

## LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, January 19, 1990.

The House met at 10 a.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### READING AND RECEIVING PETITIONS

**Mr. Speaker:** I have reviewed the petition and it conforms with the privileges and practices of the House and complies with the Rules. Is it the will of the House to have the petition read?

"To the Legislature of the Province of Manitoba

"The petition of the undersigned Roman Catholic Archiepiscopal Corporation of Winnipeg, humbly sheweth:

"THAT an Act respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg, being Cap.109 Statutes of Manitoba, assented to on March 9, 1917, be amended by repealing paragraph 1 thereof and substituting therefor the following:

"1. The Most Reverend Archbishop of Winnipeg, the Senior Vicar-General and three (3) members of the Roman Catholic denomination selected and designated by the said Archbishop, and the successors of the said five (5) persons, are hereby incorporated under the name of the "Roman Catholic Archiepiscopal Corporation of Winnipeg," hereinafter called the "Archiepiscopal corporation," for the purposes of administering the property, business and other temporal affairs of the said archdiocese.

"WHEREFORE your petitioner humbly prays that the Legislature of the Province of Manitoba may be pleased to pass an Act for the purposes above mentioned.

"And as in duty bound your petitioner will ever pray."

### INTRODUCTION OF GUESTS

**Mr. Speaker:** Prior to Oral Questions, may I direct the Honourable Members' attention to the gallery, where we have from the Keewatin Community College 16 students. They are under the direction of Mr. Warren Wayne. This school is located in the constituency of the Honourable Member for The Pas (Mr. Harapiak).

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

### ORAL QUESTION PERIOD

#### Village at Portage Place Mortgage Advance

**Mr. James Carr (Fort Rouge):** Mr. Speaker, my question is to the Minister of Housing (Mr. Ducharme).

Clause 30 in the mortgage agreement between the Manitoba Housing and Renewal Corporation and the Village at Portage Place says that the last 25 percent of the mortgage, or \$4,625,000, should only be advanced if MHRC is satisfied that the complex generates sufficient rental income to fully offset expenses for at least one year. When did the Minister of Housing advance the final 25 percent of his mortgage to the Village at Portage Place?

**Hon. Gerald Ducharme (Minister of Housing):** Mr. Speaker, first of all I will take that question as notice of when the advancement went through, but I have to answer that this particular agreement, drawn up in 1986 with the previous administration, I have expressed for the last week and a half is to protect that particular mortgage. CMHC is reviewing, they are our insurer, and that agreement was drawn up between the previous administration and the City of Winnipeg.

As a matter of fact, I was surprised that the Member across the way has not looked at the Member for St. Norbert (Mr. Angus), who was deputy mayor of the City of Winnipeg when that particular agreement was drawn up. Mr. Speaker, let us not point to any people in this House. I will take that question and get back to him with that information.

### Financial Instability

**Mr. James Carr (Fort Rouge):** I have a supplementary question to the Minister of Housing (Mr. Ducharme). Given the requirement that MHRC be satisfied that the income generated by Village at Portage Place was going to meet all of the costs required, when did the Minister first learn of the financial instability of the Village at Portage Place?

**Hon. Gerald Ducharme (Minister of Housing):** Mr. Speaker, first of all we learned of it in May of this year, and the first instruction of this Minister was under the conditions—remember we have an insurance policy, it is like an insurance policy. We follow the conditions of CMHC. We follow those conditions and we protect our investment. That is what we have done.

### Mortgage Default

**Mr. James Carr (Fort Rouge):** That remains to be seen. When did the developer, the Village at Portage Place, actually formally default on its mortgage payments to the Manitoba Housing Renewal Corporation?

**Hon. Gerald Ducharme (Minister of Housing):** Mr. Speaker, they formally defaulted early this spring as I mentioned. The instructions were of CMHC that we not proceed with that mortgage sale. They would protect our investment, and that is exactly what we did.

\* (1005)

## Vacancy Rate

**Mr. James Carr (Fort Rouge):** With another question to the Minister of Housing (Mr. Ducharme), and we now know that the date that he puts on the record as the date that funds were advanced to the Village at Portage Place is very important, because if it is inside of a year of the formal default, then the Minister spent more than \$4 million of the taxpayers' money that he did not have to, Mr. Speaker. We will be looking very carefully to when he makes that information public.

The agreement also says that the leasing arrangements are to be judged on their retail value, and that any discounted rents were to be taken into consideration in determining the stability of the project. What was the vacancy rate at the time the Minister advanced the final \$4.625 million to the Village at Portage Place?

**Hon. Gerald Ducharme (Minister of Housing):** First of all, I told the Member I would take that question as notice of when the mortgages were forwarded. At the time when we became aware, the vacancy rates were 20 percent. At that time we were guaranteed from CMHC that we follow those conditions. I still, to this day, know that our protection of the \$18.5 million is protected.

## Leasing Arrangements

**Mr. James Carr (Fort Rouge):** Did the Minister's staff investigate the leasing arrangements at the Village at Portage Place to be perfectly sure that there were no discounted leasing arrangements which could have coloured the Minister's decision to advance the final \$4.625 million to Village at Portage Place?

**Hon. Gerald Ducharme (Minister of Housing):** Mr. Speaker, first of all I have to keep mentioning to the Member for Fort Rouge (Mr. Carr) that the conditions set aside are the condition arrangements between MHRC and CMHC. CMHC is our insurer. CMHC has certain conditions. We have on record from CMHC that they would like the postponement of the sale agreement to be postponed. They would take the responsibility and guarantee our \$18.5 million.

## North Portage Development Corp. Board of Directors Meeting

**Mr. James Carr (Fort Rouge):** With a final question to the Minister. We were encouraged the other day to hear the Minister say that he was in favour of requesting the other partners of the tripartite corporations to ask the chief executive officer of the North Portage Development Corporation to appear in front of a legislative committee.

Can the Minister tell the House when he expects an answer from the North Portage Development Corporation, and when legislators in this House can prepare questions to the North Portage Development Corporation?

**Hon. Gerald Ducharme (Minister of Housing):** Unlike probably the previous administration, unlike the

Members of his caucus that were privy to this agreement, we have nothing to hide, and we will do everything we can to show the public. We were not part of that agreement, Mr. Speaker. This Government was not responsible for that agreement.

I have expressed concern on this floor, time and time again, that we will prevent any future losses of the taxpayers' money. We have done that. There are other ways—and I cannot unilaterally change. That agreement was drawn up by the previous Liberal federal Government. I cannot change that. The shareholders—I said I would discuss it with the shareholders. If they do not agree with that, I will somehow, some way, bring forward that information to make sure I have expressed all concerns about this agreement.

## Free Trade Agreement Year-End Analysis

**Mr. Gary Doer (Leader of the Second Opposition):** Today the federal Minister of International Trade has reported in Ottawa on the alleged benefits of the Free Trade Agreement in its first year in Canada. We have a large discrepancy in terms of success and failure of the Free Trade Agreement in this country. The Council of Canadians are claiming—and 100,000 jobs have been lost in Canada. Of course John Crosbie today, who did not read the Free Trade Agreement before it was passed, has claimed that 193,000 new jobs, net jobs, in Canada have been created.

My question is to our Minister of Industry, Trade and Tourism (Mr. Ernst). Has the provincial Government conducted an independent study of the benefits and losses of free trade in Manitoba, and can he produce that study for this Chamber and for Manitobans in terms of the experience we have had in the first year of the Free Trade Agreement with the United States?

**Hon. Jim Ernst (Minister of Industry, Trade and Tourism):** Firstly, let me say that when the Free Trade Agreement came into force a little over a year ago, average tariffs dropped by about 1 percent on the 25 percent of goods transferring across the border that had some tariff attached to them, 1 percent drop.

The change in the value of the Canadian dollar, for every cent that the value of the Canadian dollar changes, Canadian versus American, it changes the relative percentage value of goods by 1.2 percent. What has happened, Mr. Speaker, we have a 1 percent change in tariff reduction, but we have had about an 11 percent change in the value of the Canadian dollar. Despite all of that, still we maintain a relatively high value of trade surplus with the United States and in fact we have had 105 percent increase in manufacturing investment in the Province of Manitoba.

\* (1010)

## Impact Food Processing Industry

**Mr. Gary Doer (Leader of the Second Opposition):** We were averaging about 16 percent increase in manufacturing per year in the mid-80s. My question—

there has been a number of plants that have closed in Manitoba and there is about 10,000 fewer full-time jobs in this province.

I would agree that the high interest rates and the high dollar policy is insane, but we also believe that the Free Trade Agreement has not had a net benefit on Manitobans and that is why we are awaiting an independent study of the results in this province, so we can start making some informed decisions in this somewhat emotional debate, Mr. Speaker.

My question is to the Minister of Industry, Trade and Tourism (Mr. Ernst), and deals with other sectors in our economy. Food processing executives have stated clearly that they are going to totally rationalize their operations in light of the Free Trade Agreement. We have seen what has happened at Ogilvie in Manitoba. We have seen what has happened at Campbell Soup in Portage la Prairie. I would ask the Minister responsible for Trade whether there will be any more negative impact of the Free Trade Agreement on workers and their families in the food processing industry, and have we benefited in the food processing industry under free trade or have we lost under the food processing industry in Manitoba under the Free Trade Agreement?

**Hon. Jim Ernst (Minister of Industry, Trade and Tourism):** Mr. Speaker, first of all, the Member refers to the mid-'80s when the dollar was down around 72 cents. That is a dramatic difference from 86 cents today.

Mr. Speaker, in terms of the food processing industry, and I appreciate that the Member for Concordia (Mr. Doer) wants to attribute every business loss in the Province of Manitoba, in which losses have occurred, gained and lost, over a long period of time, he wants to attribute every one of those to free trade. Let me say that he is wrong. By and large, those industries that have had some rationalization of their operations, we have had extensive discussions with them and we have not been able to attribute, either the business themselves or ourselves, anything relating to free trade to those losses.

**Mr. Doer:** It is cold comfort for the workers and their families who are negatively affected.

### Impact Furniture Industry

**Mr. Gary Doer (Leader of the Second Opposition):** My question is to the Minister of Industry, Trade and Tourism (Mr. Ernst), dealing with the furniture manufacturing sector. In the first six months of 1989, Mr. Speaker, imports from the United States in furniture to western Canada have increased by \$71 million, and the exports have decreased from \$148 million down to \$82 million. We still maintain a surplus with the United States in western Canada, but that is dwindling every month.

Has the Minister done any impact study on the first year of the Free Trade Agreement dealing with the hundreds and thousands of jobs in the manufacturing sector of furniture in Manitoba, and what are the prospects for the future in 1990 in terms of that vital industry for Manitoba families?

**Hon. Jim Ernst (Minister of Industry, Trade and Tourism):** Mr. Speaker, firstly let me say that a company like Palliser Furniture, the largest furniture manufacturer in western Canada, has in fact expended about \$1.6 million in expanding their plant in order to take advantage of the Free Trade Agreement. They have in fact employed an additional 200 and some odd, the exact number escapes me, additional employees in order to meet that demand. Mr. DeFehr, the principal of that company, has indicated publicly on a number of occasions he is very bullish about the kind of opportunities there are under free trade.

Mr. Speaker, let me say with regard to the question of whether we should be doing impact studies, and try to conjecture what would happen in the future. The Free Trade Agreement is a fact, whether the Member for Concordia (Mr. Doer) wants to believe that or not. What we are doing, in focusing our objectives within my department, is trying to encourage Manitobans to take advantage of those opportunities. We are trying to assist businesses to make sure that they are ready to take advantage of free trade.

\* (1015)

**Mr. Doer:** I am not asking for conjecture, I am asking for analysis and I am asking for anticipation for the Manitoba economy and Manitoba families.

### Free Trade Agreement Gasoline Exports

**Mr. Gary Doer (Leader of the Second Opposition):** I have a final question to either the Minister of Industry, Trade and Tourism (Mr. Ernst) or the Minister responsible for Energy (Mr. Neufeld). In the first year of the Free Trade Agreement, the National Energy Board has approved applications for three major gas companies which export gas reserves from the Mackenzie Delta to United States. This obviously will have an impact on our Canadian energy market.

I would ask the Minister whether there has been any analysis on the effect of our supply of natural gas over the next number of years, even though we have an abundant supply? Secondly, what effect will that have in terms of price to the Manitoba consumer now that we are having a free trade environment in terms of our vital energy resources, and particularly with massive sales to American gas distributors under the Free Trade Agreement?

**Hon. Harold Neufeld (Minister of Energy and Mines):** Mr. Speaker, as the Member for Concordia (Mr. Doer) well knows, we have an agreement with TransCanada Pipeline for the delivery of natural gas to Manitoba for the next number of years.

The prices have been set for several years and the price for the following years have been set equal to that which will be received by Ontario, a very large consumer. We are confident that the Manitoba consumer is well protected from gouging, as the Member for Concordia (Mr. Doer) seems to suggest.

## Workplace Safety and Health Oil Burner Installation

**Mr. Paul Edwards (St. James):** Mr. Speaker, my question is for the Premier (Mr. Filmon) —(interjection)—

**Mr. Speaker:** Order, please. The Honourable Member for St. James has the floor.

**Mr. Edwards:** Mr. Speaker, we have seen the willingness of this Government to reduce Workplace Safety and Health standards in this province against the interests of Manitoba workers. Now, regrettably, we have learned of yet another reduction of Workplace Safety and Health standards.

By Order-in-Council, signed by the Minister of Workplace Safety and Health (Mrs. Hammond), the gas and oil burner regulations have been amended to allow the Minister to issue a licence to a person to install, service or repair any class of oil burning equipment without first requiring that person to pass an examination set by a board. Mr. Speaker, the Government has given itself the right to license less qualified people to install and work on oil burners. Why?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I will take that question as notice on behalf of the Minister of Labour (Mrs. Hammond).

## Standards Reduction

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

**Mr. Paul Edwards (St. James):** Mr. Speaker, after an explosion in St. Boniface, in which the company was breaching the fire code, a blocked chimney on College Avenue, which killed a man, and it had supposedly been checked by department officials, we now learn that there is a loosening of the oil and burner regulations.

Why is this Government going in exactly the opposite direction of the rest of the industrial world and insisting on regularly reducing Workplace Safety and Health standards?

**Hon. Gary Filmon (Premier):** Mr. Speaker, this Government has consistently indicated that it will do everything possible to protect the interests of workers, to protect their safety and their health by regulation in this province. We will continue to ensure that in all cases, subject to the advice of the workers, their representatives on committees, we will be looking at all possible regulations and legislation to protect the health and safety of the workers of this province.

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

**Mr. Edwards:** Actions speak louder than words. This Order-in-Council was never reviewed by that committee.

## Power Engineers Act Amendments

**Mr. Paul Edwards (St. James):** Mr. Speaker, finally for the Premier (Mr. Filmon), can the Premier explain the rationale for his Government?

We have learned that his Government is apparently right now considering further reductions of standards under The Power Engineers Act, which would require power plants to be checked only every 24 hours, rather than every 10 hours, by a qualified person under The Power Engineers Act.

\* (1020)

**Hon. Gary Filmon (Premier):** Mr. Speaker, we will continue to consult with those people who work in the industry, the qualified workers, labour representatives and people who are having to apply these standards, having to apply these practices, day in and day out.

Mr. Speaker, the Member for St. James (Mr. Edwards) mutters along all the time attempting to —(interjection)— muddles and mutters along, I might say, Mr. Speaker, attempting to respond and argue in the Legislature. He does not want to hear the answer to the question. All he wants to do is try and make cheap political hay every day in this Legislature, and he fails, and he fails every time.

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**Mr. Speaker:** The Honourable Member for St. James, on a point of order.

**Mr. Edwards:** I take great exception to the insinuation of motive put forward by the Premier (Mr. Filmon), that I frivolously bring issues to this House for the wrong motives. Every issue I have ever brought has been documented—

**Mr. Speaker:** Order, please; order, please. The Honourable Member did not have a point of order.

## Child and Family Services Agency Deficits

**Ms. Avis Gray (Ellice):** Child and Family Services agencies are facing deficits in their budgets, and in fact agencies who have before brought in balanced budgets are this year in a deficit position. After 40 minutes of the questioning yesterday in the Estimates process, the Minister was unable to provide an analysis of why these agencies, those who before have brought in balanced budgets, find themselves in deficit positions.

My question to the Minister of Family Services (Mrs. Oleson) is, after a year and a half, how does this Minister expect to negotiate and solve the funding problems of these agencies when to this date the Minister is unable to even articulate the reasons why these deficits exist and are growing?

**Hon. Charlotte Oleson (Minister of Family Services):** Mr. Speaker, we had, as the Member indicates, a long

discussion over this matter yesterday, and I indicated to her several reasons that attributed to deficit problems. I also indicated to her that my department is working on this problem with the hopes to resolve it.

**Ms. Gray:** Mr. Speaker, can the Minister of Family Services (Mrs. Oleson) indicate how she expects to work with the agencies and negotiate when her Government does not even know the reasons why these deficits exist, and according to the Premier (Mr. Filmon), from his seat, he has also indicated that it should be Child and Family Services agencies that have the reasons? Is it not incumbent upon the Minister and her department to have some analysis of why these deficits are there and are continuing to grow?

**Mrs. Oleson:** Mr. Speaker, I have indicated to the Member and to this House several times that the department is receiving information from those agencies, is working closely with them to resolve their problem. I also indicated, and I will indicate again today, that there is responsibility on the part of the agencies to help manage their affairs as well as a responsibility of the Government to assist them.

### Child and Family Services Administration

**Ms. Avis Gray (Ellice):** I have a final supplementary to the same Minister. Does the Minister of Family Services (Mrs. Oleson) support the Minister of Finance's (Mr. Manness) stance that funding problems to these agencies would be alleviated if the executive directors were accountants, and if so what would be the impact on child protection services?

**Hon. Clayton Manness (Minister of Finance):** I challenge the Member to stand in her place and indicate for the record when I said these people should be accountants.

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

\* (1025)

**Ms. Gray:** On a point of order, if the Minister of Finance (Mr. Manness) was listening, I did not say that he had put that information on the record in this House.

**Mr. Speaker:** On the point of order—

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

**Mr. Speaker:** Order, please; order, please. The Honourable Acting Government House Leader.

**Mr. Manness:** Mr. Speaker, then I think I have the point of order, and I ask the Member to withdraw, very liberally I might add.

**Mr. Speaker:** The Honourable Member for Ellice, on the same point of order.

**Ms. Gray:** On the same point of order, that information did occur at a meeting with school superintendents.

**Mr. Speaker:** Order, please. On the point of order raised, it is quite clearly a dispute over the facts.

### Free Trade Agreement Impact Manufacturing Jobs

**Mr. Speaker:** The Honourable Member for Brandon East.- (interjection)- Order, please. Order. The Honourable Member for Brandon East.

**Mr. Leonard Evans (Brandon East):** Mr. Speaker, I have a question for the Minister of Industry and Trade (Mr. Ernst). A major U.S. magazine, Business Week, reported a few months ago that Canadian manufacturing companies are pulling up stakes and are moving south in droves to the United States because of the Free Trade Agreement. This is according to Business Week.

Manitoba has lost Toro Canada. They have pulled up stakes and moved to Minnesota, Marr's Leisure Products pulled up stakes from Brandon and moved to North Carolina.

Mr. Speaker, according to the latest information from Statistics Canada Manitoba had 3,000 fewer jobs in November of 1989 compared to last year.

If the Minister of Industry does not attribute this reduction of 3,000 manufacturing jobs to the Free—well if the Minister would—if the Premier—

**Mr. Speaker:** The Honourable Member for Brandon East kindly put his question now, please.

**Mr. Leonard Evans:** If the Minister of Industry does not wish to attribute this reduction of 3,000 manufacturing jobs to the Free Trade Agreement, does he attribute it to the weakening of the Manitoba economy?

**Mr. Speaker:** The Honourable Minister of Industry and Trade.- (interjection)- Order, please.

**Hon. Jim Ernst (Minister of Industry, Trade and Tourism):** Mr. Speaker, yesterday the Leader of the New Democratic Party (Mr. Doer) sat up here and was quoting vehemently from unpublished information from the Toronto Dominion Bank. He is obviously an insider with respect to the Toronto Dominion—

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

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

**Mr. Ernst:** Presumably, Mr. Speaker, the Member for Concordia (Mr. Doer) is in close association with that large national bank.

Today, we have the Royal Bank indicating in The Globe and Mail that there has been not any dramatic problems in the Canadian economy as a result of free trade. The

agreement is for an investment, both foreign and domestic, in Canada, and we have seen that in Manitoba, Mr. Speaker—105 percent increase in manufacturing investment. Firms are merging and making changes to take advantage of the deal, and we have seen that in Manitoba as well.

\* (1030)

**Mr. Leonard Evans:** The facts are, Mr. Speaker, we have 3,000 fewer people working in manufacturing than last year.

### Springhill Farms Limited Status Report

**Mr. Leonard Evans (Brandon East):** Mr. Speaker, the United States has slapped a very hefty duty on pork and could destroy as many as 30,000 jobs in Canada. I would like to ask the Minister of Industry (Mr. Ernst) a question regarding the current status of the Springhill plant in Neepawa, which processes pork. We know it has been in trouble. Although we know it is operating on a temporary ad hoc basis, could the Minister give us an update on the current status of that plant in Neepawa?

**Hon. Jim Ernst (Minister of Industry, Trade and Tourism):** Mr. Speaker, the Springhill plant is operating at the present time. It will continue to operate well into February. In the interim, the owners of the plant have employed a consultant with the assistance of the Government to attempt to determine some other methods of dealing with that plant and continuing its operation for the future. That is under way at the present time. I do not wish to comment further without jeopardizing certain activities going on.

### Sewage Treatment Plant - Brandon Federal Funding

**Mr. Speaker:** The Honourable Member for Brandon East, with his final supplementary question.

**Mr. Leonard Evans (Brandon East):** Mr. Speaker, I have a separate question for the Minister of Industry (Mr. Ernst) who has been, I know, negotiating a federal-provincial agreement on water and sewer financing for Manitoba municipalities. As he knows, the City of Brandon is facing a very serious financial problem with respect to constructing a new sewage facility. Can the Minister advise us whether any assistance will be forthcoming under a federal-provincial agreement, and if so, when—

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

**Hon. Jim Ernst (Minister of Industry, Trade and Tourism):** Mr. Speaker, it is well known to my honourable friend from Brandon East, because he asked the same question in Estimates yesterday, and I gave him the answer that I will give him again right now.

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

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

**Mr. Ernst:** As I indicated to my honourable friend yesterday in Estimates when asked the same question, we are in the process of negotiating agreements with the federal Government on a variety of issues related to economic development, the potential for Manitoba. We are we believe reasonably close to fruition with respect to those agreements and we anticipate an announcement in the very near future.

### Native Women Abuse Statistics

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, I think all of us were horrified when we saw and read yesterday of the report of Ontario Native women, with the incidence of high abuse, both sexual and physical, that is committed against them. The national average would appear from those studies to indicate that eight times as many Native women are subject to abuse as are white women. Can the Minister of Family Services (Mrs. Oleson) indicate to the House today if her department believes that is an equivalent statistic to what is happening in the Province of Manitoba?

**Hon. Charlotte Oleson (Minister of Family Services):** I would have to read the report which of course I have not had the opportunity to do yet, and I am anxious to read that report. The Member will recall that our department has done a considerable amount of work this year in the line of shelters, both Osborne House and the recently opened Ikwe shelter for abused Native women.

Also with regard to that, we have funded two crisis lines, one for the Winnipeg area for Osborne House and one run out of the Ikwe establishment for the province, so we are doing all we can to alleviate this very, very serious problem. We hope that this 47 percent increase that we have been able to give to that area of the department this year will go a long way to help that situation.

### Native Women Abuse Education Programs

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, the appearance of a Native women's shelter is an excellent move on behalf of the Government. However, that only deals with the woman in crisis; it does not change a pattern of behaviour. Can the Minister of Native Affairs (Mr. Downey) tell this House what new educational initiatives have been promoted and conducted by his department which will change the cycle of abuse for Native women and children in the Province of Manitoba?

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, let me first of all say that it is a tragedy when any group in society have to face the kind of statistics and the kind of difficulties that are pointed out, as the Member refers. Let me say that this Government is extremely concerned about all or any individuals.

Let me say very clearly that we as a Government, the Premier (Mr. Filmon), my colleagues, for the first time have funded two Native women's organizations, last year some \$70,000 to the indigenous women of Manitoba, so that they have a voice, so that they can come forward and put their ideas and their concerns to the general public through Government, the first time that they have received funding. We have as well recently initiated some support to the aboriginal women of Manitoba, the same level of which we gave the indigenous women the first year of our office. I am pleased to be able to say that there is progress in that area, Mr. Speaker.

### **Urban Native Strategy Native Women Abuse**

**Mrs. Sharon Carstairs (Leader of the Opposition):** Can the Minister of Native Affairs tell us what part abuse will play in his Native Urban Strategy so that we can change these statistics once and for all?

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, let me further add that this Government committed to an Urban Native Strategy with several—I think something like \$200,000 to bring together the leadership of the different communities of which the women are a major part of that.

We are now currently working to develop an ongoing council which will in fact further profile the concerns of the Native people in urban settings where in fact a lot of these difficulties take place through frustrations and many other activities.

I say we are committed, we have a process that is currently taking action, and I will be advancing as many ideas as possible to correct the difficulties that they are facing.

### **Older Workers Labour Adjustment Agreement**

**Mr. Jay Cowan (Churchill):** Late last year, on December 6 to be exact, Cabinet authorized the Minister of Labour (Mrs. Hammond) to sign an agreement with the federal Government to help older workers adjust to major layoffs and plant closures.

My question is to the Premier because he was signatory to that Order-in-Council. That agreement has been designed to allow laid-off older workers, and I quote from the agreement: to continue to make a contribution to the national economy and their communities.

As we all know, there are many older workers affected by the closure of LynnGold. They have little prospect of re-employment, they are suffering severe economic, psychological hardship. My question is, since the authorization to sign six weeks ago, has the Government signed that agreement with the federal Government?

**Hon. Gary Filmon (Premier):** Mr. Speaker, firstly I might say that we were very pleased to authorize the Minister of Labour (Mrs. Hammond) to enter into such an

agreement. This is a matter that has been before the provincial Government I believe dating back as far as 1986. I believe the former administration was in discussion, and we were very disappointed that they were not able to achieve this sort of agreement, to help laid-off workers as in the circumstances that they faced when, under the former administration, Canada Packers closed down and almost 900 people were thrown out of work, many of them being older workers who had worked for Canada Packers for 25 and 30 years and more.

This kind of agreement, Mr. Speaker, can of course address these long-term issues and can be used in any major layoff or shutdown situation where older workers cannot have the opportunity to respond for re-entry into the workforce. It is the kind of thing that our Government is committed to. We are doing everything possible for the workers at Lynn Lake, because we believe that it is important to offer them a whole range of opportunities, whether that be relocation to new employment opportunities, whether that be retraining or other matters.

At this point, Mr. Speaker, the Minister of Labour (Mrs. Hammond) continues to be in discussion and we are hopeful that the POWA agreement, the Program for Older Worker Adjustment, will indeed be a reality in the very near future.

**Mr. Cowan:** Mr. Speaker, there was agreement in principle to sign this agreement when the Government took office—(interjection)—Well, there is a letter from Pierre Cadieux to the Honourable Muriel Smith saying there was agreement in principle to sign the agreement.

It has taken the Government all this time to just come to the point where they have authorization to sign, and yet today we find out that they have not yet signed it, having been given that authorization six weeks ago. I ask the Minister, when is it older workers in this province can expect to see some sign from this Government that this Government cares about them and cares about their plight when they are suffering severe hardship from major layoffs by the signing of this agreement?

\* (1040)

**Mr. Speaker:** Order. The question has been put. The Honourable First Minister.

**Mr. Filmon:** I remind the Member for Churchill (Mr. Cowan) that first, they were unable to achieve agreement and second, when we came into Government we were not satisfied with the percentage of the cost that the Manitoba Government was going to have to bear under the agreement that they were negotiating. We did not think it was a good enough deal for Manitoba. We felt Canada should be picking up a greater percentage of the costs. We believe that we will achieve that by virtue of the negotiations that we have undertaken and will be completing very shortly.

**Mr. Cowan:** Mr. Speaker, Manitoba's older workers have waited almost two years because this Government was not satisfied with the percentage figure. I would

ask him when they are going to sign an agreement that will allow for older workers in Lynn Lake and other communities across this province, including Winnipeg, to contribute to their society in a meaningful way through a federal-provincial agreement. Can he give us some indication as to when they are going to stop their haggling with the federal Government, get down to work and sign an agreement to benefit older workers? They have waited too long.

**Mr. Filmon:** You know, Mr. Speaker, the older workers were waiting a couple of years and more under the former administration and got nothing out of it. Second, we could have signed an agreement when we first came into office if we were prepared to accept, as the NDP was, getting only 25 percent of the cost, of course from the federal Government.

We were not prepared to accept the deal which they were working on because we did not think it was good enough. We believe that our work has borne fruit. We gave the Minister authorization to enter into that agreement and we believe it will not be long before such an agreement can be announced.

### Health Care Community Based Clinics

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, after 20 months the Department of Health should be renamed as the "department of broken promises." Mr. Speaker, the Minister of Health (Mr. Orchard) should be renamed as the chief of the Health Advisory Network.

Mr. Speaker, can the Minister of Health tell us why he has not provided us with a plan to expand the community care concept in Manitoba, one of the primary methods of providing the most economical and most efficient way of delivering health care, that they promised during the election campaign?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I am pleased my honourable friend asked the question because we have done just exactly that. I might remind my honourable friend that approximately 12 months ago he, his Leader, most of his colleagues, the NDP, were all urging a \$2.8 million investment in Klinik.

Mr. Speaker, as part of the Community Outreach Program, Klinik will have a larger building, more parking, be able to deliver more services and cost the taxpayers substantially less money. That is the direction we are going in community health. We are not going to open up the blank cheque and the Brink's truck of the Liberal Party; that was the NDP philosophy. We are prudently spending and delivering more services.

### Cardiac Care Committee Waiting List Study

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, when health care is rising and the whole of Canada is feeling it and the only way we have of providing the best care is through the community care concept, this Minister thinks that just providing a parking lot is going to provide these services.

Mr. Speaker, can the Minister of Health (Mr. Orchard) tell us—last fall he promised to establish a cardiac care committee to review the waiting list for cardiac surgery. Can he tell us if he has received the report and if not, why not?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, yes, no, and yes, and let me provide further detail to my honourable friend. It was not last fall that I promised to establish the cardiac care committee, it was in April or May of last year. Mr. Speaker, second, the cardiac care committee, under Dr. Lyonel Israels, has been working with both teaching institutions. I met with Dr. Israels this week. He has seen significant progress in the issue of open heart surgery at both institutions, because in addition to establishing a committee to establish the parameters of the cardiac care program in Manitoba, we have added \$600,000 in additional operating time at St. Boniface, \$180,000 additional operating time at the Health Sciences Centre, part of which will go to an increased activity in open heart surgery, so that this year we will do even more open heart surgical procedures than ever before in the history of the Province of Manitoba, which means two years in a row under this administration procedures have gone up.

### Health Care Obstetrical Services

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, this Minister also promised to provide us with the reorganization of obstetrical services in Winnipeg hospitals. For more than 20 months patients are still being transferred out of the St. Boniface Hospital. Can he tell us today whether he has prepared a plan for the reorganization of the obstetrical services in Winnipeg?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, my honourable friend, every issue he has brought up we have offered a solution either through an increased funding, increased direction, increased planning, increased involvement of the community. We have kept all of our promises.

Now in terms of obstetrics, yes, there are substantial discussions going on between the Health Sciences Centre, St. Boniface, Misericordia, Victoria and Grace. Unfortunately, Seven Oaks and Concordia both had their obstetrics closed by the NDP and are not involved in the discussions. In this quarter of this year I believe we will have a report from those experts studying the obstetrical needs in the Province of Manitoba so that we can plan effectively and not ad hocly close Seven Oaks, Concordia, as the NDP did when they were Government.

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

### INTRODUCTION OF GUESTS

**Mr. Speaker:** I would like to draw Honourable Members' attention to the gallery where we have from the Teulon Collegiate, eighteen Grades 9 to 12 students,



and they are under the direction of Mrs. Hoey. This school is located in the constituency of the Honourable Member for Gimli (Mr. Helwer).

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

### NON-POLITICAL STATEMENTS

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

**Mr. Mark Minenko (Seven Oaks):** Mr. Speaker, the events surrounding the development of the nuclear age were portrayed in the American movie, "Fat Man and Little Boy." This movie which recently played in Winnipeg portrayed many aspects of the Manhattan Project including an accident during which one of the scientists was exposed to a fatal dose of nuclear energy. Nine days later at 11 a.m. on Thursday, May 30, 1946, this scientist died. My reason for bringing this to the attention of Manitobans is that this scientist, although represented in the movie to be an American, was in fact from Winnipeg.

Louis Slotin, who lived on Scotia Avenue at Inkster Boulevard in north-end Winnipeg, completed his initial training at the University of Manitoba and earned his doctorate degree at the University of London. Before World War II he worked at the University of Chicago where he was involved with the pioneer atom smashing cyclotron. Louis Slotin was recruited into the Manhattan Project during World War II and in 1944 came to Los Alamos, New Mexico.

After the war, one of Louis Slotin's jobs was to run final tests on the active core of each previous atomic bomb. It was during one of these tests that an accident occurred. A blue glow surrounded the assembly and a quick flux of heat was felt by the several people in the room where the test was being conducted. The scientists observing this test and standing near Slotin did not receive the fatal dose absorbed by Louis Slotin as Slotin's body served as a shield. On May 30, 1946, nine days after this accident, Louis Slotin passed away.

I would ask all Members of the Manitoba Legislature to join me in acknowledging the contribution of this north-end Winnipegger. Thank you, Mr. Speaker.

### ORDERS OF THE DAY

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, at this time, as today is a Bill day, I would like to call the Bills in the following order: Bills Nos. 63, 59, 60, 35, 73, 84, 31 and 6.

### DEBATE ON SECOND READINGS

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

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Co-operative, Consumer and Corporate Affairs (Mr. Connery), Bill No. 63, The

Consumer Protection Amendment Act (3); Loi no 3 modifiant la Loi sur la protection du consommateur, standing in the name of the Honourable Member for Thompson (Mr. Ashton), the Honourable Member for Elmwood.

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, I move, seconded by the Minister, that we pass this Bill to committee.

**Mr. Speaker:** Order, please; order, please. Is there leave that this matter would remain standing in the name of the Honourable Member for Thompson (Mr. Ashton)? The Honourable Member for Elmwood.

**Mr. Maloway:** No, there was agreement that it be passed to committee.

**Mr. Speaker:** Okay. There is no leave?

\* (1050)

**An Honourable Member:** I will deny leave.

**Mr. Speaker:** Leave has already been denied by the House.

**QUESTION put, MOTION carried.**

#### BILL NO. 59—THE PUBLIC SCHOOLS AMENDMENT ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Education (Mr. Derkach), Bill No. 59, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, standing in the name of the Honourable Member for Seven Oaks (Mr. Minenko). Stand. Is there leave? The Honourable Member for Sturgeon Creek.

**Mrs. Iva Yeo (Sturgeon Creek):** Mr. Speaker, I am very pleased to rise today and put a few words on the record about the proposed Bill, Bill No. 59. I must say that I think it is about time The Public Schools Act was addressed and opened, and once that is done of course there is the opportunity to look at the clauses that are presented.

We have in our caucus for the past year and three-quarters been looking at several other provinces, and The Public Schools Act that are found in a lot of the other provinces. One that comes to mind of course is British Columbia, which has made major changes. Some of them we look at very favourably and others in our caucus feel that perhaps they have gone a little bit too far. There are some major changes that are a little bit overboard in our opinion.

Our particular Public Schools Act in Manitoba in our opinion is a very outdated document. There are many people around the province who are saying in fact that the education system in Manitoba to a great extent is failing our children. I do not like the doom and gloom concept. I think that when we talk to the young people in many corners of our province, we can see that there

are some very outstanding individuals. I look to the Pages that we have in this very Assembly, and I think how very, very fortunate we are and what a tremendous example these young men and women are, and what a future we have and they have. I am glad that in my senior years I will be putting myself in their capable hands.

(Mr. Neil Gaudry, Acting Speaker, in the Chair)

Unfortunately, this is not the case with all the students. I think the fact that there is no beginning mission statement, there is no definite—few lines of outline of what this Act is all about. What is the goal? What is the aim?

I believe there could be more fine tuning of this particular Act to a much greater level. I think in some cases that redundancies in the Act could be removed. An example would be where there is proposed modification. Really what it is, is fine tuning, of changing a “may” to “shall” or a “shall” to a “may.” In Section 16(1), I believe it is, the same thing as later on mentioned under Section 28 in The Public Schools Act. Why do we have these repetitions? It makes a larger document, but is larger always better? Certainly that is not true. I think that there could be a great deal more in the way of revamping this.

I think one of my greatest concerns, and I feel one of the greatest injustices that is continuing to occur across our province, continuing to be a very destructive force and a very sensitive area, is the area where a teacher has been charged with sexual abuse. This is occurring with greater and greater frequency. Initially when a child, often in a very timid way, went to someone in authority, perhaps a counsellor or an entrusted teacher, and made the accusation in the past, a few years ago, what they were finding was that these accusations proved to be true.

Certainly our main concern is for the protection of the young people in our province. I would not certainly deny that. I feel that we must not do anything to make it even more difficult for these very unfortunate children. When there is a person entrusted to the care of these children, as teachers are, and what a very, very important position they are in to have a classroom of 15, 20, 30, 35 young people, it is very important that the teacher treats the child with respect and is the perfect model for the child. What a responsibility for the teacher!

What we are finding—and I blame it on the media, the multitude of manipulative processes that our society is allowing our children to be exposed to. Some of these unfortunate youngsters, and I think perhaps it is the kids who maybe come from homes where the loving, caring attitude is not there, have found that here is an opportunity for revenge, for game-playing, for a little testing process.

Sometimes it is not just one child, it will be a group of kids who get together and plan this attack on a non-favoured teacher, or a teacher who has chosen to give a failing mark to one of the students. The student may be one of the ringleaders in the group, and I believe without really understanding the ramifications of their

actions, go to somebody and accuse the teacher of sexual abuse.

(Mr. Speaker in the Chair)

What has happened to families in Manitoba, many families in Manitoba, is that there has been total destruction of these families. I know that the Minister believes that The Public Schools Amendments Act is going to address this situation and perhaps there will be some addressing, but what about those teachers who were charged in 1988 or 1989, whose teaching certificates have been removed and have not been reinstated. There are some of those still. There has been no conviction, no actual conviction. There have been charges and the charges for the most part have flip-flopped or whiffle-waffled, or whatever the terms are that we are using in the House today. Those teachers, even when reinstated, even when having their certificates removed or replaced, are finding that their lives have been destroyed and the lives of their wives and their children.

I suggest that there has been no intervention by this Minister, because he is afraid if he intervenes he is stepping in and ruining the autonomy of the school divisions. I suggest that is a cop-out.

Oh, yes, in one situation I recall hearing that the teacher's certificate was reinstated on December 21, so when school resumed the 1st of January, this teacher now has his certificate reinstated although it has been removed since last May or June. Therefore he has been out of the payroll since last May or June, but now he has his certificate back. What about the salary from last May or June to January? What about back pay for this person? What happens there?

When the superintendent phones and says, okay, come and see about your assignment—not your teaching position but your assignment—that same superintendent is the one who actually placed the charges against the teacher. How on earth—who in their right mind could believe that teacher could go back to that particular school division and perform his duties effectively? How could this occur? A little empathy would not hurt. Maybe I should spell out the meaning of the word “empathy” in case there is not understanding.

\* (1100)

How could that teacher be expected to go and stand in front of a classroom in a smaller community knowing full well the students in that community all know this person has been unemployed, has been waiting for court hearings, has been waiting to be charged, when the superintendent and the school counsellor are the ones who have laid the charges, and the charges have been now dropped?

What intervention methods are mentioned in this Public Schools Act amendment to assist a teacher to relocate in another, perhaps close by, school division without danger of losing continuous service record? What interventions will this Minister have with encouraging another school division to find a suitable place of employment for a teacher who has been out

of work and who has found himself with a fairly high level of debt to care for? What about the teacher who is in Winnipeg 1, let us say, the largest school division in the province with some 33,000 students in it, and the charges have been proved to be absolutely erroneous, no basis whatsoever, no basis in fact at all, no court hearing ever occurs.

**An Honourable Member:** They have been branded.

**Mrs. Yeo:** They have been branded, my colleague from Seven Oaks (Mr. Minenko) says, and I add, for life. But the certificate is replaced and the teacher is given an assignment, albeit in another school, and that teacher hears students saying things like: Ah, ah, ah, no touchy, hands off, and the teacher cannot continue teaching. That teacher cannot effectively stand in front of that classroom because he already has gone through a very demoralizing destructive process.

I ask, where in this amendment are these issues addressed and what can be done, what actions will this Minister look at that will assist these people in becoming suitably employable and continuing with their lives as they did before these charges were laid?

I am very concerned with that situation. As I said, our first concern is with the children, with the student, because yes, there are some who have been abused physically, emotionally, sexually. We have just recently heard about a student in a school, and because it is not paid for by the taxpayers of Manitoba there is nothing that the Department of Education can do to assist that student, despite the fact that the Minister has stated, and I believe it is written in a few places, that all children in Manitoba—and yes, I can find that—are important to him.

So I think there can be something that is done, and I do not say regulation, because four times in this amendment the word “regulations” are used, and we all know that regulations can be changed. What are these regulations? I have not seen them yet. Oh, I have been promised, but I have not seen regulations spelled out. I do not know what regulations the Minister is going to present.

The other area where the word “regulations” is mentioned is when there is discussion about the need for, and I could not say it louder, the accountability of the independent schools, and certainly we believe very strongly that all schools in Manitoba must provide annual audited statements using the Frame method, as do the public schools right now. There is a method of looking at the budgets and presenting statements and we believe that the independent schools must show in fact what they are doing, how they are using the taxpayers’ dollars?

I have been in discussion with some people from independent schools, with some parents whose children are attending independent schools, and the parents of the children have no idea how this money is being spent. They do not have a statement, not from all independent schools, not by a long shot, and I believe there are many independent schools in the province who would have no difficulty agreeing with the provision

of an audited statement, because they have auditors come in every year and they are accountable to the parents of their school community.

Although I have never had a child attending an independent school, I am giving a fair bit of my tax dollar to the independent schools and I believe I should be able to, as a taxpayer, look at the financial statements even though my children are not involved.

What about the individual who says: “Well, my wife was a teacher. She has a teaching certificate, but she has been at home looking after the children. I think maybe now is the time for us to open up a school in our basement. We will just apply and get help from the Government, have X number of students and charge them whatever for tuition.”

The unfortunate thing is that because there are a lot of people out there in our province who are upset with many aspects of the current education system—there are people who are looking for more discipline. That is one of the things I hear, there is not enough discipline in the schools. I do not mean slapping a child around. You know, there are many systems that work.

I also believe that it is the parents’ main responsibility. I really believe that is one of the unfortunate things that is occurring, is that in some cases the parents are abrogating the responsibility and are saying, it is all the fault of the schools. I do not agree with that at all. We have to be careful that we do not point a finger at the school system.

I said at the beginning I believe basically that the schools are producing some fine products, some fine graduates. Because there are people who are upset with the level of education some of these basement schools are looking rather promising to some parents. I would like to see the regulations that the Minister is planning to put forward. I would like to see them a little more forcibly legislated, not just under the banner or the word, one word, regulations.

I have no difficulty with the typos that are changed in The Public Schools Act or the “mays” to “shalls”, but I do have difficulty with the word “regulation” in such a broad, broad way.

In some of the areas in The Public Schools Act the word “teachers” is used, for instance a teacher who wishes to seek nomination as a candidate for an election. What about the other employees in the school division? What about the secretaries, the teachers’ aides, et cetera?

I look to Sturgeon Creek and I wondered if the word “teacher” might also include the word “principal” in that I know there is a principal who lives in Sturgeon Creek who is rather active in the Progressive Conservative Party and probably would not mind challenging the current Member for Sturgeon Creek in the next provincial election. So perhaps the words “teacher” and “principal” could be used interchangeably where that situation occurs.

We have in this House many teachers on all sides, and I know what happens to their continuous years of service. I know the way the current Act is written, and

I would just like to put it on the record that I have some concern with the pensionability with the TRAF for the teachers who may be in this House, as I know my colleagues who are teachers will be for a number of years. I think that I would like to see that addressed so that the teachers would not lose their ability to continue with their pensions.

\* (1110)

In the preliminary draft of Bill No. 59, home schooling was mentioned far more emphatically than it is in the final draft. Again, because of a lot of people's rather tragic dissatisfaction with the school system in Manitoba, with the public school system in particular, there are more and more parents choosing to keep their children at home and to utilize the curricula provided by the Department of Education to teach their children around the kitchen table. Some of it is for religious reasons. Some of it is because the parents want to instill their own beliefs more emphatically in their children.

So these are not the parents who are saying it is the fault of the school and will keep blaming the school, but we will keep sending our children to the school and we will be out doing whatever; there are a few of those around. These are parents who are often very sincere and many times very, very upset with the school division in which they reside. If that is the case, how can we expect those parents to liaise and deal satisfactorily and be required to deal with the school divisions, when in fact it is because of the school divisions that these parents have decided to keep their children at home.-(interjection)-

**Mr. Speaker:** Order, please. I am having great difficulty in hearing the remarks of the Honourable Member for Sturgeon Creek (Mrs. Yeo). It appears the Honourable Member for Kildonan (Mr. Cheema), the Honourable Member for Inkster (Mr. Lamoureux) and the Honourable Minister of Health (Mr. Orchard) are carrying on some sort of a private conversation. They may do so outside the Chamber. The Honourable Member for Sturgeon Creek, please.

**Mrs. Yeo:** Thank you, Mr. Speaker. How can a parent who is dissatisfied with teaching, teachers, principals, school board members, school administration of a particular school division, then be told in dealing with your home-schooled child you must negotiate, you must talk with the school division, and they are the ones who have the responsibility?

(Mr. Neil Gaudry, Acting Speaker, in the Chair)

It is like putting a couple of lions in a den in many cases. It to my mind should become the responsibility of the Department of Education, of the people in the department. I realize that presents a lot of difficulties, but to me it seems the logical, responsible action to take if one does believe that the Minister is responsible for all children in Manitoba.

What happens to the home-schooled child whose parent has kept him or her or them, because in many cases it is a multitude of children? If they have two or

three or four they have them all around the kitchen table, and then for some reason or other the parent decides that all the children or one of their children should go back to the school division, whose responsibility is it to decide re-entry for that child, at what level? Who is responsible to test that child to be sure that they are at that entry point, and what negotiations are going to go on and with whom? Home schooling is increasing and the concerns there must be addressed a little more emphatically than they have been.

It is an area that deals with conflict of interest, and I certainly believe that is important. I have seen a situation where the chief executive officer of the school division has sanctioned the hiring of his own wife's company to do work in the school division. I think there is a rather definite conflict in that situation and there are many where it depends on who you know.

The tendering process is important and it must be followed and must not be manipulated. Nor must school trustees on a certain board, on any board, be manipulated so that people can function in a conflict. Yes, it has been said it must not only be without conflict, the appearance must also be there of no conflict.

I would applaud the Minister for the section on increased parental access to student records, because that has been an ongoing concern that there has not been anything actually in the Act that mandated that parents had the right to review the records. Sometimes the record, the definition of "record" is found nowhere. What is meant by "record"? There is often a file on each student in a class in the teacher's filing cabinet or the teacher's desk. There will be a file in the office, the principal's office, on every student in the school. There may well be another file that is kept in the school board or the school division administrative office. Then the teacher may sit down with the resource teacher and make scratches or with the school counsellor and make scratches on a piece of paper indicating actions that he or she wishes to take to assist that student to function, perform, to be a better student. Is this part of the student's record, I wonder? There has to be some definition of that word "record." What does it mean?

The other part of that recommendation that gives me a little bit of difficulty is the need in some cases for a resource person to be there with that parent to interpret the record. Some parents do not understand the academia jargon because, believe me, teachers and educators have their own words that they love to use. I have a tough time understanding computer jargon. I do not know what is meant by Baud and POS and all the other things that the computer people are using. I would certainly need someone there to interpret what is meant by those words.

If a parent wishes to look at the record, and I think that is the parent's right, it is not enough to hand them a piece of paper that says, a psychological test was done and here are the results. What do they mean? The risk there is that the parent will receive information but will not be able to ascertain what that information means. If the child has seen a psychologist, a speech pathologist, a guidance counsellor, there must be the

opportunity made available for that parent or those parents to sit down with someone who will help them interpret the results of the various tests.

\* (1120)

I can recall when we sent our first daughter off to school even in Grade 1 not fully comprehending some of the words that were used to describe some of the classes that these young people had, and the problem with educators is, I do not know whether it is a problem, it is a fact, that every few years something new comes in. They drop one set of criteria, and they move into another, and they try another, you know the old open classroom thing where they had no walls. Everybody was placed in a room and your group, your children, and it was the greatest thing in the world, and now what are they doing to all these open schools but putting walls up because they found that it did not work. Certainly for maybe 1 percent of the children it was all right, but for the other 99 percent it was rather destructive, so they are putting walls in. That is an example of a physical philosophy that has changed. There are many, many more examples of curricular changes of a multitude of—

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

**The Acting Speaker (Mr. Gaudry):** Could I have order, please, in the House.

**Mrs. Yeo:** —different changes.

I would hope, before we want passage of this particular Bill, that all Members in the House would see all the regulations that are listed only by that one word in Bill No. 59 outlined specifically, and that we would be given the opportunity to insert those regulations in a more forcible way into the Act. I would hope the accountability for the independent schools would be tightened up significantly, because I think although there is a move toward addressing the situation, I do not think the move is far enough.

When you look at the book that lists the independent schools throughout the province for the past few years and look at the picture, you see this one opened for a year and a half or two years. At least it is better than the Gloria School in Hong Kong which only I believe was open for half a day, if that. Most of the schools in Manitoba have been open for a little longer than that if they did open, but they are coming in and out and in and out all the time.

There must be some responsibility on the part of the Government. One of our beliefs is that in order for a school to be eligible, in order for an independent school to even be eligible to apply for public funding, that school should prove that it can operate successfully for a three-year period and would eliminate the fly-by-nights that are around. So there is a great deal more that I would urge the Minister to look at to tighten up that particular area.

Then I see in the Act that there is not much mention of trustees. I have said before how concerned I am that we have not looked at the numbers of school

divisions throughout the province, the numbers of trustees throughout the province. Is there really a need for that many? I do not know. It is not up to me or anybody else in the House to say, but I think it could be certainly examined. The Minister loves to set up committees. He has done a very good job of having committees. He can even have a committee to evaluate the committee and that is terrific.

What I would like to see would be to have a Minister with action, a Minister that would say, okay, this is an area that we need to look at, we will look at it and then we will make a decision, a decision that would affect all Manitobans in a very positive way, a rather courageous decision I suppose, maybe a suicidal situation as well for a Minister, but sometimes you are like a kamikaze pilot, I think you go down for the cause.

I look forward to hearing other individuals speaking on Bill 59. I look forward to the committee discussions and presentations made, hopefully by the interested communities around our province, and I look even more forward to some positive amendments that will tighten up the current proposal for amendments to The Public Schools Act.

**Mr. Leonard Evans (Brandon East):** Mr. Acting Speaker, I move, seconded by the Member for Churchill (Mr. Cowan), that debate be adjourned. I am sorry, was there someone else wanting to speak?

**Mr. Mark Minenko (Seven Oaks):** Mr. Acting Speaker, I believe this Bill is remaining, and leave was granted to allow the Bill standing in my name. I was just wondering whether I could ask leave of Members to perhaps speak on this Bill?

**The Acting Speaker (Mr. Gaudry):** Yes, there is no problem. Go ahead. The Honourable Member for Seven Oaks.

**Mr. Minenko:** Thank you, Mr. Acting Speaker. I welcome the opportunity to participate in debate on this Bill. Again, it is one of the many Bills that has been introduced into the House this Session.

When one was to compare the various sections to what is presently in The Public Schools Act, we see indeed that the Minister is looking at some major changes in the way that these particular aspects are going to be dealt with in the future should this Bill pass in its present form. I appreciate the Member for Sturgeon Creek's (Mrs. Yeo) comments on this and where she has set out certainly the Liberal position and concerns with respect to some of the aspects, and I would like to highlight for the Minister some of the problems that I believe will be encountered in the future.

As a practising solicitor and barrister in this province, one of the biggest problems that we always have, or people come to us with, the big problem is what does this really mean, what does this word really say?

When we were in law school and professors were teaching the introduction to legal analysis, legal research and the understanding of statutes and cases, one of the things the students would ask, I presume in every

first-year class—and the Member for Lac du Bonnet (Mr. Praznik) would probably confirm that in his section they probably asked the same question—can a lawyer preparing a submission look to the debate in the Legislature, in the House of Commons, for an interpretation of what is meant by a piece of legislation.

\* (1130)

The professor is looking to the Member and is nodding, saying that undoubtedly in his class, as it was in our section, it was pointed out, no, you do not. You simply have to look at what the legislation says, and if there is need for interpretation people have to go to court.

I and other Members of our caucus have pointed out, on legislation in the First Session and indeed in the Second Session, the requirement for clarity in what exactly we mean when we write something on black and white, because all it will result in is increased costs to someone in Manitoba to actually try to find a definition for that particular word. I think this is an important aspect that we have to consider when drafting legislation. People sometimes say, well why do we not just breeze through it, and you do not really have to look at it word by word.

Mr. Acting Speaker, that is a too cavalier attitude for any Member of the Legislature to have. I think it is indeed important for us to review matters, and although it may seem to be petty to review things word by word I think it is indeed a requirement, because if we are not careful in how we define something then what it will result in is one of our constituents having to pay to have a court application to have that word defined.

I would ask the Minister of Education (Mr. Derkach) to pay heed to some of these comments by the speaker previous and other speakers and certainly during the debate in the committee stage, because one of the aspects that I certainly believe in my humble opinion, Mr. Acting Speaker, that will be brought before the courts of this province and will result in a cost to one of our constituents—and seeing we all represent a section of this province someone is going to have to pay for it—is I believe in Section 7 of Bill 59, the definition of a file or record.

The previous Member has spoken on that point, raised her concerns on it. I think the Minister should look at this point. How does the Minister of Education define a file or a record? I do not believe that in Bill 59 there is a definition of file or record. Is, for example, a file—and as someone who had gone through the education system and did my student teaching in many schools in Winnipeg—is the file that a teacher keeps at his/her desk a file or record in accordance with this section? Is there a standardized approach in the Province of Manitoba as to what is a file or record?

I think, Mr. Acting Speaker, that this point has to be clarified, because I can see the day when someone will walk into a lawyer's office and say: I want to see what the teacher has in their drawer, at their desk. Will that fit in as a file or record, or is the file or record that which is kept in some official's office, be it the principal, be it the vice principal, be it the guidance counsellor

or be it the superintendent. Which file or record are we looking at?

I think this is an important aspect, because the whole issue of anecdotal notes that a teacher may make in their daily record—that many teachers if not all teachers have and perhaps even university professors have when they prepare their lectures and classes to what they are going to cover during a particular period of time. I understand the Member for Minnedosa (Mr. Gilleshammer) undoubtedly understands that point very well. Are those files and records that the parents will be entitled to have?

So I would certainly ask the Minister of Education (Mr. Derkach) to review this particular aspect of this legislation. I see that he is indeed attentively reviewing my comments and perhaps making notes on this point. I would certainly ask him to look at that again, send this particular aspect back to his officials for review. Perhaps one of his constituents is going to have to incur some sort of costs to have this point defined, and will he be able to get up in the morning and look himself in the mirror, if one of his constituents complains about having to pay legal costs to have something defined, that it was his department that brought it in? -(interjection)-

The Minister of Highways (Mr. Albert Driedger) says it might be scary. Mr. Acting Speaker, as one of the Latin phrases I have learnt: *res ipse loquitur*, and I would let it remain as it appears to be. Let someone other be the judge of that, perhaps from his own benches.

I think this point has to be clarified, Mr. Acting Speaker. I think this point has to be clarified. There are some other particular aspects of this legislation that I believe also have to be further considered in committee. Certainly I support the previous comments from the Member for Sturgeon Creek (Mrs. Yeo) as put on.

Another problem that perhaps I would like to highlight for the Minister is that I do not believe that in Section 11, where he deals with, "Assignment of principal's duties to superintendent" that the role, the word principal is defined.

The Member for Minnedosa (Mr. Gilleshammer), who I believe was a principal, may well have a definition of what a principal is. My question is—but the whole question is, indeed we have had principals for many a year? What is the whole—the question is this: how is the legal definition of principal going to be set out? I think that aspect has to be considered because, yes—and a judge may well take judicial notice. I am sure the Member for Lac du Bonnet (Mr. Praznik) could explain that particular point to the Minister of Education (Mr. Derkach). Perhaps the judge could take judicial notice that there have been indeed principals, and they have performed a certain type of duties.

I would also suggest that each school division, each school, may well have different types of roles that a principal plays. I think that this perhaps needs to be a little bit clarified, because is the principal to be an educational leader? Is that an important aspect in the

definition of what is a principal? If it is, then—I see some nods from that side, then I would perhaps ask the Minister: is a superintendent an educational leader as well, or is there a difference between the two? I think there are going to be some concerns raised at committee stage about some of these points as well.

Finally, Mr. Acting Speaker, with respect to—another point in the legislation deals with regulations that the Minister shall make various regulations at various points in time with respect to various matters. We, in the Liberal Party, have expressed a number of concerns on the kinds of regulations that Ministers of this Government have been making over the period of time they have been in Government.

Just recently, today, the Member for St. James (Mr. Edwards), my good colleague, asked about another regulation that was made. We will be certainly interested in hearing the responses that the Premier (Mr. Filmon) took under advisement to the question that he asked.

What is the text of those regulations that the Minister will be working on? We indeed have had some concerns about some of the types of regulations made by Ministers in the past, Ministers of this Government have made. I am sure we will be looking with great care in the regulations in the future and bringing them to task as required.

\* (1140)

Mr. Acting Speaker, another point dealing with the amendments presented before us of grave concern indeed have been some of the replies that certainly I have heard to Members in this Chamber and in committee as to the whole issue of job adjustment strategy in this province. Yesterday in committee I spoke and considered and brought to the attention of the Minister the whole issue of job training for people who find themselves without jobs.

Our position is well known indeed for the Free Trade Agreement, and I do not intend to dwell on that point. Mr. Acting Speaker, what has been ignored by this Government when they throw out numbers saying that so many more people are employed here, so many people are employed there, is that by using numbers to camouflage what I believe is the true situation, they are doing a disservice to Manitobans who find themselves unemployed as a result of various policies or lack of policies of this Government.

Most important, Mr. Acting Speaker, we have to look past those numbers, past the figures, past the statistics and look to the impact of a job loss on the individual worker, on that worker's family. Many of us indeed, perhaps all of us in this Chamber have constituents who find themselves at age 58, 59, 60, 63 being let go from a job they have had for 30, 40 years, perhaps finding themselves several years short of pension, finding themselves indeed in dire financial straits.

Too often, Mr. Acting Speaker, is this aspect of job loss ignored. Even our friends to the left throw out various figures, but I have yet to hear from them the concern for the individual worker and the impact on that worker's family. We saw certainly nothing from

them in the previous administration with respect to that.

If one was to read the literature that comes out daily, and I am sure the Minister of Education (Mr. Derkach) does, just dealing with aspects of the impact of job loss on education and how education and training fits into the Free Trade Agreement, other bilateral agreements the Government has made, the GATT and various other international multilateral agreements, we see from both sides of the issue.

We see speeches given by people such as the president and chief executive officer of Honeywell Limited. We see in speeches such as the superintendent of program, Appeal Board of Education, the same type of issues brought forward, that learning cannot be seen anymore to end at the end of adolescence and presumably on turning the age of 18 and going into adulthood, that education has to become a lifelong pursuit, and we have to look to involve not only just educators but also the business community and labour in order for all those aspects to work together to put an efficient program in place.

I can appreciate the council the Minister and this Government has set up to attempt to bring these three aspects together. I would certainly look forward to seeing some quick action by the Minister of Education and Training (Mr. Derkach) on this point, because, Mr. Acting Speaker, learning now and in the future will have to become a lifelong process. That important aspect has to be considered by this Government, and so far I do not see very much action from them at all.

Certainly we did not see very much action from the previous administration. Many of the constituents that I have met door to door as I have been working through my constituency over the last year and a half, meeting my constituents, talking to them, discussing the various issues important to them, one thing that keeps coming up is education. No matter what the age level, the people whom I have spoken with in my constituency, education is held to be an important aspect, an important issue of our times.

Many constituents who were laid off, who were older workers and laid off during the previous regime, still find themselves at that time without any training available and today still, after more than 20 months of this Government in operation, find themselves in the same boat. They are often reaching various levels of depths of despair. That should be of concern. Although the Minister has certainly taken that first toe step forward after 20 months, and certainly with a Party that was in Opposition for six and a half years before and who should have been on top of some of the trends and issues, those workers are disappointed. Certainly, Mr. Acting Speaker, with the type of experience that this Government attempts to portray to Manitobans that they have, I indeed believe all Manitobans are disappointed.

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

Mr. Acting Speaker, in conclusion I would like to say that indeed this Bill No. 59 offers some new initiatives,

some changes, but as I have pointed out, I look forward to debates in committee and presentations of any witnesses that may be appearing before us to perhaps be able to convince not only the Government but also our friends to the left of some of the concerns that they have with respect to this legislation and some of the various aspects that could be tightened up to make this piece of legislation, this Bill No. 59, indeed that which we all want it to be.

Thank you, Mr. Acting Speaker.

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

**Ms. Maureen Hemphill (Logan):** I move, seconded by the Member for Churchill (Mr. Cowan), that debate be adjourned.

**MOTION presented and carried.**

### **BILL NO. 60—THE EDUCATION ADMINISTRATION AMENDMENT ACT**

**The Acting Speaker (Mr. Gilleshammer):** On the proposed motion of the Honourable Minister of Education (Mr. Derkach), Bill No. 60, The Education Administration Amendment Act (Loi modifiant la Loi sur l'administration scolaire), standing in the name of the Honourable Member for Inkster (Mr. Lamoureux).

\* (1150)

**Mr. Kevin Lamoureux (Inkster):** I was only wanting to put a very few words on this particular Bill. From what I understand, it is more a housekeeping, housecleaning Bill.

I thought it was important that at this stage, in addressing the principle, I could talk about the need maybe to have a more substantial Bill that addresses in my view, and in the view of many of my constituents, a much larger or greater need. That is of course what my colleague, the Member for Sturgeon Creek (Mrs. Yeo), had introduced a while back in terms of the proposed resolution regarding the school division boundary review.

We have seen this Government take an approach on City Hall, in saying that they would like to see the number of city councillors reduced, and have put forward arguments to try and validate what they have been saying. I think if you talk to most of the citizens of the province, in particular the citizens of Winnipeg, you will find that not only do they perceive a need to review City Hall, the number of committees, councillors, and so forth, but the impression that I have been given by many of my constituents is the fact that not only should City Hall be reviewed, but the school board, a number of school divisions, and a number of school wards also should be addressed.

I wanted to just briefly comment on the resolution that I had made reference to, and I think that is really dealing with the heart of the issue. There are several inequities I believe that do need to be addressed and I did want to make reference just to a couple of them.

I think most, or a fair number, of the MLAs would be able to come across incidences where they have been called by a constituent where the constituent had a son or a daughter that was wanting to go to a different school outside of that particular school division. I had made reference in addressing the school division resolution to a case in point in my own constituency. It is a hard fast rule and if you do want a child to go into a school that might be closer to the home, or virtually across the block in some cases, or on the other side of the block, they are unable to because of the school being in a different school division.

One of the conversations that I quite often have with constituents is a comparison between the City of Winnipeg and the City of Calgary. As some of the colleagues in the Chamber might be aware, Calgary's school system is quite different from the City of Winnipeg, a city of approximately the same size. We have 10 school divisions and some 79 school trustees in the City of Winnipeg. In Calgary, there is one public school division and they have seven school trustees. I am sure if you look around to other school divisions in different cities you might even find the opposite.

I am not saying that we should necessarily be reducing it down to one school division and seven school trustees, but what I am saying, Mr. Acting Speaker, is that we should be aware of the fact that there are other systems out there, and they do need to be addressed just as much if not more than the effort that we are putting into reviewing the City of Winnipeg at the council level, at the municipal level.

The crux of the resolution was really that the resolution made reference to putting together or setting up a board of reference, and that particular board would have hearings to listen to the school trustees, parents, teachers' society and so forth in order to try and get an idea of the general direction we should be going to improving our school system that we have currently in the province. Nowhere are we trying to say, or state, that it necessarily has to be a reduction in terms of school trustees or a number of school divisions. What we are saying is that we do need to address that issue.

The reduction aspect in the discussions I have had with my own constituents, and that I would like the Chamber to be aware of, is that we do in fact have a large number of school divisions for the City of Winnipeg and there are several inequities.

My riding is located in Winnipeg No. 1, Mr. Acting Speaker, and you will find that Winnipeg No. 1 is the largest school division in the province. When you compare it to other school divisions within the City of Winnipeg you will find that it is unbelievable in terms of the differences in school populations, where we have over 30,000 and you go to Norwood Flats where there is another extreme and they are in the low thousands.

There are other inequities that have been pointed out to myself that I have looked somewhat into that I believe do need to be addressed, because the constituents in my riding believe that it does deserve the merit, or does deserve the Minister of Education (Mr. Derkach) to actually start taking some action on it. There is no harm in setting up a board of reference



to investigate, to look into the possibilities of improving our school system, that being the divisions and the number of school trustees. Any movement in a positive direction I am sure all colleagues—all of my colleagues in the Chamber would be supportive of.

The only thing that we are lacking is really the initiative from the Department of Education, through the Minister of Education, the lack of initiative to actually take some bold step and form a committee of this nature to address what is perceived by not only I believe the constituents in my riding but the constituents in all of our ridings. I think if we were to go to the doors and consult with them you will find that there is a large ground swell of support out there to start acting, and acting in a much more faster action, Mr. Acting Speaker.

We take a look at what the Minister of Urban Affairs (Mr. Ducharme) has been trying to do. The manner in which he is doing it in can be somewhat questioned, but one of the biggest selling planks that he was trying to get on the record was the idea of reducing City Council from the current 29 to I believe it was 23.

I believe, Mr. Acting Speaker, the reason why he was doing that was strictly because he felt that the political will, or the public opinion, was to see City Hall reduce the number of city councillors that are elected. I would advise the Minister of Urban Affairs (Mr. Ducharme) that I believe that the citizens of the City of Winnipeg would be in larger numbers in favour of addressing the issue of the school board and would encourage the Minister of Urban Affairs maybe to work with or suggest in a strong fashion to Cabinet, because I do not believe the Minister of Education (Mr. Derkach) is taking any action or is taking any ideas to the Cabinet Table in terms of what can be done to address this particular issue. I find that somewhat unfortunate.

That is really all I was wanting to speak on, Mr. Acting Speaker. I am hoping that the Government will take more than an initiative of bringing in a housecleaning Bill of this nature and bring in something of great substance that would look at addressing the need for the school divisions or the number of school divisions and improving, whether it is moving towards the reduction or the expansion, but at least to get some type of a public input to find out if in fact Manitobans are being served well by the current school divisions and the number of school divisions and so forth that we now have. On that note, Mr. Acting Speaker, I thank you for giving me the opportunity to speak.

\* (1200)

**Mrs. Iva Yeo (Sturgeon Creek):** Mr. Acting Speaker, I have no intention of spending any lengthy time discussing this particular Bill. The Education Administration Amendment Act is not a very lengthy Act anyway, and this amendment is basically a rather short amendment. Again, there are a few other things that I would have chosen to look at had I prepared the amendment. Again, the word "regulations" is a very loosely placed word in several parts, particularly Section 4(1), and the aspect of regulations is not terribly tight.

When looking at the actual Bill and the proposed amendment, I think that the one area that bothers me

the most is the area where there are some proposed amendments to the make-up of the advisory board. What concerns me there is again a word. The word is "nominated." Certainly the Minister can select the members of the board, but there is no obligation on his part to select the nominated person from a particular organization, for instance, the senate of the University of Manitoba. The way it stands now, loosely worded, the senate could be requested to submit several nominees, and from that multitude of nominees, the Minister would then select. There are dangers, as we know.

Who is more able to tell which member from their particular group would best represent them on a particular board than that group itself? Sometimes as a matter of fact it is grabbing somebody by the neck and saying you will in fact allow your name to stand. That group may know this person would best serve them but they might need a little arm-twisting. It just distresses me somewhat that the requirement can be there in legislation that would allow too many political appointees per se out of a list of nominees.

The other thing there that distresses me a little bit is that there are four universities in our province. St. Boniface College is actually growing, expanding, and the French language issue is becoming important. I think it would be advantageous to include some representation, a sure representation, from our French language population. That is not included.

I know there are other Members in our caucus and perhaps in the Assembly who wish to speak to this Act. Because I took my full time in speaking to Bill No. 59, I will thank you for this opportunity.

**Mr. Leonard Evans (Brandon East):** I would move, seconded by the Member for Churchill (Mr. Cowan), that debate be adjourned.

**MOTION presented and carried.**

### **BILL NO. 35—THE WILDLIFE AMENDMENT ACT**

**The Acting Speaker (Mr. Gilleshammer):** On the proposed motion of the Honourable Minister of Natural Resources (Mr. Enns), Bill No. 35, The Wildlife Amendment Act, (Loi modifiant la Loi sur la conservation de la faune), standing in the name of the Honourable Member for Wolseley (Mr. Taylor).

**Mr. Harold Taylor (Wolseley):** I am pleased to rise today to speak on Bill No. 35, The Wildlife Amendment Act of Manitoba. We see here with this Bill a rather profound change in orientation by Government and one that I have to say that I am pleased with.

We are going to see a separate companion Bill dealt with in this Session also, which will be Bill No. 8, The Endangered Species Act. For once we will have Acts with distinct responsibilities for endangered species and general wildlife protection. I think that is a positive step. I would be supportive of this initiative. It is the sort of thing that has been called upon by those active in wildlife

protection, those active in having trapping as a livelihood and also from hunting groups throughout the province. I think what you are going to see, I think you will see a general embracing of the thrust by the creation of these two Acts.

What you see in Bill No. 35, The Wildlife Amendment Act, is essentially now an Act that will deal with hunting and trapping. It will not be an Act dealing with the preservation really in any fashion of any endangered species in the Province of Manitoba. The fact that we have before us a Bill that distinguishes quite clearly between hunting and trapping, has a different set of definitions for both of those and different means of dealing with the carrying out of those activities, is a decided improvement over the present rather muddy situation.

(Mr. Neil Gaudry, Acting Speaker, in the Chair)

We will be looking forward to dealing with this Act and also Bill No. 8, as I mentioned a moment earlier, The Endangered Species Act, in the committee stage. We have some concerns that do need to be addressed in the committee stage. We will be interested in hearing the comments of the Member for Lakeside (Mr. Enns), the Minister responsible for these, on both of these Bills, and I hope completely with thorough explanations from staff who we expect will be attending those meetings.

I did notice with some amusement however that in Section 1, which would now become the new Section 2, the definitions of loaded firearms. I was rather surprised quite frankly to see detailed definitions about percussion muzzle-loading firearms and flintlock muzzle-loading firearms, in addition of course to the regular breach-loaded firearms which most of us would understand which fire off normal shells, be those rim activated shells or centre button activated shells, but to talk about muzzle loaders in this day and age, I was really taken aback. I did not realize we had very many hunters in Manitoba that were using any form of muzzle loaders. It came across to me as so much blunderbuss.

The need to put it in this fashion really escapes me. I can just see the hunters out in the fields now with their horn of powder and their wads and their rods and their tamping down. Why a definition could not be put in that was an encompassing definition for whatever form of firearm, I am not quite sure, but I did not really see the need to get into this level of detail. People that are out there using that sort of equipment are more out for the fun of using that piece of equipment as opposed to really being out hunting.

In any case, I am sure we would all like to see these antique pieces of relic armaments in use. For a modern piece of legislation, having percussion muzzle-loading definitions and flintlock muzzle-loading definitions is really quite something.

**An Honourable Member:** There is a whole muzzle-loading season, a special season. There are literally millions of Manitobans muzzle-loading.

**Mr. Taylor:** The Member for Churchill (Mr. Cowan) is informing me from his seat that there are millions of

muzzle loaders in Manitoba. Pardon my amusement here.

In any case, I also notice in this Act though an attempt to have consistency in the penalties provided in the various provisions of the Act. This will be a first, because what you have generally seen in Acts of this nature is that there has been total inconsistency, Mr. Acting Speaker, when it came to the penalties under The Wildlife Act and in fact in numerous of the Acts that are under the jurisdiction of the Natural Resources Department. Why that should be, I am not sure. I know this is one of the older departments in Government, but that does not mean all its legislation needs to be dated, archaic and inconsistent. I would hope we will see more of that.

We also see a better definition of officer. The one that was there is repealed, and there is a new one in there for that. There is of course, as I mentioned, a new definition for hunting, poison device as well, which I think is good.

\* (1210)

There is also a clarification in this Act in the provision for prohibition of licence for hunting in which it is quite clear that the justice involved would have the discretion of going beyond one year of prohibiting somebody from having a hunting licence. In fact, it could go beyond the five years of the normal provision should that be necessary, given the offence that had been perpetrated. Also to make this Act consistent, there has been clearer definition of what a hunting offence and what a trapping offence is, and I think that is all to the good. There may be minor changes in terminology which will still see amendments come forward in the committee stage, because we found a few inconsistencies in the Act, but for the most part the attempt to separate trapping from hunting by stating the term, by the definitions, et cetera, has been for the most part well done throughout the Act.

Also an initiative of the Conservative administration, to make the Act gender neutral, I think is the sort of way to go. However, the Liberals will say that there is an inconsistency and that this document is not consistent throughout, it is not gender neutral throughout. It will be our effort to make it such at the committee stage. We are not terribly surprised that a Conservative administration would have a little trouble with getting a piece of legislation gender neutral, given that this is the Party famous, or I should say infamous, for the expressions of its former Leader referring to "breeders" and "breedees." We all remember that not too many years ago.

There still seems to be trouble amongst many of our Conservative colleagues yonder in dealing with gender neutral terminology. Rarely do they use terms such as "staffing levels"; it would be more "manpower" would be used. Rarely do we hear "chairpersons"; it would more likely be "chairmen" or "Mr. Chairman." Those sorts of expressions are the more normal we hear so we are not surprised they are having trouble making their Bill 35 consistently gender neutral throughout.

One of the issues that we will be dealing with at some length, I would suggest, in committee is going to be

Subsection 77(2). This is where the Minister may designate a person as being qualified to perform examinations. This is an area that we feel does require clarification and a convincing of those of us on the opposite side that the section is properly framed, is inclusive enough and that there are no flaws in the approach in that matter.

There is also later on in Section 81, discussion about general contraventions of the Act in addition to the specific offences in the regulations. We will also want to look at that point. It is in that same section where we see a raising of the minimum fines from \$500 to \$1,500, again part of the attempt to make the penalty provisions throughout Bill No. 35 consistent. I think that is good.

It is of course noted that in Section 90(bb), that the—

**The Acting Speaker (Mr. Gaudry):** Order, please; order please.

### POINT OF ORDER

**The Acting Speaker (Mr. Gaudry):** The Honourable Minister of Finance (Mr. Manness), stands on a point of order.

**Hon. Clayton Manness (Minister of Finance):** Mr. Acting Speaker, the Member is becoming more perilously close to breaking the Rules, with respect to second reading. I just heard him indicate specifically a clause or section of a certain Bill. That is not allowed under the Rules of the House when one is addressing second reading of a Bill.

I would ask that the Member try to debate the Bill in principle and—

**An Honourable Member:** Admonish him, smack him around.

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

**Mr. Manness:** —make his specific remarks during either Committee of the Whole or indeed—

**An Honourable Member:** Learn the Rules, Harold.

**The Acting Speaker (Mr. Gaudry):** Order, please; order, please.

I would remind the Honourable Member for Wolseley (Mr. Taylor), citation from Beauchesne's, "The second reading is the most important stage through which the Bill is required to pass; for its whole principle is then at issue and is affirmed or denied by a vote of the House. It is not regular on this occasion, however, to discuss in detail the clauses of the Bill."

The Honourable Member for Wolseley.

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**Mr. Taylor:** If the nit-pickers on the Government side would let me finish my question, I would have referred

to the principle of the Bill, which is the separating, in this piece of legislation, those things dealing with endangered species over into Bill No. 8.

I was going to compliment the Government for doing that separation, but seeing as they do not want to listen to that, they are jumping up on their feet like a bunch of bugged kangaroos.

We will deal in quite some detail on the sections, Mr. Acting Speaker, and I will be interested to see if the Honourable Member for Pembina (Mr. Orchard), who from the seat of the Industry Minister is so vocal in this House this Friday afternoon, will be there to debate these matters. He certainly seems to think it is awfully important right now. Although, I measure that only by volume and not by content, because there is not much forthcoming there.

In any case, we look forward to the debate on a clause-by-clause basis in committee of Bill 35 and with, as I should mention, the companion Bill No. 8, The Endangered Species Act because the separation into these two documents I think is a very important step. A step of this nature must be done well without inconsistencies, without gaps, and we have seen the unfortunate track record recently of Bill 79, Mr. Acting Speaker, where we had a Government that said you have to get this through immediately.— (interjection)— Could I have order here, please.

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

**Mr. Taylor:** The Member for Concordia (Mr. Doer) seems to think he has the floor.— (interjection)—

**An Honourable Member:** Sorry, Harold.

**An Honourable Member:** No, he is not, Harold.

\* (1220)

**Mr. Taylor:** Thank you very much. We had the unfortunate case recently of Bill 79, where it was said that not only must this be through by the 22nd of December, but that this Act is so well constructed, there are no flaws to it.

We know very well what happened. There was no problem when this Bill was through this House on the 11th of January. Albeit, and the Member for Fort Garry (Mr. Laurie Evans) says I wonder how many amendments there were. Well, there were 64 amendments and there should have probably been 64 more amendments. Of course, so many of those amendments were put to being as a test of this Government, as being money-modifying amendments and, therefore, could not be brought forward.

We will see if Bill 35 stands the test. I hope it stands the test much better than the Bill that was brought forward by the Minister of Rural Development (Mr. Penner), and I look forward to sitting across the committee table from the Member for Lakeside (Mr. Enns) and debating Bill 35 wholeheartedly, clause by clause.

**Mr. Leonard Evans (Brandon East):** Mr. Acting Speaker, if it is not standing in anyone's name, I would

move that debate be adjourned, seconded by the Member for Churchill (Mr. Cowan).

## HOUSE BUSINESS

**Hon. Clayton Manness (Minister of Finance):** Mr. Acting Speaker, I rise at this time to provide some direction to the House, with respect to the calling of committees for next week. The reference of certain Bills to that committee—I would like to announce that Bill No. 63, whatever the name of that Bill is, be referred to Law Amendments Committee to meet at 8 p.m., next Tuesday, Room 255 to consider that Bill.

At the same time, I move, seconded by the Minister of Northern Affairs (Mr. Downey), that Bill No. 64, The Business Practices Act, be withdrawn from the Standing Committee on Industrial Relation and Bill No. 83, The Ozone Depleting Substances Act, be withdrawn from the Standing Committee on Public Utilities and Natural Resources and both these Bills be transferred to the Standing Committee on Law Amendments, to be held also Tuesday next, 8 p.m, Room 255.

**An Honourable Member:** Are the leaflets ready now, Mr. Acting Speaker?

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**The Acting Speaker (Mr. Gaudry):** Order, please.—(interjection)— Order, please. Firstly, I neglected to ask the question on Bill No. 35, that it remain standing in the name of the Honourable Member for Brandon East (Mr. Leonard Evans). Agreed? Agreed and so ordered.

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**The Acting Speaker (Mr. Gaudry):** Moved by the Honourable Minister of Finance (Mr. Manness), seconded by the Honourable Minister of Northern Affairs (Mr. Downey), that Bill No. 64, The Business Practices Act; Loi sur les pratiques commerciales, be withdrawn from the Standing Committee on Industrial Relations, and Bill No. 83, The Ozone Depleting Substances Act; Loi sur les substances appauvrissant la couche d'ozone, be withdrawn from the Standing Committee on Public Utilities and Natural Resources, and that these Bills be transferred to the Standing Committee on Law Amendments. Agreed. The Honourable Minister of Finance.

**Mr. Manness:** Mr. Acting Speaker, just as a point of clarification, I just want to make sure that Members realize that Bill 71, which had been referred to the Law Amendments Committee, will not be called Tuesday. Agreed.

## BILL NO. 73—THE HIGHWAY TRAFFIC AMENDMENT ACT (6)

**The Acting Speaker (Mr. Gaudry):** On the proposed motion of the Honourable Minister of Highways and Transportation (Mr. Albert Driedger), Bill No. 73, The Highway Traffic Amendment Act (6); Loi no 6 modifiant le Code de la route, standing in the name of the Honourable Member of St. Vital (Mr. Rose). Stand.

Is it the matter of the House to remain standing in the name of the Honourable Member for St. Vital? Agreed.

## BILL NO. 84—THE WASTE REDUCTION AND PREVENTION AND CONSEQUENTIAL AMENDMENTS ACT

**The Acting Speaker (Mr. Gaudry):** On the proposed motion of the Honourable Minister of Environment (Mr. Cummings), Bill No. 84, The Waste Reduction and Prevention and Consequential Amendments Acts; Loi sur la réduction du volume et de la production des déchets et modifications corrélatives, standing in the name of the Honourable Member for Dauphin (Mr. Plohman). Stand.

Is it the will of the House to have it remain standing? Agreed and so ordered.

## BILL NO. 31—THE LABOUR RELATIONS AMENDMENT ACT

**The Acting Speaker (Mr. Gaudry):** On the proposed motion of the Honourable Minister of Labour (Mrs. Hammond), Bill No. 31, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, standing in the name of the Honourable Member for Brandon East (Mr. Leonard Evans). Stand. The Honourable Member for Brandon East.

**Mr. Leonard Evans (Brandon East):** Mr. Acting Speaker, it is my privilege to speak on this very important piece of legislation, which is going to set back the clock in terms of labour legislation in this province. The previous New Democratic Party Government brought in a very innovative piece of labour—

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

**The Acting Speaker (Mr. Gaudry):** Order, please. I have recognized the Honourable Member for Brandon East.

**Mr. Leonard Evans:** The previous NDP Government brought in some very progressive legislation, very innovative legislation, and legislation which we clearly said was something that could be tried. Indeed, we even provided for a five-year sunset clause so there would be a period of time in which we would have the experience of this legislation and then ultimately analyze it and make a decision at that point. Certainly we are very much opposed to what the Minister of Labour (Mrs. Hammond) is now trying to do, which is to eliminate this very progressive piece of legislation.

As time goes on we find more and more groups in this province are supporting the stand of the New Democratic Party. We have everyone from the doctors groups right through to various women's groups, and when I say women's groups, I do not speak lightly, we are talking about a group of 36, the Manitoba Women's Agenda, which is made up of 36 women's organizations from across the province, and they have stated clearly, by way of resolution, and I will read this resolution: Therefore be it resolved that the Government of Manitoba live up to its commitment in the preamble of The Labour Relations Act to encourage collective

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bargaining between employers and unions as freely designated representatives of employees and withdraw the Bill repealing final offer selection.

This Women's Agenda organization represents 36 groups and indeed they are speaking for thousands of women in the Province of Manitoba. In fact, it is estimated that they were probably speaking for at least 200,000 women who are in those industries, in those occupations, which is directly affected by this legislation.

Indeed the co-ordinator of the Manitoba Women's Agenda is very clear when she says that this particular legislation introduced by the NDP definitely assists women in this province, and in fact she points out that it helps more than 200,000 Manitoba women working in service industries. She says that these women are in jobs, some are not highly skilled, and it is easy for employers to find strikebreakers willing to take their places. Indeed, because service jobs are low paying, the service sector unions often have little money for strike pay. They cannot afford extended strikes.

I would think that all Parties in this House should listen to this women's group, this women's group which represents thousands of women in the province. I would say this is a coalition group representing diverse organizations such as the Immigrant Women's Association, the Winnipeg YM-YWCA, the Manitoba Action Committee on the Status of Women, the Coalition of Rural Women. Together they are saying to this Legislature, do not pass the Bill of the Minister of Labour. Leave FOS. Leave the progressive piece of legislation brought in by the previous New Democratic Party Government, and indeed I think it would be to the serious disadvantage to both the Conservative and the Liberal Party to ignore the advice and the position of these women's groups.

**The Acting Speaker (Mr. Gaudry):** The Honourable Member will have 37 minutes remaining for the Member for Brandon East.

The hour being 12:30 p.m., we adjourn, and the House will remain adjourned until 1:30 p.m., Monday.