them as a black-box process that would make licensing unpredictable and add to the risk of investors. What the business community was saying was that they did not mind the rules so much, what they did not like was how muddy the rules had become. They wanted clear rules. They wanted everything to be absolutely crystal clear, so that before you invested in some development somewhere in the province, you knew exactly what was expected of you. They did not want to be put into a situation where they would be asked to put their money up forward and then part way through the process have a curve ball thrown at them by somebody in government.

From a rural Manitoba perspective, the government was looking to remove a lot of the powers and authority of the municipal board in all land-use decisions. First Nations were not included, mentioned in the draft act at all. One of the specific concerns that municipal people were telling us was that the appointed commission would make binding decisions on by-laws and local plans where the elected council exceeds a 60-day expiry date. That was something that was identified and flagged to me as a real concern and one more example of where this provincial government was taking upon itself too much of the power and authority to make decisions that affect local communities.

From an environmental point of view many concerns were brought forward as well. For example, all the development classifications in The Environment Act were repealed. Without the development classifications or the equivalent of those, the white paper would have removed environmental licensing standards in Manitoba. Now, the problem with that is that if you take those environmental—if you reduce those standards, then there is no guarantee of uniform environmental protection across Manitoba. I think that was pointed out loud and clear, and that may have been one of the areas that this Filmon government did sit up and listen.

Madam Speaker, some of the things that this bill has done is backed off a lot on what the Conservative vision on the environment and sustainability is. They have backed off for now. Everyone expects that in the near future, the government will take another crack at this, but the bill right now, the one that we are discussing today, one of the things that it does do is appoint the round table. Now this round table becomes a fixture with the Premier (Mr. Filmon) remaining as Chairperson. It also entrenches the Sustainable Development Coordination Unit to review the policies of the Inter-Departmental Planning Board. Over the next period of time, these two bodies will be developing the Sustainable Development Strategy indicators, code of practice, implementation in the public sector and administer the innovations fund. One of the things that I would note is that there is no indication of the make-up of the unit.

Madam Speaker, on the other hand, there are people in the province who have a different vision of what sustainability is. There are other people who have another vision of what we need to do in order to take our environment from where it is today, pass it on to the next generation, and still have the ability of the next generation to make decisions with a plentiful amount of resources, an environment that is clean and an environment that is safe. There are many people in the province who, while they shot down the Conservative government vision of sustainability and have produced a watered-down version in the form of Bill 61, also think the government should take another step forward, take some good, positive suggestions from people across the province of Manitoba and not just water down the Conservative vision that was first put forth in the white paper, but have the courage to go that one step further in offering some real protection for surroundings, some real protection for the environment in which we live on and depend on.

* (1950)

Now, people who believe in this alternative vision see the public process as being of paramount importance in this whole debate. The people who see this other vision value the importance of local people in their communities making decisions to produce healthy communities. The key to that is that we must recognize that whether it is public or private sector that we want

to talk about, if it is the public sector, then within that public sector all government departments need to be under the umbrella of the principles of sustainability. Now, the key there is to have some sort of consensus built on what those principles of sustainability are.

One of those visions, one of the alternative visions that is out there in the province, I think, is represented by the official opposition here in the Legislature. Madam Speaker, in 1987, it was a New Democratic government who introduced Manitoba's first comprehensive environmental act. That was in 1987. What we would like to see is an extension or an update of that act. The act is, after all, 1987, that is 10 years. We recognize that we can use that Environment Act that is there already, update that towards the year 2000, and be fully ready to take on the environmental challenges that are out there into the future.

One of the principles that we accept as being necessary is increasing the transparency of environmental standards. The citizens of the province of Manitoba have to be included and have to have the security of knowing that they can at any point question what the government is up to, make their presentations, make their case heard, and they have to be assured at least to a degree, No. 1, that they are being listened to, and, No. 2, that they actually have a chance of convincing the government or developer of some sort that plans will change based on the presentations that are made in a transparent environmental process. We believe that there should be greater public involvement, and we believe that Bill 61 could have gone a lot further in guaranteeing the transparency of the environmental process. We also think that there should be very clear criteria for development licences, including specific triggers for public hearings and consultation. It cannot just be left up to the call of the minister or the call of the cabinet or a very few people in government. There have got to be objective, specific triggers to enable the public to have some say in their own healthy communities.

Earlier I talked about making the playing field more fair. Time after time, anyone who spends any time watching the goings on in the environmental public hearings, you cannot help but notice that on one side, the developer's side, there is a whole raft of lawyers, accountants, experts, public relations people, a whole

group of people on one side representing the government, representing the developer, representing a large company with a big bank account. On the other side, you usually have a person who has, in a lot of cases, committed a lifetime to studying the problem, to advocating on the part of his or her community without a bank of lawyers, without a bank of accountants, without a bank of public relations people standing in the background.

The situation just is not fair. What we would like to see at some point is a good discussion taking place on the pros of intervener funding, trying to make that playing field more fair. We also think that an environmental commission appointed by the Legislature for a six-year period, an environmental commission reporting to the Legislature, would go a long way in providing yet another forum for the public to have a say in their own communities. We think that what we should be looking at is an environmental bill of rights, something that Manitobans can point to and say here is what we believe in, here is what the government decisions should reflect.

Also, we think it would be a good idea if the government had included in Bill 61 provision for an environmental ombudsman, somebody that people in the province can go to when they have a problem concerning a government decision made at the local level or whatever level. An ombudsman should be there as yet another alternative, another route in which Manitobans can go in order to get some kind of protection, in order to have some kind of input on decisions that are made by government that affect the status of healthy communities.

Madam Speaker, I think we need to talk in terms of healthy communities, because I think that should be the objective. When we talk about the environment, when we talk about sustainable development, what we are talking about is building healthy communities. It is quite obvious that if we make decisions at the local community level that either destroy our environment or destroy jobs, then that is not building a healthy community. I think everybody understands that. I think everybody understands that in order to prosper and have healthy communities, you have to have a strong environment, you have to have jobs, not just short terms jobs but you have to have jobs that are long

term in nature, and you have to have jobs that fit into the local environment. It makes no sense to simply have the pendulum swing on either one side or the next. It makes no sense to make decisions in terms of our environment solely based on the lure of providing hundreds of jobs for a community. If those hundreds of jobs that you provide today for a community means that the environment of that community is going to be destroyed, then we are not any further ahead.

At the same time, Madam Speaker, we have to include people in the process when we look at sustainable development for a community, because many people working together can have a lot of good ideas on how to create those jobs that fit in with the community's environment, not at the expense of the community's environment but fit in with the vision of a healthy community, the vision of a healthy community not determined through a decision by the minister or cabinet, but a healthy community, the vision of a healthy community as determined by the people who live in that community.

Now, I think, that the minister has a lot of work ahead of him. This government has a lot of work ahead of it in ensuring that the community will have that say in putting together their vision of what a healthy community is. I certainly think that the Conservative government vision as expressed in the white paper did not do that. I would suggest that if everything in the white paper that the minister has introduced to Manitobans in August of '96, if this white paper was simply to be accepted as it is, you would not only not provide the avenues for these communities but you would have destroyed many of the communities that we are wishing to protect. This was not good for Manitobans.

* (2000)

On the other hand, Bill 61 probably does not go far enough in protecting, enhancing, the sustainable development of the communities that we intend to protect. It probably does not go far enough. It is not too late for this government. They can move. When they come up with their amendments to The Sustainable Development Act, or if they bring in a companion bill to go along with Bill 61, they can take into consideration many of the things that I am saying

tonight, many of the things that the NDP have said for several years.

If they do not want to listen to us and take our suggestions, then the government really does need to take seriously the consultation that it says it is going to do with many of the groups around Manitoba. When that round table meets and listens to Manitobans, it is going to have to make sure that it takes every step not to exclude a single idea coming from a single Manitoban. I would hate to be the government or the minister who did not listen to a Manitoban who had a good idea and then never have that idea see the light of day. The worst case scenario in all this discussion about sustainable development and protection of the environment is to exclude even one single good idea, because, Madam Speaker, Manitoba is a province made up of people with good ideas.

An Honourable Member: That is true.

Mr. Struthers: So, it is incumbent upon this government to do everything that it can to get out into the province, provide a forum and a process for those good ideas to be put forth, then take those good ideas and work in partnership with the very people who have given you those ideas in the first place, in order to create a much better process for dealing with decisions that need to be made concerning our environment, concerning the protection of our surroundings because, after all, you will not have sustainable development without an environment. It is incumbent upon us, not just the government, but all 57 legislators, to make decisions that are based on the best possible public input as can be gotten by the government of the day, by all of us in here in the House.

The track record that I referred to earlier of the Filmon government will play a role in the eventual workings of this bill. It will play a role in the eventual outcome of the discussions and will play a role in the general acceptance, or not, of the next stage which the government is hoping to get to, which is the introduction of either an amendment to this bill or another bill, a companion bill for Bill 61. So, my final piece of advice to the government would be that it cannot continue on its course of not involving the public, of making decisions that are weighted in favour of developers. It cannot continue along those tracks if

it expects to have general support for its next step in the legislative process, if it continues on the decision-making course that it has embarked on. I am getting the signal that the time is up.

With those words, I look forward to hearing the public in committee and hear what the public has to say specifically on The Sustainable Development Act.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I also would like to put a few words on the record with respect to Bill 61 before it goes to committee. First, I would like to make note that this bill is a much watered-down version of the original white paper. Bill 61 was to have been a much more substantial piece of legislation before this House in this particular session from what I understand. I believe that it is significant that, when the legislation was first discussed, a great many of alarms were raised and rightly so, according to some reports, in fact, on the original bill, would have prevented the traditional right of appeal to a higher court. That is one of the provisions, from what I understand, that was in fact dropped.

The creation of the Round Table for Sustainable Development is a positive one, but if sustainable development is to work, it cannot become another bureaucratic catch phrase. It must become the basis on which government makes decisions about how Manitoba's economic and natural environments will be handled. So far, I have seen little of that intent from this government. In fact, I would go to two issues that come to mind right offhand. One was the logging in our provincial parks, and CEC's, the Clean Environment Commission's thoughts with respect to that and the actual government actions.

Then I think of the BFI incident, which I am fairly well acquainted with in the sense of the impact it had on the constituents which I represent, being that the new landfill site was being located just on the northern boundary of the riding which I represent. One has to question the need, as I did, extensively of this government for allowing yet another landfill site to be built for the Winnipeg Capital Region when everyone knew full well that the current number of landfill sites did, in fact, not only meet, in all likelihood exceeded, our requirements.

So when we talk about sustainable development, this government really has not been a leading force with respect to it. The concern that has to be raised is one of: Will this government adopt a more positive attitude towards sustainable development and not only develop that attitude but also that its actions will speak for itself?

The powers of the round table that are being created are fairly extensive, and it is something which will provide the opportunity for a great deal of good debate from within the government cabinet, no doubt, in particular, but also by involving other people through the round table to have the opportunity to hear the pros and the cons of the economic development versus the impact that it is going to have on the environment. But like the member for Swan River (Ms. Wowchuk), and I know the member for Radisson (Ms. Cerilli) are also going to be putting some words on the record, this government does indeed need to have more sincere actions towards sustainable development and maybe a little bit less rhetoric.

With those few words, we are quite content to see the bill go to committee. Thank you, Madam Speaker.

Ms. Marianne Cerilli (Radisson): Madam Speaker, I am pleased to speak tonight on Bill 61, The Sustainable Development Act. I have just come out of the committee, so I am thinking a little bit about adoptions in Manitoba, so I now have to make the transition and get to think a little bit more about economic development issues and how that affects our environment and our social equity of justice, which is what sustainable development is all about.

I am going to go through some of the things in this legislation that struck me. I want to say at the outset that unfortunately we do not have the luxury or the opportunity to review a lot of papers or reports that have been written about this legislation from the public, Madam Speaker, because they have not had the chance. They have not had the chance to respond to this legislation, which was introduced on June 11. Can you imagine a bill that is going to supposedly transform how development is done in the whole province was introduced on June 11?

* (2010)

The minister responsible was motioning a foot high off his desk for the amount of information that we have on this bill, but, Madam Speaker, that was on the white paper. The white paper is a far different creature than Bill 61. I have with me in this black binder a lot of the material that was presented to the government on Bill 61, or I should say on the white paper, a different creature from Bill 61. This material is what swayed the government and what got them to change their mind, to change their tune and to bring in this far different version of The Sustainable Development Act than we were anticipating and, dare I say, dreading when we saw the draft white paper on the act.

I have said that this version, the white paper version of The Sustainable Development Act, was going to be very destructive, but the amendments that we have now in Bill 61 could be called "the sustainable development and inconsequential amendment act," because they are going to be inconsequential. The white paper version was going to be very destructive to the environment, to democracy, to communities' rights to participate, to the public's right to know. I would say that this bill here, 61, is the status quo version of sustainable development.

I am actually, you know, I guess I am of two minds or of mixed opinion because perhaps when we are thinking of this government and we consider their record on matters related to environmental development, I think we should be glad with this. I think that there has been a huge victory and a huge success in this province in getting the government to back down, back off and retreat, perhaps with their tails between their legs, but perhaps just maybe to have come to their senses and realize that, because they were getting criticized not just from community groups and environmentalists, aboriginal people, labour, who they are used to being criticized by, but from the rural municipalities, from the Chambers of Commerce, from forestry, the mining associations, from the manufacturers association, everyone was after them on this draft act.

That is why, even though they took all this consultation and time to put it together, they have had to come back with their watered-down version, which, as I understand it, they have prepared because this government and the Premier (Mr. Filmon)—remember

the Premier in the red canoe—he wants to be able to go to the anniversary of the Rio Summit with his legislation for the first sustainable development act, perhaps in North America, in his back pocket, and that is why we have this watered-down version here today.

Madam Speaker, we do not have to look much farther than the definition on page 4 of the bill of sustainable development to start getting some clues of where there is a few problems with the way that this government is still going to go about approaching sustainable development. Now the definition in their legislation reads "sustainable development' means meeting the needs of the present without compromising the ability of future generations to meet their own needs."

That sounds reasonable; it is pretty much what the Brundtland Commission said. That is pretty much what a lot of people in a sort of a broad, general definition of sustainable development want to say, and that is a very nice sort of sentiment, and it is hard to argue with and all that. Even then, when you look at that definition, does that mean in a given area, in a given ecosystem, or not? That is where it gets tricky when you start trying to deal with sustainable development in one jurisdiction, in one, for example, forest management block-cut area, because you could say, if you take the whole province, you can clear cut one geographic, small block area, and if you clear cut that area, that will not compromise the future of the entire province's ability to sustain itself in future generations, because there is the whole rest of the province that hopefully will not have the same thing happening to it.

But in that approach, I think we are going to find that you have not taken into consideration things like economy of scale and the entire ecosystem. So while you may say that, well, there is always somewhere else in the province or in the planet where people could get their future needs met, you have to look at that specific area, at that specific place. This is illustrated even further when you look at their definition of sustainable yield. "Sustainable yield" means the harvesting, extraction or use of renewable resources at a rate or in an amount that does not exceed the rate of growth, regeneration or replacement of the resource.

I would suggest that it also does not compromise its natural state for future generations, because according

to this kind of definition of sustainable yield, you could clear cut a forest and you could consider that as long as there are enough trees growing in order that you can keep cutting down the forest again at the same rate, and there would be future wood for future generations, then that is sustainable development. It does not take into account that once that forest is clear cut, never again is that forest going to be in its natural state.

So, the version of sustainable development, sustainable yield, sustainability that we are going to be seeing coming from this government, I do not think is ever going to be determined by anything other than continuing to define sustainability in terms of what is going to be market driven. This definition of sustainable yield I do not think would ever include the fact that that forest will never again, once it is clear cut, be sustainable in its natural state for future generations.

Now, the next thing that I had to make a little notation on in the bill here was under the purpose. We are still on page 4, Madam Speaker. The purpose of this act is to create a framework through which sustainable development would be implemented in the provincial public sector and promoted in private industry—and I wrote a big ha!—and in society in general. When you look at this government's record, this is what they are going to be judged on. You do not have to go farther than a paper that was written by the Winnipeg Chamber of Commerce no less. This was written January 14, 1992, so it is getting a little bit old. Even they were saying then—and this was submitted to the Manitoba Round Table on Environment Economy with respect to this provincial Sustainable Development initiative. They say, we believe that further reinforcement of the general concept is less important in relation to a real need to translate the principles into action.

* (2020)

This bill does nothing more than enshrine the status quo of this government's record, which is not status quo, which is very destructive, but it basically enshrines all the things that they have been doing into legislation. Their round tables which are a bunch of politically appointed groups that are going to have to, under this act, do a lot of work, I cannot imagine how 20 individuals appointed by the government are going to

do it all. Their Sustainable Development Unit, their inter-departmental committee which basically just discusses stuff, that is all in legislation here. There are nice principles and nice words. But when you get to the action, when you look at this government's record, what is their approach to private industry? It is voluntary compliance. You do not have to look farther than my own constituency in dealing with Domtar, which has been more than seven years since I have been elected to this Legislature. We have had innumerable proposals but no action.

When you look at their record on forestry, it has to be the worst record almost in the northern hemisphere in terms of giving away our natural environment to private companies. The largest allocation for cut in one jurisdiction anywhere in the world; the same on mining. When you look at agriculture, they have one project in agriculture that they can hold up and that is the conversion of the waste straw. Instead of having it burned, they are going to construct it into some type of plywood substance. That is one project.

We still have more chemicals being used. We still have poor irrigation practices. We still have the increase of size in the farms. Now they are farming elk, domesticating another wild species. I do not think that complies with any sustainable development practices or policies that I have seen. International agreements all talk about preserving biodiversity. I think that is even mentioned in their own principles as sustainable development. But in practice, this government is still in the Stone Age and using all these fallacious arguments to try and justify the domestication of another wild species.

You just have to look at water provisions, some of the proposals that this government has come forward in terms of water, whether it is hydro, whether it is Assiniboine diversion, whether it is Bill 12 that we now have before this House, privatizing water supply systems. When you look at air quality, the abysmal record of this government, whether it is the fact that they are knowingly allowing Louisiana-Pacific to violate their requirements for the best use of their technology, the best possible technology to check air quality in the Swan River Valley, whether it is the way that they have allowed manufacturing industry, whether it is Hudson Bay Mining, whether it is Palliser, whether

it is many other industries to knowingly exceed their maximum allowable limit for air.

This minister here, when he was the minister for environment, I mean, one time he claimed that we do not need to have any kind of emission controls on car exhaust in Manitoba because it is a big open space. We do not have any problem with air quality, so let us have the cars and produce all the toxic emissions that they can.

The Wildlife Act is another testimony of this government's record, the way that they deteriorated that. Even though the now Minister for Agriculture was one of the people that signed on to the wildlife policy for Canada. They brought in a wildlife act that goes backwards. Their record on parks where, on the one hand they brought in parks legislation that was going to require more consultation, but ever since then all we have seen this government do is either give parks away, like in the case of Beaudry Park or build more cottages, developments, ski hills and parks, so that is going to be a testimony on their record, too, and show their action.

The same could be said on transportation, on hazardous waste, and on virtually any issue, Madam Speaker, when you look at the substantive day to day, on the ground work in practice of this government, it has been not to further sustainability or protecting the environment. It is 99 times out of 100 to put the interest of the market first, to get out of the way of their buddies over in the large resource development and extraction and business interests and to prevent those citizens concerned about the environment from having an increased ability to work on behalf of future generations in protecting our environment.

So I have already said that this bill generally is going to simply set out a legislative framework for all the machinations in bureaucratic processes that this government has been moiling away at.

I wanted when I was doing this speech to have with me not only this black binder full of all the criticism they took on the white paper but also to have with me my pile of sustainable development strategy reports, the fortune that this government has spent on producing purple and green booklets that talk about sustainable

development. I think \$400,000 was the initial contract back around 1990. I am sure they have doubled that by now in the amount of money that they have spent, at least, on producing little purple and green booklets.

Then when it gets right down to it—they are watered down, too, by the way—for example, like in the Capital Region, they are not even following their own strategies that they said they were going to do. Their own watered-down strategies in terms of the Capital Region are not even being followed.

One of the things that struck me as well, as we get to some of the different sections of the bill, when they are looking at their framework for implementing sustainable development, they are going to leave a lot up to the round table. The round table is not a group of stakeholders selected from those stakeholder groups. It is all politically appointed individuals. There still is going to be remaining in this legislation about 20 people who are going to have this huge responsibility to provide advice and recommendations to government in accordance with this act. This is after the Minister for Environment who is now the minister responsible for this legislation fired or eliminated its 50 to a hundred-member environment council which then had the responsibility for providing advice and recommendations.

So it just goes to show that this government wants to be very careful who it is going to give any legislated band-aid to for providing advice and recommendations to it. It wants to be very careful who it enshrines in legislation. So it could have had the advice and recommendations from 50 to a hundred people who are very committed and well versed and expert in the field, but, no, they chose to wipe that body out. I could tell you it was a lot less expensive than I am sure the cost of the round table which only has to meet, what, four times a year, three or four times a year, and they are going to do all sorts of things, supposedly.

They are being tasked with creating awareness, with co-operating with public sector organizations, to share knowledge and experience, reviewing the principles and guidelines, advising on the development, reviewing of this strategy, advising on the development of component strategies, advising and development of

review of sustainability indicators. That really got me. That is a huge undertaking, and they have 20 people on a round table who are responsible for doing that and passing it along.

Then when you look at the powers of the round table, it is wide open. Really, they can do all things necessary for the effective carrying out of its duties under the act. So that is pretty wide open. It would be interesting to see what would happen if they actually allowed some real stakeholder and community groups to select their own individuals to participate on that committee which would be one of the things that I would recommend.

One of the principles of sustainability is supposed to be more community input into development decision making and added democracy, but that is not going to be happening with this government's approach to sustainability. So rather than making the round table truly representative of all the variety of interests, of making sure there are aboriginal people on there, making sure there are young people and representatives from the different major industry and sectoral groups, from the universities, and allowing all those organizations, including environmental organizations, to select their own people, the government is going to retain their status quo with what they have been doing so far, and they are going to select their own people.

The other thing I found interesting, this round table has no limit on the number of terms. The minister can appoint people. He can extend their term for as long as he wants. I found that kind of interesting, especially given the wide range and scope.

The other thing that the legislation does is, it brings into being the requirement to continue the Sustainable Development Coordination Unit. This unit is, I guess, the actual folks who are going to do the work of the round table. The round table perhaps will come up with some of the recommendations, but an organization or group that only meets a couple of times a year I do not think is going to be able to develop indicators. So it is going to be the Sustainable Development Coordination Unit who, in the past, made a name for itself in going out, and the former director was boastful when he said that this act was going to be unabashedly pro development and—

An Honourable Member: Unabashedly pro sustainable development.

Ms. Cerilli: No, that is not what he said, Mr. Minister. That is not what he said. He said it was—and we have that in writing, too. I do not have that letter with me right now.

Then we get to the section dealing with principles and guidelines. One of the odd things that I found about this is, under the Review of Principles and Guidelines, the round table may at any time after the coming into force of the act review it, may review the principles and guidelines. I wrote there, so what? What of it? So they review it, so they make recommendations to the minister, so this 20-person round table is going to review the principles and guidelines, then they can make recommendations, but there is nothing in here after that.

You sort of turn the next page and you think, is there any requirement for the minister to follow up? Is there any requirement of they are going to be reporting of what happens with those recommendations? I do not think so. The “Round Table shall make any recommendations it considers appropriate concerning the Principles and Guidelines to the minister,” period. That is it. No requirement for community consultation, no requirement for the minister to do anything, as we have seen with reports to this minister before. That is it. They can review and they can make suggestions, and that is where it ends.

So then we have the next section, the Sustainable Development Strategies, and this is the section that enshrines all of the booklets, the purple and green booklets, into legislation. What you will find with this section of the act is, lo and behold, Madam Speaker, the government does not have to do a thing until after the next election. The government has to, within two years of this act, establish a strategy and then three years, no, five years after that, they have to review the strategy. Well, I think we are going to have an election before that. I can tell you, before five years, more purple and green books will be distributed throughout the province of Manitoba, but this government does not have to take one concrete action until after the next election.

They are going to prepare in consultation with the interdepartmental planning board draft policies, more

booklets, and propose action plans, more booklets, more purple and green booklets; and again, oh, here is one section at least they do have a mandate, they have to consult with the public on the booklets. They do not have to consult with the public on the other sections with the round table. They do not have to consult with the public on the principles and guidelines, but on the booklets, on the strategies they do. But this is again where it ends. There is no follow-up, no follow-up required.

Then there is this interesting section here, Madam Speaker. It says the Lieutenant Governor in Council may adopt by regulation all or part of a component strategy created under this part. So the principle here is the minister goes out to consult, creates a strategy, puts it in another one of his purple and green booklets, and then he can take part of the strategy out and put it into a regulation, if they want. Then they are going to create regulations that are going to list all the other acts that are going to be amended by that regulation, but then you get the last section, existing enactments to have precedence 8(4) and that is the notwithstanding clause. So notwithstanding anything that the minister decides to put in a regulation based on the purple booklets for his strategies, he has Section 8(4) which essentially cancels out the first three sections where he has put strategy bits into regulation.

Madam Speaker, that is the kind of legislation we have. The minister has the bases covered where if by chance he did actually put something into regulation, he has a notwithstanding clause to say that the existing enactment that governs or guides a person in making the decision or development of a policy, referring to those subsections (2) and (3), has precedence over any strategy adopted in component or in part.

I do not know, Madam Speaker, but that does not sound to me like it is going to give much strength to any of the regulations coming out of the minister's sustainable development strategy. They have a fairly large notwithstanding clause that says that any of those new regulations are not really going to count.

And then we have Part 5, the Provincial Sustainability Indicators and Reporting. Here again, the minister does not have to do a thing until after the next election. He has three years to come up with some

kind of indicators. This is an area where the government, I think, is really going to show its true colours. I was reading today, it is a State of the Environment Report for this year, and on the area that dealt with poverty and equality, it said some very interesting things. Obviously this minister for The Sustainable Development Act has been talking with his colleague for Family Services, who was saying that, you know, the problem in Manitoba is that the poverty indicators really are not measuring poverty. There really is not poverty because the indicators are just set too low. It is the indicators.

So that gives us some sense of where this government is going to go because in the State of Environment Report it was critical of what is currently used in Canada to measure poverty. This change in indicators is one of the most significant things under sustainable development that can happen, because those of us who believe that sustainable development is not just about environment, sustainable development is not just a new name for the environment, it is supposed to bring into consideration in economic decisions and planning to actually have some planning and bring in issues of social justice, of equality and of democracy. It is said many times that if you are just going to have a great environment, but you are still going to have social injustice and inequality and poverty, it is pointless. So there are many of us that believe that those indicators have to include issues around social justice and equality. I was astounded.

* (2040)

I remember on the consultations on the white paper being at the public forum when the minister was there, and there were questions asked and it became apparent that there was not one aboriginal community that was involved in the consultation on the white paper, and I hope that this minister went back to the drawing board and maybe realized that, as the member for Wellington (Ms. Barrett) says, they do not vote wrong. No, they do not vote wrong—that he went back and he indeed, before he came forward with this act, consulted with them.

I do not know if this minister is going to take the Preston Manning Reform view, the Reform Party view of aboriginal communities which is to try and treat

them like little municipalities. I mean, aboriginal communities have treaty rights and have land entitlement rights and constitutional rights that go far beyond a regular municipality. This legislation, I am concerned, is going to take the Preston Manning Reform Party view of aboriginal communities, and I think that the aboriginal communities are going to be very interested to see how this is going to affect them.

So after they have three years to develop their indicators which hopefully are going to get up to speed, I notice that they have changed the definitions to at least include some mention of issues related to social justice and equality, but once these indicators are made they have still got another four years to report on them, so again it is going to be seven years, Madam Speaker, before under this act we have to see any report on sustainable development indicators in our province. So they do not have to do anything, not only for the next election, they do not have to do anything on sustainable development indicator reports for two elections. That is the kind of legislating for inaction that we have in this legislation.

They continue on when we get into the section that deals with public sector operations, so this is the section of the act that is supposed to get them to change their own ways and the way they conduct their own business, and, again, they have three years after coming into force to establish their sustainable development code of practice and assist in integrating it into all their own decision making. Well, Madam Speaker, what have they been doing for the last seven to 10 years? They have had the sustainable development unit up. They have all the purple booklets, but they are giving themselves another three years with this legislation. Why three years? Why is three years the magic number? Why not a year and a half? Why not two years?

There has been some good work done by the International Institute on this area, particularly in the area of sustainable budgets. This government helped pay for it. They have had 10 years to implement it. They have not implemented one thing into their own practices. They have not changed one thing in terms of their own way of doing business, but they have another three years after that to do anything in terms of changing their own operations in government.

Now, one of the other things that they are going to require is for departments to integrate into their annual reports and processes requirements of information and progress on sustainable development activities, and my big question here is, what if they do not? I mean, always a big question mark after any of these things that they pronounce in this legislation is how are they going to enforce this? What if they do not? If a government department does not incorporate sustainable development, are they going to reduce their budget? Are they going to eliminate some staff? What are they going to do? It is just going to be words on the page, and we are going to see how, in fact, they are going to implement these things.

One of the more contentious areas in the legislation, probably the only thing that was left in the legislation that is at all really contentious is the procurement guidelines. Then again, they are giving themselves another two years, so it is likely going to be after the next election before they have to do anything in this area. They have to establish sustainable development procurement guidelines and cause those guidelines to be integrated into provincial procurement manuals and procedures.

Now, Madam Speaker, with all of these things, the government knows very well, and this minister and the Minister of Finance (Mr. Stefanson) know very well, you did not need this legislation to do this. You could have done this if you really wanted to all along. You could have implemented sustainable development procurement policies for the last 10 years since you have been in government if you really wanted to. You could have done this long ago. You did not need the legislation to do any of this. This could have all been done by government policy, and you could have consulted with departments. I am assuming the department consultation could have been done by this interdepartmental committee that has been meeting all along, but, no, it is in the legislation now. We will see if that means that you are actually going to change any of the ways that you do your shopping and you do your purchasing, if it is going to become any more responsible. We could cite a number of examples of how this government has done cross-border shopping, whether it has been—

An Honourable Member: Christmas trees.

Ms. Cerilli: –Christmas trees, whether it has been now the contracting out of the smart card not just to the Royal Bank but to some American—or the best one is when you have to book your campsite from the good old U.S. of A. Now how is that really going to match any procurement guidelines of this government? Does it benefit the economy in Manitoba to contract with companies—you know, telemarketing jobs are this government's legacy—but, yet, in this case the telemarketing company for reserving your park in Manitoba will not be set up here until 1998. I was in a provincial park not too long ago, picked up the brochure, and I wanted to see if they had put that 1-800 number on there, and the new fax sheet, you can bet, 1-800—where was it, Oregon? No. Where is it?

An Honourable Member: San Diego.

Ms. Cerilli: San Diego. So how is that going to match the government's new procurement guidelines?

Well, Madam Speaker, I am running out of time. I have not talked about the guidelines of the local authorities. We have not seen how they are going to get rural municipalities, how they are going to get hospitals, how they are going to get school divisions, to follow in the areas of sustainable development. We can see how they have done in this area, though; we can see how we can judge this government by how they have implemented guidelines for local jurisdictions or hospitals or school divisions to deal with affirmative action or pay equity. In those areas, they were supposed to require other jurisdictions to do that. That would have been a good precedent to see if they are going to be able to do it in this area. This government has done this in the past. The Minister for Sport (Mr. Stefanson) will know this. His sport policy is supposed to be implemented by school divisions. He cannot enforce it. He has no power or authority to enforce it, so we will see if their procurement guidelines are going to be able to be enforced onto rural municipalities, on hospitals, and on school divisions, and we will see if they are going to be able to follow this through.

The other thing that they are doing in this section is giving more responsibilities to the Auditor. They do not want their booklets, purple-and-green booklets, to be written by their Sustainable Development Unit and their round table.

* (2050)

An Honourable Member: Purple and green. They are trying to fool us. They are Tory blue.

Ms. Cerilli: They are Tory blue on the inside. As the member for St. James (Ms. Mihychuk) says, they are purple and green on the outside, but inside they are Tory blue. But I want to know, what does the Auditor think of this, the Provincial Auditor? Or another independent body? [interjection] Now there are those little weasel words in there again. They can get some undisclosed other independent body to undertake the review and provide a report on the progress of the provincial sectorial organizations that are implementing these sustainable development practices and activities.

Now we have seen today in the House another example of the independent nature when we look at the chief health inspector—not the chief health inspector. What is he called?

An Honourable Member: Medical Examiner.

Ms. Cerilli: Medical Examiner, the Chief Medical Examiner. Is that your idea of an independent body? Another example may be Barb Biggar. Is that going to be another organization, independent review body? Or you know who will get to do it? Jenny Hillard. Jenny Hillard will set up her own company and she will do the work of the Provincial Auditor.

They have their defeated Tory candidates running the health authorities, defeated candidates running all the Crown corporations whether they live in the U.S. or not. So, certainly, they can get their defeated Tory candidates to do the work of the Provincial Auditor and review the implementation of their sustainability practices.

Then we went to the area of terms of reference to be established. The minister shall issue terms of reference for review under subsection 1, and I am wondering if this is going to be in the regulation.

An Honourable Member: Do they not do a lot for regulation? This government has a history of governing by regulation.

Ms. Cerilli: Oh, they do have a history of regulation. But I have already pointed out—I have already pointed out how under this legislation, if they do put anything into regulation, there is a notwithstanding section, the notwithstanding clause. The Minister of Natural Resources (Mr. Cummings) has his own notwithstanding section that can ensure that any regulations they bring in that are sustainable development strategies are going to be overridden by existing regulations. So that is their approach to regulations here.

They are still looking for the ruling. I can keep going. Now, what did I mean by this note? This is the whole section on regulations. This is the one we were concerned about, and apparently the Minister for Natural Resources has given us his word in writing that they are not going to use Section 19 as their escape hatch. We know this government has done these types of things before where they have brought in by regulation major changes. Major changes.

So we have the minister's word that he will not bring in all of the dastardly amendments and sections of the White Paper on Sustainable Development into this legislation by regulation in order to sneak in his true agenda and intentions. He has given us his word. He has promised that any changes that are included in this draft policy that are sections that have been omitted will not be brought in by regulation, that they will indeed be brought in as amendments to this bill or as new legislation. He is on the record and we are going to hold him accountable.

But again, in this section there is nothing about consultation, there is no requirement in this legislation when he is contemplating his regulations that he has to consult with anybody. The minister can designate a board or commission, an association, a public sector organization for making this act apply to it, but nowhere in here do they have to consult on their regulations. I think that is three times I found where they do not have to consult with anybody.

Madam Speaker, I am going to just wrap up by saying a few things, and that is when we get to the sections on the Principles of Sustainable Development, because this is the area where we see that the government has definitely backed down, and when you compare these principles to the principles that were in their draft act,

you know that there is something up. You know that they were determined that this was going to get through the House, because this is one area where I think we would definitely distinguish ourselves from the government.

I think that our principles related to sustainable development would be far different from this government's, but we are going to be able to support this because they have watered down their agenda and turned it enough into something that, as I said earlier, the inconsequential amendment act, because I do not think this is going to make a hill of beans of a difference in terms of the sustainability of Manitoba but, because they have done that, these amendments are going to be a little easier to swallow.

But I just want to say that their colours do come out because, on every opportunity, if you read carefully, on prevention, for example, they always put consideration of economic issues first. It is economic, then environment, then human health, and then social effects of decisions and actions. So in those kinds of situations I do not yet think that this government really understands the concept of trying to integrate all those issues into what would be true sustainability. I do not think they would take a systems approach to these issues and look at how they could, for example, do some analysis of our food supply and distribution system to see if it is truly sustainable, or our water supply system or energy system. I do not think that they would try to go on an industry basis, for example, and to take a look at Manitoba industry by industry and see if there are things that we could do to make them more sustainable.

We will have to see if that is going to happen under this legislation, but I think with those comments I will conclude my remarks. I look forward to hearing any public presentations, those that could scramble themselves together quick enough to get something together, given this government's insistence on slamming this legislation through. Oh, I have already talked about how they brought it in on June 11. They know that they tried to wait as long as they could.

* (2100)

I just want to end off by making some reference to a report that was done by the Ontario Environment

Network, which is called Sustainability As If We Meant It, a document. This we will understand, that in a global village under sustainable development, the world is your backyard, and I do not think that this government really has any intention of changing anything, and this legislation is not going to do it.

Committee Changes

Mr. Edward Helwer (Gimli): I have some committee changes.

Madam Speaker: The honourable member for Gimli, with committee changes.

Mr. Helwer: Madam Speaker, I move, seconded by the member for Springfield (Mr. Findlay), that I rescind the composition of the Standing Committee on Law Amendments that I moved earlier today for Tuesday, June 24 at 10 a.m. It was Rossmere (Mr. Toews) for River East (Mrs. Mitchelson).

I move, seconded by the member for Springfield (Mr. Findlay), that the composition of the Standing Committee on Law Amendments be amended as follows for Tuesday, June 24 at 10 a.m.: Gladstone (Mr. Rocan) for River East (Mrs. Mitchelson).

I move, seconded by the member for Springfield (Mr. Findlay), that the composition of the Standing Committee on Economic Development for Monday, June 23, 7 p.m., as was moved in committee, be amended as follows: The member for Minnedosa (Mr. Gilleshammer) for the member for Fort Garry (Mrs. Vodrey).

I move, seconded by the member for Springfield (Mr. Findlay), that the composition of the Standing Committee on Economic Development for June 24, Tuesday at 10 a.m.: Niakwa (Mr. Reimer) for St. Vital (Mrs. Render), and Ste. Rose (Mr. Cummings) for Minnedosa (Mr. Gilleshammer).

Motions agreed to.

House Business

Hon. James McCrae (Government House Leader): Madam Speaker, with leave of the House I would

announce that the Standing Committee on Economic Development will sit while the House is sitting tomorrow afternoon at three o'clock to continue consideration of Bills 41 and 50 and 51.

Madam Speaker: The Standing Committee on Economic Development will sit tomorrow, Tuesday, commencing at 3 p.m. to continue to consider Bills 41, 50 and 51.

* * *

Ms. Rosann Wowchuk (Swan River): Madam Speaker, I would like to put a few comments on the record with regard to The Sustainable Development and Consequential Amendments Act. I was listening to my colleague the member for Dauphin (Mr. Struthers) talking about students in his classroom and their concern for the environment. I have to say that young people, the next generation, is much more conscious of environmental issues than our generation is, and they recognize that we have to do much more to protect it. Now I recall that a few years ago I was at a school where students were doing posters—there was an environmental contest on posters and the children's views over the years have changed. It is very obvious that they have many concerns about how we are using our resources and that they recognize that we have to work much more to protect those resources to ensure that they are there for future generations.

I think one thing that we have to remember is that, in the whole scheme of things, we are on this earth for a very short period of time and we have been given the responsibility of looking after the resources to ensure that they are protected for future generations to use. In the more recent years, we have not done nearly as good a job as our grandparents have. Our grandparents worked on a much smaller scale and were much more conscious—I speak from a rural perspective now—and they harvested our resources on a much smaller scale. They were not nearly as mechanized as we are, and our forefathers were more concerned about making a living for their families at a reasonable rate. They were not driven by industry in order to derive huge profits.

We have seen a tremendous change over the years as we look at how the forest industry has evolved, how the fishing industry has evolved, and as how farming has

evolved, too. We are working on a much larger scale, and there is a much greater impact on those resources. This government is known for its move to be more prodevelopment and less concerned about protecting the environment and protecting our resources, and that was quite clear when we saw the first draft bill that this was based on.

When the government put out that white paper on sustainable development, it became very clear that the public was not happy with what the government was doing, the public was concerned that they were not consulted adequately and, certainly, there were concerns from all walks of life. There were concerns raised by municipalities because their powers we were taking away, concerns by the Chamber of Commerce, aboriginal people, from unions, from the forestry industry. People from all walks of life were concerned that the legislation that the government was bringing forward or proposing under their draft legislation was very pro—as a quote from one of the people in the Sustainable Development Unit, that The Sustainable Development Act would be unabashedly pro development, and people within the communities were very concerned in the direction that this government was going and spoke out very clearly, and the government decided to listen.

So the government has brought forward an act that is much weaker than the original act that was proposed. Certainly, this act will not override the municipal governments or the municipal board and not create new administrative costs for municipalities. So the legislation that has been brought forward, as my colleague the member for Radisson (Ms. Cerilli) indicated, that all of the things that are being proposed under this watered-down act could be done by government policy, and there really is no need for this legislation. The need for the legislation is to ensure that the government or the Premier (Mr. Filmon) has some piece of legislation to go to when he goes to the anniversary of the Rio conference.

* (2110)

I want to just talk briefly about what this government is doing and really their record on the environment and what they have been doing and how sustainable their efforts have really been. I would like to speak about it

first from the agricultural side of things. One of the big issues that we hear a lot about is the increase of the hog industry. We know that this industry is going to grow in Manitoba, and it can grow. It did grow before in the past when there was a demand. The hog industry doubled. What we have now is a concern that the industry is growing in areas where there will be environmental problems. We use the example often of the Interlake, where there is a low water table, but there is a growth of the hog industry and hog barns in that area. Although that industry is going to grow, the government must take responsibility to ensure that it is done in a sustainable way. Much more work has to be done by government in taking a leadership role to ensure that those resources are not damaged by this industry growing.

I had the opportunity to go on a tour a few days ago with the media, where there were demonstrations on waste management, because in the hog industry there is a tremendous amount of waste. There have been some things, good things done in looking at how we can manage the waste, but there is much more to be done. If this industry is going to be doubled, there is much more. That is one area that I would be critical of, both the provincial and the federal government, and that is when we look at the amount of money that is being spent on agriculture research. We could be doing much more to ensure that as the industry grows that wastes are managed properly and that the industry grows in a sustainable way.

In other areas where there are very large hog operations, much more money is going into research on how wastes should be managed. I know there is some work being done with respect to odours here in the University of Manitoba, and that is a good project, but there has to be more. I think that we have to look at, when we get to these large operations, how we can manage the waste that it can be reduced to a dry state so that it can be another valuable by-product of the industry.

So as we look at the agriculture industry we have to ensure that as the industry grows, whether it is hogs or whether it is grain production, that we also look at, that we are having a sustainable community. One of the problems we have in the agriculture industry, and I view it as a problem, is that farms are getting bigger

and bigger. As a farm gets bigger, another family is displaced, another family moves to the city, and we lose the sustainability of the rural community. So I believe there is much more to sustainable development than economic growth. We also have to look at the sustainability of our communities and what kind of social environment we are leaving behind.

The other area that we have is the fishing industry. I worry about our fishing industry and how sustainable that really is. I think that is one area where the government in fact has done a poor job of working with the people in the fishing industry with restocking lakes and having some good discussion about how the industry can be sustained, how we can see the fish stocks enhanced rather than shoving it aside as a problem of overfishing, but not really addressing, looking at how we can do it. Suggestions have been put forward by the department on some cases, for example on Lake Winnipegosis about shutting down the fishing for the summer season, but you have to think that through. If you shut down the lake for the fishing season, what is the impact on the community? Will those communities then be sustainable? Are we going to displace more people or are they going to end up on social assistance?

Those are things that we have to work on much more and I do not believe that this government has addressed very well. That is one area where the government could do a better job of communicating with the aboriginal population.

Madam Speaker, earlier we were also talking about—my colleague mentioned the issue of jobs in Manitoba and the fact that we are contracting so many things out. I have to put on the record concerns that were brought to my attention by people in my constituency who were planning to go to Wellman Lake for the long weekend. So they called up this toll-free number, and when they called up, the question was, well, what state is Wellman Lake in?

An Honourable Member: What state?

Ms. Wowchuk: What state? And this is how we are promoting Manitoba. Then the second question—they said that they wanted to go to Wellman Lake this weekend, and they were told, no, I am sorry, you

cannot book this weekend because you need eight days to get your cheque here to pay for this. So now the people who are wanting to go to the lake cannot go to the lake because our government has decided to contract the work out to—

An Honourable Member: In Canadian dollars or U.S. dollars?

Ms. Wowchuk: I am not sure if they have to pay in American dollars or Canadian dollars, but I can tell you that people in my area are very frustrated with the approach our government, this government, this Conservative government, is taking when it comes to providing jobs for Manitobans and for promoting Manitoba. It does not sound very good for Manitobans when they phone up on a toll-free number, and the people at the other end of the line do not even know where Manitoba is, whether it is in the States or whether it is in Canada, and people are told, no, you cannot get a spot at the park this year because you have to wait eight working days—your cheque will not get here in time. So, as a result of policies of this government, if they do not address the issue, we are going to have empty parks on the long weekend. I am glad the minister is listening, and I hope that he will look at that problem and look at ways to resolve it.

So, Madam Speaker, we can have true sustainability. Everything does not have to be driven by economics. We have to think about what is right for the people in our province. We have to be sure that the resources that we have here are going to be there for our children to use as well.

In the Swan River Valley where we have a thriving forest, we have to ensure that forest is there for our children and then for our grandchildren. In our family, there are three generations now who were able to supplement their income by logging. I want that opportunity to be there for my grandchildren and great-grandchildren, to be able to use that resource to supplement their income if they so choose to farm, as did our grandparents and our parents and as we do. So, clearly, we believe that there is a need to update the environmental policies for the 21st Century, and, as an alternative, we proposed that increases—that we have to have an increased transparency of standards that allow for greater public involvement.

I hope that under this legislation we will have that opportunity for greater public involvement; but, as we can tell from the legislation, we will not see the implications of this legislation because the indicators—the results of this bill will not come to light for two years and up to seven years before we know the real implications. But we know that this government is driven more by economics, and we know that, if they would not have gotten the backlash that they did from their white paper, we would have seen legislation brought forward that was pro development, legislation that was taking away local decision making and local control, and it would reduce public input into decision making and would prevent appeals on decisions made by the minister or the commissioner-director. The proposals that were put forward by this government were very much opposed by the sustainable environmental community, very much opposed by many people at the municipal level, the band levels, Chamber of Commerce level, very much opposed to it.

So now we have a watered-down piece of legislation, but the government also has the ability through regulation to bring in many of the things that they were proposing in this white paper. So I hope that the minister—the minister says it is not true—I hope that it is not true, and we will hold him to his word. If he says that, we would hope that he would be very aware that people are very concerned about their environment. People are very concerned about the resources and they are concerned about the communities that we live in.

So with those few words, I would tell the Minister of Environment that because this is such a watered-down bill, we would have no objection to the bill, but we will be scrutinizing the government very closely as they proceed and watch what they are proposing to do by regulation.

* (2120)

But I would encourage the government that when they make these commitments, when they go off to these conferences in other parts of the world that they come back to Manitoba and really live up to what they say and work to have a sustainable community. Do not just go away and talk to the top. Come back and walk the walk and ensure that we do things in a sustainable

way, that our communities can grow in a healthy environment, that our resources are used in a sustainable way and that it is not all just driven by profit, that it is driven by the goal of providing a better place for people to live, because that is what we are here for, to ensure that people have the opportunity to live in a healthy environment, work in a safe community, and have long-term security in their jobs. If we are driven by other things, we will not have that opportunity to pass on those resources. We have the responsibility to provide true sustainability.

Ms. Becky Barrett (Wellington): Madam Speaker, the concept of sustainability or of stewardship or sustainable development is not a new concept. We were talking earlier this evening about the etymology of the word “steward” in stewardship and how I was actually trying to come up with a gender neutral word that would convey what stewardship means. I guess being a chatelaine is probably the female counterpart, but the concept of being a steward for our resources is a very old one. I think it must go back to biblical times, although I must say, the Bible did say in the Old Testament to Adam and Eve and to the first humans to go there forth and multiply and take dominion over the fish of the sea and the birds of the air and—

An Honourable Member: Do not eat the apple.

Ms. Barrett: This was after the apple was eaten. I think that concept that humankind was in control, that the possibilities were endless, that all we needed to do was just move forward and onward and upward and exploit, was positive. That concept stood us actually in good stead for thousands and tens of thousands of years while the world was still small, while the number of people was small, while the areas to be explored were vast and undeveloped.

In the middle ages I think the concept of steward changed again or was modified to mean when a nobleman, usually a nobleman or a king, went away to fight the Crusades or went away to fight wars or burn and rape and pillage as men are wont to do, they left stewards behind to ensure that their lands and their holdings and their chattels and their women and their serfs and their villeins and their yeomen, et cetera, were all not only preserved but enhanced, and that again was the role of a steward. Today things have changed.

The concept of sustainable development, the concept of stewardship, the concept of conservation are very different than they were maybe even 20 or 30 years ago, and they are more important than they have ever been in the past. As a race, humankind, we must be aware of, and I think in many cases we are not aware of, certainly not—we certainly give only lip service to the problems that we face in dealing with our environment. We have to start being more understanding about not only the problems we face, but the interconnectedness of those problems. The member for Radisson (Ms. Cerilli) spoke briefly about that earlier tonight, and I think that is something that is potentially missing in this legislation. It has certainly been missing in the legislation and the actions of this government when they deal with environmental issues, sustainable development issues and all of the interconnecting components that should go into making up a good sustainable development policy and set of laws and regulations.

I think I first became aware, I am remembering back, of the whole issue of the environment really in April 1970, which was the first Earth Day, and I was living in Berkeley, California, at the time. We had a very large celebration of Earth Day, and it was an exciting time. You had a sense that things could change. You had a sense that if only we had the will we could make things happen. We could have an environment that we could share and act as good stewards and carry on for our families and generations unborn. Those were the days when we thought we could do it, and it would be, as we thought, we could do much. Ah, youth.

I think 27 years later we are a little older and a little wiser perhaps. All of us are a little older; some of us are a little wiser. The problem with the government, this provincial government, all along in this whole concept of sustainable development, the environment and all of those issues, is that they talk the talk, they do not walk the walk. They use the words, but the meanings of those words are twisted and turned inside out in some cases. Their concept of sustainable is not recognized in the actions of this government. The concept of development is, but not put together with sustainable. The minister talks about it, the government talks about it; but they do not in fact act on those principles.

All three of the speakers tonight have spoken of examples of where this government has fallen down, and I believe, Madam Speaker, fallen down not through mistakes or errors of omission, but through specific programs and policies and visions and errors of commission. They have deliberately misinterpreted the concept of sustainable development. They have not paid attention in a positive way to the concerns that should engage us all if we truly are committed to leaving a better world for our children and our grandchildren than the world that we found. Unfortunately, in the province of Manitoba today, we do not have a better world than we did 10 years ago, 15 years ago, 20 years ago, and we are heading down the slippery slope towards a province that is totally unsustainable.

One of the issues that I would like to speak about, about the government's statements and how their actions belie their statements and their words, and the minister who is bringing forward this legislation is well aware of it because he was the Minister of Environment when this came forward, and that is the BFI issue.

This was a situation where the government said, no, we will not do anything. We will not give this multinational corporation with a dreadful record for decades, hundreds of millions of dollars over the last 30 years in fines that have been levied on BFI, we will not give them the Rosser landfill until we have had good and sufficient and complete environmental hearings by the Clean Environment Commission, and we will lay out all the parameters, all the terms of reference. Fine-sounding words. They had two sets of hearings, and the second set of hearings on the specific proposal should never have taken place because the conditions were not met.

* (2130)

The first set of hearings from the Clean Environment Commission, they supposedly were not to be dealing with the BFI proposal but to be dealing with the whole idea of sustainable development and waste management in the Capital Region, but half of the presentation was from BFI, an unbelievable, glitzy and glamorous presentation. All the way along the line, we knew that the fix was in. We knew, the City of Winnipeg knew, the opposition knew, the environmental community

knew that the government was not interested in sustainable development. They were not interested in realistic, real waste management in the Capital Region. They do not care about waste management strategies for the entire Capital Region. They wanted to give this Rosser landfill site to a large multinational, dreadful corporate citizen, and, of course, in the first set of Clean Environment Commission hearings, the government would not allow the history and the background and the corporate degradation that has followed in the wake of BFI over decades. They would not allow that to be part of the record.

So you could not talk about BFI in the specifics in the first situation because it was out of scope. Then between the first set of hearings and the second set of hearings was supposed to be a regional strategy. There was never a regional strategy developed. The only strategy was how soon can we get this thing through in the face of every single city councillor in the City of Winnipeg unanimously condemning this proposal. I would like to ask members opposite, one, two, two of whom are former city councillors in the City of Winnipeg, more than that, sorry—several of whom are former city councillors, when the last time was that there was something unanimously voted on other than a proclamation of some innocuous week or day; certainly nothing as important as the waste management system for the entire city of Winnipeg and the Capital Region. That City Council never agrees entirely on anything, and they agreed completely on this.

I never spoke with a single resident in the city of Winnipeg—while that whole process was underway, we were out as a caucus talking in a number of communities in the city of Winnipeg, and residents brought up to us, what is happening with BFI? Why is the government allowing BFI to go into Rosser? People understood the environmental concerns. The citizenry were not unaware of what was happening. This is one example among many of how this government engages in doublespeak. They say one thing, they do another, and we have example after example of that.

Madam Speaker, this particular piece of legislation, while it is an improvement over the draft legislation and the white paper—[interjection] The minister says it is a very user-friendly piece of legislation. Define user, Mr.

Minister. If by user you mean the round table, all of whom are appointed by the government, the Sustainable Development Coordination Unit, the Inter-Departmental Planning Board, none of these are organizations or groups that are external at all. They are all totally controlled by the government. These groups have total control over definitions and implementation processes and regulations. How is this a user-friendly piece of legislation? The concept in this piece of legislation is going to bear very serious watching, and the community will be watching.

Several other concerns in this legislation and in other legislation that has been before us in the last while deal with the movement on the part of this government in many ministries, not just in the Ministry of Natural Resources, but in Education, in health care, in Justice, in other areas. What is happening is a removal of the transparency and the accountability component of legislation and of the government. Our system is a delicate system of checks and balances. We do not have the same kind of government that they have in the United States, for example, where there are checks and balances built in the Legislature. So there are three components. There is the House of Representatives, there is the Senate and then there is—well, actually, there are four—House of Representatives, the Senate, the Presidency, the Executive Branch, and then the Judicial Branch. They are all very interdependent. They all provide checks and balances.

The parliamentary system does not do that. The parliamentary system is a unicameral—at least in the provinces—system. So we 57 members are the government. There is not another governmental body that connects and looks at what we do. We are it. So our checks and balances have got to be internal, and one of the ways that we have been ensured as opposition, and the members opposite when they were in opposition and will be again—one of the best ways that we ensure accountability for the government is through the use of Orders-in-Council. Where regulations and changes, implementation of legislation goes through Orders-in-Council. That provides some accountability, that provides some transparency because those Orders-in-Council are open to the public. They are open to the opposition, and they are open to the public.

Once you start circumventing that Order-in-Council process, which has been done in at least three or four pieces of legislation this session and last, you make that transparency more opaque. Now the government can, by regulation, make changes. We never know what the regulations are going to say. Unless you become personally involved, you are not going to know what is going to happen, unless you have the impact of it, and by then it is too late. What this does is it takes away the accountability of the government and it gives them more power at the same time. That is a bad thing for democracy, and it is a bad thing for the province of Manitoba, particularly when we have seen nine years of legislation of this government in the areas of the environment that have done nothing to help the environment, but they have only made it less sustainable.

The other situation that was raised by several of my colleagues today is the fact that communities, the stakeholders, the various groups that are going to be impacted by this legislation, that are impacted by all environmental legislation, have said in the past and will continue to say, I am sure, we need to know what it is that you expect of us. You be clear, you be consistent and you be straightforward. And that is another part of the system that has been sorely lacking and that people were very concerned about with the draft legislation and the white paper. What are the standards for doing business, what are the environmental standards? We need to know that. Businesses need to know that so that they can follow them.

It may be very difficult for the government to believe, but we are not antibusiness; we are not suggesting for a moment that the vast majority of businesses are not good citizens. After all, they live in the community just as everyone else does. Their livelihood rises and falls directly or indirectly with how healthy an environment we all have. They are prepared to participate as full shareholders in this process, but please give them the material they need to do their jobs, i.e., give them good, concise, straightforward, clear regulations, clear guidelines, clear principles.

Well, Madam Speaker, that does not happen often, and when you look at the timetable in this piece of legislation, it could be seven years before that happens.

How much environmental deprecation could there take place in seven years? The government needs to listen to people, needs to listen to all of the community.

* (2140)

One other area that I would like to speak to is the whole area of how other people get involved in the process. When you have legislation, particularly when it is environmental legislation, you often have major issues that come before you. Louisiana-Pacific, BFI are only two examples, and as has been stated here earlier today, what tends to happen is that the large corporate segments of our population which are the groups that are listened to most assiduously by this government have access to legal counsel, they have access to research, they have access to people that can write reports and make presentations. Anybody who was at the CEC hearings on BFI knows how money can talk. It is very important, and we believe very clearly, that you need to have intervenor funding available when there are issues of concern. When a community or a group wants to take a corporation or a business to court over environmental issues, there should be intervenor funding available for that sort of thing to happen. You do not see that happening.

In conclusion, Madam Speaker, this is not an environmentally friendly or a user friendly piece of legislation. It is better than what was being proposed, but it is certainly far from a good piece of legislation and should it pass, we will be monitoring very carefully the implementation of that. I can guarantee you that within the next two years or whenever the provincial government, whenever the Premier, the current Premier, calls the next election and the results of that election are known, the new government, the government that I am convinced will be an NDP government, will dismantle the elements of these pieces of legislation that are harming our environment, not helping it.

Thank you, Madam Speaker.

Committee Changes

Mr. Edward Helwer (Gimli): Madam Speaker, I would like to correct some of the committee changes.

I move, seconded by the member for Gladstone (Mr. Rocan), that we rescind the composition of the Standing Committee on Economic Development for Tuesday, June 24, at 10 a.m. be amended as follows: Niakwa (Mr. Reimer) for St. Vital (Mrs. Render). That is to be rescinded.

I move, seconded by the member for Gladstone (Mr. Rocan), that I also rescind the composition of the Standing Committee on Law Amendments for Tuesday, June 24, at 10 a.m. It was Gladstone (Mr. Rocan) for River East (Mrs. Mitchelson).

I move, seconded by the member for Gladstone (Mr. Rocan), that the composition of the Standing Committee on Law Amendments for Tuesday, June 24, be amended as follows: Niakwa (Mr. Reimer) for River East (Mrs. Mitchelson).

Motions agreed to.

Madam Speaker: Is the House ready for the question? The question before the House is second reading of Bill 61, The Sustainable Development and Consequential Amendments Act. Is it the will of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

House Business

Hon. James McCrae (Government House Leader): Madam Speaker, I wish to announce that in addition to the bills already scheduled for consideration by the Economic Development committee on Tuesday, June 24, 10 a.m., which are Bills 12, 36, 44, 53 and 59, the committee will also consider the following bills: 61, 300, and 301.

Madam Speaker: To reiterate the announcement by the honourable government House leader that in addition to the bills already scheduled for consideration by the Economic Development committee scheduled for Tuesday, June 24, at 10 a.m., those bills were 12, 36, 44, 53 and 59, the committee will also consider the following bills: Bill 61, Bill 300 and Bill 301.

What is the will of the House?

Mr. McCrae: Madam Speaker, will you please call the report stages, beginning at page 3 of the Order Paper?

REPORT STAGE

Bill 2—The Arbitration and Consequential Amendments Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Justice (Mr. Toews), I move, seconded by the Minister of Finance (Mr. Stefanson), that Bill 2, The Arbitration and Consequential Amendments Act (Loi sur l'arbitrage et modifications corrélatives), reported from the Standing Committee on Economic Development, be concurred in.

Motion agreed to.

Bill 3—The North American Environmental and Labour Cooperation Agreements Implementation Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Industry, Trade and Tourism (Mr. Downey), I move, seconded by the honourable Minister of Natural Resources (Mr. Cummings), that Bill 3, The North American Environmental and Labour Cooperation Agreements Implementation Act (Loi sur la mise en oeuvre des accords nord-américains de coopération dans les domaines de l'environnement et du travail), reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

Motion agreed to.

Bill 4—The Steam and Pressure Plants Amendment Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Labour (Mr. Gilleshammer), I move, seconded by the honourable Minister of Rural Development (Mr. Derkach), that Bill 4, The Steam and Pressure Plants Amendment Act (Loi modifiant la Loi sur les appareils sous pression et à vapeur), reported from the Standing

Committee on Public Utilities and Natural Resources, be concurred in.

Motion agreed to.

Bill 5—The Mineral Exploration Incentive Program Repeal Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Energy and Mines (Mr. Newman), seconded by the honourable Minister of Finance (Mr. Stefanson), I move that Bill 5, The Mineral Exploration Incentive Program Repeal Act (Loi abrogeant la Loi sur le programme d'encouragement à l'exploration minière), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 6—The Natural Gas Supply Repeal and Public Utilities Board Amendment Act

Hon. James McCrae (Government House Leader): On behalf of the honourable Minister of Energy and Mines (Mr. Newman), I move, seconded by the honourable Minister of Highways and Transportation (Mr. Findlay), that Bill 6, The Natural Gas Supply Repeal and Public Utilities Board Amendment Act (Loi abrogeant la Loi sur l'approvisionnement en gaz naturel et modifiant la Loi sur la Régie des services publics), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 7—The Midwifery and Consequential Amendments Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Health (Mr. Praznik), I move, seconded by the honourable Minister of Urban Affairs (Mr. Reimer), that Bill 7, The Midwifery and Consequential Amendments Act (Loi sur les sages-femmes et modifications corrélatives), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 8—The Real Property Amendment Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Consumer and Corporate Affairs (Mr. Radcliffe), I move, seconded by the honourable Minister of Education and Training (Mrs. McIntosh), that Bill 8, The Real Property Amendment Act (Loi modifiant la Loi sur les biens réels), reported from the Standing Committee on Law Amendments, be concurred in.

* (2150)

Motion agreed to.

Bill 9—The Public Utilities Board Amendment Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Consumer and Corporate Affairs (Mr. Radcliffe), I move, seconded by the honourable Minister of Natural Resources (Mr. Cummings), that Bill 9, The Public Utilities Board Amendment Act (Loi modifiant la Loi sur la Régie des services publics), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 13—The Insurance Amendment Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Consumer and Corporate Affairs (Mr. Radcliffe), I move, seconded by the honourable Minister of Rural Development (Mr. Derkach), that Bill 13, The Insurance Amendment Act (Loi modifiant la Loi sur les assurances), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 14—The Pension Benefits Amendment Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Labour (Mr. Gilleshammer), I move, seconded by the honourable Minister of Finance (Mr. Stefanson),

that Bill 14, The Pension Benefits Amendment Act (Loi modifiant la Loi sur les prestations de pension), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 17—The Retail Businesses Holiday Closing Amendment Act

Hon. James McCrae (Government House Leader): On behalf of the honourable Minister of Labour (Mr. Gilleshammer), I move, seconded by the honourable Minister of Natural Resources (Mr. Cummings), that Bill 17, The Retail Businesses Holiday Closing Amendment Act (Loi modifiant la Loi sur les jours fériés dans le commerce de détail), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 18—The Emergency 911 Public Safety Answering Point Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Highways and Transportation (Mr. Findlay), I move, seconded by the honourable Minister of Rural Development (Mr. Derkach), that Bill 18, The Emergency 911 Public Safety Answering Point Act (Loi sur les centres téléphoniques de sécurité publique—service d'urgence 911), reported from the Standing Committee on Agriculture, be concurred in.

Motion agreed to.

Bill 19—The Human Rights Code Amendment Act

Hon. James McCrae (Government House Leader): On behalf of the Attorney General (Mr. Toews), I move, seconded by the honourable Minister of Education and Training (Mrs. McIntosh), that Bill 19, The Human Rights Code Amendment Act (Loi modifiant le Code des droits de la personne), reported from the Standing Committee on Economic Development, be concurred in.

Motion agreed to.

Bill 20—The Summary Convictions Amendment Act

Hon. James McCrae (Government House Leader): On behalf of the Attorney General (Mr. Toews), I move, seconded by the honourable Minister of Urban Affairs (Mr. Reimer), that Bill 20, The Summary Convictions Amendment Act (Loi modifiant la Loi sur les poursuites sommaires), reported from the Standing Committee on Economic Development, be concurred in.

Motion agreed to.

Bill 23—The Manitoba Public Insurance Corporation Amendment Act

Hon. James McCrae (Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Rural Development (Mr. Derkach), that Bill 23, The Manitoba Public Insurance Corporation Amendment Act (Loi modifiant la Loi sur la Société d'assurance publique du Manitoba), reported from the Standing Committee on Law Amendments, be concurred in.

Bill 24—The Personal Property Security Amendment and Various Acts Amendment Act

Hon. James McCrae (Government House Leader): On behalf of the honourable Minister of Consumer and Corporate Affairs (Mr. Radcliffe), I move, seconded by the honourable Minister of Finance (Mr. Stefanson), that Bill 24, The Personal Property Security Amendment and Various Acts Amendment Act (Loi modifiant la Loi sur les sûretés relatives aux biens personnels et d'autres dispositions législatives), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 25—The Proceeds of Crime Registration Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the Minister of Consumer and Corporate Affairs (Mr. Radcliffe), seconded by the

honourable Minister of Natural Resources (Mr. Cummings), I move that Bill 25, The Proceeds of Crime Registration Act (Loi sur les enregistrements relatifs aux produits de la criminalité), as amended and reported from the Standing Committee on Economic Development, be concurred in.

Motion agreed to.

Bill 26—The Corporations Amendment Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the Minister of Consumer and Corporate Affairs (Mr. Radcliffe), seconded by the honourable Minister of Highways and Transportation (Mr. Findlay), I move that Bill 26, The Corporations Amendment Act (Loi modifiant la Loi sur les corporations), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 28—The Emergency Measures Amendment and Consequential Amendments Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister of Government Services (Mr. Pitura), I move, seconded by the honourable Minister of Urban Affairs (Mr. Reimer), that Bill 28, The Emergency Measures Amendment and Consequential Amendments Act (Loi modifiant la Loi sur les mesures d'urgence et modifications corrélatives), reported from the Standing Committee on Economic Development, be concurred in.

Motion agreed to.

Bill 29—The Education Administration Amendment Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the honourable Minister

of Education and Training (Mrs. McIntosh), I move, seconded by the honourable Minister of Rural Development (Mr. Derkach), that Bill 29, The Education Administration Amendment Act (Loi modifiant la Loi sur l'administration scolaire), reported from the Standing Committee on Economic Development, be concurred in.

Motion agreed to.

Bill 30—The Farm Practices Protection Amendment Act

Hon. James McCrae (Government House Leader): Madam Speaker, on behalf of the Minister of Agriculture (Mr. Enns), I move, seconded by the honourable Minister of Highways and Transportation (Mr. Findlay), that Bill 30, The Farm Practices Protection Amendment Act (Loi modifiant la Loi sur la protection des pratiques agricoles), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 31—The Livestock and Livestock Products and Consequential Amendments Act

Hon. James McCrae (Government House Leader): Madam Speaker, finally, on behalf of the honourable Minister of Agriculture (Mr. Enns), I move, seconded by the honourable Minister of Urban Affairs (Mr. Reimer), that Bill 31, The Livestock and Livestock Products and Consequential Amendments Act (Loi sur les animaux de ferme et leurs produits et modifications corrélatives), as amended and reported from the Standing Committee on Agriculture, be concurred in.

Motion agreed to.

Madam Speaker: The hour being 10 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Tuesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 23, 1997

CONTENTS

ORDERS OF THE DAY (Continued)			
Second Readings—Private Bills		Bill 4, Steam and Pressure Plants Amendment Act	5188
Bill 300, TD Trust Company and Central Guaranty Trust Company Act		Bill 5, Mineral Exploration Incentive Program Repeal Act	5189
Laurendeau	5161	Bill 6, Natural Gas Supply Repeal and Public Utilities Board Amendment Act	5189
Doer	5161	Bill 7, Midwifery and Consequential Amendments Act	5189
Lamoureux	5162	Bill 8, Real Property Amendment Act	5189
Bill 301, Bank of Nova Scotia Trust Company, Montreal Trust Company of Canada and Montreal Trust Company Act		Bill 9, Public Utilities Board Amendment Act	5189
Laurendeau	5163	Bill 13, Insurance Amendment Act	5189
Doer	5163	Bill 14, Pension Benefits Amendment Act	5189
Lamoureux	5164	Bill 17, Retail Businesses Holiday Closing Amendment Act	5190
Proposed Resolutions		Bill 18, Emergency 911 Public Safety Answering Point Act	5190
Res. 9, Diabetes and Aboriginal Health		Bill 19, Human Rights Code Amendment Act	5190
Laurendeau	5164	Bill 20, Summary Convictions Amendment Act	5190
Lathlin	5165	Bill 23, Manitoba Public Insurance Corporation Amendment Act	5190
Robinson	5165	Bill 24, Personal Property Security Amendment and Various Acts Amendment Act	5190
Lamoureux	5166	Bill 25, Proceeds of Crime Registration Act	5190
Debate on Second Readings		Bill 26, Corporations Amendment Act	5191
Bill 61, Sustainable Development and Consequential Amendments Act			
Struthers	5167		
Lamoureux	5172		
Cerilli	5172		
Wowchuk	5181		
Barrett	5184		
Report Stage			
Bill 2, Arbitration and Consequential Amendments Act	5188		
Bill 3, North American Environmental and Labour Cooperation Agreements Implementation Act	5188		

Bill 28, Emergency Measures Amendment
and Consequential Amendments Act 5191

Bill 29, Education Administration
Amendment Act 5191

Bill 30, Farm Practices Protection
Amendment Act 5191

Bill 31, Livestock and Livestock Products
and Consequential Amendments Act 5191