

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 p.m., Thursday, May 20, 1976

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to direct the attention of the honourable members to the gallery where we have 27 students and 5 teachers from Eskimo Point, North West Territories. These students are the guests of the Honourable First Minister.

Hosting the guests from Eskimo Point are 25 students from Andrew Mynarski School. This school is located in the constituency of the Honourable Member for Inkster, the Honourable Minister of Mines and Natural Resources.

We are also pleased to have the Executive Director of the Canadian Council of Christians and Jews here with us, Mrs. Olga Fuga.

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

We also have 54 students, Grade 4 standing of the Harrow School under the direction of Mr. Muldrew. This school is located in the constituency of the Honourable Member for Crescentwood. On behalf of the honourable members I welcome this school as well.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees. The Honourable Member for Ste. Rose.

REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. A. R. (Pete) ADAM (Ste. Rose): On behalf of the Member for Radisson I beg to present the Third Report of the Committee on Economic Development.

MR. CLERK: Your Committee met on Thursday, May 20, 1976, to consider the Annual Reports of Manitoba Forestry Resources Ltd. and A. E. McKenzie Co. Ltd.

Having received all information desired by any member of the Committee from Mr. Leifur J. Hallgrimson, Chairman of the Board of Directors of Manitoba Forestry Resources Ltd., and Mr. R. A. Clement, Q.C., Chairman of the Board of Directors of A. E. McKenzie Co. Ltd., the following reports were, by resolution of the Committee, adopted:

Manitoba Forestry Resources Ltd., for the year ended September 30, 1975,  
A. E. McKenzie Co. Ltd., for the year ended October 31, 1975.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. ADAM: I'd like to move, seconded by the Honourable Member for Point Douglas, that the report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: Ministerial Statements and Tabling of Reports. The Honourable Minister of Mines.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, I'd like to schedule the Committee on Economic Development for Thursday next to receive the Report of the Manitoba Development Corporation, 10 o'clock, and if proceedings are not terminated by 12:30 again at 8:00 o'clock in the evening.

MR. SPEAKER: The Honourable Leader of the Opposition have a question?

MR. DONALD W. CRAIK (Leader of the Official Opposition) (Riel): Mr. Speaker, on this question. I wonder if the Minister can indicate when the Public Accounts Committee will be called and also when the Public Utilities Committee will be called.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, I will indicate when they are going to be called.

MR. SPEAKER: Any other Ministerial Statements or Tabling of Reports? Notices of Motion; Introduction of Bills; The Honourable Member for Morris.

INTRODUCTION OF BILLS

MR. WARNER H. JORGENSEN (Morris) introduced Bill 71, an Act to authorize The Town of Morris to acquire certain Real Property and to validate By-law No. 5/76.

MR. SPEAKER: Questions. The Honourable Leader of the Opposition.

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MR. CRAIK: Mr. Speaker, I direct a question to the House Leader and ask him if it is the intention of the government to call the Public Accounts Committee before the end of this session?

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, we're going to deal with each committee as and when time permits, and I expect that the session will be proceeded with on a normal basis.

MR. CRAIK: Mr. Speaker, I must ask the House Leader if it is the intention of the government to call another meeting of the Public Utilities Committee.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, my answer to that is the same as my answer to the previous question.

MR. CRAIK: Well, Mr. Speaker, then I ask the House Leader if he is then trying to tell us that the government may not call the Public Accounts Committee nor the Public Utilities Committee?

MR. GREEN: Mr. Speaker, my answer to that question is the same as my answer to the previous questions. The session will proceed in a normal manner as it has been proceeded with in all of the years that I or the honourable member has been a member of the House.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SIDNEY SPIVAK, Q.C. (River Heights): Mr. Speaker, to the House Leader. I wonder if he can indicate when the House will receive the tax bills.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, when they are introduced for first and second readings. That will also be done normally.

MR. SPEAKER: The Honourable Member for Wolseley.

MR. ROBERT G. WILSON (Wolseley): Thank you, Mr. Speaker. To the Minister of Consumer Affairs. Has the Minister asked his department to investigate the extravagant claims by the manufacturers of this Buzz-Off mosquito machine?

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

HON. IAN TURNBULL (Minister of Consumer, Corporate and Internal Services) (Osborne): Mr. Speaker, I often wish I had a buzz-off machine with me in the House. I will certainly enquire, Mr. Speaker, into the claims made for this machine and determine whether or not anything can be done to make the claims for any advertising more realistic.

MR. WILSON: I wondered, Mr. Speaker, if the Minister could tell me - two scientists did claim they had no value against the female species - I wonder what department in the Minister's large staff would investigate this matter, what section of his department?

MR. TURNBULL: Mr. Speaker, it would likely be a matter that would be referred to the Federal Government's Consumer Affairs Branch here in the city for examination and the misleading advertising which of course is a provision in the Combines Investigation Act, not in the provincial Consumer Protection Act - of the 20 or so people in Consumer Affairs, one of them will be taking whatever action is appropriate and necessary in this case.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, I direct this question to the First Minister. I note that the University of Winnipeg senate has moved to restrict the application of foreign students in the coming year. In view of the statements made by the First Minister as well as by the Minister of Education, I believe that national co-operation . . .

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MR. SPEAKER: Question please.

MR. ENNS: . . . should be given to this question. Is the First Minister and his government entering into any discussions with our universities with the thought perhaps of holding off on this kind of action until such national consideration be given to the problem?

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Well, Mr. Speaker, during the month of June the matter of post-secondary and other Dominion-Provincial fiscal arrangements will be on the agenda of Federal-Provincial conferences, at which time the question of consistent application of policy in Canada with respect to foreign students would well be discussed. As I indicated in the debate on Estimates, I believe the Honourable Member for Lakeside was here, that there is no way that one province or a minority or provinces can presume to carry on in a normal fashion if other provinces in Canada are putting in substantially differential fees for non-resident students.

MR. ENNS: A supplementary question, Mr. Speaker, directed to the First Minister. Is it my understanding that the Manitoba Government's general position to such a conference would be one of support of arriving at a national consensus and equitability in treatment for all Canadian universities in this matter rather than seeking out the position that individual universities be left to decide at their discretion the entry or non-acceptability of foreign students?

MR. SCHREYER: Well certainly, Mr. Speaker, I think it would be fair to say that we do not view fragmentation by different universities in Canada, and even within provinces, setting up differential of fees, each on their own calculations. The Honourable Member for Lakeside I think may well be aware that in the United States, for example, the fee for non-resident students as opposed to state resident students is quite substantial, in the order of three to one. In the United Kingdom, the fee for university tuition for non-resident students as opposed to students resident of the United Kingdom is in the order of three to one approximately, and that two provinces in Canada have indicated that there will be a differential in fees introduced in the general range of two to three to one as between foreign students and local students.

Now it is not something which is all that appealing; on the other hand I believe it is untenable to have a situation in Canada where some provinces are doing this, others aren't. And in the meantime the Government of Canada has not, as in the United States they have, provided for federal foreign aid financing for foreign student education. If that is to be sustained, it should come out of foreign aid, at least as much as by means of subsidized provincial tuition.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN (Fort Garry): Thank you, Mr. Speaker. My question is to the Honourable the Minister of Labour. I'd like to ask the Minister if he can confirm, as has been reported, that some construction projects scheduled for the Winnipeg area and southern Manitoba were delayed or postponed last year due to various factors and could be proceeded with this year and thus help to provide work opportunities for construction trades.

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, I've had many questions directed to me over the number of years, but none quite like that. I wonder if my honourable friend would clarify his question so that even the Minister of Labour might understand it.

MR. SHERMAN: Mr. Speaker, my question is based on a claim by the Unemployment Insurance Commission that a number of construction workers in southern Manitoba are seeking employment in other provinces because of a lack of opportunity in southern Manitoba although there were projects held over from last year in the construction field, and I'm wondering if the Minister has had a chance to consult with the industry on that point and see whether any remedy might be forthcoming.

MR. PAULLEY: Mr. Speaker, I do not consult with any specific industry. All I am aware of and all that I do take recognition of, is the overall and total unemployment

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(MR. PAULLEY cont'd) . . . . picture in the Province of Manitoba, be it south or be it north. And all I can say to my honourable friend in reply, that as in accordance with the way I read the statistics produced federally, that we have had the least amount of unemployment here on the prairies than anywhere in Canada and this does not isolate the incidence of unemployment in southern Manitoba.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY (Fort Rouge): Mr. Speaker, I have a question for the Minister of Corrections. Can the Minister confirm that his department is presently developing a program to establish a special provincial police program for the downtown core area of Winnipeg.

MR. SPEAKER: The Honourable Minister for Corrections.

HON. J. R. (Bud) BOYCE (Minister responsible for Corrections and Rehabilitation) (Winnipeg Centre): The way the member has worded the question, Mr. Speaker, would precipitate a no, but I think I have in mind what the member is asking about. He's asking about the evolution of a community constabulary type of a function and this is being investigated.

MR. AXWORTHY: A supplementary, Mr. Speaker, in response to the Minister's answer. Can he indicate whether this special constabulary or police force that is being investigated or developed is one that would be operated by the City of Winnipeg Police Department, or is it one that would be operated by provincial authorities or by the Provincial Government?

MR. BOYCE: I repeat, Mr. Speaker, the member's choice of words perhaps is unfortunate. It's not a police force, it's a community constabulary function, and it's something which may or may not evolve. My preference at the moment would be, if it does evolve, it should be under the administrative control of the City of Winnipeg.

MR. AXWORTHY: Mr. Speaker, can the Minister indicate when this special constabulary might be established, how many people it might involve, and what kind of function would it in fact be performing.

MR. SPEAKER: Partly hypothetical.

MR. BOYCE: The first two parts, Mr. Speaker, are hypothetical. I'll deal with the third component of his question. It would be in some way trying to relate to the problems of the particular community.

MR. AXWORTHY: A supplementary, Mr. Speaker. In relating itself to the particular problems of the downtown community, can the Minister indicate whether in fact they would be undertaking any aspects that would normally be involved under the jurisdiction of police work, or would they be more like a social counselling program?

MR. BOYCE: Perhaps I could best answer the question by giving a specific example which is occurring at the present time. This House in its wisdom passed an Act, called the Intoxicated Persons Detention Act which effectively removed from the traditional constabulary function dealing with public inebriates, and hopefully they can deal with these type of social problems by other than the regular police force.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, my question to the First Minister relates to the earlier questions with respect to quotas for foreign students. Accepting the First Minister's position and the need for consensus in Canada and the fact that there will be Dominion-Provincial meetings, I wonder if his government will act to persuade the University of Winnipeg not to set a quota system until this matter can be resolved.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, having just really been informed of that eventuality this afternoon by the Honourable Member for Lakeside, I would have to discuss this with my colleagues. I'll have to take that as notice.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BOB BANMAN (La Verendrye): Thank you, Mr. Speaker. I direct my question to the Minister of Agriculture, and would ask the Minister if he could confirm that the new dairy policy cutback was not reflected in payments that milk farmers will receive from their April cheques.

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MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): Mr. Speaker, I don't know what the farmers are receiving in their April cheques so I'm unable to comment. I'm sure that my honourable friend could get that information from the Milk Board.

MR. BANMAN: Well, I wonder if the Minister could confirm that there will be substantial cutbacks in the next month's milk cheques because of the delayed implementation of the policy.

MR. USKIW: Mr. Speaker, obviously when policy is clarified, then the Milk Board will be in a position to take whatever action is necessary at the time. As long as there is some hope of alleviating to some degree the proposals that have been made, their effects on Manitoba producers, they should attempt to do so.

MR. SPEAKER: The Honourable Member for Roblin.

MR. WALLY J. MCKENZIE (Roblin): Mr. Speaker, I have a question for the Honourable the Attorney-General. Since the province shares 50-50 in the deficit at the Winnipeg Convention Centre, I wonder if the Minister can advise the House if the government would approve casino-type gambling in the Convention Centre.

MR. SPEAKER: Policy matter. The Honourable Member for Roblin.

MR. MCKENZIE: I wonder then, Mr. Speaker, would the Attorney-General advise the House if legislation is required to consent to legalized casino-type gambling in the Convention Centre.

MR. SPEAKER: The Honourable Attorney-General.

HON. HOWARD PAWLEY (Attorney-General)(Selkirk): Mr. Speaker, it is legal opinion of course, I wouldn't even begin to investigate that until a decision was arrived at that we should in fact proceed in that direction, and I see no reason at this time to do so.

MR. MCKENZIE: Another supplementary question, Mr. Speaker. I wonder, has the Finance Committee of the City Council asked for consideration by the Attorney-General's department re this matter?

MR. PAWLEY: Not to my knowledge, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I have a question for the Minister of Consumer Affairs. Can the Minister indicate whether the Rent Review Board will be establishing the new rental limits to be applied on October 1st before the July 1st date so that landlords in accordance with the Landlord and Tenant Act will be able to fulfill their three-month limit of notice before the October 1st deadline?

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. TURNBULL: Mr. Speaker, that is certainly the intention that I've expressed to the members of the Rent Review Board, that is, that they do attempt to come up with the new percentage amount allowable effective October 1st, to come up with that figure before July 1st. But of course the Board will be faced presumably with a great amount of work to do, and while that's my intention, there is no certain guarantee that it will happen.

MR. AXWORTHY: A supplementary, Mr. Speaker. Can the Minister indicate whether the Rent Review Board will be holding any form of hearings or public invitation so that representations can be made on those limits, or will it be totally a discretionary matter on the part of the Rent Review Board without any access or representation by interested parties?

MR. TURNBULL: Mr. Speaker, the whole point of having the Board set that percentage amount was to allow the Board on the basis of experience and the history of rental accommodation that it collects, on the basis of that information to set the percentage amount that would be allowed in the next 12-month period beginning October 1st.

MR. AXWORTHY: Mr. Speaker, could the Minister explain how the Rent Review Board will base a judgment upon the experience of no more than two or three weeks, those rental increases, if it has to make decision before July 1st and it's really only become operative since May 15th?

MR. TURNBULL: Mr. Speaker, I believe that basing projections for the future on the fashion of historical developments in the past is better than making projections on

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(MR. TURNBULL cont'd) . . . . the basis of no knowledge at all, or better than making projections on the basis of evidence from one or two people with a particular interest to present to a committee or a board.

MR. SPEAKER: The Honourable Member for Wolseley.

MR. WILSON: Mr. Speaker, to the Minister of Consumer Affairs. Can the Minister explain the estimated cost and the intent of his latest program pertaining to rent review legislation that's on radio and possibly television?

MR. SPEAKER: The Honourable Minister.

MR. TURNBULL: Mr. Speaker, I could not give an estimate of the cost for the advertising on radio and the advertising on television, but if the member wishes to file an Order for Return, I can certainly have that information provided to him.

MR. WILSON: Could the Minister explain how long this program is going to go on.

MR. TURNBULL: Mr. Speaker, the initial program is one that is designed to provide Manitobans, both tenants and landlords, with information about the Rent Review Program and the general parameters of that program. It is geared for a few weeks, but that does not mean of course, that after the expiration of that period of time no further information programs will be undertaken. Indeed I would think that there might be a need for continuing programs of information to be conducted by means of advertising both in the electronic media and the print media.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I pose this question to the Minister of Agriculture. I had some private discussions with the Minister, and I would like to ask him if he can tell me whose department is responsible for the sale of buildings at Macdonald Airport.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I would have to recall, but I think it's Public Works. Maybe I should take that as notice, Mr. Speaker.

MR. EINARSON: Mr. Speaker, I pose a second question then and ask the Minister if he is able to get me an answer in regards to a senior citizens' group in Killarney who had requested to purchase a building at Macdonald Airport.

MR. USKIW: Mr. Speaker, I do recall that the Member for Rock Lake drew the matter to my attention some weeks ago and I in turn had asked one of our staff members to follow-up on it with a particular gentleman from the area, which apparently has been done. And I believe there is an auction in which case this gentleman was advised to attend and submit his bid. So that is the procedure that is being followed.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. CRAIK: Mr. Speaker, I direct a question to the First Minister. I believe the First Minister took as notice a question some time ago regarding the application of a sales tax to the monument being erected by the Women's Tri Service Veterans' Association here. I think he indicated that he would find out whether in fact the sales tax was going to apply to that monument and would advise the House. Can he recall whether he received that information?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I am reminded that the matter has been dealt with by means of a grant by the Crown equivalent to the sales tax, so that in effect there is no sales tax net payable.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. EINARSON: Mr. Speaker, I want to thank the Minister of Agriculture for the information he gave me. I would like to ask him then if he can indicate when and where these auctions take place in regards to those buildings at Macdonald Airport.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, as I recall it, that is a matter for Public Works. I would have to double check that, but I'm certain that isn't my department.

MR. EINARSON: Then one further question to the Minister, Mr. Speaker. Could he indicate whether the party that I drew his attention to were given notice of this situation, that auctions will take place?

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MR. USKIW: I'm not sure that I can confirm that. I can only indicate to the member that I had contacted the Provincial Veterinarian who in turn was supposed to have contacted the individual that was interested in the building. Now I would have to check to find out whether that took place.

MR. EINARSON: Mr. Speaker, I now direct a question to the Minister of Public Works and ask him if he can indicate when and where the auctions take place in regards to the buildings that are for sale at Macdonald Airport?

MR. SPEAKER: The Honourable Minister of Public Works.

HON. RUSSELL DOERN (Minister of Public Works) (Elmwood): I'll take that as notice, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, my question is for the Honourable the Minister of Industry and Commerce, I believe is the Minister responsible for the operations of McKenzie Seeds Limited. I wonder if the Minister could confirm to the House that the Province of Manitoba has now acquired 100 percent of the shares of the stock in McKenzie Seeds Limited and that McKenzie Seeds is now a wholly-owned Crown corporation.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Mr. Speaker, as the honourable members of the House should know, 90 percent was I suppose bequeathed to the Government of Manitoba some years back by actions of the late A. E. McKenzie and by legislation passed in this House in 1945. It is true that we have acquired the remaining 10 percent of the shares, but as I indicated this morning in the Legislative Committee on Economic Development, there are elements of this process that have still not been concluded and when they are concluded a statement will be made.

MR. MCGILL: Mr. Speaker, I wonder then if the Minister could inform the House of the cost to the province of acquiring the 100 percent ownership of McKenzie Seeds.

MR. EVANS: Mr. Speaker, there is no cost, no charge levied against the province, this is by mutual agreement of the various parties involved.

MR. MCGILL: Mr. Speaker, to the Minister, will there be any specific reimbursement to Brandon University for its interest in the stock or to the McKenzie Foundation for their interest in the 10 percent of the shares?

MR. EVANS: Mr. Speaker, it's not a question of the value of the shares because the shares, as has been indicated by certain members of the House, may not be worth very much, if anything, but again back to the original legislation and agreements, there is a fund . . .

MR. SPEAKER: Order please.

MR. EVANS: There is a fund which has been set up separately. The moneys were put into that fund by the Estate of the late A. E. McKenzie as I recall, and that is something that is being considered at the present time. But that is not from the profits of the company nor does it derive from the shares, the 10 percent of the shares that the honourable member refers to, this is separate and apart from this entirely.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, to the Minister of Industry and Commerce. Having known Mr. A. E. McKenzie, I ask this question. Does he agree with the statement of the Minister of Mines and Natural Resources that A. E. McKenzie is worth nothing?

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, I direct a question to the Minister of Industry and Commerce. As I recall, in his Estimates he did make the statement that the government had turned McKenzie Seed Plant into a viable unit. I wonder, does he not now agree with the Minister of Mines and Natural Resources that it is worth nothing?

ORDERS OF THE DAY

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

MR. GREEN: Mr. Speaker I wish you would proceed with the third reading of bills.

GOVERNMENT BILLS - THIRD READINGSBILL NO. 2 - AN ACT TO AMEND THE CRIMINAL INJURIES COMPENSATION ACT

MR. SPEAKER: Bill No. 2. The Honourable Attorney-General.

MR. PAWLEY presented Bill No. 2, An Act to Amend the Criminal Injuries Compensation Act, for third reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Mr. Speaker, I want to at this time thank the Attorney-General for including an amendment to this bill which will allow for a reporting of the accounts of the Criminal Injuries Compensation Fund to be made to the Legislature on an annual basis. I thank him for making that amendment.

QUESTION put, MOTION carried.

BILLS 6, 12, 18, 25, 29, 47, 52, 3, 4, 5, 9, 11, 13, were each read a third time and passed.

MR. SPEAKER: Bill No. 17. The Honourable Minister of Tourism and Recreation.

BILL NO. 17 - AN ACT TO AMEND THE LIQUOR CONTROL ACT

MR. TOUPIN presented Bill No. 17, an Act to Amend the Liquor Control Act for third reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I just want to say a couple of words on Bill 17 before we give it third reading, relevant to the comments that I made at the time we were passing it through the second reading stage. At that time I suggested to the Minister that for all the progressive and liberalized steps that have been taken with respect to liquor legislation in the province I felt that the equation was somewhat out of balance and that I personally would like to see, and I'm sure many of my colleagues would like to see, some degree of attention paid to the other side of the equation, and that is the result in terms of social loss, cost and damage of widespread access to alcohol. No one on this side was suggesting in any way, a step backwards into earlier times and earlier forms of legislation. But what we did want to say, and I just want to repeat at this stage for the Minister, was that we felt that liberalization had been given considerable attention and considerable concentration over the past five to ten years or longer in this province and now there was an urgent need for equally devout attention to the condition of society in our province with respect to alcohol use and abuse.

At the time I spoke on second reading I asked the Minister if he could give me some assurances that some studies and examinations of alcohol damage and impact might be carried out so that we could take a more realistic and a more knowledgeable view to the old bromide that every government of every hew always hides behind in this kind of argument, and that is that liquor sales are good for society in the sense that they provide a volume of revenues that are highly necessary. That is an accepted fact, but it's only one side of the equation. On the other side are the costs to which we referred in the area of social damage, in the area of crime, in the area of broken homes, in the area of rehabilitation, in the area of medical treatment that accrue from at least abuse of alcohol, if not even just the widespread use of it. So I asked the Minister at that time, and I would like to leave on the record with him, a request that his administration, his ministry and his stewardship in this area be marked by some attempt in that area to measure the impact and the cost of damage, and perhaps give us an idea during next



BILL 17

(MR. SHERMAN cont'd) . . . . year's legislative session as to just how that equation balances out and whether the 44 or 48 million dollars that we derive in the provincial treasury from liquor sales, revenues and taxes, does in fact add up to 44 or 48 million dollars of revenue in profit terms; or whether indeed it is not more than spent, more than exceeded by the measures that the government is forced to undertake in the medical and welfare rehabilitative and criminal treatment fields to compensate for the damage done. So I wanted to make those few remarks and reiterate that request to the Minister and ask him to give it his attention in the next months, Mr. Speaker, as we move on this particular piece of legislation that he's asking our support for at this time.

QUESTION put, MOTION carried.

BILLS 22, 28, 31, 40, 42, and 44 were each read a third time and passed.

BILL 51 - TYPOGRAPHICAL ERROR

MR. SPEAKER: Bill 51. The Honourable Attorney-General.

MR. PAWLEY: Mr. Speaker, I wonder if I could have leave of the House to waive notice in regard to an amendment to this bill at the report stage.

MR. SPEAKER: Order please. Does the Honourable Attorney-General have leave for that amended procedure?

MR. PAWLEY: It's a minor change, a typographical error that was in the bill that the legislative draftsman has requested be amended at this stage.

MR. SPEAKER: Agreed? (Agreed) The Honourable Attorney-General.

MR. PAWLEY: Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Mines and Natural Resources that Section 7 of Bill 51 be amended by striking out the word "valid" where it appears for the first time in the second line thereof and substituting therefor the word "invalid".

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, I beg to move, seconded by the Honourable Member for Fort Garry, that debate be adjourned.

MOTION presented and carried.

BILLS 53 and 60 were read a third time and passed.

SECOND READINGS

MR. SPEAKER: Second readings. Bill 54. The Honourable Member for Brandon West.

MR. MCGILL: Mr. Speaker, may I have this matter stand, please.

BILL 56 - THE FOREIGN CULTURAL OBJECTS IMMUNITY FROM SEIZURE ACT

MR. SPEAKER: Bill 56. The Honourable Leader of the Opposition.

MR. CRAIK: Mr. Speaker, I recognize as other members recognize, that there's some desire on the part of all to move on with this particular bill and determine its fate without any prolonging of the process required.

Like the Attorney-General has indicated, Mr. Speaker, we support the position that there should be a free vote on this bill and that the matters contained are matters that each and every person in the Assembly has his own good reasons for voting in his own particular way, and as a result the official opposition approaches it in that manner and each will vote according to his own conscience in this matter.

Mr. Speaker, I don't find myself having any particular reason to have to delve too deeply in my conscience when I look at whether or not to vote on this bill. I think we are tending to get caught up in the fact that the art collection question that's to be brought to this province if the necessary legislation, whether it's federal or provincial, is passed. I think we may be perhaps getting caught up in recent history in international affairs. In short, what I'm saying is that I'd personally support the idea of making provisions at a provincial level for the entry of art collections of this type to come in to the Province of Manitoba.

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(MR. CRAIK cont'd)

I think upon examination a person would likely find that the art collection in question, which although at the present time originates from Russia, the vast majority of it comes from a period of history that goes much further back than the recent conflicts that lead to a vote of conscience on this matter. The majority of the art in question goes back to the period of Katherine the Great, in that period of history, and although one can't say definitely that there aren't objects coming into the present collection by ways that we would find offensive, that one can't say that for sure. One can't say that for sure about a collection that would come here from the Metropolitan Gallery in New York. One can't say, and with much less degree of certainty, about a collection coming in from the Louvre which to a very large extent was a collection that was made much larger after the Second World War, taken during the regime of Germany during the Second World War and changed hands very frequently. One can't say that it wouldn't contain objects that might be laid claim to by citizens of Manitoba if this same collection came from the Art Gallery in London, England.

So the art collection in question, although it is presently in the hands of a government which may not be as desirable as one of the other governments mentioned, doesn't necessarily say that the art collection contains objects that are of the nature that would raise questions of conscience to, in some cases, not as great a degree as from some of the other world collections, in fact to a much lesser degree. So what seems to be a debate here and in question, is whether from this particular course a collection of art should be brought to Manitoba.

Now I know that we would all feel that it would be much better if the Federal Government acted on this and if we could somehow avoid the requirements of provincial legislation. My understanding is that if the Russian Embassy in Ottawa were to declare this a property of the Embassy, that the art collection would have immunity throughout the country, and that Section 92 of the BNA Act which is the part that leads to our requirement to pass legislation provincially would in that case not have to be passed. However that is not the case, and the problem of getting approval of that nature would necessitate it going back to Russia and probably the collection would not be available for viewing in Canada or in Manitoba under those conditions. I would rather that that were the case and I think everybody would rather that were the case so that we wouldn't have to deal with it. But the likelihood is that if this bill is turned down, the Art Gallery will not be able to get those approvals through in sufficient time, although it could probably over a period of time get that sort of approval.

The collection is now in the United States, has been there for some time. The protection of it by legislation that has some similarity I suppose to the legislation we're looking at, was passed in the United States some years ago. I can't say for sure, but I would assume that it's out of recognition that all great art collections always have stolen art in them and that the majority of art collections are made up of objects that at one time or another have been stolen. So, Mr. Speaker, there's nothing sacrosanct about any art collection of an international nature that is of any substance.

I support it, I guess principally because I know the struggle that the Art Gallery has gone through in Winnipeg to create a gallery of some significance. I know the financial difficulties they have gone through. I am not an active member of the Art Gallery myself. I don't have a general sort of an appetite for this particular aspect of culture but I do support them personally. And this is a personal vote, Mr. Speaker, I've supported them personally over the years because I think they're attempting to do a good job. As you know, they're always in financial difficulty, they have been close to bankruptcy on many occasions. The Art Gallery has been sponsored in a majority way by private individuals but also by the municipal and provincial governments. They are attempting to do a good job, and this art collection that is in question is one that would be probably one of the major shows that the Art Gallery has put on in its history, so I feel, Mr. Speaker, that this bill from a personal point of view, I have no hesitation - I have some hesitation in sponsoring it, I shouldn't say I don't have any hesitation - I said before I'd much rather have seen the action taken at the federal level, making provisions through

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(MR. CRAIK cont'd) . . . . the Embassy. However I don't think that's going to happen, and I think if the bill is not passed there's a very strong likelihood of the collection not coming.

Now I don't think that we should vote for it under what might be sort of a veiled threat like that. But that's not what I'm saying. I am saying that I don't think, in my own case I don't find that I have any trouble with a matter of conscience on this matter because as I said, if you were to bring in a similar international collection from the Metropolitan Gallery in New York or from the Louvre in France or from England you will find the same sort of contents in such a display. And for that reason, Mr. Speaker, I reiterate which I'm sure you're going to find out very shortly is a very individual voice on this particular matter.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I move, seconded by the Member for Assiniboia, that debate be adjourned.

MOTION presented and carried.

BILL 62 - AN ACT TO AMEND THE HUMAN RIGHTS ACT

MR. SPEAKER: Bill 62. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Thank you, Mr. Speaker. Mr. Speaker, when we deal with human rights and amendments to The Human Rights Act, I think it's only fair that we should go back to the general principle that was enunciated in the production of Human Rights legislation in the Province of Manitoba. And I suggest to you, Sir, that at that time there was more than one avenue open to our government in trying to bring about certain principles that were attempted when the Human Rights legislation was brought forward. I think at that time it could have been quite easily achieved if we had used the Bill of Rights' approach. There are drawbacks to that method as well, but I think when you establish a Human Rights Commission as we did in Manitoba, and people are appointed to carry out the intent of the legislation, I think it becomes inherent in those doing the job to try and show that they are going to do the best job that it is humanly possible to do. And in doing so, they quite often, Sir, I suspect they get carried away with their enthusiasm and the end result is quite often very different from what the intent of the Act was.

No doubt when we introduce legislation we make mistakes, and that is why there are amendments proposed from time to time to various legislation, and when we make those amendments quite often we continue to make mistakes. But be that as it may, Mr. Speaker, I think whenever you look at any piece of legislation you have to analyze it in two or three different ways. No. 1, I suggest one of the first criteria that should be used on any piece of legislation is one that I suggest should be weighed very heavily, and that is, will the legislation solve more problems than it creates? And I think we should think of that very seriously when we consider any type of legislation. Will it solve more problems than it creates? And, Sir, I don't think that our Human Rights legislation in Manitoba has done that. I think our Human Rights legislation in Manitoba has created more problems than it ever solved. And I think that if this is the case, while it may appear to be somewhat regressive - and I think that no one really wants to see that type of legislation abolished - I'd suggest to you, Sir, that if it continues to create more problems than it solves, then perhaps we should look at some ways of either changing the legislation or if those changes do not improve it, maybe we should at some time or another think of removing something that does not do what it was intended to do and possibly look at some other type of legislation to do what we want it to do. Sir, in our complex society, we have some strange things occur. We have legislators sitting down attempting to create legislation which will benefit the people that we represent. Sometimes the best of intentions in that legislation go awry either through the regulations that are adopted later to cover the operation of that legislation or in the actual administration of the legislation in the field.

Today, Mr. Speaker, I received a fairly new pamphlet or booklet put out by the

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(MR. GRAHAM cont'd) . . . . Human Rights Commission of Manitoba entitled The Guidelines for Employment Advertising, under the provisions of the Manitoba Human Rights Act for advertising media, employers, personnel departments and employment agencies. These general guidelines make suggestions on what the Human Rights Commission considers to be - I don't know whether it be improvements - - considers to be suitable for usage in the Province of Manitoba and they give you various examples throughout it. For instance, descriptive wording or use of language which tends to discourage applicants on the basis of any factors, such as marital status, ethnic or national origin, nationality, religion, color, sex, age, etc., etc., are prohibited.

They say that it is illegal for somebody to advertise for say a young person. It doesn't say anything about sex but it does indicate that if a person wants to hire a young person, they are prohibited by the Human Rights Commission from doing it. You are also prohibited from hiring a single person. I sometimes wonder, Sir, if they aren't going a little too far. You go on further and they suggest, for instance - and I imagine this applies to the news media - they say that the term "anchor man" is discriminatory. An acceptable substitute would be anchor person, or anchor man, male or female. They say that being attractive, pretty or handsome is discriminatory and the accepted substitute that they would accept would be the word "well-groomed." Mr. Speaker, I think that the Human Rights Commission is carrying things just a little too far.

Mr. Speaker, I've dealt so far with some of the things that I consider to be of sufficient concern that we should, I think, look very carefully at what our Human Rights Commission is doing. We should also look at what they're not doing and I think we should maybe assess the job that that Commission is doing in relationship to what it was intended to do under the legislation that was passed.

Now, Mr. Speaker, I would like to get back to some of the amendments that have been proposed in the legislation. And I notice that there's a section which has been removed dealing with discrimination prohibited in occupancy of commercial units or housing accommodation and they have replaced it with a very similar section. They've redefined the words and maybe realigned their relative importance. But I suggest, Sir, that in doing so, they have maintained something in there that certainly we failed to catch when the initial legislation came forward and it is being carried forward as an amendment again - when you're talking about reasonable cause. They list things that do not constitute reasonable cause and discrimination on commercial units or housing accommodation. One of the things that do not constitute reasonable cause is source of income. Mr. Speaker, I think that we have to be concerned when quite often one facet of government, one arm of government, or one Act of government will over-rule another Act of government.

We also have amendments to the Planning Act before us. We have brought in extensive planning legislation. We have given various levels of government authority to make decisions on what type of building accommodations will be placed in certain areas in zoning. The source of income will quite often dictate what type of building will go up. If it's a manufacturing plant and the source of income is from the manufacturing of fire engines, for example, do you want that right beside a hospital or in a total residential area? According to the Human Rights Commission the source of income cannot be a discriminatory factor, and I think it has to be. That's as far as the commercial aspect. Now they also talk about in a commercial unit or housing accommodation and let's get down right to the housing accommodation. Should the source of income be a contributing factor when it comes to whether you use discrimination or whether you make any assessment on whether a person or not is allowed into a house.

I'd like to refer you, Mr. Speaker, to Section 179 of the Criminal Code of Canada. Section 179 deals with disorderly houses, gaming and betting, common bawdy houses, common betting house, common gaming house, disorderly house etc., etc., and these are against the law of Canada. In most of those the source of income becomes the offence under the Criminal Code and yet we're saying here under the Human Rights Commission that the source of income cannot be a determining factor in making any decisions on whether or not a person shall be allowed to have accommodation.

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(MR. GRAHAM cont'd)

Has a community the right to ask that a person not be accepted in a house if they are going to operate a house of prostitution right beside the place where they're raising a family, their children. I think they have. But the Human Rights Commission says not. So, Mr. Speaker, I don't think that source of income should be one of the determining factors in any discriminatory action.

Mr. Speaker, I would hope that when we get to committee on this that we will have an opportunity there anyway. I hope the Minister would seriously consider, in just that one aspect, removing that as one of the things that does not constitute a reasonable cause.

I've only touched on one aspect of this bill, Mr. Speaker. I would hope that when it gets to committee we may hear some representation. We may not. I hope there are other members of the Legislature that have some comments to make on it. I think that again when we are amending legislation we have to ask ourselves the question of whether or not the changes that occur, and the legislation itself, is serving a useful purpose and is removing problems from society, rather than creating.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Thank you, Mr. Speaker. I do have a few points on this bill, Bill 62, an Act to amend The Human Rights Act. In general I don't disagree with many of the amendments in the bill, but there are some new provisions in the bill that somewhat concern me, in fact it's almost humorous and I'd like to ask the Minister what prompted him to include them in.

However as far as The Human Rights Act itself, I have not too many arguments with it because I think that this type of legislation was necessary, it was required in this province. I'm sure that nobody can deny that there was discrimination taking place in housing, there was discrimination taking place in accommodation, in employment, in many areas, and it's only in the last while, when this was brought to their attention... I think even the government itself, the kind of employment application that it used to have when somebody was pursuing a job, such things as relating to age, date of birth, sex, marital status, separated, divorced, widowed. These are the kind of information that was asked in every - maiden name, spouse's occupation, religion, church, do you attend a church or not, and so on. Well really I think this is infringing on personal rights and even as far back as a couple of years ago, we still used to have applications until recently, I believe a couple of years ago, when we had amendments, that this type of information was not consistent with proper employment practices, that it should not be allowed and there were changes. It specifically asked nationality, place of birth, everything. So I think that we've come some way. Perhaps not as far as I would have liked to but I see some merit in human rights' legislation.

My one concern is - and I regret that the Minister of Labour is not in his seat at the moment - but I understand where most infractions take place as far as human rights is concerned is in the place of employment and hiring practices. This does concern me because I believe it was indicated to us the other day that 70-some percent of the time by the Human Rights Commission is spent in dealing with employment practices. Somewhere, somehow we haven't communicated with employers to the extent that we should have.

But the larger and the greater concern that I have, Mr. Speaker, at the present time, why this legislation does not apply to the government. I believe it should apply to the government agencies and government as well as it applies to everybody else. I believe it does not apply to public housing and it does not apply to most agencies. I believe that there should be some recourse that human rights, even such things as wire-tapping or anything - I understand this legislation has no jurisdiction over government, at least I'm informed in that way. I hope that I'm corrected if I'm wrong and I hope I'm wrong. Because if it doesn't apply to government agencies, departments and the government itself then I would be greatly concerned and really concerned. I think it should and I'm sure the Attorney-General would agree that it should apply. Who can show the best example and who can show the leadership in employment practices in all areas, when we talk about human rights and discrimination of all kinds, be it housing or any area than the government itself. I say if it doesn't apply to government then it must apply and it should apply.

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(MR. PATRICK cont'd)

This is where we have to make the correction.

The other area that somewhat concerns me, Mr. Speaker. There's been a new principle added to the human rights legislation in, I believe, subsection (6)(2) and it's a new principle completely and it's amendment to the Human Rights. Now we have created a new sort of discrimination as far as political beliefs are concerned. I think it's new and I'm somewhat troubled by this, Mr. Speaker, because at the present time there's no definition of political beliefs. It's not anywhere in the Act described and the Minister in his new sections hasn't described political beliefs.--(Interjection)-- Well, a definition. But it's the kind of description that I'm sure would not satisfy most members in this House.

I somewhat got concerned and I thought maybe this is the reason and a precedent for the government to bring in this amendment and a definition so this would sort of grant mass immunity from firing of their civil servants that they hired in event that they lose the election in 1977. Mr. Speaker, to me the first thing came, that the government must be expecting to lose the election in 1977, to bring the section (6)(2), because certainly it would grant mass immunity from firing of civil servants in case there was a change of government, at least the ones that were card carrying members of a different political party. I wonder if this is the reason for inclusion of political beliefs in a broad way that's introduced under subsection 6(2)(a), Mr. Speaker.

Unless there's some other concern and I hope the Minister when he's closing the debate would give us some indication what was the real reason for bringing it, there must be some larger concern about the larger world of political beliefs and this is what the Minister had in mind. In my opinion I still feel that it's undefined at large and maybe the Minister can give us some indication the reason for that and why that was brought in. I can't really see how this fits in and I'd like some more explanation. It sort of struck me that at this time we would have this amendment to the Human Rights which is really bringing a completely new amendment as far as discrimination that is created and that's political benefits for political beliefs.

These are the points that I wish to raise at the present time. I have no disagreement as such to refuse it. I know that any member being hired by anyone, by any say company, would it, would be the right for that company management to ask what kind of a salary would a certain person expect? Would that be something to do with the political belief? I believe in the First Minister's case he'd almost be excluded because of his statement of two and a half to one, I believe, principle. So I see some difficulties in it but I hope that the Minister would explain and I hope he'd also give us an explanation - does it apply to every function of government departments and so on? I believe it doesn't the way I understand and I hope that the Minister will give us some explanation, Mr. Speaker.

MR. SPEAKER: The Honourable Member for St. James.

MR. GEORGE MNAKER (St. James): Thank you, Mr. Speaker. I'd like to make a few comments at this time with regards to the bill before us and in particular the principle of discrimination with regard to age or employment, source of income and whether this type of principle should not also apply not only to private individuals or businesses or companies but also government agencies.

Why I raise the question, Mr. Speaker, with regard to government agencies is that I have had several complaints from students within the area that I represent that in their opinion and in my opinion they are being discriminated against in entering Red River College. I have with me, Mr. Speaker, and I'll gladly table them, two documents from the Red River College. One covers a heavy equipment operator course and under the general entrance requirements it states (a) Age - 18 to 45, which is understandable, Mr. Speaker. The principle that's in the bill that states if the age of majority is a necessity in the opinion of responsibility in doing this particular job or course, then we can understand the principle of stating that the age requirement be 18. But now all of a sudden, Mr. Speaker, the government agency has put a restriction on it, a preferred age of 18 to 45. Not only that, in brackets after the age requirements it states: 21 to 45 preferred. Very clearly as the Honourable Member from Birtle-Russell had indicated earlier, in the Guidelines of

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(MR. MINAKER cont'd) . . . . Employment Advertising it is against the law to state between the ages of or to state a preference so that, Mr. Speaker, I raise the question.

If the Human Rights Act is there to protect individuals from his fellow man or from companies or corporations then it should be there to protect them against government agencies discriminating against them. Mr. Speaker, I don't know how many times this has occurred. We have the heavy equipment course brochure from the Red River College; we have the truck driver training program. Again the number one criteria is that in entrance requirements again it mentions: age 18 to 45 (21 to 45 preferred).

Mr. Speaker, further to that with the students and the teachers that I have talked to with regard to this question of who can enter Red River College on these courses, it has been indicated to me, and it's also indicated in the brochure itself, that applicant preferably some - against stating "preferably". Preferably some background in driving trucks especially for the tractor-trailer driver training course. In the other course relating to heavy equipment operator, it says: some work history in related areas. What I have been advised by students that have applied for this course, they are advised that they prefer people who have been out working for a year and are either on unemployment insurance and have been referred to them by Manpower or they have to stand in line. It's my understanding that there's something like a ratio of six to one; that there's six Manpower students for every individual high school student who applies for these courses. So I ask you, Mr. Speaker, is this not somewhat discrimination against our students coming out of school because of the fact that they lack this general experience that seems to be preferred here and stated. I question, Mr. Speaker, does that not also conflict with the principle that there should be no discrimination against the source of income or their general ability to work and so forth.

Mr. Speaker, I raise this at this time because I hope that the Honourable Minister is aware of this fact and that hopefully this particular condition that seems to exist and these particular brochures were mailed to a recent teacher who's a counsellor at one of the schools so I have to presume that they're recent brochures. It is obvious that the Red River College or government agency is now breaking The Human Rights Act by passing out literature like this as well as restricting our students from having the same opportunities because of their age and their possible financial sources and experience.

I suggest, Mr. Speaker, that when we endorse The Human Rights Act to protect individuals from people, fellow man, and from companies and corporations it should also apply to government agencies and that this particular situation be corrected. I would hope that it not be the case, the reason that these preferences are being put forward is because Manpower subsidizes their students quite handsomely to the Red River College whereas the individual student who comes and pays a relatively low entrance fee costs the college money and thus costs the Education Department more money and as a result will mean a greater budget for the operation of the school. I hope that this is not the case and the criteria that the department is using at this time to decide upon hiring students because that would be terrible. It would not be in my opinion the proper way to operate the school because this just adds further to the discrimination against the young people who are coming out of the high schools who not necessarily qualify because of their ability to go on to college or in some cases their preference not to go on to college but to take on a job of this type.

I hope, Mr. Speaker, that the Honourable Minister will take these concerns under advisement and make sure that where there are these particular instances of The Human Rights Act being broken by government agencies they are corrected as quickly as possible.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I beg to move, seconded by the Member from Assiniboia, that debate be adjourned.

MR. SPEAKER: Moved by the Honourable Member for Fort Rouge, seconded by - you'll have to pick another member because that member just spoke. I have a procedural problem. A member that has spoken can't second a motion.

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MR. AXWORTHY: The Member from Roblin, Mr. Speaker.

MOTION presented and CARRIED.

BILL 65 - AN ACT TO AMEND THE PLANNING ACT

MR. SPEAKER: Bill 65. The Honourable Member for Portage la Prairie. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, the honourable member was standing the bill in my name. He is not here but I am prepared to speak on it.

MR. SPEAKER: Very well.

MR. AXWORTHY: Mr. Speaker, the Planning Act is something that has been a matter of some occupation of this House for now going into its second year. I think that the reasons for revising and reforming the planning mechanisms of the Province of Manitoba are as relevant and realistic this year as they were last year and so in principle we do not oppose the intention or direction of the government in trying to bring into effect the kind of machinery that would allow us to deal more adequately with the major difficulties that we're now encountering bringing some rational order to the way in which we allocate space and activities in the province and particularly around the City of Winnipeg.

But, Mr. Speaker, there are some items that this Act gives some concern to and I think that they should be expressed. The first one is that a planning act in too many jurisdictions simply becomes like a New Year's resolution. It is brought forward and heralded with great promise and great commitment and then is conveniently forgotten for the rest of the period. There are far more planning acts which are simply dead letters than those which are actually active mechanisms or instruments for determining land use and the control of activities on those spaces.

Mr. Speaker, if I have to express any one major concern it is that in part the Attorney-General and the government seem to have become terribly mesmerized by their own handiwork and - to use that phrase which I've used before - while we're lecturing on navigation the ship is going down. Because certainly the conditions that gave rise to the introduction of this Act last year have continued apace. In fact probably the evidence in the last several months, while we have still been diddling to some extent is that the consumption and sprawl of land use on the periphery of Winnipeg in that 30 mile stretch has become ever more ferocious to the point where I fear that perhaps The Planning Act is almost too late. By the time the machinery is there and the municipalities are getting together and the statements and declarations and plans are evolved, it will already be over. It's what the generals often do. They fight sort of preparing for this war by using the techniques and strategies of the last war. And we're going to arrive too late to really fight the battle.

The kind of development that's now taking place in terms of sprawling scattering residential uses in that peripheral area and uncontrolled subdivision has perhaps even been accelerated, I think, by the passage of The Planning Act last year. But whatever the reason is, certainly the consumption of land without any planning, without any direction, without any organization has become a problem of major proportions in the periphery of Winnipeg and I would estimate, Mr. Speaker - I saw the results which I'm sure the Minister has of the study that was commissioned by the Council of Resource Ministers which I believe will be discussed in a month or two time - indicating that Winnipeg, in fact, consumes more raw land per person than almost any other city in Canada.

Last year we consumed close to 3,000 acres of land in our periphery which was almost as much as cities that are twice our size. Compared to other metropolitan areas, and I don't want to get into the kind of formula that they use but it really works out that for 1,000 people, I think some 386 acres of land is consumed around Winnipeg whereas the average in around Toronto is around 70 or 80. Mr. Speaker, when you begin to look at where that land is being consumed, probably a major area problem is in the Minister's own constituency or close by it in that North Main strip, the area of Springfield, the



(MR. AXWORTHY cont'd) . . . . . Municipalities of Richot, Rosser, St. Andrews, all of these areas which in the past have provided good agricultural land, have provided settled rural communities that are to a large degree being settled by people moving out of the city in a natural move to get away from what they consider to be the difficulties here. They move out there; the land prices force up; there are many subdivisions which are not fully utilized and I think the Act is an attempt to deal with that.

I have a copy of the Municipal Planning Newsletter which indicates that of all the subdivision lots that have been improved usually only about half the lots in those subdivisions are actually ever consumed in housing. The rest are left for speculative purposes. All these things are taking place, Mr. Speaker, they're happening now. They'll be happening today and tomorrow and we're still waiting for that machinery to get into place. It may end up - and I'm not trying to be critical - it may end up to be a Reub Goldberg machine, beautifully constructed, whirring away with all the wheels going around but having lost its purpose. It just will no longer be able to apply itself to the problems in that very critical zone of the urban shadow or fringe on the outskirts of Winnipeg. By outskirts I don't mean a one or two mile stretch, I mean a 30 - 40 mile stretch or a radius around the City of Winnipeg. Mr. Speaker, that is one of the concerns I have. I think I understand some of the difficulties in trying to bring the municipalities together to form the planning districts and to get it into effect.

But really there is, I believe, in the Act some basis for interim statements and some option for applying at least guidelines at the present moment. But they are as yet not operative and as a result the kind of development that is occurring in the outer periphery is one that I think we are going to regret a great deal because it is really consuming the best land for in many cases not the best purposes.

Mr. Speaker, in part I blame the Provincial Government for this. I don't want to say I told you so but when we were debating this Act a year ago we said, you know one of the things that you need in addition to an Act, in addition to the piece of legislation is some policy and some program on the provincial side. It's not enough to have the legal instruments. You have to begin indicating what you want to do with them. What is it that we want to achieve in that urban fringe? What do we want to achieve in the management of urban growth? What size of a city are we talking about? Do we have some concept of developing small satellite towns around the area, the development of certain kinds of roadway or transportation routes?

Yet, Mr. Speaker, all I've . . . as I've read the newspaper and listened to the utterances of different ministers, all I see is that the Premier announced: I've bought 800 acres of land around East Selkirk and we're going to build a new town. He doesn't say, who's going to pay for it, where the transportation is going to come from, what the controls would be? Nothing that is a normal acceptable part of a new town planning program. It's sheer, sheer political hyperbole. Mr. Speaker, that is wrong. I don't care what the member - he can groan and moan all he wants. The fact of the matter is if you're going to plan, you've got to plan according to some policy. It's not enough to say to the municipalities: look you guys, get together, form your districts, get together, develop statements, develop your impact statements. If the province, which is the chief operator and the chief participant in all this is simply kind of ranging around the countryside announcing one thing, you know, handing out a statement with its left hand and pulling it back with its right hand but not making any commitments in terms of the money they're going to put in for services, no commitment in terms of the kinds of zones of growth that they see develop, no ideas to what they're talking about in a new town program - Do we have a new town program or not, Mr. Speaker? We don't know. We think we do. We keep buying land and saying we're going to use it for that, but no one's ever outlined a program or policy to give some direction for it. No one has ever said if the province is going to try to decamp the growth from Winnipeg, that we're going to identify certain centres, whether it be Selkirk or Steinbach or Portage la Prairie or whichever municipality, and say that over the years we will try to direct the population into those areas and then have green zones in between. We haven't settled whether we're going to take land in the Springfield area and try to reserve portions of it for residential purposes and the rest will be reserved for ecological purposes. There is no indication of those kinds of things.

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(MR. AXWORTHY cont'd)

And, Mr. Speaker, you can't simply rely upon the municipalities to give themselves up, because if you're going to rely upon them it's going to be several years before they're able or prepared to make those kinds of judgments. Most of the municipalities in the periphery of Winnipeg are rural municipalities, they've got along with a fairly simple form of government and they right now are being snowed under by applications, by guys coming out making deals, by all that kind of highfaluting sort of high pressured tactics that accompany any large development process, and that's what's going on right now.

And yet one of the biggest high rollers in that development process is the province itself. It probably owns as much land as any of the large land companies in the periphery of Winnipeg. I believe the last land holding would be close to 7,000 acres, so it is a high roller and it's got lots of land, but we're not really sure what it's going to do with it. And the times that we've asked the Minister of Urban Affairs to indicate, like, "What are you going to do with it?" Well he says, "I'm banking it." Well you bank for a purpose, you bank if you know what you're going to do with it, and we don't know. So I'm beginning to think we're becoming like a provincial miser, that we're putting things in the bank and then we're going to pull it out again. I'm sure at some point or other there is a design in mind, but where the design lies - it apparently doesn't lie in the mind of the Minister of Urban Affairs, because he doesn't say he has them; I don't think the Minister of Municipal Affairs - I don't know if that's his responsibility - the Premier seems to have a kind of a new town itch, but it's not enough to have an itch, you've got to really put the pieces together to really make it work. Because new towns are complicated planning exercises, they're not something that you dream of over the breakfast table when you're eating your wheaties and then run down to the Legislature and hold a press conference to announce that.

Mr. Speaker, you have to know what you're doing in this business. Frankly at this stage we simply are approaching it in kind of a random ad hoc fashion and as a result the confusion that's being created in terms of that peripheral area is compounding the problem that we don't really know what we want to do with that Planning Act. As I say, a Planning Act is simply as good as the plans that go into it and if the legal instruments seem to make some sense, but if you are without direction or purpose then the Planning Act is a machine that has nowhere to go.

Mr. Speaker, in saying that, it seems to me that there is still one major unresolved issue that is not contained in the Planning Act, which has still not really been fully explained by the Minister, and I think that it is going to be the cause, if it already isn't, of major conflict between the landowners in the peripheral area of Winnipeg and if it is not resolved in some way will probably sadly diminish the capacity and the ability of the Planning Act to be an effective instrument of planning control and growth control around Winnipeg, and that is the question of compensation for property used. Now, Mr. Speaker, there has always been a pretty basic law, common law in this country about the rules of compensation, and that is that we really only compensate on the basis of expropriated land.

Again, Mr. Speaker, the Planning Act itself contains in it the power of a community to in effect deny in a number of different ways the ability to use land or property according to one's individual interests. Mr. Speaker, that's a pretty substantial change from the tradition of our society and our country, and it comes about for reasons that I guess can be explained historically; that we've become far more conscious and sensitive about the needs to protect environmental problems, that we realize that we cannot simply depend totally upon a market system to allocate where land should be used, and therefore the community over the years has increasingly introduced more extensive police powers to protect the community interest versus the individual interest. Zoning was the first of those, but this Planning Act goes much beyond zoning. It gives the power of the Act to designate large-scale areas for non-development purposes. So in effect they're saying to large numbers of areas of landholdings, "You will not in any way acquire or accrue any benefit or any interest or any equity off the sale or purchase of that land, you're frozen." Now the problem is, Mr. Speaker, the guy across the road may not be frozen, so that - if I can use an example: Farmer A may be in a designated zone that is being held for low

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(MR. AXWORTHY cont'd) . . . . development purposes or no development purposes for reasons of ecology or environment or land-use control or shoreland reserves, there's a number of reasons in the Act why that land cannot be developed, but his neighbour across the street can reap a windfall because that area may be designed for high density development and all of a sudden the land there will shoot up a hundredfold in value. So here's a guy on one side of that road saying I get nothing, and the other guy on the road sort of, you know, buying a condominium in Florida for the rest of his natural born days.

Now, Mr. Speaker, one can say, "Well that's the luck of the draw, fellows, you can't do anything about it, it's a big crap game that we've got going out there, you happen to draw a blank hand, it's just not working out." But, Mr. Speaker, it won't work that way, because in fact the conflicts that are set up will really create such a disruption in the planning process, such a confusion in the planning process that the ability and will of the municipality to start imposing those designated zones, to start acquiring some ability to make some controls, well I would think it would almost be next to nothing. They will not be prepared to take that kind of heat, to take the sort of reaction and demand that will come from farmer A, who all of a sudden when that draft planning statement comes out finds himself totally devoid and deluded of any kind of ability to use his property according to his individual interest. So you have the classic case that we're always debating, and that is the interest of the individual versus the interest of the community. And, I guess, Mr. Speaker, you can either take the attitude that that's the way it goes and you simply have to absorb those problems and deal with them and have all the conflict that goes along with it, or you can try and find ways of responding to it, finding instrumentalities that would assuage or diminish that conflict. And, Mr. Speaker, we have not paid any attention to the question of how can you compensate farmer A for the fact that you're taking away his property rights. You may not be expropriating his rights but, in fact, you're taking away the basic right if he wants to sell or use it. And, Mr. Speaker, you can say, "Well he's a big speculator anyway." Well he may not be, because there's certainly a number of people in the periphery of Winnipeg whose only equity, whose only insurance policy for their old age is their land. They are not, I suppose, privileged like many of us are that they get into pension plans and have all these kinds of annuities and all the rest of it - and I guess the Cabinet's going to improve it's own pension position or whatever the Premier was announcing - but whatever it is, someone who is in the farming business simply doesn't have that same opportunity to kind of protect themselves and his land may be his only protection and all of a sudden the community marches in and says, "Okay, that's it."

So the question of compensation becomes very important. And I would suggest, Mr. Speaker, that there are solutions that are being tested and tried to overcome the problem. One of the kinds of particular innovations in land-use planning is the idea of transfer development rights where in effect what you're saying is that every portion of land is assigned a certain number of points - let's say for the sake of argument every acre has 10 points to it - and therefore what it really means, that if farmer A has 10 points on his acre and farmer B 10 points on his, but farmer B has his land zoned for high density use, the point is that he can't develop it to high density use until he acquires 20 points and therefore he's going to have to buy the 10 points from farmer A. Now that is a simplified version of transfer development rights. That simply means that the kind of gain that farmer B is going to get by selling his land, or whoever it is, will have to be shared with his neighbour in effect. That the compensation wouldn't require public compensation but it does require shared compensation, and that compensation comes through the development rights concept. Now I realize that perhaps the Legislative Chamber is not the place to try and go through an exposition of how a TDR system works, but I would suggest that it has been tried in a couple of American states, it's being looked at in the Province of Nova Scotia and I believe Alberta is now looking at some variation of it as a way of dealing with that particular kind of problem of basic compensation for lost rights.

And it bothers me to some degree, Mr. Speaker, that when we come about to amend the Planning Act that we haven't also accompanied it with some ways of dealing

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(MR. AXWORTHY cont'd) . . . . with that. Now other kinds of proposals of dealing with compensation is that there is almost a development fee to every land transfer that goes on, similar to what happens let's say when Central Mortgage and Housing has a one and a half percent interest, when it lends a mortgage to anyone and the money from that goes into a reserve fund so if there's a default in a mortgage then the lending institution doesn't lose out. And that has become a very important way of providing some security and stability in the mortgage market.

Again I would suggest that other jurisdictions have tried the idea of a development fee, not a large one, but it assigns a one percent or a half percentage point to a transfer fee that someone pays when land is transferred and goes to the Registry Office, and that goes into a fund to again provide a form of public compensation for those who lose their property rights through designation or through different kinds of environmental controls or Acts which this particular bill would impose.

There are still other different kinds of planning instruments that have been tried, some with greater or lesser degree of success, in providing for that fundamental problem of compensation. But, I would simply say this, Mr. Speaker, unless there is some innovative approach taken to dealing with the problem of individual rights and property rights so that there can be some form of compensation provided, either through the development right idea or a fee transfer or whatever it may be, then it will result in the inability of the Planning Act to do what it is supposed to do because there will be such large scale reaction in opposition to it that the teeth of the Act, the strength of the Act, will not be imposed the way it should. And I think it simply is something that, while common law has always in this country indicated that compensation is not required when you're imposing a certain police power such as zoning, I would simply say the practicality of the issue requires some form of action like that; it requires some form of examination of the kind of compensation that could be applied, and therefore that would, at least to my belief, Mr. Speaker, it would take the sting out of the Act on the part of many individual property owners who are going to feel very upset that somehow or other when the Act really starts to roll they're all of a sudden going to find themselves without any investment for their future.

So, Mr. Speaker, those would be the remarks I'd make about the way the Planning Act stands now. I think that there are a number of principles in the Act that are a menace to the Act that I would like to speak to, but I would be guided more by your instructions when the Minister introduced the Act, and that is not to get into the details of the amendments but save that for Law Amendments Committee. So I would hope that some of the comments I've made may be suffice to give cause to the Minister for some further thoughts about how he can take what I still think is a necessary and important step that he's introduced, to make it not simply a gesture in a heroic move that may not in fact end up achieving its purposes, but try to ensure that he puts together all the proper arsenal of instruments and all the proper protection so that the Act will not only be on the books but be a living active part of the program and procedures of this province as it tries to cope with the sprawl of land and the development and growth and management around its urban areas.

MR. SPEAKER: The Honourable Attorney-General. Just a minute. The Honourable Member for Portage la Prairie had it in his name. Is he going to speak on it?

MR. G. JOHNSTON: Yes, Mr. Speaker. I had taken the adjournment for the Member for Fort Rouge and I would like to release it if some other member wishes to speak or adjourn it.

MR. SPEAKER: Thank you. Very good. The Honourable Member for La Verendrye.

MR. BANMAN: Thank you, Mr. Speaker. I've but a few brief comments. Some of the parts of the Planning Act needed changing and I would just like to draw to the Minister's attention some things that have arisen, two in particular, in the dealings so far with the Planning Act as far as it affects my municipality.

No. 1, is the part where there's a certain amount of dedication of land when you're near a stream or a particular body of water, and what has happened is, that

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(MR. BANMAN cont'd) . . . . because of the dedication required in the Act, it's causing a lot of hardship for people who are either subdividing or wishing to sell certain portions of their property. And I note that the officials from his department have made reference in a letter which I have here, that there could be possible amendments before the Legislature this session, and to quote from his letter here: "Your application will be kept on file until the appropriate amendments are made to the Planning Act or until you advise this office otherwise." Now I'm wondering if the Minister has had any representation with regard to that particular problem. I think we're looking at a 10 percent dedication, and when you're dealing with smaller properties it is causing problems.

The other point is that when we're dealing with lot-line splits, in other words - and this comes up particularly in the small villages and towns, if a particular owner has, let's say, 150 feet frontage and has built on 75 feet of that and wishes to sell the other 75 feet and it's a serviced lot and everything. Right now he's got to fill out the whole application form, go through the whole process of an application for a sub-division, because technically that's what it is. I'm wondering if the Minister has given any consideration to allowing that type of lot-line split where we've got small lots involved, where there's one or two lots involved, where the zoning is already right and the services have already been installed, why the council or the local planning authority can't give that person the authority to do that. I think we're looking at roughly about a 90 . . . .

MR. PAWLEY: That's in process now.

MR. BANMAN: . . . a 90 day tie-up, I think, on a particular thing like that. The Minister was saying, it's in process right now. Is the Minister saying that's in this particular Act, the amendments that we're dealing with right now? Because I know of several cases right now where this is happening, where we have to fill out the subdivision form. It has to go to the Head Office in Beausejour where it has to be okayed and then it comes back to council. And I wonder if we couldn't somewhat streamline that a little bit by allowing the councils to make the lot-line change right at the council meeting, because the zoning is right, it's a residential area as long as it conforms with the square footage for that type of building, I don't see why the councils couldn't do it instead of having to get legal people to fill this out and go through the whole planning system.

So I draw those two points to the Minister's attention, the dedication of land because of maybe a small little creek running through the back portion or any portion of that particular property, and also the problems of the lot-line split.

MR. CHAIRMAN: The Honourable Attorney-General shall be closing debate.

MR. PAWLEY: Mr. Speaker, I would like to move, seconded by the Honourable Minister of Mines and Natural Resources, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I would suggest that I move the committee into supply.

MR. SPEAKER: Well there's only one item under Private Members' Hour, I don't know if the Honourable Member for St. Matthews wishes to speak on it.

MR. GREEN: My impression is that I should move the committee into supply, then proceed to Private Members' Hour immediately.

MR. SPEAKER: Well it's already been indicated to me that the Honourable Member for St. Matthews will not speak on the bill, so we'll go into Supply.

MR. GREEN: There is nobody wishing to speak on that bill. Then, Mr. Speaker, I move, seconded by the Honourable the Attorney-General, that Mr. Speaker now leave the Chair and that the House resolve itself into a committee to consider supply to be granted to Her Majesty.

MOTION presented and carried, and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in the Chair.

COMMITTEE OF SUPPLY  
MINES, RESOURCES AND ENVIRONMENTAL MANAGEMENT

MR. CHAIRMAN: I refer honourable members to Page 40, Resolution 85(b) Manitoba Water Commission, Salaries and Wages. The Honourable Member for Roblin.

MR. McKENZIE: I have two questions, Mr. Chairman, for the Honourable Minister. I've had several inquiries about the lake level of Lake Winnipegosis, the high water, and wonder if in fact there are locks or something that may be causing that problem. Maybe it's just a general condition of all the lakes, as the Minister mentioned in his remarks the other day. The other thing, in reading the annual report of the Water Commission, I wonder, does the Minister intend to implement the majority of the recommendations of the Commission which are provided at the back of the report?

MR. CHAIRMAN: The Honourable Minister of Mines.

MR. GREEN: Mr. Chairman, the honourable member has referred to the levels of Lake Winnipegosis, which doesn't really come under Water Commission and I will deal with that in due course. I'll get a response to it, but it's not handy in my material which relates to Water Commission. He referred to the annual report of the Water Commission and I'm not sure which - I do not believe that there is an annual report of the Water Commission. You are referring to perhaps the report on river-banks and shorelines.

MR. McKENZIE: The recommendations are on Page 61 and I was wondering if the Minister . . .

MR. GREEN: I answered that question the other night but I will repeat because at the present time those recommendations are being considered, Mr. Chairman. We haven't acted definitively on any of the recommendations relating to riverbanks. I would indicate to the honourable member that report was tabled on May 11th which is not long ago, but nevertheless we have not acted on the recommendations as of yet.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: Mr. Chairman, just dealing with the Water Commission briefly, I know the Minister has once again heard representations made to him with respect to the water levels on Lake Manitoba and they are somewhat higher at this time than they have been for a number of years, I'm given to understand. I'm also only too well aware of these many different conflicts of interest around Lake Manitoba. However there seems to now be developing a situation which isn't satisfying anybody to a noticeable degree; at best when one has to make a decision, and decisions have been made with respect to the regulation of Lake Manitoba some years ago, decisions were made under the previous administration and by and large adhered to by this administration, but there would seem to be mounting evidence that would indicate that - and research work done - for instance at the southern part of the lake at the Delta, that there is a concern that the very regulated regimen of the lake is not necessarily in the best interest of maintaining that natural resource, namely the Delta marshes at the southern portion and southern rim of Lake Manitoba. There is of course an ongoing dispute with respect to land use further up along the lake with the arguments that the ranchers and the agricultural interests will present. There is generally, Mr. Minister, a feeling that - perhaps I'm inviting a criticism from him for failure to fully complete a project started by a previous administration, but I'll venture to do that nonetheless - that the overall control structure at Fairford, at Lake Manitoba, just was never completed to its maximum degree and subsequently we are dealing with a kind of a compromise situation in terms of what we can do and how we can regulate lake levels of that large lake.

What concerns me, Mr. Chairman, more so than, on this occasion than even before is of course the experience of unduly high water flows and one really has to ponder where all the water is coming from - I think we know it's just the continued drainage patterns I suppose that are still being carried out and that we impress upon the Minister to continue carrying out, in parts of the watershed that flow into the Assiniboine. Nobody in their wildest imaginations in the Department of Water Control, nobody in living memory along the banks of the Assiniboine, had ever seen the amount of water on that river that we have experienced this spring, upwards to 50,000, 52,000, I believe, up to 55,000 cubic feet per second, where I'm told that in previous flood years and flood

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(MR. ENNS cont'd) . . . . occasions, 37,000, 38,000 cubic feet were considered to be --(Interjection)--on the Assiniboine - extremely high levels.

Well, Mr. Chairman, I'm aware, and I would hope that while this isn't the item under the Estimates to bring that discussion up, I will do so when we arrive at the overall Water Management and Water Control section of his Estimates, but I have reason to believe that the department is considering eventually resolving some of the difficulties of the Whitemud River and the flood situations in that portion of my constituency, in the constituency of Gladstone which will have the effect of bringing more water into Lake Manitoba faster. And we now can likely look forward to the diversion, the Portage diversion putting more water into Lake Manitoba, rather than less. Mr. Chairman, the attention that I'm trying to draw to the Minister is that obviously a harder look will have to be taken at how we get some of that water out of the lake at the other end, namely on the Fairford Control structure and into that system of Lake St. Martin and eventually into Lake Winnipeg.

Now there has been the feeling that we have had not fully completed the works in and about the Fairford Control Structure. (a) Perhaps by not having acquired sufficient land in the first instance we have had to undertake a lengthy period of compensation for flood loss, loss of capacity to produce hay. There has been an all too long record of a very costly expensive transportation of fodder and hay into that area because of this, and I don't hold this Minister responsible or this government responsible for that, but my concern is for the future, that if we indeed are looking to putting more water into Lake Manitoba by one means or another, then the Water Commission will have to consider some pretty fundamental questions with regard to how some of that water can be removed at the north end at Fairford and what new regulation, what new regulatory controls have to be exercised on Lake Manitoba.

There seems to be an impasse with respect to the Water Commission's ability to deal with Lake Manitoba. I know that there have been numerous hearings held by the Water Commission. I'm also told, Mr. Chairman, that the Minister has once indicated his willingness to let the Water Commission look at some of the complaints in this case of a delegation that he just recently had or visited to review once again their claims or their positions with respect to desirable lake levels that they seek. But I'm also given to understand, and I can believe this, that the answer or the response from the Water Commission can hardly be much different than what it has been on previous occasions. They are after all the same members. They are after all --(Interjection)--Well than I have to beg the Minister's indulgence to inform me of change in the membership but I didn't know that there was a recent change in membership of any significant degree, but they are essentially dealing with the same facts and the same information made before them.

All I know, Mr. Chairman, that one can never hope to have everybody happy in a situation like this - one likes to hope, one likes to have at least somebody happy. But what is happening on or about the shores of Lake Manitoba is that in growing numbers nobody is too happy, and it seems to me that then something has to be done, I mean, a decision has to be made - if you want to do it by a flip of the coin then you may want to do it that way, but either make the environmentalists happier, or you make the ranchers happier, or you make the muskrat farmers happier, or you just express a greater concern about the future amounts of water that are going to be coming into Lake Manitoba and how you'll be able to handle them. I believe the Water Commission has a role to re-study or re-open their examination about the future control and regulation of Lake Manitoba in view of some of the changed drainage patterns that are influential on the input into that lake, and some of the perhaps major changes that hopefully will be made in the not too distant future. I suspect that the answer lies in the manner and the way in which the Fairford structure is looked at and what kind of water can be passed through there, and at what levels the lake generally should be held to anticipate the kind of flows that we've experienced this spring.

MR. CHAIRMAN: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker I certainly made one near fatal mistake in the presentation of these Estimates, and that is that when we came to Water Commission it

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(MR. GREEN cont'd) . . . . was passed over, and I thought that is a terrible thing to have the Water Commission passed over without saying something about the fine work that is done by Dr. Saunderson and the members of the Commission, and I wish to acknowledge their work and I got up and did so, and since then there has been at least an hour and a half discussion on Water Commission. That's okay, most of the items that the members are raising can be raised and I think that they thought so when we come to the water operations part of the department and if we discuss it now I presume it will be less discussion later, so it comes to the same thing in the end and I guess once the door is open honourable members would worry about not raising the matter when it appears to be an issue, so I accept that. I think that the Water Commission appropriation is not directly pertinent to these questions but I think we can deal with them under that appropriation.

First of all with regard to the regulation of Lake Manitoba and the delegation that visited my office and the general dissatisfaction that nobody is happy: I am resigned to the position in most water questions that nobody will be perfectly happy and that everybody will have some complaint but that nobody will have like a fatal complaint, that every water program that I know of results in somebody having a slightly better situation than perhaps somebody having a slightly worse situation, and that when you interfere with a natural condition, then you have to try to interfere with it in such a way as to do the least damage to the various persons affected. I am not aware, although it may be so, and when I'm talking if I find out that I've said something that isn't appropriate, I'll be correcting it at a later date because my officials will correct me, but I'm not aware that the Fairford Dam was not completed in concept and in structure. I am aware that there were some complaints that a fish ladder was not installed and that this lack of a fish ladder has interfered with the fishing prospects of fishermen on Lake Manitoba and there were efforts to have this fish ladder installed. As a matter of fact I believe that we went down to Ottawa and we discussed a sharing of the cost of a fish ladder with the Federal Minister of Fisheries, Mr. Davis, because they were the original participants in the cost sharing of the dam, and we felt that if the dam has affected the fisheries badly that they should be the sharers in the construction of a fish ladder. And I think we did get them to agree to sharing up to a maximum of \$120,000, 60,000 each, and when the costs came in it was higher, \$185,000 - these are all from memory - and at that point the question of whether this fish ladder was worth that amount was again considered and I do not think that we have been able to achieve sharing on a fish ladder, but I don't think that that has to do with the levels of Lake Manitoba. I think it has to do with the fish passing through both ways in the structure.

I have not heard, but the honourable member brings it up, the suggestion that the Lake Manitoba regulation is affecting the Delta Marsh. I am aware that the Province again went to Ottawa and negotiated an extensive Delta Marsh study, which I think is now being conducted through the auspices of the Department of Renewable Resources, that most of the work on the Delta is being done through the Department of Renewable Resources and of course if their studies or their findings are suggesting problems with the level of regulation, then that will come to our attention in due course and we will have to deal with it.

I think that the amount of water that we've had on Lake Manitoba and the high levels this year are due to two main causes: One, the relatively high precipitation and high water in the area and secondly, and more importantly, to the amount of water that passed through the Portage Diversion. Because we had 25,000 cubic feet per second. We used the diversion to its maximum. If the Honourable Member for Lakeside will have seen the television newsreel on the use of the Portage diversion, it looked like - and of course this is a picture and you can't tell - it looked like the water was just up to the very top of the control structure. So it was used to the extent of 25,000 cubic feet per second. That has probably affected Lake Manitoba to some extent although not nearly to the amount that psychologically would be in the minds of the residents. One can't really get that out of their minds. There are certain people who were certain



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(MR. GREEN cont'd) . . . .that Lake Winnipeg was raised three feet by a pile of stone that was lying near one of the channels. To raise Lake Winnipeg three feet one would have to dam the lake, the expanse of the lake would require that. But it was very difficult to convince people that it was not some wrongdoing of some kind that raised the level to that extent.

The Honourable Member says that the members of the Water Commission may be asked to consider this again and that they would not come to any different conclusions. I want to make it clear to the honourable member that I did not offer any optimism to the delegation that came to our office.--(Interjection)--If that was made clear to them then I am glad because they have gotten the message. When a delegation comes in and says, we are right, everybody else is wrong, we will not concede that anybody else can ever be right and we don't care if the Water Commission decides ten times that this is to be the level, we are saying that we are right and they are wrong. I think that it is impossible to satisfy such a delegation. The gentleman made it quite clear to me that it doesn't matter what the Water Commission decides. If they decide that he is wrong, he will say that they are wrong and he will be back again. I said that I have to tell you, Sir, that I cannot decide questions from the point of view that you are going to appear every time you are dissatisfied with the decision. He says that he hopes that I will get the message. So I said, the message that I will get is that you are ready to come here and tell me that they are wrong every time. But if that is the basis upon which I made decisions, then the other parties, knowing that the way to make Mr. Green change his mind is to come every time and say that they are going to continue to come, no matter what we say, that we will get nowhere. The honourable member knows it. If he's saying to me that both sides are dissatisfied he is merely posing the dilemma that maybe I should try to satisfy one of them and not worry about the other. Or the reverse.

I'm telling you that that is not the way it is going to be done. We are going to try to determine what is in the best interests of the various parties affected by Lake Manitoba. There are some that are concerned that if the water gets too low that it will be a terrible thing for wildlife habitat and there are some that are concerned that when the water gets too high that it prevents them from carrying on agricultural activities in low lying land that is subject to flooding.

I am not going to be able to make a decision which makes both sides happy. I am resigned to the fact that there will be a decision which neither side is entirely happy with, but which enough people in the area realize is a reasonable decision. --(Interjection)--Oh well, the honourable member says that I want to compromise. A compromise would be to yield to one of the sides or the other. A non-compromise is to do what you think is right and if both sides complain about that then you live with that. But that is a non-compromise. This is what we have been doing and I assure the honourable member that I have had no input into Lake Manitoba regulation. I told the delegation that there's probably nobody who knows less about what the regulation should be than myself and I admitted that to him candidly, that what we did was have a group of people who had some understanding of the subject listen to all the evidence and come to a conclusion as to how the lake should be regulated. We looked at that conclusion, we didn't see anything in it which would indicate that the board was yielding to pressures which were not germane to the issue and we adopted it, and we continued it. It is the same decision that was made when the Minister of Mines was the Member for Lakeside and it's the same decision that I made and I am inclined to think that it will be relatively the same in the future, that you're not going to satisfy both sides on this issue, nor should you make an attempt to do so.

The members of the Water Commission are to some extent different. It could be that the present Commission delivered the most recent report on Lake Manitoba regulation, but I am certain that much of the work that was done with regard to Lake Manitoba regulation, which led to the most recent report, was done by the previous chairman Mr. Cass-Booy, that subsequently Dr. Saunderson took over and it's possible that the final report was made by Dr. Saunderson, but Mr. Booy was very much involved in some of the hearings that preceded the making of that report.

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(MR. GREEN cont'd)

I didn't promise that the Water Commission would look at this again. I indicated that there would be a discussion within the department and we would try to determine whether there are good and sufficient reasons as to why it should be looked at again. Good and sufficient reasons does not mean a man coming in and saying that you must look at it because I say they are wrong and I am right. That is not good and sufficient reason. We have to try to see whether there are any circumstances which have changed or which were not considered in the earlier report, which justify us looking at the regulation of Lake Manitoba again and that is what will be done.

As to the flow of 52,000 cubic feet per second down the Assiniboine River, the honourable member says that nobody has remembered it happening, that it is unprecedented. I'm going to make what I feel much more comfortable about now in making a prediction, that we have not seen the lowest water on the Assiniboine River yet and we have not seen the highest water on the Assiniboine River yet. So despite the fact that no one has seen it before doesn't mean that it does not arise from natural causes. I am suggesting to you that drainage and the improvement of waterways would be a very very negligible factor in the 52,000 cubic feet per second that we experienced on the Assiniboine River this year. By and large it is the conditions of nature, precipitation, time of thaw and things of that nature.

MR. CHAIRMAN: The Honourable Member from Portage la Prairie.

MR. G. JOHNSTON: Mr. Chairman, I arrived after the Member for Lakeside had obviously spoken on some of the problems concerning the Portage Diversion. I wonder if the Minister could tell us what the Lake Manitoba level is presently and what is the so-called desirable level that has tried to have been maintained by the use of the Fairford Dam.

Also, I would like to publicly urge upon the Minister the responsibility that he has in doing something about the design of the diversion at the lake end. Twice in three years now there has been a break in the diversion caused both by the design and also this year by the deliberate act of the department in breaking the diversion at the most convenient point. Admittedly it was going to break anyways. I would like to know if the Minister would consider in the next year or if not that the year after, a changing of the design to a more permanent structure, that will take the water all the way to the lake. After all, the device of the diversion is in place and if improvements should be made, they should be made sooner rather than later because of the damage that has been caused twice now in three years to a sizable number of farmers who live adjacent to the diversion.

Also I want to know if the Minister will consider some plan of recompensation to cottage owners at Delta. At the present time at Delta there's practically no shoreline. Nearly every cottage owner has by his own individual effort tried to build dykes and put in old railway ties and what-not to save their cottage property. Now if the diversion had not been there - and the Minister just admitted that - that the level of Lake Manitoba wouldn't be as high as it is. So because of government action in building the diversion, I think government has the responsibility to give restitution to cottage owners who have suffered loss. Now there's only about 150 to 200 cottage owners there but to each individual that's a sizable investment that they have made on the expectations that the shoreline and the lake level was going to remain as it was when they either purchased or built their cottage properties. I think that government has a responsibility here not to say, well our plans of restitution for flood is only for permanent residents or only for farmers and not for recreational property owners. I don't think that's a fair decision at all. If by act of government a change has taken place then it should be looked at in the light that I've just suggested to the Minister.

I would like to hear what the Minister has to say about the two matters that I bring to his attention. One is the reconstruction to a more permanent and a safer bankage system at the lake end of the diversion for future protection of not only cottage owners but the farmers in the area, and also about changing government policy to recompense cottage owners who have been affected by a government action.

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MR. GREEN: Mr. Chairman, I'll get the figures on the lake levels for you and I'll give them to you some time when you're in the House at a future date.

With regard to the diversion channel, the honourable member says that it was done by deliberate government action. There was no flooding of the northwest part of the diversion that would not have taken place under natural conditions. I don't want it to be misconstrued that some action was taken which caused flooding which otherwise would not have occurred. When the diversion channel was built it was built on the basis that 25,000 cubic feet per second could be carried by the major part of the diversion channel, that during the last portion of it, it could only carry 15,000 cubic feet per second and therefore when we went over 15,000 there would be a spill. It was designed in that way on the assumption that the cost of construction of that last portion would not warrant a cost benefit as to what would occur when a spill took place. We have had now what is considered a one in three hundred year flood on the Assiniboine River. One in three hundred years. There has to be some rationale to planning. You cannot proceed on the basis that you are going to plan for the one in one thousand year flood. The one in one thousand year may be a hundred thousand cubic feet per second on the Assiniboine River and that's going to hurt more people than this one will. But one cannot operate on that basis. One has to deal with reasonable ranges of probability. My understanding is that this flood was the one in three hundred year flood.

I also understand that as a result of this flooding, we are talking about something like 3,000 acres of land having been affected, 3,000 acres of cultivated land having been affected. That amounts to five sections of land and the amount of compensation that we paid for the five sections of land last year was in the neighbourhood of some \$35,000 to \$50,000. The cost of creating the floodway so that the banks would be contained right through to Lake Manitoba without affecting these lands may amount to, let's say \$500,000. Let us assume that that is the figure. Let us assume that \$500,000 is the figure, I'm not sure of what it is. One has to gauge, if we're going to have a flood every 50 years which is going to cost \$300,000, whether we should spend \$500,000, and \$500,000 is \$50,000 a year every year.

Now I sympathize with the people in the area. At the same time I have to sympathize to some extent with the planners. You know we should put these things sometimes into perspective. Three thousand acres of land, cultivated land was flooded this year by the Portage Diversion spillway, maybe the same as two years ago. That is more land than will ever be flooded under the worst projected conditions in Nelson House, under the worst projected conditions. That is with the highest water level and an ice jam backing the water up into Nelson House. So the kind of problem that we are experiencing and the way in which we are dealing with it should be somewhat equal in both cases. It should be somewhat equal. I would submit that there is tremendous pressure somehow to deal with these two different situations in different ways - I'm not saying from the Member for Portage. I think that it merely is a way of putting things into perspective. And that is all artificially brought water. The water that goes down the diversion is artificially brought.

We have ex gratia, and I'm not taking any plaudits for this, I think it's probably the right thing to do, said that even though there is no legal responsibility on the part of the province because the province has a right to change its waterways. It should do so with discretion but it has a right to do so. In changing its waterways I do not believe that it subjects itself to civil responsibility unless it wishes to. But we have said that this water was brought, it would not have been there and we are going to compensate the people who for their livelihood depended on a cultivated crop and we're going to argue about the amount of compensation. If any of those farmers think that they can just sit back and say that now we don't have to do anything because the province will compensate us, they are mistaken and we have told them accordingly. We hope that there will be a runoff; we hope the runoff will be quick; we hope that they will be able to plant crops and we hope that they will not suffer. And if they don't - and I think that they would hope so too - then there won't be any compensation. Because compensation is based on them suffering ultimate damages and they are to take all such steps as are reasonable to mitigate against their loss.

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(MR. GREEN cont'd)

With regard to the cottage owners, we have not accepted either the fact that there is an ex gratia responsibility to recreational use, nor do I accept at this moment that the levels of the lake have been so affected by the Portage Diversion as to have affected those cottage owners. You've indicated that I have admitted that the water has gone up. Well that's hardly a big admission. If I spit in the lake it would go up by an immeasurable amount. Twenty-five thousand cubic feet per second has got to do something but not what they are talking about. It will vary by the amount of the spit in the ocean so to speak but it will be a spit in the ocean. Twenty-five thousand cubic feet per second is more than a spit in the ocean so I've got to say that it went up but I don't know how much it went up. I would say that the amount that it went up is rather negligible and that the cottages would have suffered with or without the effects of the Portage Diversion.

We haven't accepted an ex gratia responsibility. If those people feel that they have some legal claim against the province then they should make such claim as they feel that they have. It is going to be very difficult for the province or the government to accept any water programs if they are going to be under responsibility for every possible contingency that could happen in every possible circumstance. I am not satisfied at this moment that the cottage owners that you are referring to have suffered by virtue of the water levels in Lake Manitoba due to the Portage Diversion.

MR. G. JOHNSTON: Mr. Chairman, I find it hard to reconcile the two speeches made by the Minister in a period of about 20 minutes. He has said that the Portage Diversion has caused some rise in the level of the lake. I am sure that if he would ask his advisers, some of whom are up above and some who are beside him, they could give him an estimate of what rise that has caused to the lake. Now it doesn't take much of a rise on a very shallow lake with a very low profile shoreline to know that a foot or six inches over normal with wind action can cause a great deal of damage. While he is trying to minimize whatever has happened, I believe he should be frank with us and tell us what has happened.

I take it it was a ten-inch rise, I'm not too sure of that. It couldn't have been a ten-foot rise. Anyway, has the government in the past ever taken any action with public funds to control shoreline erosion? Has the government ever done this in the past on Lake Winnipeg or Lake Manitoba or wherever? I'm sure the cottage owners would realize, being reasonable people, that the Minister has quite a problem here. But really what he is saying is it's just tough luck and I don't accept that.

I'm sure the government, through their engineers and their resources, can come in there with some plan and some financial assistance and otherwise to create some bulwark along the shores that are affecting these properties and help out. Now the Minister, can he tell me - and I know he speaks the truth when he speaks - can he tell me that the province never before has never entered into any program or given any sort of assistance to either municipalities or directly to control shoreline erosion.

MR. CHAIRMAN: Resolution . . . The Honourable Minister of Mines.

MR. GREEN: . . . I know that we have done work on Lake Winnipeg to control, not shoreline erosion, but to protect for flooding. I am not aware that we have - and again I stand to be corrected - but I am not aware that we have had any programs for dealing with shoreline erosion. We have had programs for dealing with flooding, which of course - the honourable member needn't back away from that - that would deal with the kind of situation that he is talking about. If there was flooding on Lake Winnipeg and we helped them with the dikes and temporary dikes, and those cottage owners that you are talking about could have been helped in that way, that's one of the things I suppose that we could consider and would consider.

I was trying to ascertain how much Lake Manitoba would have risen by virtue of the Portage Diversion and Mr. Weber had about nine fingers up. So he's talking about nine-tenths of a foot. He's talking about nine-tenths of a foot would be the maximum amount that would be affected by the Diversion.

I am also advised that the Lake level at its highest was within the natural

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(MR. GREEN cont'd) . . . .limits, highest limits of the lake. So that the highest level on Lake Manitoba this year was within the highest lake level range so that cottage owners have had that lake level before, aside from the Portage Diversion.

MR. G. JOHNSTON: Well I detect some legalities here when the Minister says that the lake is not any higher this year than it ever has been. I am talking about the period from the Fairford Dam onwards when there has been a measure of control. Now government has interfered with the control of the lake and over a period of years maintained a certain control by an artificial work. This would lead people to believe that the land at a certain height above water level is safe. Now the Minister is saying: well, that's not really the case any more. Everybody has to take their chances. I think that's an abdication of responsibility, when for a period of years you maintain a level artificially and then in a year when another artificial device causes nine-tenths of a foot to come on to that lake to say well it's no worse than it was since time began. That's not being fair with the people who are being affected.

Also I would like to press the Minister to give an answer. Will he do something about the design of the Diversion? Will he do something about helping, in this case the cottage owners at Delta, with some program of diking or some sort of a device that will break the wind action and save what little beach is left at that historic resort. That resort has been in operation now since before 1900, and if we take the Minister's word, well it's just too bad.

I know for a fact that at least one person has moved his cottage back. It's only a temporary action. In many many others the water went within three or four feet of their cottages and the beaches eroded and washed away. They are suffering great financial hardship and I would like to know if the government is going to do anything at all to help them.

MR. GREEN: Mr. Chairman, with respect to whether we are going to do anything about the balance of the Portage Diversion Channel, I've indicated the problems but I also can tell the honourable member that we are looking at the economics of it and that we will not do it if the economics make no sense at all.

With respect to dealing with the problems experienced by cottage owners by virtue of the lake levels of Lake Manitoba, we have not considered such a program. So I can't say that we have rejected it. I don't want to be optimistic about it but we have not considered it. So if that is a note of optimism then at least if it's presented that we are prepared to see what is involved, we are prepared to do that.

The honourable member seems to suggest that we have it both ways, that these cottage owners have it both ways; that a provincial expenditure which resulted in an improved condition is something that can be accepted without any responsibility on their part and then another provincial expenditure which results in a temporary problem should be regarded as a net minus. After all if you are suggesting that the Fairford Dam did cause a benefit to these people and that was built at public expense, then another water course which doesn't completely undo the benefits of the Fairford Dam should not be regarded as something which the Crown should be penalized for.

I don't gather that the cottage owners would be asked to pay nor should they be asked to pay for the benefits created by the regulation which have removed some of the high peaks perhaps. I am not certain at this point, I'd have to be more acquainted with what are the complaints and whether or not the complaints can genuinely be shown to have been effected by the Portage Diversion to be able to deal with that question. But if it's of some consequence to the honourable member, since we have not considered it, we have not rejected it and there is a chance that we can consider it.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. CRAIK: Mr. Chairman, I want to deal under this heading with some of the problems that exist on the Red River and the erosion problems in particular that are resulting from any number of reasons. Mr. Chairman, I notice that the Manitoba Water Commission Report, December, 1975 tends to deal or attempts to come to some sort of grips with regards to programs that the government should undertake or how they should address themselves to the problems associated with erosion.

The Minister and I'm sure his department is well aware that there is a long

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(MR. CRAIK cont'd) . . . .existing problem in the soils of this part of the country where you get pretty severe riverbank erosion and the Red River of course - and the Assiniboine, but more so the Red - is very critical as far as the City of Winnipeg is concerned because the banks are migrating on a very natural basis from side to side and in their serpentine pattern that they follow, they tend to migrate in many directions depending on the hydraulics involved. I notice the report itself goes to some trouble to explain the mechanisms that cause this.

It also points out in the recommendations that there are problems resulting from the operation of the St. Andrews Locks, and it's been a curiosity for years as to why something cannot be done with regards to controlling the operation of the St. Andrews Locks. It comes under federal jurisdiction but the problems resulting from the operation of the locks, that is the lowering of the river in the fall of the year, the problems don't accrue to the federal authorities. They result and land on the laps of the municipality and of the private property owners that are along the river. There's very little question that the operation of the locks does play a role in causing the erosion problems along the banks of the Red River that are affected, upstream and downstream I presume, but primarily upstream from the locks and that takes in the entirety of the City of Winnipeg where you have the density problems built up along the river banks.

Mr. Chairman, I wanted to ask the Minister whether something cannot be taken to sponsor better riverbank protection along the banks of the rivers. I refer in particular to the City of Winnipeg primarily because a great deal of my constituency - in fact many miles of it parallel the Red River and the problems are very great. We have problems for instance along St. Marys Road south, in the vicinity of the Perimeter Highway, where last year I would guess there was about twenty or thirty feet of riverbank lost in one slide that occurred. The river is now approaching perilously close to St. Marys Road which is a major artery.

There was a stabilization program taken on last year by the city, closer in on St. Marys Road where the bank was pinned and it was arrested. But it was an extremely expensive operation by the city to do so because they had to pile down for the entire stretch of the road that was exposed and they were able to arrest it.

But if you go further south into the less built up areas, but nevertheless still where there's lots of property at stake, both municipal and private, the banks are undergoing a rate of erosion that is alarming. I think that the government in its recommendations here is attempting to address itself - the recommendations are that first of all where there's municipal land, that the government help finance remedial measures, that is protection measures, by making low interest money available to the municipality and where there are private lands affected that then the municipality may enter into some sort of an agreement with the private owners to put in groins and so on, on the riverbank that will offer some sort of protection but then amortize the cost of it against the properties affected.

I wonder if that's really good enough, whether or not we shouldn't be attempting to approach these problems in a manner they have been attacked in other areas, and I think particularly in Europe where rivers have been regarded as something of public value, of environmental value and something that are a resource that has to be protected. You wouldn't find the situation in Europe where a riverbank was allowed to migrate in the manner that they're being allowed to happen here. That is they know what measures have to be taken in order to stop it and those measures have been taken and the banks have been stabilized and the problem has been overcome.

I doubt very much whether the recommendations made here by the Manitoba Water Commission in fact are going to bring about any significant amount of protection. This doesn't really change anything. The rivers and streams authority in the City of Winnipeg have had the same sort of powers in their hands but they haven't been able to undertake and finance a program of stabilization.

The city has gone into funding to purchase lands to go back into public ownership, for use by public, but they haven't really mounted any program to protect

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(MR. CRAIK cont'd) . . . .those lands that they already own or to protect individuals that own land and by virtue of the actions of the river are having them endangered. Now it says here where the cause of the problem results from natural causes, that is the procedure they follow, that is to make money available through low interest loans. But where the problem results from unnatural causes, then there has to be some sort of subsidization take place.

It acknowledges in the recommendations that there is a problem resulting from the operation of the St. Andrews Locks. So how is one to determine whether it's coming about by natural causes or caused by the operation of the St. Andrews Locks. The report says, I quote here, "That the Provincial Government approach the Federal Government to establish a joint study board to (a) find a way to ameliorate the erosion caused by the fall drawdown of the Red River by the St. Andrews Locks and to establish a formula to compensate for existing and future damage above and below the St. Andrews Locks that is attributable to the fall drawdown of the Red River and finally recommend a means to implement and to finance the needed remedial work." Well I think a very strong case can be made throughout the entirety of the Greater Winnipeg area that a lot of the damage has resulted and is resulting along the river as a result of the operation of the locks.

You'll find for instance that when the slumps occur is usually in the fall of the year when the water is drawn down, that is when the water is pulled down or drawn down or allowed to be brought down as a result of the locks being removed. It may drop somewhere in the order of 6 feet. When that happens the forces on the riverbank change and as a result any under-cutting that has occurred, there are no pressures there to keep the bank in place and it slumps. You get this repeated action every year. Now it's true that in the spring of the year that you do get a build-up of water that exceeds the normal level because of the high run-offs. But that's now controlled to a large extent by the control structure at the south end of the city. At any rate the water is only there for a short period of time and it goes back down to a natural level. It stays at that natural level and works away on the bank for all the rest of the season, seven or eight months, and then the water is let down and the pressures are taken off and the bank slumps.

Now this observation by the Water Commission is not new, it's been known for years. But nothing has happened. The St. Andrews Locks continue to operate in the same way as they operated decades ago and it's been known for years that this mechanism, and it's coming to light - it seems like it has to be a very slow process - it comes to light that in fact the operation of the St. Andrews Locks are in fact part of the problem.

So first of all, and to repeat again, there is no doubt that a lot of the problem of riverbank erosion, is not just a natural run-off problem. It's a part of the mechanism that is used to control the level of the waters in the Red River so there is an obligation here on the part of governments, and I say governments in the plural, to do something constructive rather than simply look at providing moderately priced money, loans to the municipality, in order to attack the problem themselves. It's bigger than that. It's a problem that should be attacked in a much more aggressive way by the Department of Mines and Natural Resources through their agencies.

I think that you'd find that in doing so that what the municipalities want is some guidance on how to do this. I'm referring here not only to Winnipeg but the other municipalities affected. There is a system laid out here on how to build groins and so on but you have to go further than that. There has to be the technology applied and the financing made available in order to see that the work is carried out.

I want to say that I think this thing is long overdue and it hasn't perhaps been the sole responsibility of this Minister to have solved the problem but as we go on and on and on the problem just gets worse and it keeps demanding in a greater way solutions that are much more adequate than those that have been applied in the past. I would like to hear from the Minister whether, apart from the recommendations made by the Water Commission, whether the Department has addressed itself to bringing about some sort of program that will protect this very natural resource, important natural resource that is

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(MR. CRAIK cont'd) . . . . recognized as one of the most important features of the city, its rivers, and bring about some sort of more effective way of controlling the problems that are resulting from both the natural and man-made erosion that is taking place. So, Mr. Chairman, I wonder if the Minister can indicate - I'm aware that he has advised those that are private owners that the problem is theirs. I don't think that the answer is adequate. Simply because the land is owned privately along the riverbanks it is not an adequate cop-out by the government from taking some sort of positive action and something more aggressive is required.

MR. GREEN: Mr. Chairman, we can be very brief. The province has no intention of accepting financial responsibility for erosions of riverbanks in the Province of Manitoba. And in that, Mr. Chairman, we stand with what I think is the policy of every government in North America. If the honourable member will merely think of the extent of the problem he will see that this policy is well arrived at. It involves virtually millions of miles of riverbank and if he is talking about what has occurred in Europe, I haven't been all over Europe but for the most part some of the European countries and even some Canadian cities have done much better with their riverbanks. They have not sold their riverbanks.

The city of Winnipeg started to undertake a problem in 1962 to try to purchase back some of their riverbanks to put them into the public domain and to not have what we have done in Winnipeg, particularly, with two great rivers, where we have disposed of and given to the exclusive possession of certain private individuals well over 80 percent of our riverbanks. We never should have done it and what this recommendation of the Water Commission says is that we should do two things: we should be buying back our riverbanks - and we're willing to consider paying for that, we're willing to consider recommending a program for that and we have recommended a program for that - and we should be preventing building on riverbanks. We should be creating flood plains and saying that you should not build on the riverbanks so that you will then not complain after you have built your house on the riverbank that your house is being eroded by the riverbank.

So if the honourable member wants an answer, I tell him that the province is not about to be financing the problems that are caused by riverbank erosion to private individuals in the Province of Manitoba.

I am sure that the reason the honourable member doesn't like the recommendation that's contained in the book is that it would put the municipalities under tremendous pressure. The municipalities don't want to pay for individual problems on riverbanks either. If we offered to pay them 50 percent, they are going to be in the position of saying to the individual that we are refusing 50 percent even though the province is willing to pay 50 percent. That's the real problem the municipalities are in. A suggestion that the province pay 50 percent would put them in the position of not wanting to do it but being under some pressure by the province to do it because there is a 50 percent provincial contribution.

I do agree with the honourable member and I tell you that the problem is new to me, it's not new to him and I accept that. I was not aware of this situation with the St. Andrews Locks. We certainly will make another effort. It's probably been done in the past but we certainly will make another effort to see whether there is something that can be done to ameliorate this problem.

In the meantime, if a man has bought a house on the river bank and that location is a problem for him, the recommendation here is that we provide him with long term borrowing to deal with his problem. We haven't adopted it yet, but I certainly don't think that we are going to go any further. We are not going to subsidize private individual land owners on the riverbank.

MR. CHAIRMAN: Order please. I'm leaving the Chair at 5:30 to return at 8:00 p.m. this evening.