



First Session- Thirty-Seventh Legislature

of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**Official Report  
(Hansard)**

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The Honourable George Hickes  
Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Seventh Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FILMON, Gary	Tuxedo	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren	Lac du Bonnet	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim	Assiniboia	N.D.P.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Joy	Fort Garry	P.C.
SMITH, Scott	Brandon West	N.D.P.
STEFANSON, Eric	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin-Roblin	N.D.P.
TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, August 17, 2000**

**The House met at 1:30 p.m.**

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

**Gaming Licences**

**Mr. Jim Penner (Steinbach):** I beg to present, Mr. Speaker, the petition of Brenda Lesage, Tessa Fehler, David Klassen and others praying that the Legislative Assembly of Manitoba urge the Government to hold plebiscites in affected communities before any new gaming licences are issued in the province of Manitoba.

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, I beg to present the petition of Ron Phelps, Gerry Langhon, Richard Paetkau and others praying that the Legislative Assembly of Manitoba urge the Government to consider holding plebiscites in affected communities before any new gaming licences are issued in the province of Manitoba.

**Bill 12—The Public Schools Amendment Act**

**Mrs. Joy Smith (Fort Garry):** Mr. Speaker, I beg to present the petition of Juliana Cameron, George McCall, Carol McCall and others praying that the Legislative Assembly of Manitoba request that the Minister of Education (Mr. Caldwell) withdraw Bill 12, The Public Schools Amendment Act.

**READING AND RECEIVING PETITIONS**

**Bill 12—The Public Schools Amendment Act**

**Mr. Speaker:** The Honourable Member for Fort Whyte (Mr. Loewen), I have reviewed the petition. It complies with the rules and practices of the House. Is it the will of the House to have the petition read? *[Agreed]*

Will the Clerk please read.

**Madam Clerk (Patricia Chaychuk):** To the Legislature of the Province of Manitoba.

The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT home education is a viable alternative to public education; and

THAT Bill 12 gives undefined powers to the Minister of Education which could adversely affect the rights of the family; and

THAT the convictions of parents/guardians are not recognized and openly supported; and

THAT the home-school organizations have not been consulted regarding the best method of facilitating the freedom and effectiveness of home-school families; and

THAT new policies and regulations have already come into existence with the apparent anticipation of Bill 12 being passed, which home educators find to be intrusive and intimidating in nature and which potentially reduces the freedoms of home-school parents; and

THAT Bill 12 fails to provide a mechanism of appeal for home-school families other than the courts.

WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister of Education and Training withdraw Bill 12, The Public Schools Amendment Act.

**Mr. Speaker:** The Honourable Member for Pembina (Mr. Dyck), I have reviewed the petition. It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**An Honourable Member:** Dispense.

**Mr. Speaker:** Dispense.

*The petition of the undersigned citizens of the province of Manitoba humbly sheweth:*

*THAT home education is a viable alternative to public education; and*

*THAT Bill 12 gives undefined powers to the Minister of Education which could adversely affect the rights of the family; and*

*THAT the convictions of parents/guardians are not recognized and openly supported; and*

*THAT the home-school organizations have not been consulted regarding the best method of facilitating the freedom and effectiveness of home-school families; and*

*THAT new policies and regulations have already come into existence with the apparent anticipation of Bill 12 being passed, which home educators find to be intrusive and intimidating in nature and which potentially reduces the freedoms of home-school parents; and*

*THAT Bill 12 fails to provide a mechanism of appeal for home-school families other than the courts.*

*WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister of Education and Training withdraw Bill 12, The Public Schools Amendment Act.*

**Mr. Speaker:** The Honourable Member for Springfield (Mr. Schuler), I have reviewed the petition, and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

*The petition of the undersigned citizens of the province of Manitoba humbly sheweth:*

*THAT home education is a viable alternative to public education; and*

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*THAT Bill 12 fails to provide a mechanism of appeal for home-school families other than the courts.*

*WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister of Education and Training withdraw Bill 12, The Public Schools Amendment Act.*

**Mr. Speaker:** The Honourable Member for Southdale (Mr. Reimer), I have reviewed the petition and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

*The petition of the undersigned citizens of the province of Manitoba humbly sheweth:*

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*THAT Bill 12 gives undefined powers to the Minister of Education which could adversely affect the rights of the family; and*

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*THAT new policies and regulations have already come into existence with the apparent anticipation of Bill 12 being passed, which home educators find to be intrusive and intimidating in nature and which potentially reduces the freedoms of home-school parents; and*

*THAT Bill 12 fails to provide a mechanism of appeal for home-school families other than the courts.*

*WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister of Education and Training withdraw Bill 12, The Public Schools Amendment Act.*

**Mr. Speaker:** The Honourable Member for Charleswood (Mrs. Driedger), pursuant to authorities and practices of the House, I now report that I have examined the petition and find the petitioners have not complied with the authorities and practices in the following respect. According to our Rule 94(8), no petition shall be received if it prays for any expenditure, grant or charge on the public review whether payable out of the consolidated fund or out of monies to be provided to the Assembly. Therefore—  
[interjection]

\* (13:35)

This particular petition is in order. I have reviewed the petition. It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

*The petition of the undersigned citizens of the province of Manitoba humbly sheweth:*

*THAT home education is a viable alternative to public education; and*

*THAT Bill 12 gives undefined powers to the Minister of Education which could adversely affect the rights of the family; and*

*THAT the convictions of parents/guardians are not recognized and openly supported; and*

*THAT the home-school organizations have not been consulted regarding the best method of facilitating the freedom and effectiveness of home-school families; and*

*THAT new policies and regulations have already come into existence with the apparent anticipation of Bill 12 being passed, which home educators find to be intrusive and intimidating in nature and which potentially reduces the freedoms of home-school parents; and*

*THAT Bill 12 fails to provide a mechanism of appeal for home-school families other than the courts.*

*WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister of Education and Training withdraw Bill 12, The Public Schools Amendment Act.*

**Mr. Speaker:** The Honourable Member for Portage la Prairie (Mr. Faurshou), I have reviewed the petition, and it complies with the rules and practices of the House. Is it the will of the House to have the petition read? [Agreed]

The Clerk please read.

**Madam Clerk:** To the Legislature of the Province of Manitoba

The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

*THAT home education is a viable alternative to public education; and*

*THAT Bill 12 gives undefined powers to the Minister of Education which could adversely affect the rights of the family; and*

*THAT the convictions of parents/guardians are not recognized and openly supported; and*

*THAT the home-school organizations have not been consulted regarding the best method of facilitating the freedom and effectiveness of home-school families; and*

*THAT new policies and regulations have already come into existence with the apparent*

anticipation of Bill 12 being passed, which home educators find to be intrusive and intimidating in nature and which potentially reduces the freedoms of home-school parents; and

THAT Bill 12 fails to provide a mechanism of appeal for home-school families other than the courts.

WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister of Education and Training withdraw Bill 12, The Public Schools Amendment Act.

**Mr. Speaker:** The Honourable Member for Fort Garry (Mrs. Smith), I have reviewed the petition. It complies with the rules and practices of the House. Is it the will of the House to have the petition read? *[Agreed]*

Would the Clerk please read.

**Madam Clerk:** To the Legislature of the Province of Manitoba

The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT home education is a viable alternative to public education; and

THAT Bill 12 gives undefined powers to the Minister of Education which could adversely affect the rights of the family; and

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THAT Bill 12 fails to provide a mechanism of appeal for home-school families other than the courts.

WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister of Education and Training withdraw Bill 12, The Public Schools Amendment Act.

**Mr. Speaker:** The Honourable Member for Lakeside (Mr. Enns), I have reviewed the petition and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**An Honourable Member:** Dispense.

**Mr. Speaker:** Dispense.

*The petition of the undersigned citizens of the province of Manitoba humbly sheweth:*

*THAT home education is a viable alternative to public education; and*

*THAT Bill 12 gives undefined powers to the Minister of Education which could adversely affect the rights of the family; and*

*THAT the convictions of parents/guardians are not recognized and openly supported; and*

*THAT the home-school organizations have not been consulted regarding the best method of facilitating the freedom and effectiveness of home-school families; and*

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*THAT Bill 12 fails to provide a mechanism of appeal for home-school families other than the courts.*

*WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister of Education and Training withdraw Bill 12, The Public Schools Amendment Act.*

\* (13:40)

**Mr. Speaker:** The Honourable Member for Carman (Mr. Rocan), I have reviewed the

petition and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**An Honourable Member:** Dispense.

**Mr. Speaker:** Dispense.

*The petition of the undersigned citizens of the province of Manitoba humbly sheweth:*

*THAT home education is a viable alternative to public education; and*

*THAT Bill 12 gives undefined powers to the Minister of Education which could adversely affect the rights of the family; and*

*THAT the convictions of parents/guardians are not recognized and openly supported; and*

*THAT the home-school organizations have not been consulted regarding the best method of facilitating the freedom and effectiveness of home-school families; and*

*THAT new policies and regulations have already come into existence with the apparent anticipation of Bill 12 being passed, which home educators find to be intrusive and intimidating in nature and which potentially reduces the freedoms of home-school parents; and*

*THAT Bill 12 fails to provide a mechanism of appeal for home-school families other than the courts.*

*WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister of Education and Training withdraw Bill 12, The Public Schools Amendment Act.*

#### **PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES**

**Mr. Daryl Reid (Chairperson of the Standing Committee on Industrial Relations):** Mr. Speaker, I wonder if you might canvass the House to see if I might have leave to introduce the Third Report of the Industrial Relations Committee.

**Mr. Speaker:** Does the Honourable Member have leave to introduce the Third Report of the Industrial Relations?

**An Honourable Member:** Not yet.

**Mr. Speaker:** The Member does not have leave. Leave has been denied.

#### **MINISTERIAL STATEMENTS**

##### **Hudson Bay Mining and Smelting Co.**

**Hon. Becky Barrett (Minister of Labour):** Mr. Speaker, I have a statement for the House.

Mr. Speaker, I rise today with tragic news. Sadly I must inform the House of the death of Steve Ewing last night. Mr. Ewing was one of the four workers critically injured following an explosion at Hudson Bay Mining and Smelting on August 8. I am sure the members of this Assembly will join me in expressing our heartfelt sympathies to Mr. Ewing's family, friends and co-workers. We wish them strength and endurance during this difficult time.

Three of the twelve workers who were injured in the accident remain in critical condition, and we continue to hope for the best possible outcome for them and their families. On behalf of all of us in the Chamber, I want to express our appreciation to all the health care and emergency workers who responded to the accident, cared for Mr. Ewing, and are continuing to take care of his co-workers.

I know this incident has been a terrible shock to the community. The death of a young man in a workplace accident is a tragedy felt by all of us. In Flin Flon, workers and their families are struggling to deal with the trauma left by this accident. With the support of their neighbours and the community at large, may they soon be granted peace and healing.

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** Mr. Speaker, I thank the Minister for the statement. I know all of us in our caucus want to join with all members of the Legislature, all members of our Manitoba community as we express our deep felt sympathy for the family of Steve Ewing, for his relatives, his friends and his co-workers that have been impacted in a very significant way as a result of this untimely death.

We do know that there are still families that are dealing with the issues of critically ill loved ones and friends, and our thoughts and prayers are with them also today as they continue to live through this tragedy.

We do want to add, too, our thanks to all of those that have been involved in any way in the issues that have faced many, whether they be trying to deal with the clean-up or deal with those that have been severely impacted. We want to join and ensure that we continue to hold out hope for those that are still suffering through this tragic incident. Thank you.

**Hon. Jon Gerrard (River Heights):** I ask for leave to comment on the Minister's statement.

**Some Honourable Members:** Leave.

**Mr. Speaker:** Leave has been granted.

**Mr. Gerrard:** I join with all the rest of the colleagues in the Legislature in expressing sympathy for the family of Steve Ewing and the relatives. It has been a terrible tragedy. We hope for the best for the three who remain in critical condition. We are thankful for those who have worked so hard on their behalf to provide help to all those who were injured in any way in the accident.

It is an opportunity to dedicate ourselves to better safety in all our workplaces in Manitoba, and I think it comes at a poignant moment because on the other side of the globe there are many individuals under the sea in a submarine. We are all praying and hoping for their well-being as well.

### TABLING OF REPORTS

**Hon. Diane McGifford (Minister of Culture, Heritage and Tourism):** I am pleased today to table the Annual Report of Le Centre Culturel Franco-Manitobain for the year 1999-2000.

\* \* \*

**Hon. Gord Mackintosh (Government House Leader):** Is there leave of the House to revert to Presenting Reports by Standing and Special Committees, Mr. Speaker?

**Mr. Speaker:** Is there leave of the House to revert back to Presenting Reports by Standing and Special Committees? *[Agreed]*

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

#### Standing Committee on Industrial Relations Third Report

**Mr. Daryl Reid (Chairperson of the Standing Committee on Industrial Relations):** Mr. Speaker, I am wondering whether or not you would canvass the House to determine whether or not I have leave to introduce the Third Report of the Industrial Relations Committee.

**Mr. Speaker:** Does the Honourable Member have leave to introduce the report for the Industrial Relations Committee? *[Agreed]*

\*(13:45)

**Mr. Reid:** Thank you, Mr. Speaker, and thanks to members of the House. I beg to present the Third Report of the Committee on Industrial Relations.

**Madam Clerk (Patricia Chaychuk):** Your Standing Committee on Industrial Relations presents—

**An Honourable Member:** Dispense.

*Your Standing Committee on Industrial Relations presents the following as its Third Report.*

*Your committee met on Monday, August 14, 2000, at 6:30 p.m., Tuesday, August 15, 2000, at 10 a.m., Tuesday, August 15, 2000, at 6:30 p.m., and Wednesday, August 16, 2000, at 3 p.m. in Room 255 of the Legislative Building to consider bills referred.*

*At the Monday, August 14, 2000, at 6:30 p.m. meeting, Mr. Smith (Brandon West) moved that time allowed be 15 minutes for presentations, 5 minutes for questions. The motion was agreed to.*

*At the Tuesday, August 15, 2000, at 6:30 p.m. meeting, Mr. Smith (Brandon West) moved that the committee sits until all presentations are*



*the committee sits until all presentations are complete. The motion was agreed to on a counted vote.*

*At that meeting, Hon. Mr. Sale moved whereas all registered presenters have been heard, I move that public presentations on the Bill 44 now be concluded. The motion was agreed to on a counted vote (yeas 6, nays 4).*

*At the Monday, August 14, 2000, at 6:30 p.m., Tuesday, August 15, 2000, at 10 a.m., and Tuesday, August 15, 2000, at 6:30 p.m. meetings, your committee heard representation on bills as follows:*

*Bill 18—The Labour Relations Amendment Act;  
Loi modifiant la Loi sur les relations du travail*

*Roger Cameron – Railway Association of Canada*

*Gordon Peters – CANDO Contracting*

*Doug Oschewski – Canadian Autoworkers Union*

*Wendy Sol – Communications, Energy and Paperworkers Union Canada*

*Al Cerilli – Manitoba Federation of Union Retirees*

*Rob Hilliard – Manitoba Federation of Labour*

*Bill 44—The Labour Relations Amendment Act (2); Loi no 2 modifiant la Loi sur les relations du travail*

*Gordon Peters – CANDO Contracting,*

*Joyce Reynolds – Canadian Restaurant Association,*

*Jan Speelman – Manitoba Teacher's Society,*

*Roy Eyjolfson – Seagram Company Limited, Gimli,*

*Heather Ostop – Private Citizen,*

*Peter Woolford – Retail Council of Canada and Retail Merchants Association of Manitoba,*

*Robert Desjarlais – United Steel Workers Union Local 6166,*

*Sidney Green – Private Citizen,*

*Irene Merie and Murray Siegler – Winnipeg Chamber of Commerce,*

*Rob Hilliard – Manitoba Federation of Labour,*

*Jim Carr – Business Council of Manitoba,*

*Candace Bishoff – Manitoba Employers Council,*

*Dan Overall – Manitoba Chambers of Commerce,*

*Edward Huebert – Mining Association of Manitoba,*

*Brenda Andre – Perkins Family Restaurants,*

*Terry Cooper – Manitoba Association of School Trustees,*

*Jim Baker – Manitoba Hotel Association,*

*Paul Moist – Canadian Union of Public Employees,*

*Dan Kelly – Canadian Federation of Independent Business,*

*Peter Wightman – Construction Labour Relations Association of Manitoba,*

*Bernard Christophe – United Food and Commercial Workers Union Local 832,*

*Colin Robinson – Private Citizen,*

*Randy Porter – Portage Labour Council,*

*Chris Christenson – South Eastern Manitoba Labour Council,*

*Grant Ogonowski – Private Citizen,*

*Roland Boisvert – Manitoba French Chamber of Commerce,*

*Ron Hambly – Winnipeg Construction Association,*

*George Floresco – Canadian Union of Postal Workers,*

*David Condon – Canadian Union of Postal Workers – Prairie Region,*

*Brian Short – International Association of Machinists and Aero Space Workers,*

*Grant Mitchell – Private Citizen,*

*George Fraser – Manitoba Home Builders Association,*

*Maureen Hancharyk – Manitoba Nurses' Union,*

*James Hogaboam – Delivery Drivers Alliance of Manitoba,*

*Kenneth Emberly – Citizens for Democracy and Less Poverty,*

*Darlene Dziewit – Private Citizen,*

*Julie Sheeska – Private Citizen,*

*Joy Ducharme – Private Citizen,*

*Alice Ennis – Private Citizen,*

*Kelly Gaspur – Private Citizen,*

*Colin Trigwell – Private Citizen,*

*Graham Starmer – Coalition of Manitoba Businesses,*

*Gerry Roxas – Communications, Energy and Paper Workers Union of Canada Local 830,*

*Dale Paterson – Canadian Auto Workers,*

*Maria Soares – Union of Needle Trades, Industrial and Textile Employees Local 459,*

*Neal Curry – Westland Plastics Ltd.,*

Bob Dolyniuk – Manitoba Truckers Association,  
 Lydia Kubrakovich and Krishna Lalbiharie –  
 Canadian Federation of Students,  
 Todd Scarth – Canadian Centre for Policy  
 Alternatives,  
 Albert Cerilli – Manitoba Federation of Union  
 Retirees,  
 Peter Olfert – Manitoba Government Employees  
 Union,  
 John Godard – Private Citizen,  
 Mario M. Javier – Private Citizen,  
 Thomas Novak and Margot Lavoie-Manitoba  
 Oblates – Justice and Peace Committee,  
 Larry McIntosh – Private Citizen,  
 David Newman – Private Citizen,  
 Rod Giesbrecht – Private Citizen,  
 Robert D. Ziegler – Private Citizen,

*Written Submissions:*

*Bill 44–The Labour Relations Amendment Act  
 (2); Loi no 2 modifiant la Loi sur les relations  
 du travail*

Bryan Walton – Canadian Council Of Grocery  
 Distributors  
 Keith McDougall – Canadian Federation Of  
 Independent Grocers  
 Shirley Canty – Manitoba Motor Dealers  
 Association  
 Jonas Sammons – Alliance of Manufacturers  
 and Exporters Canada  
 Ilene Lecker – Private Citizen  
 George Bergen – Private Citizen  
 United Steel Workers of America  
 Bob Stevens – Manitoba Restaurant Association  
 David Martin – Manitoba Building Trades  
 Council  
 Ron Teeple – Brandon District Labour Council

*Your committee has considered:*

*Bill 18–The Labour Relations Amendment Act;  
 Loi modifiant la Loi sur les relations du travail*

*and has agreed to report the same, without  
 amendment, on a counted vote (yeas 6, nays 3).*

*Your committee has also considered:*

*Bill 44 – The Labour Relations Amendment Act  
 (2); Loi no 2 modifiant la Loi sur les relations  
 du travail*

*and has agreed to report the same with the  
 following amendments, on a counted vote (yeas  
 6, nays 4):*

**MOTION:**

*THAT section 3 of the Bill be replaced by the  
 following:*

*3 Subsection 12(2) is amended by striking out  
 everything after "employee" and substituting  
 "was because of conduct of the employee that  
 was related to the strike or lockout and resulted  
 in a conviction for an offence under the Criminal  
 Code (Canada) and, in the opinion of the board,  
 would be just cause for dismissal of the  
 employee even in the context of a strike or  
 lockout."*

**MOTION:**

*THAT the proposed subsection 40(1), as set out  
 in subsection 6(1) of the Bill, be amended by  
 striking out everything before item 1 and  
 substituting the following:*

***Certification, representation vote, or dismissal  
 40(1) Subject to this Part, when the board  
 receives an application for certification and is  
 satisfied that the employees were not subject to  
 intimidation, fraud, coercion or threat and that  
 their wishes for union representation were  
 expressed freely as required by section 45, the  
 board shall do the following when it receives an  
 application for certification:***

**MOTION:**

*THAT the proposed clause 69(1)(b), as set out in  
 subsection 10(1) of the Bill, be struck out and  
 the following substituted:*

*(b) in the case of the construction industry, of  
 the members of the union in the craft unit;*

**MOTION:**

*THAT section 23 of the Bill be replaced with the  
 following:*

*23 The following is added after section 87:*

## SETTLEMENT OF SUBSEQUENT AGREEMENTS

### **Dispute about subsequent agreements**

**87.1(1)** Where a collective agreement has expired and a strike or lockout has commenced, the employer or the bargaining agent for a unit may apply in writing to the board to settle the provisions of a collective agreement if

(a) at least 60 days have elapsed since the strike or lockout commenced;

(b) the parties have attempted to conclude a new collective agreement with the assistance of a conciliation officer or mediator for at least 30 days during the period of the strike or lockout; and

(c) the parties have not concluded a new collective agreement.

### **Notice**

**87.1(2)** The board shall promptly notify the parties when it receives an application.

### **Board to determine if good faith bargaining**

**87.1(3)** On receiving an application, the board shall inquire into negotiations between the parties and determine

(a) whether or not they are bargaining in good faith in accordance with subsection 63(1); and

(b) whether or not they are likely to conclude a collective agreement within 30 days if they continue bargaining.

### **Discretion of board**

**87.1(4)** The board may delay making a determination under subsection (3) until it is satisfied that the party making the application has bargained sufficiently and seriously with respect to those provisions of the collective agreement that are in dispute between the parties.

### **No settlement if good faith bargaining and agreement is likely**

**87.2(1)** If the board finds under subsection 87.1(3) that the parties are bargaining in good faith and are likely to conclude a collective agreement within 30 days if they continue bargaining, it shall decline to settle the pro-

visions of a collective agreement between them and notify them of that fact. The board may, however, appoint a board representative, or request the minister to appoint a conciliation officer, to confer with the parties to assist them in settling the provisions of a collective agreement.

### **New application if no agreement within further 30 days**

**87.2(2)** If 30 days have elapsed since notice was given under subsection (1) and the parties have failed to conclude a collective agreement, either party may make a new application to the board under subsection 87.1(1).

### **Settlement**

**87.3(1)** If the board finds under subsection 87.1(3) that a party is not bargaining in good faith, or that the parties are bargaining in good faith but are unlikely to conclude a collective agreement within 30 days if they continue bargaining,

(a) the employees shall immediately terminate the strike, or the employer shall immediately terminate the lockout;

(b) the employer shall reinstate the employees as provided for in subsection 87(5); and

(c) the provisions of a collective agreement between the parties shall be settled

(i) by an arbitrator, if the parties serve a notice of their wish for arbitration under subsection (2), or

(ii) by the board within 90 days of its finding, in any other case.

### **Arbitration**

**87.3(2)** Within 10 days after a finding by the board that a party is not bargaining in good faith, or that the parties are bargaining in good faith but are unlikely to conclude a collective agreement through further bargaining, the employer and the bargaining agent may serve a notice on the board stating that they wish to have the collective agreement settled by arbitration. The notice must name a person who has agreed to act as arbitrator.

**Arbitrator to settle collective agreement**

**87.3(3)** *The arbitrator shall settle the provisions of the collective agreement within 60 days after notice is served on the board under subsection (2).*

**Arbitration provisions of this Act apply**

**87.3(4)** *The provisions of this Act respecting arbitration apply, with necessary modifications, to an arbitrator acting under this section.*

**Term of collective agreement**

**87.3(5)** *A collective agreement settled by an arbitrator or the board under this section is effective for a period of one year following the expiry date of the previous collective agreement, or for any longer period the parties agree to.*

**Collective agreement binding**

**87.3(6)** *A collective agreement settled under this section is binding on the parties and on the employees in the unit as though it were a collective agreement voluntarily entered into between the parties, but the parties may nevertheless amend its provisions by a subsequent written agreement.*

**Subsections 87(6) and (8) apply**

**87.3(7)** *Subsections 87(6) and (8) apply, with necessary changes, to the settlement of a collective agreement under this section.*

**Review**

**87.4** *The minister shall request the Manitoba Labour Management Review Committee to review the operation of sections 87.1 to 87.3 at least once in each 24-month period after those sections come into force and provide a report to the minister setting out their findings. The minister shall table the report in the Legislative Assembly as soon as possible after receiving it.*

**MOTION:**

*THAT the proposed subsection 130(1), as set out in subsection 27(1) of the Bill, be struck out and replaced with the following:*

**Referral of grievance to board**

**130(1)** *When an employee in a unit bound by a collective agreement, or the bargaining agent, initiates a grievance under the agreement, the bargaining agent may refer the grievance,*

*including any question about its arbitrability, to the board to be dealt with in accordance with this section.*

**Mr. Reid:** I move, seconded by the Honourable Member for Brandon West (Mr. Smith), that the report of the Committee be received.

**Motion agreed to.**

**ORAL QUESTION PERIOD****Government of Manitoba  
Agenda**

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** Over the last 10 months, we have seen this Premier stumble his way from one issue to the next. We have seen him break election promises time and time again, whether they be on health care, whether it be on support to farmers, whether it be creating a fiasco of the aboriginal casino issue. We have seen him force a minister to resign. We have seen his staff and his ministers break the law. We have seen this Premier introduce gag laws. We have seen this Premier take away Manitobans' democratic rights to a secret ballot.

Mr. Speaker, the only promise we have seen this Premier keep is the promise that was made behind closed doors to his brothers and sisters in solidarity with the introduction of Bill 44.

Mr. Speaker, under the blue suit it is clear that today's Premier is yesterday's union boss, and once a union boss, always a union boss. Will the Premier today now admit the truth to Manitobans that his government's agenda is being driven by Bernie Christophe, Rob Hilliard and his union boss friends?

**Mr. Speaker:** The Honourable First Minister.

**An Honourable Member:** He already answered. He said no.

**Hon. Gary Doer (Premier):** Mr. Speaker, I did answer and said no, but while I am on my feet—

**Mr. Speaker:** Order. When the Minister answered, I did not recognize the Honourable First Minister. I am recognizing the Honourable First Minister now.

**Mr. Doer:** Mr. Speaker, and, yes, it was a year ago today when the election was called in the province of Manitoba and it was a year ago tomorrow where we put forward our five-point plan.

Today I have just received information from the Conference Board of Canada where they have revised upwards the growth predictions for Manitoba in terms of economic growth. In fact, in the spring of this year they predicted a 2.5% growth for Manitoba. They have now adjusted it up, in August of this year, to be some 2.9 percent, and they are predicting in the year 2001 the investment growth will increase by over 6 percent. So, Mr. Speaker—

**An Honourable Member:** Through government spending and hiring.

\* (13:50)

**Mr. Doer:** Mr. Speaker, these predictions are in the private sector, but I am sure members opposite do not read these predictions.

I am pleased to say that the biggest challenge we have and one of the legacies we have to deal with is the fact that we had the lowest number of people between the ages of 18 and 25 years of age in post-secondary education when we came into office. We now have a situation, and again the Conference Board confirms we have a situation in Manitoba where the number of people getting jobs will outstrip the growth in the labour force, so that is why we have a real challenge. I think it was identified in the media yesterday, our biggest challenge in Manitoba is to get more of our young people trained and skilled to stay in Manitoba to work in Manitoba.

Mr. Speaker, it was a year ago tomorrow that we promised to provide hope to young people. I am pleased that we have come through with tuition fee cuts, with expansion of community college programs and other hope and opportunity for young people, which is good for our youth and good for the economy.

**Government of Manitoba  
Agenda**

**Mr. Harold Gillehammer (Minnedosa):** Mr. Speaker, in an editorial in yesterday's paper

entitled *Who runs Manitoba?*, it states that the Premier told several audiences during last fall's election campaign that he had no agenda of labour relations law changes, that he would leave labour relations alone. This was reported to the editorial board of the *Winnipeg Free Press*, and it says his answers were clear and reassuring.

Mr. Speaker, I would ask the Premier if he would confirm that he made these statements to the editorial board of the *Winnipeg Free Press* and indeed he has misled Manitobans about his real agenda.

**Hon. Gary Doer (Premier):** Mr. Speaker, it was in this Legislature in 1996 that we voted against Bill 26, as it was introduced by members opposite. We spoke against it. The questions we were asked in the election campaign dealt with the specific issues of anti-replacement worker legislation and reintroduction of final offer selection. We said we were not going to do that in government and that any change we would make in the labour-management relations in Manitoba would be referred to the Labour Management Review Committee.

We also recognize that, hopefully, if there were any referrals to the Labour Management Review Committee, there would be a consensus. There was a consensus in about seven out of ten areas, and there was not a consensus in three other areas, all of which we proposed positive amendments yesterday in the Legislature. Those amendments, I think, go a long way to listening to Manitobans in the province.

The last negative drum members opposite were beating a couple of weeks ago was dealing with tax cuts. The Conference Board of Canada goes on to say that not only will the employment growth continue to grow, not only will investment continue to grow, not only will they revise their estimates of growth up, they are saying that because of the tax cuts in the provincial budget and in the federal budget, those tax cuts will result in more disposable income for Manitobans and an increase in retail sales in Manitoba.

**Government of Manitoba  
Agenda**

**Mr. Ron Schuler (Springfield):** Mr. Speaker, under the Filmon government, we have seen the

economy grow by unprecedented levels over the last five years, and under that strong head of steam, the economy continues to grow, as confirmed today by the Premier.

My question to him today is: If it ain't broke, why break it?

\*(13:55)

**Hon. Gary Doer (Premier):** Mr. Speaker, the Member must have rehearsed that for hours before he provided that.

Mr. Speaker, I do not want to disappoint members opposite, but last year the growth rate was quite a bit lower than what it is projected to be in this year's economy, and the projections that were made by independent growth rating agencies have now improved. That follows a report last week from the Dominion Bond Rating agency which again recognized the improved situation here in Manitoba in terms of economic activity and growth.

We believe that a year ago tomorrow we made five commitments to the people of Manitoba. We promised to improve health care. We promised to improve the education and training area and provide more hope for young people. We promised to reduce property taxes through an introduction of a property tax credit, and we promised to keep Hydro kept by Manitobans.

When we look at those commitments, we have combined the two health authorities to save \$800,000 in administrative costs that were being levied on the people of Manitoba just a year ago. We have had the best improvement in hallway medicine reductions, based on independent reports. We have a five-point plan to retrain and rehire nurses, not fire them like members opposite. That is another commitment we made.

We continue to work and succeed in cancelling the horrible frozen food experiment foisted on us by members opposite. We have cancelled the SmartHealth program that has cost Manitobans \$35 million. We have introduced protection of people in care in personal care homes. We have announced a major cardiac program for our patients. We have approved

brachy therapy and other means for prostate cancer, Mr. Speaker, and the list of promises in health care just keeps going on and on, promises made, promises kept in terms of health care.

In terms of education and training, Mr. Speaker, for the first time in years, students will have a decrease in their tuition fee going into this student year. For the first time in years, we will have increased the numbers of students that go to our community colleges with also a decrease in tuition fees. Contrary to what the members opposite did in '96, Manitoba Hydro, with its great revenues from the Limestone development, those revenues are being used by all Manitobans for the benefit of all Manitobans, and we are not selling off Crown assets as members opposite did in 1996.

Finally, Mr. Speaker—

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

**Mr. Doer:** We can hear Batman and Robin from back here, Mr. Speaker—

**Mr. Speaker:** Order. The Honourable Official Opposition House Leader, on a point of order.

#### Point of Order

**Mr. Marcel Laurendeau (Opposition House Leader):** On a point of order, with all due respect, the Honourable First Minister does have Leader's latitude, and we clearly understand that, but I do believe the First Minister will also have many opportunities this afternoon to enter into debate if he wants to, and I do believe that is what he is attempting to do now during Question Period, when we as Opposition only have a short period of 40 minutes. If this Honourable First Minister is prepared to give us an extension to an hour, Mr. Speaker, I am willing to sit and listen to him for a little while.

**Mr. Speaker:** Order. On the point of order raised by the Official Opposition House Leader, it is not a point of order. I would like to take this opportunity to remind all honourable members, when referring to other members, please refer to them by their constituencies or ministers by their titles. All members are honourable members in this Chamber.

\* \* \*

**Mr. Doer:** I will withdraw those comments to my friends opposite.

Mr. Speaker, in continuation of my answer, back to the fifth promise that we made that we would balance the Budget and reduce property taxes in Manitoba. The \$75 that we introduced for every householder, and will be in the income tax for apartment renters, has resulted in reduced property taxes in Manitoba. I remember the days, every year receiving in my home an increased taxation rate based on education cuts and cuts to the public education system. We have not only increased the investment in public education, but we have decreased the taxes by reducing the property taxes by increasing the property tax credit \$75 per household. Another promise made, another promise kept.

#### **Labour Relations Act Amendments—Withdrawal**

**Mr. John Loewen (Fort Whyte):** I join with many, many citizens of Manitoba who wish this Premier would take time out from patting himself on the back and deal with the real issues of the day which are the damage that he and his Labour Minister (Ms. Barrett) have done to the business climate in this province. That is the issue we should be dealing with. This Premier promised to work with business. Clearly, it is just lip service. He has demonstrated that he is still a labour boss, still a labour leader to the core, so much so that he has turned his back on business.

\* (14:00)

My question to this First Minister is: Will he do the right thing and set aside Bill 44, let business and labour come together and try and repair the damage that he has done to the business climate in this province?

**Hon. Gary Doer (Premier):** I had the opportunity to meet with the CEO today, talking and working with a major investment in Manitoba. Yesterday, I had the opportunity to meet with another group of corporate executives and CEOs, another major investment that we are discussing in Manitoba. The day before we had

another discussion with a group on, again, another major investment. These announcements, or potential announcements, are not even in the public arena yet. So there is a lot of optimism in Manitoba.

There were some concerns raised by business about some parts of the Bill. We have amended the section dealing with Criminal Code issues on the picket line, and it was good advice from the business community in that regard. Secondly, we have improved the expedited sections of the Act. Both business and labour will save greater costs for lawyers and be able to spend that on customers and people, again, a recommendation that received a great deal of consensus from both business and labour in an amendment we made yesterday.

We have dealt with the issue of the two employee votes, as members opposite have suggested, another positive idea that we looked at from people. We have also reinforced the idea that coercion and intimidation are not acceptable in a free and democratic society, put that in law so that any application can and will be dismissed if that takes place. So, we believe, as the Oblate Fathers said yesterday or the day before, these are very minor changes to help those people who are the lowest on the economic ladder get some support in our society.

#### **Labour Relations Act Amendments—Withdrawal**

**Mr. Eric Stefanson (Kirkfield Park):** Mr. Speaker, I thank the Premier for his comments from the Conference Board which show, in spite of his actions and his government's actions, the momentum of the last few years continues to carry this province forward in terms of consistent tax reductions, balanced budgets, access to capital, a number of initiatives that have been in place over the last few years.

I remind the Premier that today companies and individuals are lining up to comment on the economic disaster-in-waiting, which is Bill 44. We know that businesses are considering leaving if this bill passes, and we know that young people may also leave. They have lost faith in this Premier and this government, and what they

are questioning is who is really running our province, the province of Manitoba today.

I ask this premier: Will he show concern for the future of our province and show some real leadership on this issue and pull Bill 44 today?

**Hon. Gary Doer (Premier):** Mr. Speaker, the people who are running the province of Manitoba are the people of Manitoba. It is all the people of Manitoba. It is not—

**An Honourable Member:** Not Jules Benson.

**Mr. Doer:** It is not Jules Benson or some other nameless person pulling the strings on behalf of the province of Manitoba. We—

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

**Mr. Speaker:** Order.

**Mr. Doer:** Thank you, Mr. Speaker. Looking back again a year ago when the election was called and a year ago tomorrow when we made the five commitments that we made—*[interjection]* I know you do not want to look back. I know you do not. We made five commitments in the election campaign. We made five commitments in that campaign, and we have worked and progressed on every one of the commitments we made in the campaign.

Our Minister of Health (Mr. Chomiak) has done more to reverse the damage in the No. 1 priority called health care than any other Minister of Health in the last 11 years. I regret to say even the Honourable Member who was put into that spot in a midnight decision to try to rescue the Government from its political accountability, even my honourable friend cannot even match the record of our Minister of Health in improving health care, in improving patient care services for the people of Manitoba.

The second item, of course, was education and training. I think it is very, very important to recognize—

**Mr. Speaker:** Order.

**Mr. Doer:** Our biggest challenge—and it was identified three years ago, in fact it was identi-

fied in 1992 by former Premier Roblin. This report was sat on by members opposite for eight years or seven years. It gathered, you know, spider webs on it because of inaction from members opposite.

The biggest challenge we have is the fact that we now in Manitoba are having more people receiving jobs and getting jobs than there is in the labour force, and that is why we worked with the business community and continue to work with the business community on an immigration strategy. The Minister of Labour (Ms. Barrett), the business community and the federal government—in fact I think we have a meeting very shortly with the federal minister again as a follow-up. We have a challenge because our unemployment rate is so low that we have to look at getting more people into our province through increased immigration.

Secondly, we have to train our own young people in our own province for jobs in our province. The actions we have taken in our first budget do not reverse 10 years of neglect from members opposite. Doubling the number of community college spots, that was recommended by Duff Roblin in 1992. It is being implemented by an NDP Government in the year 2000. We are not looking backwards, we are looking forward so young people can get the skilled jobs, the skilled training to live and work in Manitoba and provide a bright and optimistic future that allows them to raise their families in our province.

**Mr. Stefanson:** Mr. Speaker, I ask the Premier, who must be tired after patting himself on the back as much as he has been doing for the last 10 or 15 minutes, just to be a little bit accurate for once in this House. He knows full well in the election a year ago they had no health care plan, they had no plan whatsoever. They had a simple simplistic slogan, and all that his Health Minister is doing today is implementing a health care plan that was put in place by our government. I ask him just to be a little bit accurate for once. No new initiatives, no new ideas. Look at the health plan document that was in place in 1999. Look at what they are doing today, and all they are doing is they are implementing all of the initiatives outlined in that document, plain and simple.



\* (14:10)

He likes to make a big to-do about his five commitments. I want to ask the Premier, and I want him to answer the questions that are asked of him and not to go on diverting from the questions that are asked him.

He talks about his five commitments a year ago. I want to ask him where in those five commitments was there any reference to what we are seeing in Bill 44 today. I ask him: Is he not concerned about the economic future of this province? Is he not concerned about a home here in Manitoba for the young people of this province? I ask him, once again, for the economic future of our province, for the well being of all of our citizens, will he pull Bill 44 today?

**Mr. Doer:** Mr. Speaker, the Member opposite asks two questions. One, he asked the question about health care and the second issue he raised was Bill 44. I have already outlined to the Member opposite, he may not be aware that we moved five amendments yesterday in committee, very positive changes to the Act. In essence, most of the years the Member opposite was in government the conditions that were amended in Bill 26 were changed and altered in the proposed Bill 44 before this Legislature. There are many proposals. The expedited arbitration, many companies think they are going to save money on that instead of spending too much money on lawyers.

Some of the concerns of business have been addressed in the proposed bill. There still remains a disagreement on elements between labour and business on some parts of it. I acknowledge that. But it is interesting that, in the Faculty of Management, an independent presenter from the Faculty of Management, not on the labour side, not on the business side, spoke very positively about the labour bill and what it will mean for society and what it will mean for the people of Manitoba to have a little measure of support for employees to balance off the tremendous power that people have in our society who own companies.

On the health care situation, the Member opposite talks about health care. Let me remind

him that when he was in office they had two health authorities, not one, for the city of Winnipeg. We eliminated that administrative cost, Mr. Speaker. We have put \$800,000 back to nurses instead of bureaucrats that were under the former minister's regime.

We actually have a capital plan in health care that has real money in the Budget. The Member opposite knows that when he was the former Health Minister, they did not have any way and any schedule to pay back the capital plans in health care. In fact, that is a point that has been raised by all the independent rating agencies. They announced the capital projects before the election. They announced the money for them, and they did not have any money in the Budget. They did not have any money in the Budget in the year 2000, 2001, 2002, 2003. Mr. Speaker, we have gotten rid of virtual budgeting for health care and have real dollars for real capital in the health care system.

With credit to members opposite, the midwifery bill that was introduced by members opposite, we proclaimed that. I applaud members opposite for that very positive legislation that we have proclaimed in office. For the first time in years, we have increased ambulance funding for rural Manitoba and a new agreement with the City of Winnipeg for ambulance services. We are going to go from 110 paramedics in the city of Winnipeg providing ambulance services 7 days a week, 24 hours to 180 ambulance workers in Winnipeg in this agreement with the City of Winnipeg. That is progress.

**Mr. Stefanson:** Once again the Premier is inaccurate with a lot of what he puts on the record. He is certainly inaccurate when he refers to the health capital program, and he knows full well that over the last several years in Manitoba we have had the most comprehensive health capital program in the history of this province. He just needs to look around Winnipeg and around all of Manitoba to see evidence of that. Again, he knows full well. Although I know he is not on Treasury Board and has not taken an interest in serving on Treasury Board, he should know full well that there are schedules amortizing the debt of the health capital facilities.

### Winnipeg Regional Health Authority Deficit

**Mr. Eric Stefanson (Kirkfield Park):** If he wants to talk about health care today, I want to ask the Premier: What is the current status of the regional health authorities, the Winnipeg Hospital Authority and the regional health authorities as of today in terms of their finances? Is it accurate that the Winnipeg Hospital Authority alone is today running a \$10-million deficit?

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

**Mr. Speaker:** Order.

**Hon. Dave Chomiak (Minister of Health):** Thank you, Mr. Speaker, as you know, when we came into office, we had to employ Deloitte Touche to review the situation—

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

**Mr. Speaker:** Order.

**Mr. Chomiak:** Thank you, Mr. Speaker. In this year's budget we had to provide \$56 million to deal with the deficit left in the Health budget by members opposite. I have letters on file and briefing notes from the former minister that actually confirm that. We funded programs that were needed in the province of Manitoba, which the members voted against in this budget, which the members voted against, and they continue their carnage in terms of the health care system. Finally—

\* (14:20)

**Mr. Speaker:** Order. The Honourable Official Opposition House Leader, on a point of order.

### Point of Order

**Mr. Marcel Laurendeau (Opposition House Leader):** Mr. Speaker, *Beauchesne's* 417: "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate." The question was very clear. The \$10-million deficit that this minister has run up, will he admit to it today?

**Mr. Speaker:** The Honourable Minister of Health, on the same point of order.

**Mr. Chomiak:** No, Mr. Speaker, there is no point of order.

**Mr. Speaker:** On the point of order raised, I would like to take this opportunity to remind all ministers that, according to *Beauchesne's* 417, answers to questions should be brief as possible, deal with the matter raised and to not provoke debate.

\* \* \*

**Mr. Speaker:** I would ask the Minister of Health to conclude his answer.

**Mr. Chomiak:** Mr. Speaker, we funded the deficits in those budgets left in the inaccurate funding of last year, and we hope and anticipate that all the hospital authorities can end up the year in a more balanced position than under the previous experiences.

### Health Care System Spending—Accountability

**Hon. Jon Gerrard (River Heights):** My question is to the Minister of Health. Sometimes paying travel costs for health care workers is critical for the better working of the health care system. On the other hand, sometimes it is a costly waste of taxpayers' money and, as an example, in some rural areas of Manitoba a licensed practical nurse who is trained and competent to deliver eyedrops is not able to do so, and so the regional health authority must hire a registered nurse who has to travel many miles several times a day, wasting taxpayers' money. I would ask the Minister: What is he doing to improve the health care system and get rid of the costly waste and inefficiency in the system?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, we combined the two Winnipeg Regional Health Authorities to eliminate two bureaucracies. We stopped the SmartHealth contract. We are dealing with the issue of trying to provide proper resources to the health care system, at the same time putting in place the proper regimes to provide the resources. We have put in place a number of programs with

respect to hallway medicine, with respect to the nurses' training plan, with respect to waiting list reductions, with respect to expanded dialysis. For example, Norway House, yesterday we put in place two dialysis units that will lessen the medevacs to the city of Winnipeg.

**Nursing Profession  
Licensed Practical Nurse Training**

**Hon. Jon Gerrard (River Heights):** My supplementary to the Minister of Health. I ask the Minister of Health why, after 11 months, he is still operating a system which is short of licensed practical nurses? He is only training 190 a year, when there are 200 a year needed. When are you going to improve the targets and improve the training potential for the licensed practical nurses in Manitoba?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, the Member may not be aware of it, but we are training additional licensed practical nurses in Selkirk. We are looking at other options in that regard, in addition to the 190 we are training, in addition to the nurses that we are putting in the diploma program that the Member opposite opposes, as do all members opposite. I still do not understand why they oppose the nurses' program when nursing shortages are one of the major issues that we face.

**Legislation Proclamation**

**Hon. Jon Gerrard (River Heights):** I ask the Minister of Health why it has taken more than 11 months to declare the new Manitoba Association of Licensed Practical Nurses Act when there are increased costs, there are inefficiencies. It could have been done many months ago. Why are you prevaricating? Why are you delaying?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, there are three professional nursing acts that we will be proclaiming soon.

I would add another additional cost saving in the system was with respect to our new ambulance program in the city of Winnipeg. It will see paramedics transported with patients, rather than taking nurses from the hospital system to transport patients, which is another improvement in terms of efficiency in the

system. There have been many. There will be many more to come.

**Dialysis Services  
Norway House**

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, my question is for the Minister of Health.

As the Minister knows, diabetes is a serious problem in northern and remote Manitoba. Patients from these remote areas are often transported to large urban centres such as Winnipeg for dialysis. Such patients endure considerable stresses and pains and extra costs. To what degree will the installation of Manitoba's first on-reserve dialysis units in Norway House alleviate this chronic problem?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, I know members opposite are anxious to ask a lot of questions. I will just briefly indicate that the provision of providing the service in the community is just the thing that the Member for River Heights (Mr. Gerrard) was referring to, it provides closer services, and not only provides closer services and saves costs, but it is more effective, better health care for the community. We hope to see more of this in terms of providing services in the community.

**Winnipeg Regional Health Authority  
Deficit**

**Mr. Darren Praznik (Lac du Bonnet):** Mr. Speaker, over and over and over, we have heard from this Premier (Mr. Doer) that under his regime there will be no more deficits in health care, under his regime, they will provide sufficient money, and all will be well.

I want to ask the Premier to confirm today that the projected deficit, after the first quarter, in the Winnipeg hospital authority or Health Authority is over \$10 million, of which over half a million is to subsidize the cafeteria. Will he not confirm that?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, what we did in this budgetary year is we looked at the deficits in the health care system from last year when members opposite

were operating the system. There were deficits in excess of \$50 million that we put into the base-line funding of the regional health authorities. We hope in our first budget, as we work through the year and we work with the hospital authorities across the province of Manitoba, we can put in place a better and more accurate accountability system.

**Mr. Praznik:** Mr. Speaker, I would like to ask the Premier how the admission, sort of admission, by this Minister of Health that the hospital authority is still running a deficit, half a million of which is for the cafeteria and, we hear, up to \$3 million to carry Misericordia because they will not implement the plan, I want to ask how that jibes with the Premier's comments in this House earlier that there will be no more deficits, that he is running things better, when in fact there is still a deficit and still subsidizing cafeterias instead of providing dollars for health?

**Mr. Chomiak:** Mr. Speaker, we are working within budget. Last year at this time those same health authorities were over \$50 million in deficit without adding all the programs that we put in place to deal with the legacy, the hallway medicine program, initiatives to deal with nurses, initiatives to deal with emergency care.

**Mr. Praznik:** Mr. Speaker, will the Minister of Health or the Premier, if the Premier has the courage to now answer questions in this Assembly, now explain how, when there are so many needs in health care that we all agree upon, this administration can allow the Winnipeg Health Authority to be overspending not in patient food but in their own cafeterias to the tune of a half a million dollars, using health care money to provide subsidized ham and cheese sandwiches? How is that good health care?

**Mr. Chomiak:** Mr. Speaker, I appreciate the question from the Member opposite, but coming from a member who put us into the frozen food fiasco that cost the province \$30 million of frozen food, I just tell that member that it is passing strange to hear that comment come from that member who put frozen food into the city of Winnipeg, which will not be our experience.

I think members opposite will be very pleased with the solution we will be offering to

the people of Manitoba to eliminate frozen food brought in by the Member opposite.

\* (14:30)

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

**Mr. Harry Enns (Lakeside):** A member's statement.

**Mr. Speaker:** I have not called it yet.

**Mr. Enns:** Mr. Speaker—

**Mr. Speaker:** Order. I have not called it yet.

## MEMBERS' STATEMENTS

### Steve Ewing

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, it is with great sadness that I rise today to speak about the tragedy that is deeply affecting many of my constituents. As members are aware, Steve Ewing, one of the workers injured last week in the furnace blast at the Hudson Bay Mining and Smelting operation in Flin Flon, died last night at the Health Sciences Centre.

Mr. Ewing was a relatively young man. He was only 33 years of age. He had been employed by Hudson Bay Mining and Smelting for the last 15 years. He leaves behind a young family, namely, his wife, Dormae, and five children. I know that they will miss him very much, as will all those who knew him, including friends, co-workers and neighbours.

I am sure that all members of this Assembly will join me in extending our sympathy to Steve Ewing's family and friends.

As well, on behalf of all of us in this Legislature, I once again would like to send out our sincere hopes for the recovery of those workers who still remain in hospital as well as those who have been released. We express our appreciation to all health care and emergency workers who responded to the accident and gave the best possible care to Mr. Ewing and are

continuing to give this care to his injured co-workers.

The death of a young worker, or any worker for that matter, in a workplace accident is a tragedy felt by all of us. In Flin Flon and the surrounding area, workers and their families are struggling to deal with the trauma left by this accident. Beyond the physical scars, there are mental and emotional scars. With our support and prayers and the support and prayers of the larger community, may all those wounded by this tragic accident soon find some measure of peace and healing. Thank you, Mr. Speaker.

### **Labour Relations Act—Amendments**

**Mr. John Loewen (Fort Whyte):** Just before my statement, I also want to echo the concern from this side of the House for the family members and those that remain suffering as a result of the terrible accident in Flin Flon. Our thoughts and prayers are with them.

Mr. Speaker, I did receive a memorandum from Mr. Sidney Green. I would like to enter some of it in the record of my member's statement. He says: Despite the fact that two lawyers versed in labour relations appeared before the legislative committee and advised the committee to the contrary, the Minister of Labour (Ms. Barrett) insists that the certification procedure which is now being proposed merely returns to the system that prevailed for 50 years. The Minister either does not understand or is deliberately misrepresenting the situation.

Mr. Green goes on to explain in considerable detail the actual facts and the correct history with regard to the labour bill. I will be glad to share this information with the Minister.

In closing, he suggests that if the Minister truly wishes to revert to the situation which prevailed 50 years ago and up until the mid-1980s, two amendments are necessary to the legislation now being proposed. Repeal section 47(2) and repeal first contract legislation. I would be glad to share this with the Minister. Thank you.

### **Dialysis Services—Norway House**

**Mr. Stan Struthers (Dauphin-Roblin):** Yesterday I had the pleasure of travelling to Norway House with my colleague the Honourable

Minister of Aboriginal and Northern Affairs (Mr. Robinson) to represent the Minister of Conservation (Mr. Lathlin) and participate in the opening of Manitoba's first on-reserve dialysis unit.

The new two-station unit can be used to treat up to four dialysis patients now, with the potential to serve as many as 12 patients over the long term. The community of Norway House, Manitoba Health and Health Canada's First Nations and Inuit Health Branch worked together on this initiative to better serve patients by allowing them to receive treatment while remaining in their home community close to their families.

On behalf of the MLA for The Pas, I was pleased to present a beautiful painting which will hang right in the dialysis room. Manitoba's provincial dialysis team, headquartered at the Winnipeg Regional Health Authority, has helped to make Manitoba a leader in dialysis and is working continuously to expand the program to rural sites.

In addition to Winnipeg, dialysis is also offered in Brandon, Ashern, Dauphin, Flin Flon, Morden, Pine Falls, Portage, Selkirk, The Pas and Thompson. This government is committed to improving the quality of life for rural and northern Manitobans who have to leave their homes or even relocate to receive health services such as dialysis.

Most dialysis patients have end-stage kidney disease. They must have dialysis services to live. Making it possible for people to be treated close to home ensures that they do not have to disrupt their lives and the lives of their families and friends to receive the care that they need.

Representatives from many organizations worked hard to make this dialysis unit a reality. I want to congratulate representatives from Manitoba Health, Health Canada's First Nations and Inuit Health Branch, the Northern Medical Unit, the Provincial Dialysis Program Team and of course the community of Norway House for their co-operation in moving this project forward. I know that their hard work will enhance the health of the whole community. Thank you.

### Labour Relations Act—Amendments

**Mr. Harry Enns (Lakeside):** Mr Speaker, in keeping with a tradition established in this Chamber by my good friend and colleague the Honourable Member for Wellington (Mr. Santos), my colleague the Member for Russell (Mr. Derkach) and I have a joint statement to make to the House.

**Some Honourable Members:** Productivity's high/Unemployment is low/The economy's chuggin'/That's the way it should go/With business expandin'/We're the place to locate/But Bill 44/ Puts a lock on the gate

I do not understand/Why this bill and now/Political paybacks/Gonna drain the cash cow/I am not anti-business/I am not anti-labour/Just want legislation/That is in everyone's favour

The deficit is down/Optimism is high/We're the place to do commerce/Lots of jobs, wages high/O, this is no time/For us to look back/This ain't 1919/We're on the right track

Productivity's high/Unemployment is low/The economy's chuggin'/That's the way it should go/With business expandin'/We're the place to locate/But Bill 44/Is lockin' the gate

\*(14:40)

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

**Mr. Speaker:** Order.

### Point of Order

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, do we need a choir director?

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

**Mr. Marcel Laurendeau (Opposition House Leader):** Mr. Speaker, on the same point of order, I know I have been having difficulties with my voice, but it is:

**Some Honourable Members:** Productivity's high/Unemployment is low/The economy's chuggin'/That's the way it should go/With business expanding/What a place to locate/But Bill 44/Put a lock on the gate.

**Mr. Speaker:** On the point of order raised, the Honourable Government House Leader does not have a point of order.

\* \* \*

**Mr. Speaker:** Back to Members' Statements, the Honourable Member for Brandon West.

### RCMP Run for Cancer

**Mr. Scott Smith (Brandon West):** It is a pretty tough act to follow. I would almost have to say I saw something like that a long time ago. Larry, Curly and Moe led a group, and it had a lot of resemblance to what I just witnessed. I have lost it here, Mr. Speaker.

It is a pleasure to stand up today and bring notice to a hardworking group of individuals and volunteers that are running in the Run for Cancer here in Manitoba. The RCMP Run for Cancer began in Brandon in the summer of 1983 by an RCMP officer whose life had been touched by cancer. The run has become a well-established and widely recognized event, exclusive throughout the entire province of Manitoba since its inception. The run has wound its way through many different communities in Manitoba and has raised well over a million dollars for cancer care, prevention and research in our province. This year will be the 18th annual run and will take place September 29 and 30 here in Manitoba.

It will be four teams participating, covering many different regions in the province, two from Winnipeg, one from Westman and one from Russell. Each run route is approximately 360 kilometres, and each run team consists of 8 to 10 runners, with 4 drivers that also act as spare runners. Each runner on the team completes approximately 40 kilometres in a 360-kilometre route. In Brandon this year, on the 29th, it will be Brandon, Carberry, Neepawa and Minnedosa. On the 30th, Virden, Sioux Valley and Brandon.

Mr. Speaker, I would just like to give recognition and appreciation to one person. I know there are a number of people who are involved in the event and have done a lot of work over the last number of years, in the 18 years, but Mr. George Abernethy has been there right from the start, deserves a lot of recognition and has done an extremely good job. I would like to see as many people as we can get out on the 29th and 30th. Thank you very much.

### ORDERS OF THE DAY

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, on House business, I—

**Mr. Speaker:** Order, please. It is very difficult to hear.

**Mr. Mackintosh:** Mr. Speaker, I seek leave of the House to waive Rule 76(1) which states that the three sections of the Committee of Supply must meet in the Chamber to consider the Estimates concurrence motion so that the Committee of Supply can meet in one section in Committee Room 255 to consider the Estimates concurrence motion while the Chamber continues to consider other business to be in effect from 3:00 until 6:00 p.m. on the clock in the committee room.

**Mr. Speaker:** The Honourable Government House Leader seeks the leave of the House to waive Rule 76(1) which states that the three sections of the Committee of Supply must meet in the Chamber to consider the Estimates concurrence motion so that Committee of Supply can meet in one section in Committee Room 255 to consider the Estimates concurrence motion while the Chamber continues to consider other House business from 3 to 6 p.m. on the clock in the committee room. Is there leave? *[Agreed]*

**Mr. Mackintosh:** I also must advise the House, according to advice that in the event that any formal votes are requested in the Committee of Supply, the Chamber will have to temporarily interrupt its business and resolve into Supply for the formal vote to be conducted in here.

In respect of Room 255 then, I move, seconded by the Minister of Agriculture and Food (Ms. Wowchuk), that Mr. Speaker do now leave the Chair and the House resolve itself into

a Committee to consider of the Supply to be granted to Her Majesty.

**Mr. Speaker:** I advise the House that in the event that any formal votes are requested in the Committee of Supply, the Chamber will have to temporarily interrupt its business and resolve into the Committee of Supply in order for the formal vote to be conducted in the Chamber.

It has been moved by the Honourable Attorney General, seconded by the Honourable Minister of Agriculture and Food, that Mr. Speaker do now leave the Chair and that the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty, in Room 255.

Agreed? Agreed and so ordered.

Would the Honourable Deputy Speaker please take the Chair in the Committee in Room 255.

### COMMITTEE OF SUPPLY

\* (15:00)

#### Consideration of Concurrence Motion

**Mr. Chairperson (Conrad Santos):** The Committee of Supply has before it for our consideration the motion concurring in all Supply resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 2001.

**Mrs. Myrna Driedger (Charleswood):** I would like to give the Minister an opportunity to perhaps rethink one of the answers he gave in Estimates. I will repeat the answer to a question. My question in Estimates was in relationship to the Deputy Minister. My question had been: I wonder if the Minister could tell me why his deputy is not in attendance at these Estimates. His response was: "in my 10 years of attending Estimates, particularly the majority of time in the last few years at the Department of Health, the Deputy Minister did not attend the course of the Estimates."

In fact, Mr. Chairman, I did check into that, and the Deputy Minister was at the majority of Health Estimates for the last several numbers of years. I wonder if the Minister could indicate for me why he gave the answer that he did give.

**Hon. Dave Chomiak (Minister of Health):** From my recollection of my memory, particu-

larly the last few years, I do not recall the deputy being in attendance for the majority of the Estimates. That is what I recall. If the record shows otherwise, I mean, I will accede to the memory of the record rather than my own memory, but I do not recall.

I will tell you why I remember that particular instance. When I was the opposition critic, I had the pleasure of serving with Don Orchard and Frank Maynard, Jim McCrae and John Wade, Darren Praznik, and then John Wade and Tom Carson, followed by Frank DeCock. I remember being struck by the fact that during Don Orchard's tenure, Frank Maynard attended all of the Estimates. Then I remember noticing as the critic that Doctor Wade was not attending all of the Estimates, although he attended a number of them. I am going through my memory and just explaining how I reached that conclusion.

Later on, when Mr. Carson became Deputy Minister, I remember being struck by the fewer occasions that Mr. Carson was attending and the fact that the Associate Deputy Minister was attending more often. In fact, then when we got into a process where when Darren Praznik was minister he actually brought in departmental officials like CEOs, et cetera, and then we got into a bit of a hubbub, but that is what my memory recollection was.

Then when I became minister—I am just telling you why I reached that conclusion—and I watched the administrative style of Mr. Carson, I understood why Mr. Carson had a different administrative style than say Frank Maynard. I remember saying, oh, that is why, I actually thought to myself, oh, that is why Tom Carson did not attend a lot of the Estimates, because what he did was he delegated the authority and the ability for people to speak on his behalf, which I noted was a different administrative style than had been.

If the record shows that my statement was inaccurate, it was from my memory, and it was not an attempt to be misleading or diverge the fact. It was an irrelevant point in the sense of whether or not Mr. Hikel was in attendance. So, if the record shows otherwise, I will accept that, but I do not remember that from my memory. If

the record shows otherwise then I will accede to the record.

**Mrs. Driedger:** I am just curious because certainly, in all of the Health Estimates, the Acting Deputy Minister was here only for a half an hour of the whole time. I guess I am finding that a little bit unusual. Would the Minister care to comment on why, when he said the Acting Deputy Minister was acting in the full role of what a deputy minister would do, why he might not have been here more than half an hour?

**Mr. Chomiak:** Because the Deputy Minister has duties to perform, and I have duties to perform. Frankly, if we were in the same situation now, I would not ask the Deputy Minister to attend either, in order to provide for the information.

The operation of the Department is a monumental task and requires extraordinary effort by a lot of people. I have always been conscious, and members will confirm this, when I was in Estimates as critic, I always let the Minister know where I was going with questions I was asking, what people would available. I would tell them to let staff go to go back to do their jobs, because I always felt having staff sit around and go through a million questions was not a good use of time.

Even when I was critic, I think ministers will confirm that I was quite fastidious in that point, and I just continue the practice as minister. I hate the idea, to tell you the truth, personally, I hate the idea of people sitting around and waiting, and I am subject to it when we get into rhetorical flourishes back and forth. Heaven knows, I am guilty of it, as are other members, and I always think about those people sitting there. *[interjection]* Well, you know, now we are going again. It is funny in this business. You admit something and you are honest, and then you get a retort.

**An Honourable Member:** That is a direct quote of mine, right? You are quoting me.

**Mr. Chomiak:** Well, no, I did not know that, but if I am quoting the Member, I accede to that.

In any event, it is funny in this business, so I am just admitting the fact. Even now, I do not



like the fact the bureaucrats have to sit around when I know how much pressure we are putting on them.

\* (15:10)

**An Honourable Member:** Why do you not just take the responsibility and say you do not need them?

**Mr. Chomiak:** No. If I say I do not need them, that implies that I think I am all-superior, so I have trouble saying that. I will not say that. I will just say that I think we could handle the questions, and I do not think we need the Deputy Minister, because there is a big job to do and we are doing the best we can. I will cease and desist at that point.

**Mrs. Driedger:** There has been one question that I have been waiting and waiting to hear a response on. I can sort of understand that the Minister might be a little nervous about perhaps giving out this information, but I am going to give him another chance. I am wondering if he could tell me how many ICU beds are closed in the city and have been closed throughout the summer.

**Mr. Chomiak:** That information was never provided during the course of the Estimates debate. As I indicated to the Member, I gave the Member more information than has ever been—*[interjection]* Well, if the Member will go back in the record, if she has gone through the record, let her go and find that out and then confirm whether my memory is in fact correct on that. That is a varying number. It is a varying number. There are varying numbers of vacation-related bed closings and bed openings throughout this period of time. I think, as I indicated to the Member opposite when I gave her a bunch of numbers, it is generally in line with past experiences.

**Mrs. Driedger:** I am wondering if the Minister could tell me if he is going to give me those specific numbers, if I should continue to hold my breath and wait for something more specific, or if that is as much as I am going to get out of him.

**Mr. Chomiak:** I would not want the Member to hold her breath in this regard.

**Mrs. Driedger:** Prior to getting into some questions as a follow-up to Question Period today, because there is a huge amount of concern we have in terms of the issue of RHA deficits, particularly considering the Minister's promises and inferences and other things in that area that there would be no deficits because he said he provided the funding early on, up front, which should totally eliminate the deficits in the RHAs. We will be getting into a number of questions in that area this afternoon so that the Minister has an opportunity to clarify for us some of those issues.

Before we get into that, I do have a question of the Minister. I am sorry I do not have the article here, but it was in the *Selkirk Journal* and there was a statement made in there that there is arbitration going on right now for nurses throughout the province in terms of overtime pay. Would that have been an accurate statement? Was the contract reopened?

**Mr. Chomiak:** I do not know what article the Member is referring to. I would appreciate it if she could get me a copy. The contract has not been reopened.

**Mrs. Driedger:** I will, during the course of concurrence, go down to my office and make a copy for the Minister. In the meantime, is he aware of ongoing bargaining issues around the area of overtime. Certainly the article referenced the fact that the Interlake Health Authority closed down a total now of 25 beds. Part of the problem is related they said to nursing shortage and overtime issues. A lot of nurses do not necessarily, I am assuming, want to work overtime because of unresolved funding issues around overtime. I do understand from the tertiary hospitals in the city that there are different overtime rates paid between the two hospitals, and it is not consistent. Are there provincial negotiations going on in this area?

**Mr. Chomiak:** I am not aware of any provincial negotiations with respect to the collective agreement with the Manitoba Nurses' Union.

**Mrs. Driedger:** Could the Minister tell me if he has had any further discussion with the University of Manitoba Faculty of Nursing in terms of funding more nursing student spaces there this fall? He had indicated to me in Estimates that he

was waiting to get information from the university. We know that information had been provided by the university mid-July in terms of what it would cost to fund more spaces and that the Minister was then reviewing that to find out, in order to handle this huge nursing shortage that we have now seen, whether he is going to add more spaces and fund more spaces at the University of Manitoba School of Nursing?

**Mr. Chomiak:** There are ongoing discussions with the Faculty of Nursing. I was quite surprised to learn in the contract, the five-year nursing contract that the members opposite signed the day before the election last year, that they had withdrawn \$500,000 from that funding to fund the LPN program. I was not aware of that. I was advised that they took \$500,000 out of the \$5.6 million and used it to fund the LPN program. That is what I have been advised.

I have been advised that we reinstated that funding this year into the agreement. That is what I have been advised. There are ongoing discussions with the University of Manitoba.

**Mrs. Driedger:** He has been sitting on the information from there now for a month. School is starting in two weeks. They did have a waiting list, according to the vice-provost at the university, of 75 serious students who wanted to take the program there. We do know that Red River College only had a waiting list of 12, but here we have an opportunity where there are more people wanting to become student nurses.

It is fine that we have a five-year contract signed, but there is an opportunity to enhance a contract. It is fine if the Minister wants to keep hanging that around our neck. The issue is we have 75 more students. Would the Minister not consider looking at enhancing the funding in order to add more spaces, or are we actually going to lose 75 student nurses who want to become nurses? Because if they go to another province or another faculty we are not going to see them.

**Mr. Chomiak:** I think the Member is making a number of assertions that I think she should double check. We are in discussions with the university concerning the number of students, whether in fact the university is living up to the

number of students that they promised to provide for under the contract that was entered into by members opposite. Of course, those numbers were never achievable in the last three years. I am very pleased that they have been able to bump the numbers up since we announced our diploma program. I think that is a very positive—

**An Honourable Member:** What does he mean by achievable?

**Mr. Chomiak:** Well, the Member opposite says "achievable." Members opposite talk about money management. There were certain contracted positions that were supposed to be funded and a certain number of nurses were supposed to be trained, and there was nowhere near that number that was matching, even though the money was going forward.

We are in discussions and negotiation with the Faculty of Nursing. I would appreciate if the members would be supportive of the diploma nursing program as well because we need nurses right across this province, in a variety of areas.

**Mrs. Driedger:** I guess if the Minister is indicating that, and his statement is accurate, it certainly would explain the reason for the transfer of funding out of that program and into the LPN program, but the question also is related. The University of Manitoba indicated that they were ahead of their commitment in meeting their numbers. So, in fact, the statement that the Minister made would not be accurate, because I believe I have seen a number of documents where the university has indicated very publicly that they were ahead of their commitment in meeting the numbers required of them.

The Minister likes to think that the diploma program is the reason we have the waiting list out there at the University of Manitoba. One has absolutely nothing to do with the other. Nurses choose to take either a diploma program or a baccalaureate program. Those who might be waiting to enter the baccalaureate program know that they will have expanded opportunities in their careers if they have a degree program. That has been for 25 years. That is nothing new. Certainly students going into nursing know that you have much more mobility and opportunity if you have a degree; we all found that out in our nursing careers, but to even infer that the

diploma program can take credit for the waiting list at the university is absolutely ludicrous.

\* (15:20)

Having said that, is the Minister not prepared to move a little bit more quickly on this? He has had a month to look at it. School is starting in two weeks. I would think that from the time we have had this information now a lot of those 75 students have probably looked at something else. It is going to be interesting to follow that now to find out if this minister has had an opportunity to address the nursing shortage and has not taken full advantage of that.

This is going to be a serious issue, because also the LPN program had a waiting list, I was told, a very serious waiting list of students wanting to enter the LPN program. We do not seem to be seeing any movement in that area. So, come September, and I am certainly going to be watching this very carefully, if the Minister has not followed through and taken advantage of the fact that we have had all of these people who want to be nurses and he has let them slip through his fingers, which in turn is going to hugely impact on health care in Manitoba, he cannot blame that one on us. That one is something that is happening in his time.

**Mr. Chomiak:** Yes, it will be interesting. I do not think one should forget the fact that we had entered into a five-year contract to provide for a specific number of nurses and specific funding for nurses. That contract was signed September 25, 1999. *[interjection]* Pardon me, the day before, was it September 20?

Mr. Chairperson, a correction. It was the day before the election, which was September 20, 1999. *[interjection]* So the contract was signed September 20, 1999.

**Mrs. Driedger:** Well, the Minister can keep going back to this five-year contract. It looks like he is going to be playing with words around that and using it as an excuse for a number of the initiatives that he himself is not taking. *[interjection]* You can enhance agreements. I mean, why would you not? Or go into a further agreement and fund 75 more students. I mean, is there nothing creative that could be done here, or

are we going to let 75 students there slip through our fingers?

There apparently is a waiting list for LPNs. We understand that there are lots of personal care home beds that are empty right now. We are sitting in this province. We built the personal care homes. The Minister is not filling them because there are not enough nurses. A number of the nurses that could be utilized in personal care homes are LPNs. Why are we not seeing an aggressive movement in terms of adding more student nurses to either the psych nurses program, the university program? Why did Red River only go with 90 students, although we understand they may be housed in trailers because the college is having a lot of physical problems trying to cope with this new program. Why would we not have moved faster than what we are moving now to address this over 1100 nursing shortage by bringing in more students? He has had a year to address this.

**Mr. Chomiak:** There are more nurses being trained in Manitoba today than there was one year ago, far more nurses being trained. I do not think I have to say any more.

**Mr. Leonard Derkach (Russell):** You know, throughout this debate, the Minister has—

**An Honourable Member:** Which debate?

**Mr. Derkach:** Now the Minister asks: Which debate?

**An Honourable Member:** We have debated a lot of things.

**Mr. Derkach:** Good afternoon, Mr. Minister. Mr. Chair, throughout this debate on nurses, we continually hear the Minister revert back to a year ago, revert back to what the previous government did. As a matter of fact, the previous government was on track to create more nurses' training, and the Minister has to acknowledge that. Now he can play politics with this if he likes. He played politics with it before he became the Minister. He played politics with it during the election campaign, and he still chooses to play politics.

The reality is that there was a plan in place by the Department of Health to train more

professional nurses in the province of Manitoba. The approach may have been different than this minister has taken, and that is fine. That is a prerogative of his, as a Minister of Health, to determine what kind of a program he wants to embark on, but he cannot deny the fact that indeed there was a program, that indeed there was a plan in place and on track to train more nurses in the province of Manitoba to be able to open up the personal care homes that were being built at that time so that indeed there would be a staff available for those care homes.

Mr. Chair, we have been through this ground before, where the Minister, before he was minister, during the election campaign, in his political diatribe, continued to emphasize that indeed we laid off a thousand nurses. He confirmed, during the debate on Estimates, and we can pull Hansard out, that indeed it was not a layoff of a thousand nurses, that indeed those nurses were consumed, if you like, by the personal care homes that were being opened in the province of Manitoba or they went into the community, but indeed all of these people have opportunities for employment. If we laid off a thousand nurses, it would be obvious we would have a surplus of workforce in the nursing profession, and we do not. Those nurses were absorbed by the system because there were more personal care home beds being opened, there were more acute care beds being opened. As a matter of fact, the system itself was expanding, and so it has continued to, and the demand for it continues to increase.

So we can sit here forever and a day and talk about the political rhetoric in terms of his views of the world and in terms of our views of the world, but the reality is that there was a plan in place to train more nurses. What we are talking about here today is we are encouraging the Minister to allow the 75 candidates who want to train as nurses in this province be allowed to train. He has the capacity within his budget to do that. It is not as though he does not, but it means re-establishing priorities. To the people of Manitoba, this is a priority.

I am not knocking the Minister for creating an LPN program. Heaven knows, the more people we can have at the bedside, the better it is going to be for the clients, but he, I think, has

run into the same kind of dilemma that other ministers faced, and that is that you cannot do things overnight, that indeed it takes time. Sometimes we make announcements, and we cannot fulfil what we made in the announcement because we did not have all of the details at our fingertips. So, today, as we approach the beginning of the program within two weeks, we still do not have program approval. That is fine, Mr. Chair, as long as the Minister would admit the fact that indeed there is going to be some time required to accomplish these things, but we will proceed with the training. That is fine, but there are 75 candidates who should be accepted into the program so they would have an opportunity to be able to provide their services for the personal care home beds that are not being opened today because there are no staff.

I ask the Minister let us get back on track. Instead of continually going back to what the previous administration did, let us address the issues as they are before us today, and let us look ahead, rather than looking behind.

\* (15:30)

**Mr. Chomiak:** Mr. Chairperson, I thank the Member for that comment, after he spent 15 minutes talking about justifying the past. That is fine and we do that in this place. Let us—

**Mr. Chairperson:** Point of order being raised.

### Point of Order

**Mr. Derkach:** I was not justifying the past. I was simply telling the Minister what the reality was, and, in fact, if you check the records, if you check with the Department of Health, you will find that what I have put on the record is, in fact, fact. It is not rhetoric.

**Mr. Chairperson:** Dispute over the perception as to the facts is not a point of order.

\* \* \*

**Mr. Chomiak:** Mr. Chairperson, as I indicated to the Member, if the Member wants to go forward, we are going to be training more nurses in Manitoba than were being trained this time last year. I hope next year there will be more as

well. If we are talking about the future, that is what we should be talking about.

**Mr. Glen Cummings (Ste. Rose):** Mr. Chairman, is the Minister not prepared to make best efforts to deal with this surplus? He has admitted that there is a demand. He has made it a high priority of his administration. His Premier (Mr. Doer) has talked about it. We heard ad nauseam over the last nine months, frankly, about the initiatives the Government was taking. Is this Minister not prepared to say—he has got a flush. All he has to do is play his hand. Why will he not deal with this type of backlog?

**Mr. Chomiak:** Mr. Chairperson, the Member was a member of the Crown. The Member knows in negotiating and in dealing with various institutions and bodies, and in particular dealing with funding of those bodies and funding of meeting contractual requirements, that there are certain issues that one deals with and certain issues that one negotiates. I have said, and the thing that bothers me about the blanket statements of the Member for Charleswood (Mrs. Driedger) is: (a) making a statement that I am not sure is corroborated about 75 positions; (b) not looking into the details of that; and (c) I have said over and over and over again we will do everything that we can to train as many nurses as we can.

Members opposite talk about being fiscally prudent and fiscally managing, and I go back to the fact that the contract that was signed called for certain positions and a certain number of positions, and we will endeavour to do everything we can to train as many people as we can across the system. We are training more people this year than this time last year, and I hope that we will do the same next year. I do not know what more the Member wants.

**Mr. Cummings:** The Minister is quite correct. I spent a lot of years on Treasury Board, and I know the difficulty of financing. I also know that when government has priorities it believes it has sufficient dollars to deal with, or if it has priorities that it believes are higher priorities than other areas within their administration, they will deal with the issue and fix the problem.

The Minister knows full well that one of the most significant and ongoing lines of criticism

that we heard from him when he was in opposition, that if he only had a chance to be government, he would fix this problem. Number one, he knows that he has a surplus from last year's budget, even though they tried very hard to demonstrate a deficit. They spent, I believe, a half million bucks trying to prove there was a deficit. Secondly, the Department of Health has received significant increases in expenditure, including the increases that the previous administration put in place.

Now, if that is not enough money, then he either has to admit, as he almost did a moment ago, that there just is not enough money to run the health care system the way he is running it or he has not got the priority of health care in place in the way he tried to portray it to the people of this province. Because if he does not get sufficient nurses trained, he will not be able to staff the facilities that he knows full well were put in place to deal with the surplus demand for long-term care beds which will free up his hospital beds.

I do not need to give him any kind of a recital about how that chain will unfold. Why is he dodging the issue? I believe, when you approach a facility and you can talk about negotiations if he will, the fact is that I suspect the facility would be more than glad to enter into a dialogue with him because they recognize that they came up short over the last two years. They recognize that there is a demand out there, and what a better combination of events than to have the demand, to have the students waiting. I believe you will find that the educational facility is more than anxious to get on with the job given what I have understood from previous discussions.

Is there something about this that he is not sharing with us or with the public of this province? Is he saying that he has deficits coming up in other parts of his department, that he is not going to have enough money to go around? Is the Minister of Finance (Mr. Selinger) yanking his chain? What is his problem? This seems to me that he could end this line of questioning in the next two minutes if he responded to indicate that he is at least willing to sit down with the facility. I can hear

him say in the next two minutes: I am not going to negotiate on Hansard what I might be willing to negotiate across the table with the facility. I understand that, but is he or is he not interested in negotiating with the facility or did he fail to negotiate with them because it is virtually too late to expand the numbers now?

**Mr. Chomiak:** Mr. Chairperson, we are training more nurses this year than last year. If the Member would have been paying attention, he would have heard that I indicated we are having discussions with the University of Manitoba. We are also in discussions with Red River. We are also in discussions with Assiniboine Community College. We are also in discussions with the various other community colleges. We are also in discussions with the various professional bodies with respect to nurse training, and we are training more nurses this year than last year and at any time in the past three or four years. That will continue, and that will continue to grow.

**Mr. Cummings:** Then will the Minister, if he is so confident that he is on the right agenda, give us a comparison between the number of graduates that he expects to have in all three areas of training as compared to what he expects the demand to be? I would think that is a simple calculation from his department.

**Mr. Chomiak:** We outlined those figures in our nurses recruitment plan. I will provide the Member with a copy of the numbers of nurses that we anticipated in our nursing plan with specifics and the numbers attached to that when we announced our plan, which I do not believe members opposite support, but I would like to hear otherwise if in fact they do support it.

**Mr. Cummings:** Frankly, there is only one number that I am interested in. What is the shortfall?

**Mr. Chomiak:** As I indicated, I believe that, and I am going from memory, at the time of the announcement of the diploma nursing program, if we were to continue at the rates that the nurses were being trained with respect to the training that was occurring, the actual training from the University of Manitoba, I believe, we would not even meet the demand that would be required until the year, I believe it was, 2010.

**Mr. Cummings:** That is still an evasive way of answering the question. We all appreciate that there were not sufficient graduates over the last numbers of years. There was not much interest on the part of students in going into the faculties, to tell you the truth. The matter becomes a question of the promises that were made by this administration on its way to government. What shortfall does this Minister anticipate? I recall a commentary about importation of nurses, encouraging immigration. I believe that there are nurses out there right now where their immigration is being facilitated from other countries. Is the Minister calculating in an unknown quantity there or is that yet an unknown quantity?

**Mr. Chomiak:** I think at this time we are anticipating, at a minimum, a hundred nurses being recruited from offshore.

\* (15:40)

**Mr. Cummings:** That is encouraging, and I think that the Minister would probably appreciate that I am old enough to recognize that that is a repeat cycle from about 30 years ago, 25 years ago when we had a lot of offshore nurses come into this jurisdiction, some very good nurses, well trained, and more than happy to have them. This is perhaps an unfair question, and it is not one that I need a precise answer to, but can the Minister give me an opinion? These nurses, when they arrive, do we anticipate that once they have had an opportunity to get settled, they will be able to go immediately to work or are there any other training requirements that might be placed on them before they can go into the field?

**Mr. Chomiak:** This particular program and this particular situation, as such, the nurses will have places and will be pre-certified and ready to occupy positions, from my understanding.

**Mr. Cummings:** Is the Government paying any finder's fee to bring these nurses over?

**Mr. Chomiak:** The RHAs took out a RFP in order to have a recruiting agency. The fees applicable are standard with respect to other recruitment initiatives in terms of the health care

field. We standardized it across the system, and that is what I understand is being done.

**Mr. Cummings:** Well, I appreciate that that is the next best alternative, and I certainly encourage the Minister to continue with that. My first choice would be that we do have adequate training available, and I think of course in this business we are always cautious of whether or not there is something hidden in a velvet glove when questions are being asked, but the Minister should not be too sensitive about training questions and numbers involved.

The question is: Can the facilities be staffed when they are opened or are there beds going to have stay closed unnecessarily long? This member, the previous administration, had a huge amount of political and taxpayers' capital tied up in the decisions that were made to begin to put those facilities in place. This minister is going to have the opportunity and the pleasure of opening a number of those facilities that are in the planning stage, and I only hope and encourage him to continue to move forward the dual track of not only managing the expenditure that will fall to his department annually, the amortized costs of these facilities, but the additional costs that will be unproductive if he cannot staff those facilities. Any delay in opening of those facilities will be an unproductive cost to his department. I do not know if I even need an answer. I see an affirmative nod from the Minister, but it is an important issue that he well may have covered several times during Estimates but connected to the training piece of this, if one piece is missing he knows it will come down like a house of cards.

**Mr. Chomiak:** I appreciate the advice of the Member. If the Member wanted to have a discussion with me on this very issue off the public record, I am quite prepared to do it and to explain the ramifications and the issues surrounding it. I think the Member can appreciate, from his experience, why I am less than willing to discuss issues of negotiations in this particular forum. I hope the Member appreciates that there is not a reluctance in order to do everything that we can to do this, but there are issues that I prefer we be permitted to have the opportunity of negotiating.

**Mr. Cummings:** I will reciprocate by making the effort to put clearly on the record that if anyone from the facilities that the Minister has to negotiate with should in fact read this record, I would encourage them to actively participate in whatever negotiations need to be undertaken with this minister and the ministry because unless all players in this, what is now fully more than a third of the budget of this province, if all players are not full participants, whether it is the nursing community, the educational community, and that goes all the way through to the teaching aspects of our doctor-manpower issues, that everyone has to come to the game, if you will, or has to come to the table and at the same time—

**Mr. Chairperson:** What is the pleasure of the Committee? Shall we continue or recess now?

**An Honourable Member:** I will go check and see how long it will be.

**Mr. Chairperson:** Okay, you can continue for the meantime.

**Mr. Cummings:** I think it is worth putting on the record the thoughts that I just put because all three sides of the House, if you will, have taken their turn at making the health care issue more politicized than it probably should be for the benefit of the public and for those who are the users of the system, particularly at this stage in the evolution of health care in this country, we need the best ideas of everyone in the system or there will not be enough money in the system to deliver. I know the Minister feels some discomfort about being pushed to facilitate the delivery of nurses. I think I have adequately explained on the record why that is so important as part of the overall package.

The second part that I would like to lead into is that there are certainly some concerns that are being raised across not only the urban areas where the training is concentrated largely but across the regions which I am more familiar with where the long-term availability of professionals is very often related to whether or not there is a broad enough cross-section. I know that includes doctors as well as nurses.

I apologize for not perhaps having heard the answer, but did I understand the Minister yester-

day to say that he would be prepared to table with our critic—he does not need to table it with me, but he agreed to table with our critic—a profile of the decisions that are being made around accepting students for doctors of medicine studies, and whether or not there are actually seats being put aside. I believe I heard him say that he would agree to provide something to our critic. Because it is a most troubling aspect of this. You hate to have any kind of an arbitrary line, but unless there is something arbitrary done in this area, we will continue to have a preponderance in the populated areas and a lack of, in some of our rural areas. I see the Minister has a note there. Perhaps he could put something forward.

**Mr. Chomiak:** Mr. Chairperson, the Member for Russell asked, yesterday, about specified positions in the medical program at the University of Manitoba allocated for rural students. That often gets confused with the residency positions that are allocated in rural Manitoba, rural family medicine residents. Okay, the Member understands that. The Member for Russell said that he thought that was actually a practice. I do not think it was. I asked the Department to check out whether in fact that had taken place. The note that I received from the Department says: the Faculty of Medicine has never allocated positions specifically for rural students. However, I am putting a caveat on that now. I have indicated on many occasions in Estimates and in the House that we will be announcing a significant rural recruitment and retention strategy in Manitoba, and a number of provisions will be well received by all members of the House.

\* (15:50)

**Mr. Cummings:** Mr. Chair, I will look to your guidance when you wish to adjourn, but I will ask my next question.

In a sense, I think the Minister and I have found some common ground. There is a concern. It certainly was a suggestion that I was of the understanding had been discussed. Probably the Member for Russell and I go back a little further in history on this than we would care to think. But I believe, serious discussions were supposed to have occurred, at least, based on people's

upbringing, based on a number of factors. The upshot of all this was, it was probably around the time when the general practitioner program was developed at Dauphin. That has been highly beneficial inasmuch as it exposed certain individuals to rural general practice, the type of doctors and the type of milieu that those doctors would have to operate in. Benefits are flowing from that. So I would encourage the Minister to perhaps forward, if he has a rural manpower retention strategy. Then yes, we will be more than supportive to see something of a positive nature occur.

I sense some unease on the part of the members wanting to get to the House. Mr. Chairman.

**Mr. Chairperson:** We still have seven minutes more or less.

**Mr. Chomiak:** Yes, thank you, so as not to prolong this, I had asked the previous minister, for example, about this. That is why I was confused. Because the Member for Russell-Roblin is usually pretty accurate in his statements, and he had said he thought there was a program. The Member for Turtle Mountain (Mr. Tweed), I also think is pretty accurate. That is why I was hesitant in the House, yesterday, because I asked the Department to check that out.

I was told that there are not at this point, specifically, slots set aside at the University of Manitoba for rural medical students. It might be similar to the same situation with regard to the expanded enrolment at the Faculty of Medicine. There were fairly advanced discussions that occurred under the previous government that did not fully come to fruition, that we have now taken up and are moving on. So that could be the reason for the confusion in this regard, and that is why I was hesitant because I was of two minds in terms of the actual facts. As of today, from the briefing note that has been provided to me just as of last night's question, at present there are not those kinds of allocations.

**Mr. Chairperson:** We will take a recess now so we do not get shut out of the Chamber.

*The Committee recessed at 3:54 p.m.*

*The Committee resumed at 4:13 p.m.*



**Mr. Chairperson:** The meeting will come to order.

**Mr. Cummings:** Mr. Chairman, I will spend just a very brief moment or two on the doctor issue. Number one, the Minister, I believe, is being very candid and forthright on how he understands the seats that may or may not be available for rural students coming in. I accept what he says as being fact, that is not in question, but there certainly has been an understanding among myself and my colleagues that in fact there was an opportunity or a potential opportunity that could be realized here. I take this beyond, whether it be Neepawa or Dauphin or Ste. Rose or areas that I am close to, but look at rural remote.

I have seen lots of prestigious articles written. I should not say lots, but I have seen good, well-written articles about prestigious, in the cases I am referring to, First Nation or Aboriginal professionals, who, because they got a leg up at the right time in the development of their career, were able and wanted to go back and serve in those communities.

For the record, not to berate the Minister, but for the record, for anybody who cares to look, I think that the officials in the universities and the people responsible for accepting entrances need to seriously consider this possibility. That is not an affront to anybody. It is a recognition that positive action may well deal with some of the issues that we beat each other bloody over on political points. We search the world, frankly, looking for quality people to immigrate here to take positions in rural areas. It is an area that, of course, leads to a fair bit of misunderstanding and accusations and need not necessarily follow that track.

One question that remains unanswered, and I asked it in an oblique and rambling way yesterday, that the Minister laughed at appropriately, because it is tied in my mind to dollars—to get directly to the point, when the Minister is reviewing salaried positions across the province, and he would undoubtedly have the opportunity to do this in conjunction, I am sure, with the CEOs of the regions and other appropriate officials, does he believe that current salary levels that are being paid, as opposed to fee for service, are appropriate to attract doctors in this

province, or does he believe that this also is an impediment to keeping adequate manpower?

**Mr. Chomiak:** Mr. Chairperson, firstly, I thank the Member for his comments. One of the statements I made yesterday in committee, I do not know if the Member was there, was I think that the Dean of the Faculty of Medicine, Doctor Hennen, is a very welcome addition to the province and is very cognizant and aware and active on the issues that the Member alluded to, that is, rural retention, rural recruitment, Aboriginal and remote communities. I found him extremely open and innovative. I think that it will be a factor, in terms of the future, in line with some of the initiatives we are undertaking.

I was not laughing at the Member's question yesterday. I was admiring the art form. To be honest, I did have some trouble connecting. The point the Member is asking me now is do we have—it is a really tough, almost daily balancing act with respect to the salaried fee-for-service physician levels. I can say that, more appropriately, almost weekly we are dealing with one issue or another with respect to retaining or attracting or acquiring physicians. Clearly, with the settlement of the MMA agreement, we have a good relationship with the Manitoba Medical Association at this point. They are being very co-operative, and we are trying to deal with these issues in a forthright and honest fashion.

Could more money help us out across the system? Undoubtedly. Could a lot more money help us out? Yes, but we are trying to be cognizant of the various needs for certain specialties in certain requirements, as well as the need to meet the needs of local communities. I have been impressed with the way local communities have come together and worked with overall health authorities and tried, for example, not to outbid each other. That has been very impressive to me. People facing the prospect of losing a doctor or facility have been open-minded and relatively forward.

\* (16:20)

We are generally holding our own. We are at least as good as, in fact the stats that I gave in the Estimates showed we are a little better—this is not political—we are holding our own this year,

relative to last year, a little bit better, I think. This is not a political statement. I am not taking credit for it. There is continuing ongoing work going on. I think the new agreement and the new relationship is helping. To say that it is not a challenge, to say that there is not, almost, I have said weekly, sometimes almost daily, one issue in one community or another which we try to address and we try to work on. It happens. I cannot say anything more specific.

**Mr. Marcel Laurendeau (St. Norbert):** I was wondering if the Minister of Health could bring us up to speed on where we are on Lions Manor and tell me if he has put any funds into place to assist them through their financial difficulties at this time.

**Mr. Chomiak:** I do not think there is a problem. I think the Minister of Family Services (Mr. Sale) is basically taking the lead on this issue and can provide the Member with those details. I will advise him of the Member's question.

**Mrs. Driedger:** I wonder if the Minister could tell me whether he is aware of a certain situation in relationship to this incident with Mr. Lemay.

In fact, if we could backtrack. I am sorry, I was not here this morning. I was at another meeting. Was it brought up in concurrence at all? I do not necessarily want to get into any of the specifics of that. I would just like to ask the Minister if he could tell us how that particular situation is being handled. Is there an investigation going on?

**Mr. Chomiak:** Mr. Chairperson, the family forwarded letters to all of us and the media several days ago. Upon receipt of the letter, I asked the WRHA to investigate and to look at this. I also indicated that I would be prepared to meet with them if that was the case, and I have asked for the appropriate authorities, that is the hospitals and the WRHA, to investigate this issue. In addition, I understand that is taking place, and the WRHA is also meeting with the urologists in this regard.

What I have said is what I say generally in all of these issues, that every time there is a problem we ought to investigate and we ought to do something so that it does not happen again.

That has always been my position and that continues to be my position. There will be more information, I think, once the process is complete which I would be prepared to share with the Member.

**Mrs. Driedger:** Could the Minister tell me if there are any issues brewing with the urologists that might have caused this kind of situation to happen?

**Mr. Chomiak:** Mr. Chairperson, as I indicated, the WRHA is also meeting with the urologists.

**Mrs. Driedger:** Is the Minister aware that the Health Sciences Centre urologists have been refusing to take calls at St. Boniface Hospital for the last two months because they are unhappy with the stipend currently offered in the contract that was set in February?

**Mr. Chomiak:** Mr. Chairperson, I am aware of the issues surrounding that. I am aware of those issues.

**Mrs. Driedger:** Because that particular issue has been ongoing for two to three months, could the Minister give us any indication of how he is addressing that? It seems to have been going on for some time now and something like this that drags on for too long certainly can put patients at risk.

Can the Minister give us any assurances that something is being done to address that situation very seriously, very quickly?

**Mr. Chomiak:** Mr. Chairperson, of course.

**Mrs. Driedger:** Could the Minister tell us if this particular scenario where we see specialists in one particular area, such as the urologists refusing to cover shifts, you know, cross-cover shifts, is it happening in other specialties as well? Is the Minister aware of that?

**Mr. Chomiak:** Mr. Chairperson, insofar as there are obviously discussions and negotiations going on in this area, I would prefer not to negotiate, as it were, in this forum.

**Mrs. Driedger:** Could the Minister just indicate in the situation with the urologists, has he been aware of this situation for some time now?

Certainly it has been an ongoing issue for two to three months. Is he going to step in and make sure that, in fact, we do have proper specialist coverage, particularly at our tertiary care hospitals, so that patients who are in as serious a condition as Mr. Lemay are not in a position of having to, with a broken hip, with angina, with congestive heart failure, be loaded on an ambulance and taken to another hospital? Is he going to step in right now and do something, so that that does not happen again?

**Mr. Chomiak:** Mr. Chairperson, yesterday in the passage of the Bill, the Member accused me of micromanaging the system. The WRHA has the responsibility and is dealing with that issue.

**Mr. Jack Penner (Emerson):** I wonder whether the Minister of Health would be able to tell us why he put a stop to the new construction of a new facility at Emerson.

**Mr. Chomiak:** There were fire code upgrading requirements made. We determined in this capital year that it would be very important to do those, and we have authorized those.

**Mr. Jack Penner:** Well, the fire upgrades and the Fire Commissioner's concerns are of record, and the Fire Commissioner was in agreement that if the Province chose to build a new facility, he would set aside the order for the upgrades till the construction of the new facility was facilitated. That would have saved the Province anywhere between \$350,000 and \$1 million in his estimates. Now I wonder whether the Minister is telling this committee that he is willing to spend between \$350,000 and \$1 million to do the fire upgrades, and then a year from now or two years from now he might decide to build a new facility.

**Mr. Chomiak:** As I understand it, there have been some requests from that facility to build a new facility since 1992. I think that is correct, the requests. In our review of the capital plan and the capital requirements, we have done a review of all of the capital projects. We were concerned about the fire upgrade, and we determined that that would be the best course of action at this point.

\* (16:30)

**Mr. Jack Penner:** Is the Minister saying that he is willing to spend between \$350,000 and \$1 million to upgrade the requirements of the Fire Commissioner and set aside? Is he telling us that he is cancelling the project that was announced in Emerson just a year ago, and that was on capital planning, and that his department was in the process of doing the capital planning for and the construction which was, in fact, scheduled to begin this fall? Is he cancelling that project?

**Mr. Chomiak:** The project was part of the capital announcements that were made last spring prior to the events of the summer and early fall. We reviewed the entire capital plan, and it was our determination at this time that the most appropriate course of action for the safety of the residents was to proceed with the fire upgrades.

**Mr. Jack Penner:** Is the Minister aware that this community is at least 15 miles away from the next facility, and the Central Regional Health Authority is in the process of attempting the takeover of the volunteer operated ambulance in that community, and is the Minister aware that should that happen there is a good likelihood that Emerson will lose its ambulance service? They would then be within about half an hour to an hour of any given ambulance services trip there and back.

Is the Minister telling this committee that he is willing to sacrifice the services that are currently available in that town and that the previous Conservative government had designated as a site for a new facility? He is now cancelling the site for a new facility and putting in jeopardy the actual operation of a hospital in a town that is at the border crossing where a million and a half cars, tourists, cross every year plus 800 to 1000 heavy-load vehicles cross every day? Is the Minister telling us that he is going to put in jeopardy the very lives of the people who reside in that community and travel down 75 Highway?

**Mr. Chomiak:** The facility remains open.

**Mr. Jack Penner:** The Minister knows full well that the facility the way it is structured right

now, even with the upgrades, is a very expensive facility to run. With the new plans for the facility, there would be significant savings attributed to the Central Regional Health Authority in the operation of that, which would have combined the nursing station for the personal care home and the nursing station for the hospital area. Is the Minister telling me that he is casting all regard for long-term cost savings aside and doing the fire upgrades, instead of building a new facility, which would be much more efficient?

**Mr. Chomiak:** There have been proposals for some time with respect to that facility. We made a determination that it was very important that we do the fire upgrade for the safety of the residents, both in the personal care home and in the hospital, and we put that allocation in this year's capital budget.

**Mr. Jack Penner:** Is the Minister saying that he is cancelling the project that was announced by the previous Progressive Conservative administration? Is he indicating thereby that he is jeopardizing the safety of the people for a long period of time in that town of Emerson? Is he telling us that he is concurring with the discussions taking place that eventually might lead towards the loss of the ambulance services as well in that community?

**Mr. Chomiak:** I would like to review the situation with respect to the ambulance services. The hospital is open and functioning, and we are doing an upgrade of the hospital facility for the safety of the residents and the people who utilize that facility.

**Mr. Jack Penner:** I would like to ask the Minister whether he has had significant discussions with his department. Would he be willing to come out to the community of Emerson and assure them that the operation of that facility would be maintained as it is now over a long period of time, and whether that is in his plan? If and when the natural resources department decides that they need to and will replace the dike along that side, whether he is then willing to move the hospital and build them a new facility?

**Mr. Chomiak:** I have been to that facility and I have been to that community. The review of the

capital plan and the review of the facilities—the Member is aware, and I have said it before, that I am informed that there has never been as significant a review of capital as we undertook these last few months of the capital plan. We made what we felt were the best determinations for the health, safety and interests of residents, and that is why we chose to do the fire upgrade.

**Mr. Jack Penner:** Mr. Chairman, the people in rural Manitoba are really beginning to wonder about this new administration in this province. First of all, they are seeing now a Minister of Health that is willing to jeopardize the lives of people in rural Manitoba in not paying attention and cancelling capital construction projects that the previous government had announced, cancelling them, and instead, tinkering with old facilities, throwing good money after bad; secondly, leading them to believe that they will even lose their ability to transfer patients out of the town into other facilities that might be within driving distance.

Now we are left with the impression that there will be major other changes taking place, as this government has clearly indicated by its legislative agenda, including the labour bill, including education, including home schooling, including many other aspects of free life as we have known it.

Can the Minister explain to this committee why he would be wanting to spend between \$350,000 and a million dollars, upgrading an old facility that he knows will either have to be closed or replaced within the very near future. Those words are the words of the Fire Commissioner, by the way. Why would he be throwing good money after bad?

**Mr. Chomiak:** Mr. Chairperson, I do not accept even remotely the comments of the Member for Emerson. I do not even deem them appropriate for a response because they are inaccurate. With respect to that particular facility, there was a requirement for fire upgrading for the protection of the residents. We made a decision to do that.

**Mr. Jack Penner:** The Minister wants to leave the impression on the record that there was an immediate urgency to the fire upgrades. That is not true, and he knows it. The Fire Commis-

sioner has very clearly been co-operative in not bringing forward a closure to that facility, because the Province had announced the construction of a new facility, was quite prepared to allow the facility to operate till the construction of that new facility was finished.

\* (16:40)

Why is the Minister willing to now, or directing his staff to spend \$350,000 up to a million dollars to do an upgrade on a facility that will eventually have to be closed because it is an antiquated customs building converted to a hospital, never suited for a hospital, never designed to be a hospital? Can the Minister explain why he would want to waste that kind of money on a facility that is clearly outdated?

**Mr. Chomiak:** Mr. Chairperson, the Member indicated that that facility put the proposal forward in 1992. In 1999, before the provincial election, there was an announcement with respect to a capital plan, and a major capital program across the province. As I indicated, we saw some of that in 1995, when there were major announcements of capital plans that were consequently cancelled, holus-bolus, hundreds of millions of dollars of capital construction after an election. So I remind the Member of that, and I remind the Member of the fact that he was a member of that cabinet. I believe.

Having said that, we came into office, we reviewed the capital plan, we reviewed every item on the capital plan. We are putting in place a capital plan that more resembles that that was in place in the early '90s with respect to planning and with respect to priorities. The recommendations and the advice were that it was very important that we do the fire upgrade for the protection of the residents and the people of that facility.

**Mr. Jack Penner:** Well, Mr. Chairman, it is becoming very clear that what the Minister of Conservation (Mr. Lathlin) indicated in regard to highways is also the agenda of this government for hospitals and care facilities. That is becoming very evident, very clear to the people of Manitoba. It leads one to wonder whether this minister will underpin the losses that the Winnipeg Health Authority is now clearly

encountering, the \$10-million loss that they are in currently, in the first quarter of operations, and whether the Minister is in fact using the money that he is going to save on capital construction in rural Manitoba and health care facilities in rural Manitoba and health services in rural Manitoba to underpin losses incurred by his single authority in the city of Winnipeg that he so highly touted as going to be able to save a lot of money. It is very evident now that the losses they have incurred the first quarter are clearly the indication of how wrong he was.

Secondly, the hallway medicine that we heard so much about that he was going to fix, we know now how he is fixing it, because constituents of mine and people that we know, friends and relatives in the city of Winnipeg that walked into a hospital, the hospital said we cannot check you into a Winnipeg hospital, we will transfer you to Ste. Anne or other rural facilities. Are you paying for those ambulance transfer fees as well, Mr. Minister?

**Mr. Chomiak:** Mr. Chairperson, I urge the Member to talk to his colleagues and to review the entire capital plan before he makes statements of that kind.

**Mr. Jack Penner:** Well, Mr. Chairman, is the Minister telling me that what I am saying is not correct, that he is not transferring people out of the city of Winnipeg hospitals, that he is not admitting that his hospitals are not admitting people, that they are advising people to go to Ste. Anne or being that they will transfer them to Ste. Anne and admit them into Ste. Anne and other rural facilities instead of admitting them in Winnipeg? Is that incorrect?

**Mr. Chomiak:** Mr. Chairperson, I was referring to the Member's rhetorical statements with respect to the provision of services in rural Manitoba, and the Member's allegations concerning the allocation of resources with respect to that. I have canvassed the issue of the allocations with the various authorities, and I am told that there has been no change in policy in that regard.

**Mr. Jack Penner:** Just one further comment. The Minister knows full well that he has told the rural regional authorities that the budget that he

has announced for them is a final budget and they are going to have to live within those means. It is clear that the city of Winnipeg authority does not need to abide by that because having incurred a \$10-million loss the first quarter of operation clearly indicates that they have no desire to operate within the parameters of the budgetary allocations the Minister has made for them. Now, secondly, he has also stated that he would fix hallway medicine, and we know now how he is fixing it. He is using ambulances out of the city of Winnipeg to transfer patients into rural hospitals surrounding the areas, and that is how he fixed hallway medicine, and I think, quite frankly, that is deplorable.

**Mr. Chomiak:** The Member is wrong on both counts, and the Member knows he is wrong on both counts. I am not going to accept his statements. He is wrong. In fact, it contradicts stuff that has been said by members of his own party during the course of Estimates. So perhaps the member should check with some of his colleagues before making some of those statements.

**Mr. Jack Penner:** The Minister knows I am right.

**Mr. Cummings:** The Minister was asked a question today in Question Period which I think caused some consternation on his side of the House, but I am not comfortable that we got a clear picture of the deficit situation related to the current success of the Winnipeg Health Authority. I would ask a simple straightforward question: Is there or is there not a current deficit?

**Mr. Chomiak:** As I indicated several times during the course of Estimates debate and during the course of Concurrence, what we did in terms of the budgetary year having come in later, and as we took the figures that were provided from the various health authorities with respect to their deficit positions and we computed those into the base funding, we did an analysis of that and I believe we had a total of approximately \$56-million deficit funding within this year's budget that dealt with all of the health authorities' positions. We put the funding into their budgets, and the assumption was that they would live within that because that was baseline

funding that should meet their needs and requirements.

I also indicated during the course of the Estimates debate that some of the health authorities are in ongoing discussions. In fact, some of the members of the Opposition party have talked to some of the health authorities. We are in discussions with all of the health authorities with respect to their budgets and with respect to the allocations, and it is an ongoing process. So, at this point, we are still in discussions and we are still exchanging numbers. We are still doing analyses not just of the Winnipeg Regional Health Authority but the other health authorities.

**Mr. Cummings:** I did not catch the exact number. It was a multiple of six in there--

**An Honourable Member:** Fifty-six.

**Mr. Cummings:** Fifty-six. That is fine.

My concern is not alleviated by the answer, because what I think the Minister just said is that he built into this year's budget what was the anticipated overexpenditure as a result of last year's expenditures, an expenditure for which we were roundly criticized. I am not going to dwell on some of the less than complimentary statements that were made by the now government members about the fact that we had in fact tried to keep the hospital system, the regional system, the health care system as a whole within boundaries of a budget but if their needs exceeded that based on the demands of the clientele, the residents, the ill, the elderly and the infirm, then we would fund them.

\* (16:50)

So, up to the point where this present administration said that they had to fund a deficit, yes, and it also proves the very point that we were trying to make which was that there should not have been a significant number of cases or any cases where service could not be provided because they were unsure if money would be provided. It was not an open-ended chequebook but it was indeed a practice that had occurred more than once over the course of our administration, but to have built that into the

base and to now, I fear, find that if that was built into the base—plus I think we are told there is another six, I think for a total of nine-point something that went into health care budget this year—so last year's unbudgeted expenditure was built into the base.

This year's increase was part of this year's base along with that. So there has been an enormous increase in expenditure in health care, which now puts Manitoba as it was before, continues to be within the top expenditures per capita across this country. Does the Minister currently find himself faced with a looming budget in the magnitude of \$10 million or more in the Winnipeg region alone?

**Mr. Chomiak:** At the end of the day, and at the end of the fiscal year we expect and anticipate that we will be able to live within the budgetary allocations.

**Mr. Cummings:** The Minister of Health and I are obviously on different political parties. I am the Opposition. He should well be wary, as should I, about what we put on the record. But I would invite the Minister not to put his neck in the noose, inadvertently, as he just did. I will give him the opportunity to withdraw from where he has just put himself.

Because if he is telling me that he now believes that he will be able to force the health system in this province to live within his budget, he is telling me one of two things. Either he is very confident that he has adequately funded the health care system—I hope he is right because we are now well in excess of a third of the budget of this province—or he is going to be faced with making some draconian decisions in order to live up to what he just put on the record. I honestly extend the opportunity to the Minister to reconsider or carefully consider, what he just said. Perhaps he might want to buffer that a little bit, because I do intend to pursue the question of whether or not he has an impending deficit in the Winnipeg Health Authority and perhaps, in others.

**Mr. Chomiak:** Mr. Chairperson, we looked at the health budgets. We did our analysis of the requirements and needs across the system. We noted that over the past four, five years, the

initial estimates and the actual expenditures have been wildly out of whack. We are doing our best to try to both achieve the health ends and the needs of the citizens, as well as balance the books of the Province of Manitoba.

**Mr. Cummings:** Well, Mr. Chairman, it pains me to follow this line of questioning. I am sure it pains the Minister. How is he going to be able to explain, in particular, the restructuring issues that there are within the larger service area in the greater city of Winnipeg? There are demands that need to be met within the system. One of the demands that I know previous ministers wrestled with, and it seems to me the current minister must be aware of and must have lost a little bit of sleep and made some, I would expect, serious comment to his department and, ultimately, conveyed the concerns to the region—is he in danger of developing a deficit? Are they in danger of delivering a deficit to the Province and they have not yet dealt with what might be subsidized costs in their cafeterias?

**Mr. Chomiak:** No, Mr. Chairperson.

**Mr. Cummings:** No was a good answer but it reflects on my inability to ask the question properly, as opposed to the Minister's ability to answer it—

**An Honourable Member:** Properly.

**Mr. Cummings:** Properly. Because then I will be forced to ask the direct question: Does he believe that the authority will continue to have subsidized cafeteria costs?

**Mr. Chomiak:** I am advised that the cafeteria costs are not funded from our provincial allocation.

**Mr. Cummings:** It might seem a little bit petty but I must ask the question: Does that mean that they are recovering their costs?

**Mr. Chomiak:** The Member might be aware that there are various cost centres with respect to various institutions.

**Mr. Cummings:** I am not a dentist and I do not like pulling teeth, but I assure the Minister that he and I are going to sit here for a little while and discuss this. As painful as the extraction

might be, that was a non-answer. If he would like to be a little bit more forthcoming, I will listen.

**Mr. Chairperson:** Is there a question here?

**Mr. Cummings:** Mr. Chairman, the question was inherent in what I said. I felt that the Minister did not forthrightly answer the question and that he has further information he can share with me. I am inviting him to do so.

**Mr. Chomiak:** The Member for Charleswood (Mrs. Driedger) was right over the top by yesterday accusing me of micromanaging the system. Micromanaging was one of the accusations she kept talking about, and now the Member is asking me to micromanage the cost centres at the various institutions.

I said to the Member for Ste. Rose (Mr. Cummings) that I am advised that the funding that goes to the cafeterias is not directly, if there is subsidization, that it is not directly from our allocations. That is what I am advised.

**Mr. Cummings:** I do not have the answer from my own sources so the Minister will forgive me if I sound a little repetitive, but I can extrapolate from what he just said that either it is absorbed within some administrative aspect in a larger part of the budget within his facilities or it recovers its costs.

It is not rocket scientists that need to sort out the budgetary requirements here. The reason this line of questioning makes sense is that we have had significant statements from this government about how they can improve the management of the health care system, how they can deliver all of the services, how they can improve on the staffing and all of the shortcomings in, pardon the pun, Manitoba's health care system.

\* (17:00)

I think the Minister has perhaps walked into a situation that is going to be very hard for him to explain to the public at large, and this is very directly related to the same line of thinking and questioning that the Member for Russell (Mr. Derkach), the Member for Charleswood (Mrs. Driedger) and myself were pursuing yesterday. That is, if the Minister is saying here is your

budget, live within it, I know enough about the health care system to say that I believe that means there is going to be some difficult decisions that are being offloaded to those authorities.

I would have to ask if, in these words or in similar vein, he has said to the authorities, either in Winnipeg or across the province, here is your budget, you must live within it, and the decisions you make to live within it are yours. I am not asking him to micromanage, in fact, that would be the opposite of micromanagement, that would be assigning the responsibility to those who have been appointed and those who have been hired to make decisions in these areas. I think it is a fair question. The Minister should not feel it is an unreasonable question, because the corollary of this is the very criticism that he heaped on our administration—and yes, there was a \$40-million overrun, I believe there was a \$90-million overrun at one point in health costs, which we acknowledged, because we said no one should have to end up short. Out in rural Manitoba we made the point repeatedly, despite the fears and allegations that were raised by members of the then-Opposition, that we were not in the business of closing facilities. We would do everything we could to make sure that the services, the facilities and the manpower remained available where it was traditionally available. There were times when we could not find it, but the object was always to make it available.

As I said before, the Minister should not voluntarily put his head in the noose saying that there will be no overruns. I invite him again to choose his words carefully on how he answers this question, because he will be held accountable for it.

**Mr. Chomiak:** Mr. Chairperson, the Member asks me to say there will be no overruns. Then he asks me to say did I direct all of the regional health authorities to live within their budgets and then make ensuing cuts, and oh, by the way, when we were in government, we accommodated their needs and we did not close facilities. There have been no facilities closed. We have tried to do realistic budgeting. We are working with the regions, and we will continue



to work with the regions, and we will continue to try to provide the health care that is required.

**Mr. Cummings:** Laudable objectives, and I give the Minister credit for what he just encapsulated, but yes, I did invite him to say that there would be no overruns. I did not twist his arm, however, to put that on the record.

I am asking him. He still did not give me a yes or no. It strikes a little bit of fear in the hearts of those of us who represent some of the less densely populated areas of the province. What, if any, direction on a budgetary basis has this government and this minister, as part of the Government—I understand that he has Treasury Board obligations, he has cabinet responsibilities, but he also bears the brunt of some enormous health care promises. Sadly, for him, he has to answer to those promises he is expected to deliver. I would ask him, again, to give me a little bit more frank answer about whether or not the directive has gone to the facilities.

Let me make it easier for the Minister. When we were in government, almost invariably we told the facilities, the regions, you have got to try and live within your budget, but they consistently made cases that were, in their view, unanticipated or that perhaps they could have delayed for a while. I am not saying that the Minister has suddenly sprouted horns. I am not saying that he is deliberately trying to close facilities, but I want to know the nature of the administration that he is now firmly responsible for in health care.

Sadly, we cannot talk about this off the record in the sense of whether or not if a concern comes up. Sure, we are not going to see people suffer unnecessarily, but we have questions like highway medicine versus hallway medicine. We have questions about the example of what we saw next door in Saskatchewan. Saskatchewan made a solid case, they thought, but we saw what the electoral result was. They have the Saskatchewan Party breathing in their ear, and they had to remove their foot from their mouth literally in terms of accepting a Liberal coalition in order to cling to power as a result of some of the changes that they made.

There are a lot of people in rural Manitoba who voted for this minister, who believed this

administration when they said they could deliver. I would like him to now ease the concerns, or he is going to leave me and every member of the Opposition a pretty big cudgel to hit him with, depending on what direction he believes that he would like to see these budgetary responsibilities take.

**Mr. Chomiak:** That was a pretty long-winded question that covered a lot of territory and a lot of ground. As I indicated to the Member previously, we are in constant communication with the regions, an ongoing communication with the regions. We are continuing analysis. There are many members of the Member's caucus that have implored me during the course of Estimates and concurrence to provide additional funding to their region or another region or related regions. We did a budget assessment going in, and we hope and anticipate that facilities can live within the allocations provided. But we are in ongoing discussions with all of the regions, and I have made that clear from the beginning of Estimates until now.

**Mr. Cummings:** Mr. Chairman, I understand there would be an interest in changing this department for another briefly for some questions opportunity, and probably we could all use a different line of thought for a couple of moments.

**An Honourable Member:** So what happens? Do we just come—

**Mr. Chairperson:** There will be another minister.

**Mr. Darren Praznik (Lac du Bonnet):** Yes, Mr. Chair, if the Minister of Labour (Ms. Barrett)—we have asked if she could be here for a few moments. I have a couple of quick questions for her, and I think we will be getting back to the Minister of Health and the Premier (Mr. Doer) as we still have a lot of issues with the Minister of Health. I know I have some issues I want to raise with him.

To the Minister of Labour, just a couple of quick questions. Probably I am looking, Mr. Chair, for more of an undertaking to track the information down for me as opposed to expecting her to have it on hand today. *[interjection]* Yes, another "frankomatic," a "frankomatic."*[interjection]*

**Mr. Chairperson:** Order. The Member for Lac du Bonnet has the floor.

**Mr. Praznik:** Yes, Mr. Chair, I would like to ask the Minister several questions. Really one for some information regarding the situation in Flin Flon and her Mines Inspections Branch. The information I am looking for is fairly detailed and I think important to be on the public record. It may not be of any significance at all or it may be of significance, but I would be looking today, and I will give her my questions, for her to give me an undertaking within the next seven to ten days if she could provide me in writing with the information I am requesting.

What I am looking for is this. Having served in that portfolio and being fairly familiar with its operation, the Mines Inspection Branch, which is a specialized unit of, not the Workplace Safety and Health Division, but it is a specialized unit for really workplace safety and health in the mines. There are many, many good people who work in that. I have had a chance to be out with them and got to know them quite well and the work they do. They have always been, in my view, one of the front-line defences on workplace safety and health. They spend a lot of time in the mines. There are not a lot of mines in Manitoba. They spend a lot of time in there. They know their craft very well.

\* (17:10)

The mines inspector in the Flin Flon area where this very terrible tragedy took place is a Mr. Dallas Nymko, who I think the Minister is familiar with. Mr. Nymko, I have spent time with. I learned a lot about mine safety from Mr. Nymko.

**An Honourable Member:** Mymko.

**Mr. Praznik:** Mymko, pardon me. Hansard people may want to get the spelling from the Minister to make sure we have it right. But Mr. Mymko is an individual, when I was Minister of Labour and toured Flin Flon, I spent a lot of time with him. He is an individual who is quite a character, but has a very good understanding of the operation of smelters and mines and the like.

Now the reason I ask this is I understand that Mr. Mymko also holds a position within the

Manitoba Government Employees Union and was heading up or involved with the negotiations that took place recently to conclude a collective agreement. I understand that he spent a great number of weeks, if not months, in the city of Winnipeg in his duties as a member of the MGEU negotiating team. Do not get me wrong. I am not in any way trying to imply there is anything wrong with that. Our collective agreements—I am very well aware of them as a former civil service minister—provide for union work to be done from time to time as it arises, and Mr. Mymko was certainly in his rights doing that.

My question to the Minister is this. I would like her to provide me with the following information. If she could give us, say, over the last year or two, the number of visits and work done by Mr. Mymko in Flin Flon in visiting the smelter in question, what his usual visits were and work he did, because I know he is a very conscientious individual. I would also like to know during his period of absence on union business who replaced him in doing the job and what was their activity in Flin Flon in visiting that smelter during the period in which Mr. Mymko was absent for his MGEU work.

So I would like to know kind of the normal visits, because I know part of their work is to regularly drop by. It was, during my time as minister, something I encouraged. They should be dropping by, working with people, trying to identify problems. I know Mr. Mymko is very conscientious, very experienced. I relied a great deal on his advice from time to time as the Minister. I would suspect he spent a fair bit of time on these issues. I know that he was away from Flin Flon for quite a period prior to this event. I am just curious to know what arrangements the Department made to cover that period in his absence, who replaced him, was that person resident in Flin Flon, and what activity did they carry on during the time frame in which Mr. Mymko was absent, and how did that activity compare to the normal work that would have been done when the regular mines inspector, Mr. Mymko, was there?

I think that is an issue that eventually has to be answered, because obviously if there was a lack of activity going on, did that have an effect in this or not? What arrangements does the

Department make when members, inspectors are away a long period of time? So if the Minister today could undertake to provide me with that information, say in the next seven to fourteen days, in writing, I would be perfectly content with that commitment.

**Hon. Becky Barrett (Minister of Labour):** I so do make that commitment to the best of my ability, and I only say to the best of my ability because I do not have first-hand knowledge of the answers to these questions, so I will find out as much as I can, but I cannot guarantee because I do not know the degree of specificity I can give, but I will get as much information as is possible for me to get on this situation.

**Mr. Praznik:** Mr. Chair, I appreciate that, having served in that portfolio. What I am asking for is the information that she could obtain from her department and if she could provide that to me within the next seven to fourteen days in writing, and then I have concluded my questions for the Minister.

**Mr. Harold Gilleshammer (Minnedosa):** Mr. Chairman, I am pleased to see the Minister of Health back again and wondering whether he has talked to some of those citizens in the Westman area that have some concerns about the Government's view towards maintaining rural hospitals. I think it was on June 28 the Minister committed to talking to the Mayor of Boissevain to give him whatever information he could on the so-called template on rural hospitals. I was wondering if he has done that yet.

**Mr. Chomiak:** Mr. Chairperson, as I indicated with respect to the template, we are reviewing that, and I anticipate it will be circulated for comment in due course. The specific mayor, I believe it is the Mayor of Boissevain, I have not spoken with.

**Mr. Gilleshammer:** So the commitment the Minister made in the House almost two months ago to pick up the phone and talk to him has gone unfulfilled. Is that correct?

**Mr. Chomiak:** Mr. Chairperson, as I indicated, there are a variety and lots of communities and individuals that I wish to speak to, will be visiting, and I hope to do so in the near future.

**Mr. Gilleshammer:** I would ask if he has met with, responded to, communicated with the Mayor of Rivers and the concerned citizens of Rivers, who wrote to him in May or June regarding the future of the Rivers Hospital?

**Mr. Chomiak:** Mr. Chairperson, I believe there has been contact between that organization and my office.

**Mr. Gilleshammer:** The Minister would confirm that he has had no personal contact with the Mayor and the citizens of Rivers, and he has not personally spoken with them, met with them, or responded to their letter?

**Mr. Chomiak:** Mr. Chairperson, I will have to confirm with respect to correspondence vis-à-vis letter.

**Mr. Cummings:** Mr. Chairman, the Minister very carefully said that it was his understanding that cafeterias were not a funded aspect of delivery of health care. Can he outline to me what sources of revenue might be for a regional authority that has cafeterias?

\* (17:20)

**Mr. Chomiak:** Mr. Chairperson, I am advised that there was a policy in the previous administration that deficits of cafeterias and the like are funded from sources within in terms of institutions. That is what I am advised. I am advised that is still the present policy.

*Mr. Stan Struthers, Acting Chairperson, in the Chair*

**Mr. Cummings:** Well, am I away from the wilderness or is there only one primary source of funding for health facilities, plus whatever fundraising they might do, plus whatever revenues they bring in? If there is a deficit in the cafeteria area, somewhere one of those pots, or if there is a fourth one I would be more than willing to accept that there might be, that they in fact will have to cover the deficit. I am not trying to nitpick over you know what in pepper, but frankly the Minister and I have to have a better understanding between us on this issue because it is most inappropriate for us to be discussing

potential deficits in the Regional Health Authority here in Winnipeg, and I am not sure that I have confirmed that there is in fact a deficit situation right now.

So let me rephrase the question in another way. Can the Minister confirm that he has had requests to his office asking for support to cover the deficits in the cafeterias?

**Mr. Chomiak:** The Member is correct. There are three sources of funding for particular institutions. There is the funding and block funding that they receive, in a variety of means, from the regional health authority, which comes from the provincial government via the—what is the word escaping me?

**An Honourable Member:** Taxpayers.

**An Honourable Member:** General support.

**Mr. Chomiak:** Yes, general support. Secondly, there is the fundraising from the activities of that particular organization or foundation, and thirdly, there is some revenue generation that some institutions and some bodies have. I am advised that previous government policy was that the previous government—I remember, when I say that, the previous Minister of Health saying that, saying that deficits in kitchens in the cafeterias would not be funded from government revenues. The Member is confirming that was in fact the case. That is how I recall it, and I am advised that that still is the present policy of our government.

**Mr. Cummings:** The Minister would be prepared to stand by what he believes, I think, was a reasonable approach and that is that taxpayers' subsidies, via the various granting procedures that facilities are funded under, that none of that money should go towards the support of cafeteria services. But if there is a deficit in the cafeteria, and there seems to be a concern and in fact deficits are developing out there related to cafeterias, the facilities or the RHA, and that is the rural acronym, I understand, have very little choice on how they can deal with that. But I think people who support the facilities through fundraising activities would be interested to know that perhaps that would be where the deficit might be covered.

I invite the Minister, if he can confirm, and/or can he confirm at some future date, if he does not have the information today, but is he prepared to confirm or deny that there are known—his office should be aware that there are known deficits developing in the cafeteria services?

**Mr. Chomiak:** Now I am dealing with my memory, and this could be a danger at this point. This has been a long-standing problem. Of course it is caught up in the issue of the frozen food contract, as well as deficits with respect to the provision of frozen food, as well as operations of the various cafeterias around the city. *[interjection]* Well, the Member for Charleswood (Mrs. Driedger) will have a chance to clarify her point.

*Mr. Chairperson in the Chair*

As I indicated, I do not know the line-by-line items off the top with respect to the expenditures and the revenue. I will take a look at that particular issue. I am advised and I recall that that was the previous government's position, and I am advised that a similar position is maintained. Certainly I will endeavour to find out the specifics of that in order to clarify if the advice that has been given to me is in fact accurate, and I will provide that information to the Member.

**Mr. Cummings:** I am dismayed that the Minister would draw the connection between the frozen food debate and whether or not there are cafeterias that may or may not be developing deficits. He did not, as best I can understand, answer me directly on whether or not he had had any information delivered to his desk, to his office that in fact there are deficits developing in this area and that somebody is going to have to deal with them.

**Mr. Chomiak:** I do not want to deflect from the Member's question, which I will get back to. The Member can well remember the issue of cafeterias is kind of significant with respect to frozen food because the provision of food for the cafeterias was supposed to be a potential funding source for the frozen food contract when it was first entered into. Then seven of the nine facilities pulled out of that aspect of the frozen

food contract which affected expenditures and revenues concerning the frozen food project. So, it is an interesting issue, and the reason I raise it is because there is a long history in terms of the accounting and whether money is made or whether money is not made and how that works. I have a bit of a history in this area which is why I raise that issue.

I was not attempting to deflect the issue; I was not attempting to confuse the issue. I was simply attempting to indicate that there is an interesting history in this particular area. As I have indicated, with respect to the issues that were raised in the House today, we are in discussions on a variety of issues across the board with a lot of the RHAs concerning financial matters. I have said that consistently during the course of the Estimates and during the course of Concurrence with respect to our approach to the RHAs and to the budgetary process and in response to many, many questions from the Member's colleagues with respect to specific RHAs and their financial situation.

\* (17:30)

**Mr. Cummings:** I do not for one moment deny the complexity of the budgeting issues that the Minister might well be in, in discussions with regions and facilities, but this specific question is troubling and I would like the Minister to be more direct. I am willing to accept that his memory, that myriad issues cross his desk, I acknowledge. I would not expect him to know the minute details, but it strikes me, given the controversy that surrounds this particular aspect, given the debate that has occurred over the last number of years, that if this one crossed my desk and I was Minister of Health, I would sit straight up and my eyes would bug out and I would not forget. I do not think this minister has forgotten if in fact he was given notification or indication that a deficit was developing in this area. Has he or has he not had notification that a deficit is developing in this area?

**Mr. Chomiak:** Mr. Chairperson, as I indicated to the Member throughout the course of this debate and in the House, we are in financial discussions with all the RHAs on a variety of financial issues and those discussions continue.

**Mr. Cummings:** Out of deference to the Premier (Mr. Doer), if he has made himself available, I would like, if there is a willingness all the way around that we would ask that the Premier make himself available and excuse the Minister of Health for—

**An Honourable Member:** For how long?

**Mr. Cummings:** I cannot give you a precise time. I would if I had one, to tell you the truth, but I know that there are—

**An Honourable Member:** Until six?

**Mr. Cummings:** Well, obviously the operations of the House will be reviewed at six to see whether or not the hours will be extended, so let us go until six for sure.

**Mr. Gilleshammer:** Mr. Chairman, I thank the Premier for making himself available for the Committee this afternoon.

I just wanted to pursue further the question that I raised in Question Period today. The Premier has indicated some of the areas where he made promises during the election, and some of the comments that he has put on the record have I think led to some uncertainty as to where he was at with some of these issues. I am led to believe that the Premier met with the editorial board of the *Winnipeg Free Press* during the campaign and indicated that there were areas of labour that he was going to have his government look at in reference to minimum wage, workplace health and safety, workers compensation, and that he was asked the direct question whether there was any agenda of labour relations law changes and that the Premier said no, we will not be making any changes to labour law.

I am wondering if the Premier could confirm that.

**Hon. Gary Doer (Premier):** Well, I recall in the election campaign there were a number of forums, including a number of business forums where they asked me a number of questions about labour law. As I recall, the specific questions dealt with very specific items, anti-replacement legislation, antireplacement worker legislation. As I also recall, they dealt with returning to FOS. In all the forums, I said we

were not going to do it. In fact, I remember even before the '99 election when David Newman was the chair of the Manitoba Chamber of Commerce, a question was asked and I basically said no. Those seemed to be the issues of interest to various groups that were asking us questions on labour.

I also said, and I recall saying to people that if there was going to be any changes they would go to the Labour Management Review Committee, and they did.

**Mr. Gilleshammer:** Mr. Chairman, I am given to understand the direct question was asked whether The Labour Relations Act, whether the laws dealing with labour relations would be changed during your mandate, and that the answer was no and that you were very clear in that answer, and also reassuring to those in business and others who asked that question. Of course, consistent with that, this substance that we find in the labour relations bill that we are still debating in the House was not mentioned in the Throne Speech, was not mentioned at the business and labour summit and was not mentioned in your earlier speeches, and suddenly in July it comes forward. So, in my mind, there is an inconsistency here.

We are not talking about sending things to the labour and management committee, but people were concerned that there would be labour law changes consistent with what, I guess, NDP governments have brought forward in the past. In answer to that question you said no, there will not be. There is no agenda to make changes in labour law. Now we find this bill has been introduced in July, and we see a discrepancy or an inconsistency there. I am wondering if the Premier feels that he gave a direct answer at that time.

**Mr. Doer:** With the greatest respect to the editorial board, I do not always agree with everything they write. The other day they were writing an editorial saying that maybe we should relook at Garrison, which is not that helpful down in Washington right now, as a document to be prepared. Some PR person arranges a meeting with people from North Dakota. They come up there, they do not even talk to us and then they write their editorials. It was not that helpful.

They have written editorials about the community colleges. We are trying to do due diligence on community colleges and they then make a statement about what we are or are not doing without knowing the facts, like how much per square foot is it per student, in terms of what we are going to do.

I remember a number of times I was asked whether we were going to bring in anti-replacement worker legislation like NDP governments have brought in, in Ontario and British Columbia, and the answer to that question was, no, that is not in this bill. That is the kind of stuff business was focussing in on with questions they asked me in a number of different forms. They were worried about the fact that Bob Rae had brought in anti-replacement worker legislation and B.C. had brought it in. They asked me whether we were going to bring it in, and I said no, and we have not.

**Mr. Gilleshammer:** It is one thing to say that you might agree or disagree with something the editorial board writes about future government direction and policy. In this case, I am given to understand that the members of the board that met with you during the campaign asked the direct question: Will you be amending The Labour Relations Act? The clear answer is no. Now, from the Premier, I hear the Premier saying: Well, we talked about this and we talked about that, and we said we would not do this, but there is, I think, a credibility gap growing here.

\* (17:40)

They are very clear in what they wrote in the paper when they indicate that several audiences during last fall's election campaign were told by yourself that you had no agenda of labour relations law changes. Now, with Bill 44, there seem to be substantive changes that have been brought forward by you. It just seems to me that there is an area where there are people feeling misled by what you said then and what you are doing now. I know that we do not always agree with the direction editorials take, but this a question, I think a very black-and-white issue, where you were asked a point-blank question and gave a direct answer that obviously was clear to them and reassuring to them. I ask again

whether that was not the circumstances during that meeting?

**Mr. Doer:** As I recall the "business" meetings that were held, I recall very clearly at two or three different business forums I was at, including public forums, including the Winnipeg Chamber of Commerce, the Brandon Chamber of Commerce. In fact there were more business debates, I think, in the last election than any other area. The Real Estate Board, there were a number of public debates. There were some private discussions in question and answer periods along the way. I remember at the Business Council they asked me two direct questions on labour. I remember the Manitoba Chamber asked me questions. It was all to do, as you said, with NDP legislation in other provinces, NDP legislation dealing with anti-replacement worker. I said we were not going to bring it in, and we did not.

**Mr. Gilleshammer:** The editorial, as I read it, was that they came away from that meeting feeling that you had made it very clear that labour relations changes were not on your agenda other than the issues which I identified earlier, the minimum wage, the Workplace Health and Safety and Workers Compensation, but from your meeting with them, I believe they have indicated that you made it very clear that labour relations changes were not on your agenda.

Do you then dispute what the editorial board has said in this editorial of August 16 where they said that you were very clear and very reassuring that you would not be opening up this act and making these changes?

**Mr. Doer:** The quote is Mr. Doer told several audiences during last fall's election campaign, as opposed to the quote "editorial board." I did get asked. I remember the specific question, and I remember who asked it. I remember Otto Lang asked the question at the Business Council about anti-replacement worker legislation. I said no, and I have kept my commitment on that promise.

The other question I got asked is: Are we going back to the FOS under Howard Pawley? Are we going to bring it in, in a new government? I said no, and we have not brought it in.

**Mr. Gilleshammer:** Would the Premier confirm that amongst the groups that he met with to discuss issues of campaign promises and direction that a government led by you would take, one of the groups you met with was the editorial board of the *Winnipeg Free Press*?

**Mr. Doer:** Yes, I met with all the editorial boards that I can recall in the election campaign. I meet with them regularly.

**Mr. Gilleshammer:** So are you saying, then, that when you said that there would be no agenda or answered the questions indicating there would be no labour relations law changes, the changes that you are bringing forward in Bill 44 are of such an insignificant impact on labour relations that you do not see this as being part of an agenda to change labour relations in this province?

**Mr. Doer:** Well, you are putting words in my mouth, and I think that those are your words not mine.

**Mr. Gilleshammer:** Well, clearly there were groups who wanted to know what Today's NDP stood for during the campaign, that you had indicated that you believed in balanced budgets and that legislation would be maintained. Certainly there were groups, including the editorial board and others, who wanted to know what direction you were going to go on labour relations law. What you are indicating to us is that there were specific items that you indicated were not on the agenda, legislation that you would not bring in. Because specific questions were not asked on the right to vote for certification and the new regulations on strike-lockout, you are indicating to us now then that, because you were not indicated those questions specifically, you are not in conflict with what you said during the campaign.

**Mr. Doer:** I think I indicated any time I was asked that anything we would do would go to Labour Management Review Committee. I remember the questions were very specific, and the concerns were very specific about anti-replacement worker legislation. It has been introduced by a number of other NDP governments in the past. I can say primarily the questions I got from business were dealing with the

balanced budget legislation and balanced budget laws. Primarily the discussions I had with editorial boards focussed in on the balanced budget laws. There were very specific questions, and I gave very specific answers to those questions. I think we have always been on the record on essential services. Obviously that would be an amendment to some legislation.

On the other side, we got lots of questions from unions. Are you going to bring in anti-replacement worker legislation? I gave the same answer. I got lots of questions from trustees about Bill 72 in a number of different debates. I said the same thing, and they have the tapes from my statements in public forums where I said I would amend the changes in Bill 72. We actually did not go as far as what the full amendments would be by having a commission dealing in Bill 42 with classroom size. Actually it falls short of my commitment in the sense that we thought that the special needs report and some of the other reports dealing with teacher-pupil ratio with that report that is now before the Province, commissioned by the previous government, should be examined in a more comprehensive way rather than being delegated to each school division for arbitration.

There were a number of questions we got asked. Free collective bargaining. Are you going to restrict free collective bargaining like Bob Rae did? Are you going to bring in anti-replacement worker legislation like Bob Rae did? Are you going to bring in anti-replacement worker legislation like Harcourt did? Are you going to bring in anti-replacement worker legislation like Québec did, the Party Québécois did? I can say the majority of the questions I had asked from both labour and business and from anybody else, the editorial questions were mostly around balanced budgets and the labour relations questions from business were mostly around anti-replacement worker legislation.

\* (17:50)

As I recall, there was some debate in the federal jurisdiction almost at the same time as the debate about the amendments to the federal labour code, which by the way has a 50% certification. I do not know if Mulroney brought that in or Chrétien, but I will have to find out.

**Mr. Gilleshammer:** I would ask again then: Do you dispute the *Free Press* editorial board who have confirmed with us that during your meeting with them you made it clear that labour relations changes were not part of your agenda? They are saying very clearly that you indicated that you would not be changing The Labour Relations Act. We seem to have a pretty substantial dispute here between what they are saying and what you are saying.

**Mr. Doer:** You know, everybody that changes a sentence moves the question along to a different place. It mentions several audiences. I recall a couple of audiences asking questions about labour relations. It was very specific to, as you said before in about your third question, anti-replacement worker legislation. That was the concern that was raised to us in the campaign. It was raised by labour, and it was raised by business. It is not in this bill. Previous NDP governments have done that, brought it in. We did not. We were asked very specific questions and we gave very specific answers, and we have kept our specific commitments. Several audiences have said in the editorial—the very specific question was dealing with a very specific piece of legislation that business did not want in Manitoba. Labour did.

I said the same thing to labour as I said to business. I said the same thing to trustees as I said to teachers. I said the same thing to nurses as I did to medical health administrators.

**Mr. Gilleshammer:** Well, let us narrow it down. One of the several audiences was the editorial board and in the words of the editorial board, to a direct question regarding your policies, you indicated that there was no agenda to change labour relations law. You were very clear on that. Now you seem to be disputing that, and I do not want to talk about other audiences, simply that audience at the editorial board. They were very clear that you indicated that these changes or any changes in labour law would not be brought forward and that they were reassured and they were clear in what you were saying. Much different behaviour has followed, in that you have brought in Bill 44. I think it is very clear that in the discussions, their interpretation of the discussion, their direct questions to you, they did not anticipate, expect, believe that there



would be any labour law changes brought forward, and there is a conflict between the comments that you made before the editorial board and the behaviour that your government has exhibited in bringing forward this labour legislation.

**Mr. Doer:** The editorial does not say Mr. Doer told the editorial board, it said we told several audiences and the audiences that I recall, one of them was one of the business groups, and I think two business groups asked me very specific questions, and I gave them very specific answers, and I kept my specific word.

**Mr. Chairperson:** Before we reach six o'clock, the Chair wishes to announce to all the members of the Committee that we have been given leave by the House to sit until 7 p.m. That means we do not see the clock until 7.

**Mr. Gilleshammer:** Mr. Chairman, the members of the editorial board have confirmed today that they asked the direct question on labour law changes and were told that there would not be changes to labour legislation in this province. Contrary to that, you have brought forward this bill. So there is a, I guess, discrepancy in what you said at that time and what you have done since then. Again, in our discussions with them, they have said that you were very clear about that, and you have varied from the answers you gave at that time. I am not talking about other groups, but I am talking about your discussion with the editorial board during the election period.

**Mr. Doer:** Well, we discussed a lot of issues including—and I recall the other day there was an editorial asking us to break our promise on the 10% tuition fee cut by the *Free Press* editorial board. In other words, we made a promise in the election campaign and we fulfilled it after the campaign, and the editorial board is still asking us now to break our promise to all the people of Manitoba. That is their right to do so. That is freedom of the press, but I cannot believe—I mean, in terms of the positions they take or the statements they make, that is their right to take them. I disagree.

**Mr. Gilleshammer:** Well, that is a totally different issue. What they are saying, and I know I

think I have heard you more than once saying how novel it is that you keep your promises, and I would say that in the minds of the editorial board, in the discussions we have had, that you made a commitment that you would not bring labour law changes before the Legislature. Now you have done so. So you have changed your position on this, and it is, I guess, one of the Province's promises that you have not kept.

Would you comment on that?

**Mr. Doer:** You know, you cannot fight people who buy their ink by the barrel, and I am not going to begin to. I think that the specific questions that I got asked throughout the campaign, and the specific fear I heard from business and editorial writers that support business and others was: Are you going to bring in the kind of anti-replacement worker legislation that Bob Rae brought in in Ontario? I got the same questions from labour. If we had brought that in, then I think that those people who are making those comments would be accurate. But we did not. Governments have to govern.

The other side of the equation is free collective bargaining. We believe in free collective bargaining, have always supported it. People ask: Are you going to bring in Bob Rae's anti-free collective bargaining stuff? Well, no, we do not intend on doing that. What if people had defied, say in the cancer institute—they did not because they got a settlement—but what if people in a life-and-limb situation had defied the Conservative law, and we were faced with that challenge? We would have to act accordingly even after saying we believe in free collective bargaining. We also believe in the right of medicare. When two principles conflict and circumstances dictate decision making, we will try to make those decisions.

I talked to a lot of groups in the campaign. I did talk to a lot of groups about our belief that if the Labour Management Review Committee could work, we would like to see it work. I know that in this case there are six or seven proposals that have worked, and three that have not. Those three we have amended. That is the reality of governing. I know that sometimes you have to make decisions, and you make them accordingly. Having said that, I feel that the two

specific questions that I was asked by a number of people in the campaign, those commitments were kept.

**Mr. Gilleshammer:** Would you confirm then that what I hear you saying is that the interpretation of the editorial board of this discussion during the election over labour relations law issues is not accurate?

\* (18:00)

**Mr. Doer:** I am not going to argue with the editorial board. I cannot recall whether it was the editorial board or another "business audience." I remember the business audiences. I think it was the same day as I met with the editorial board. I met with the business council. I met with other groups, and they asked me two specific questions: one was anti-scab or anti-replacement worker and the other one was going back to Howard Pawley's FOS. I remember those two specific questions being asked in a number of places. I said we were not going to do it. We have not. We are not bringing in legislation that is quote, considered as extreme as, quote, British Columbia or Ontario.

**Mr. Gilleshammer:** So would it be fair to say that their interpretation of that meeting, where they have interpreted to understand on their part that you would not bring in this legislation, their interpretation of that meeting is wrong then?

**Mr. Doer:** Well, I think it is safe to say my recollection is we did not spend a lot of time on this item. As I recall, the majority of the time in the meeting was dealing with balanced budget legislation and the future of the city of Winnipeg, two subjects that the editorial board is very, very interested in. They were featuring a number of articles during the campaign as I recall it. I think we spent more time on the city of Winnipeg by far, in terms of downtown, housing, the so-called fire zone, the issue of education and training. I remember trying to talk about education and training consistent with the economic report and trying to tie it back to the city of Winnipeg. I remember they kind of dismissed that idea, which I did not think was entirely fair, but that is their right. So my recollection was more a discussion about the city of Winnipeg and the future of the city of

Winnipeg, and that is very consistent with the editorial policy.

If you look through the campaign, there were probably more stories on the city of Winnipeg and downtown Winnipeg than anything else. How much time we spent on it and what conclusions they came to, I do not think they asked me very many specific questions like the Business Council did. The Business Council, I remember Otto Lang stood up and said: Are you going to bring in anti-scab—he called it anti-scab, not anti-replacement worker—and are you going to bring in FOS? I said no to both of them, and it is not in the Bill.

**Mr. Gilleshammer:** Well, I would indicate to the Premier, in the editorial, it says that he said he would leave labour relations alone. The question was important because the NDP's close links with the labour movement raised a question whether an NDP government would seek to tilt labour law in favour of unions. It said Mr. Doer's answers were clear and reassuring.

So what I am gathering from this is that they came away with a completely different interpretation of the meeting than you did. They are maintaining, and they have done so today, that you clearly indicated to them the you would not open up The Labour Relations Act, that you would not be making changes that are encompassed in Bill 44. You are saying you have no recollection of that, that you talked about other legislation that Howard Pawley had brought in or that the Ontario government had brought in. So I guess, in the parlance of the House, we have a dispute over the facts.

**Mr. Doer:** There were a number of them at the meeting. I cannot recall whether it was the *Free Press* or just the Business Council that asked the specific question on—the question I got the majority of the time in the campaign from business people and from labour, if it was a labour group, was dealing with anti-replacement legislation. I gave the same answer to both groups, and that is reflected in the law as before the Legislature now.

**Mr. Gilleshammer:** Well, I believe the Business Council asked the same question at a different time and came away with the same under-

standing, that given Today's NDP's conversion to believing in balanced budgets, there would not be any tilting of the field, there would not be any labour relations law changes. There is a feeling that either they were misled or something has changed since then to make you bring this legislation forward.

**Mr. Doer:** Well, I believe in rebalancing the situation in Manitoba. When it became clear, based on advice we received, that the second vote was perceived as a tilt, I said in the House and said publicly we would amend it and change it, as we have done in amendments. I know I said that any changes or any proposed concepts should go to the Labour Management Review Committee. I remember when we were dealing with some of the ideas, we did send it to the Labour Management Review Committee. I am pleased, unlike Bill 26, there were seven areas of close agreement.

So we took the second vote out because it was clearly demonstrated to us that it would be inconsistent with the general tone of discussions with people in the election campaign. I am just giving you a general response, and I remember a lot of questions in the campaign dealing with the Labour Management Review Committee or the anti-replacement worker. Reporters ask me questions every day, with cameras rolling and tapes rolling, and if you go back through the campaign, I know I was asked questions in the campaign about anti-replacement workers. I know that was the "hot button item" that the media was asking about because of the fact that NDP governments in Ontario and British Columbia, and the Québec government, through Liberal and NDP governments, have maintained that.

We did not have this as one of our five priority items, and we still believe that a year from now people will still be talking about health care, education and training, the economy. They will be talking and reflecting upon their taxes. A lot of the questions we got from the so-called business community were dealing mostly with balanced budget legislation. That was the area they really asked us a lot of questions. They were aware we voted against the balanced budget law after we moved an amendment dealing with the Crown corporation with failure

to sell Crown corporations. You could not use the proceeds from Crown corporations in the balanced budget legislation. We believed that that was a flaw in the legislation, both from our view of public benefits of Crowns, and if you can consider an ideological right view, that accounting should be accurate and not put asset sales into operating revenue of governments. We believed both on the left and the right that was a silly irresponsible move of the Government and a huge loophole.

We promised in the election campaign as part of our five commitments—we probably had four and a half commitments in there that were positive commitments to the public, that were big items for the public: the health care system, the hope for young people in education and training, the areas of the Hydro being maintained, dealing with the causes of crime and crime itself and dealing with property tax reductions and balanced budgets. Four and a half items of those were our items in terms of what we believed in. One item was your policies and your legislation from your previous government, and the business community wanted to know whether we were going to amend that or not.

They asked a lot of questions in a lot of forums at a lot of times and that is, quite frankly, the question I had in the majority from editorial boards and business. Those are the items I emphasized with meetings of editorial boards, you know, the five commitments. That was the emphasis of my discussions, and the majority of their questions were on balanced budget legislation, quite frankly, and for the case of the *Free Press*, the City of Winnipeg.

\* (18:10)

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** Mr. Chairperson, I guess the line of questioning tonight is really trying to get at the whole issue of trust and the whole issue of keeping your word. I think I heard the Premier say in earlier answers around labour legislation that one of the questions that was asked of him during the election campaign was are you going to restrict free collective bargaining. Was that a question that was asked of him by any groups or the editorial board?

**Mr. Doer:** I do not believe I was asked the question about free collective bargaining by the editorial board. I cannot recall everything in that meeting. As I say, the emphasis at the meeting I thought was downtown Winnipeg. When you go into a meeting like that, you try to emphasize your own commitments, and they try to emphasize their agenda, and then you move on to your next election event.

**Mrs. Mitchelson:** Mr. Chairperson, I am moving away from the editorial board issue, but I think I heard in earlier answers from the Premier that he said the two questions around labour law that he was asked were: Are you going to bring in laws like British Columbia or Ontario, when Bob Rae was the premier, that dealt with replacement workers or restricting free collective bargaining? Those were the questions that were asked. His answer to both of those was no. Am I correct in my assumption?

**Mr. Doer:** No, you are not correct in your assumption. Let us deal with the issue of free collective bargaining. I was asked the question by people concerned about what happened in Ontario with the so-called social contract. You sometimes see situations, I believe it was November 1998 in Saskatchewan, if I recall correctly, situations there, I got asked the question about free collective bargaining. People want to know what is your view on free collective bargaining. I happen to believe that is a very complicated issue because one principle is free collective bargaining in a free and democratic society, a convention that Canada signed with the ILO, and another principle is the right of the public to health care in a free and democratic society.

Sometimes two principles that you support can come into conflict, and you therefore have to make a decision. When you get general questions on general issues, it does not speak to what you might have to do specifically. For example, I read with quite some trepidation in the middle of our bargaining with the health professional group that they in fact planned to defy the essential services legislation that was in place and passed by the former government. That would have presented a very unique challenge to any government that believes in both the right of the public to have access to health care—I think

the Member opposite even asked us a question about those vital services for the public—and the ability of people to bargain in a democratic society.

There is no such thing, in anything, in dealing with some of these issues that are complex, as black and white answers. For example, in the area of health care, I believe that life and limb services have to be provided to the public. I would state both those things when I get asked the question about the Rae government in Ontario. You can come to the impression that I believe in free collective bargaining or you can come to the impression that I believe in legislating people back to work. Both things would be false because in each situation you have to make judgments accordingly. So, impressions can be gained sometimes accurately, sometimes inaccurately or sometimes at variance. You asked the question about free collective bargaining. I think I described that.

The second issue was on specific questions we are asked about the anti-replacement worker. The third issue was dealing with the going back to the former FOS policy.

**Mrs. Mitchelson:** Then, when the question was asked around final offer selection and the Premier said no, did he indicate to anyone that he was speaking to that the amendments to the labour laws that he was going to bring in were worse than final offer selection? The 60-day arbitration with the veto for unions is even more regressive than final offer selection. Did he indicate, by saying no to final offer selection, did he give any inkling to anyone that the labour laws that he was contemplating or the amendments that he was contemplating making were worse than final offer selection?

**Mr. Doer:** I do not accept your preamble.

**Mrs. Mitchelson:** Mr. Chairperson, there are many that have a great history and understanding of labour law that have indicated very clearly that the amendments, the 60-day arbitration clause with the veto for workers, were worse, more draconian than final offer selection. I would believe that the comments that the Premier made during the election campaign, or the non-answers—I heard the Premier say just a

few moments ago that he believes in rebalancing the labour legislation, that it was unbalanced. At any time during the election campaign, did he indicate to anyone in the business community or in any organization that he spoke to, talking about jobs and the economy, or to the editorial board that he believed the labour legislation needed to be rebalanced?

**Mr. Doer:** I recall a lot of very specific questions on Bill 72 from a lot of people that were interested in that. In fact, I think the Member opposite was at a forum I was at with the River East Teachers' Association. As I recall correctly, we were all asked the questions on Bill 72, and the trustees were asked the questions, and I asked the trustees to roll the tape from previous debates, because I think I said the same thing, we said the same thing with trustees on that Bill 72 as I said with teachers.

It is reflected in Bill 42 in the legislation before the House now, short of the issue of the classroom size going to arbitration right away, because we are quite worried about how to manage, we have not got a management plan of the report that the Member opposite in government commissioned on the special needs education and its impact on school divisions to follow through on the recommendation there to legislate individual rights to be litigated for families. We thought that that report commissioned by members opposite, the combination of that and arbitration for the teacher-pupil ratio, without having those things balanced, would definitely present financial risks to municipalities beyond anything that has happened from 1956 to 1996, or '97.

We voted against Bill 26. We spoke against Bill 26. I do not ever recall getting asked a question on Bill 26 in the campaign. I remember there was a \$300,000 advertising campaign against it. It was not a big issue in the campaign that I recall in terms of what people raised with me, either way.

\* (18:20)

**Mrs. Mitchelson:** Mr. Chairperson, we are not talking about Bill 72, nor are we talking about Bill 42. It is interesting to see that the Premier, when he cannot answer a direct question, tries to

deflect away and ramble and talk around in circles rather than answering the question and being forthright and up front with his answers. This is, again, a matter of trust, and it is a matter of keeping your word and living up to what you said during the election campaign. We are seeing today many things happen that certainly are very much in contradiction to what was said during the election campaign.

We are speaking today about The Labour Relations Act, and we are not talking about Bill 26 and whether the Government today voted for Bill 26 or against Bill 26. We know that in opposition they did not support Bill 26. Mr. Chairperson, we are asking about The Labour Relations Act and the changes that are happening today as a result of this Premier's and this government's introduction of Bill 44, and the impression that was left with Manitobans during the election campaign when the Premier did not make amendments to The Labour Relations Act an issue or part of his platform. We are hearing certainly questions about the Premier's integrity now by those who spoke to the Premier during the election campaign and believed that he said one thing then but has done something much different now, with the introduction of Bill 44.

I have heard the Premier, and I believe he said clearly just earlier tonight in answers to questions from my colleague that the two issues that were raised most often around The Labour Relations Act during the election campaign were the issues around replacement workers and around restrictions of the free collective bargaining process. My understanding was and we will certainly be able to confirm that when Hansard comes out, but I thought I heard him very clearly say when he was asked questions around whether he was going to restrict free collective bargaining in referring to The Labour Relations Act and he said no. Indeed, if he is arguing now that he said something different when asked that question, I would like him to tell us, because I was sure that I heard very clearly, just not more than 10 or 15 minutes ago in answer to a question, that he said when he was asked during the election campaign are you going to restrict free collective bargaining under The Labour Relations Act that his answer was no. Does he stand by that statement or have I misinterpreted what he said earlier, and if so, what did he say?

**Mr. Doer:** I think the Member has misinterpreted. I said, for example, in the health care situation there are two conflicting principles in a democratic society and it is more than one—this is not just a kind of one-dimensional issue. It is never a one-dimensional issue in society. I suppose it is not as simple as are you going to sell a telephone system, yes or no?

When I was asked questions about the free collective bargaining, I just went on to say yes, the Legislature has the responsibility to protect people in terms of health care services. If, for example, somebody defied the Tory essential services legislation and if that was life and limb, then we would be faced with a challenge. So, I did not use yes-and-no answers to questions like that, nor would I. I have always believed in, for example, the provision providing vital health care services, if in conflict with the principles of free collective bargaining, then the Legislature must take appropriate action if it has to. It would be the last resort obviously—

**An Honourable Member:** It has always been that way.

**Mr. Doer:** It has not always been that way. This Legislature, for example, has had arbitration in place for the public service since Duff Roblin was premier. It does not mean I like to use that format but, that is, obviously, part of the law and a number of premiers since.

**Mr. Chairperson:** The next on the list is the Member for Emerson.

**Mr. Jack Penner:** The amendment of The Labour Relations Act, Bill 44, has some significant ramifications and makes some very major amendments to how the labour will be dealt with. The agricultural community has looked very carefully at resolutions debated at the NDP annual meeting. One of the items debated at the annual meeting was The Labour Relations Act and how it pertains to agriculture. Agriculture is now wondering whether the next move will be for this NDP Government to remove the exemption that agriculture has had, virtually, since The Labour Relations Act came into being. Is it the intention of this Premier to now bring forward the exemptions that were debated at the NDP annual meeting, or is it the intention to

leave the exemptions in place as they currently are?

**Mr. Doer:** I know you are carefully reading our resolution book. I will have to have a second printing of it, I suppose.

**An Honourable Member:** Very interesting and very scary stuff.

**Mr. Doer:** Well, there is lots of interesting stuff there, Ed. You have got resolutions that have been passed and resolutions that have been defeated and resolutions that have been amended and resolutions that have been referred. You know, we have hundreds of resolutions. I think we have had press releases out about getting rid of parents advisory councils. My spouse is a co-chair of a parents advisory council. I was quite shocked to read the press release when I got it, because that was not our intention and not our policy.

The conventions are not binding on the Government nor are the Conservative conventions binding on their government. When your delegates passed the odd resolution that you did have before your conventions—I know you had 17 or 18 hotly contested resolutions—I know one of them was eliminating the payroll tax within the next two years. That of course was not binding on the Government because they promised to eliminate the payroll tax in '88 in the next four years—mind you, Mrs. Carstairs promised to do it in the next three years, she just did not tell us which three years. You promised to get rid of it in 1990. In '95 you promised to get rid of it in four years. You were much more careful in '99 on your promises. That probably reflects the fact that your Premier and your Leader was not bound by the convention delegates at the Conservative convention.

We are not bound by the convention delegates. I know of no proposal at this point on dealing with the question you have raised in terms of agriculture. I will have to get back to the Member. But dealing with agriculture, I think there are two issues here: one is The Employment Standards Act for farm labourers. I think The Employment Standards Act exempts people that are mentally ill and farm workers and domestics. I think those are three categories

in The Employment Standards Act. I believe all three are presently still exempt. I do not want to say we are not going to change anything dealing with mentally handicapped in other sections of the Act. I want to be careful because I do not want to leave you with false impression and have you ask me a question. But there is nothing before us at this point. If there is, I will let you know ahead of time. Do not go out to the farm community and say: We are planning on changing something. Because we are not.

Let me answer another question. If there were a horrific fire in a horrible situation in agriculture and if people were burned to death, and there was an inquiry and it said you have got to change this section under labour, which is The Fire Act and other things, I would not want to presume that there is not going to be a change. But we certainly have not got any "agenda" on agriculture.

\* (18:30)

It is an interesting discussion because I know members opposite do not like final offer selection, but I happen to believe that transportation of grain is insane in this country where in any one nine grain terminals or ten in B.C. or any one of ten union locals, one of which can shut down the whole grain transportation system. I happen to agree with the theory, and I am only speaking for myself not for everybody, but I agree with replacing the right to strike with final offer selection for the grain handling industry and not put farmers.

We talk about health care versus free collective bargaining, what about farmers who are victims to the situation? That is not universally held, but the fact that we have got nine separate decision makers living away from our economy being able to effectively hurt our economy, I do not like it. You might then consider that to be an intrusion of free collective bargaining and be contrary to everything I said about final offer selection in the campaign and not going back to it. At some point we should have an open discussion about how we can make sure that transportation in Canada is protected from the whimsy of any union local or any grain facility owner and a grain company and effectively hurt the Prairie commerce. That is a

long way to answer your question. I would love to discuss the grain transportation system with the Member opposite some day.

**Mr. Jack Penner:** I am very interested in the comments that the Premier made. I think if I would go back in my previous lifetime, he and I might have been on the same page on the last issue that he brought to the table, grain transportation, and how it is affected by actions of various groups. Certainly that is an item that I would not mind debating or just simply sitting down and discussing it at some point in time because I think there are steps to be taken that could resolve many of the problems that we have experienced in the past.

However, getting back to the question that I asked, and I did not get a straight answer from the Premier. The question I asked, a very simple one: Is there any intention of this government or you, Mr. Premier, in removing the exemption currently to the agricultural community of The Labour Standards Act and/or The Labour Relations Act? There are two acts there that currently address certain issues that farm labour, especially on farms, have been exempt.

The reason I asked the question is not so much the resolution debated at your annual meeting, the reason I asked the question is because of verbiage used by your ministers, or a couple of your ministers, from time to time referring to barns, be they large or small, as hog factories. That, I think, is an abuse of what really happens because hog barns are no different, whether they are small or large in operation. I kid you not. You have to understand how hog barns are run. They do one thing, they farrow. They have a farrow operation where little pigs are born, and great care is taken for both the health and safety of the sow and the piglets. That takes a very substantive amount of time of either an individual or individuals and almost being a midwife type of a person. When these farrowing operations are there, they take great care ensuring that every piglet is saved and the safety of the sow is ensured.

Secondly, on the same note, the same thing happens in a calving barn on a cow-calf operation. Exactly the same thing happens. I have seen farm workers sit there for 24 hours, and as a

matter of fact some of the calving barns have beds and kitchens in them, as do farrowing barns have a kitchen facility and a bedding facility there that the people can stay there.

The fear that we have that I hear many farmers express now is this government, because of The Labour Relations Act that was brought forward and the changes made to The Labour Act, is it their intention to now classify many of the farm operations as factory operations and thereby bring in the exemption, or under that cloud bring in the exemption of The Employment Standards Act and also The Labour Relations Act? Is that the intention of this Premier?

**Mr. Doer:** Well, there is no plan on The Employment Standards Act dealing with farm labourers and the working conditions there. It would not fit into a 40-hour week and a 7-day week kind of provision. So the answer on the employment standards side is no. On the issue of The Labour Relations Act, I want to await the public hearings. We certainly have no plans on it, and if we did it would be in the Act right now. It has to mix following these proposed amendments right now. So it would make no sense to not make changes in a more comprehensive way at one point. You cannot predict the future. I am awaiting, I believe the fall is going to have the report from the committee we have established on livestock. There have been about 280 verbal presentations, about 80 written presentations. I will have to await the copy of that report, and the Member will get it at the same time.

**Mr. Praznik:** Mr. Chair, I want to return to the subject that my colleague the Member for Minnedosa (Mr. Gilleshammer) raised with respect to the editorial of yesterday in the *Free Press*, because I think this is a very, very important issue. We all appreciate that governments make pronouncements on policies or their parties do on the current state of where things are, and that we recognize that as time passes sometimes circumstances change which require them to take a course of action that they have not in fact contemplated at the time they made their pronouncements. We understand that can happen.

But in this particular case, we have the leading newspaper with the editorial board, who

met with the Premier when he was leader of the opposition, when he was preparing for or during the course of the election—I am not sure of the date of the meeting—but met with him. At that particular time when the Premier was attempting to create the image with Manitobans that it was a new New Democratic Party, when he was attempting to mimic somewhat the Labour Party in Britain and Tony Blair and to mellow that image that his predecessor Howard Pawley had left in this province of a government that was prepared to infringe upon free collective bargaining to eliminate the right to lockout and do other things, to tilt labour relations in a manner that did not serve the long-term interests of labour relations or this province, that that concern was there with the Premier.

Those editorialists asked the Premier, from what we understand—and my colleague the Member for Minnedosa has called them again and confirmed that with them—that he indicated to them in that meeting very clearly in anticipation of an election that it was not his plan, he had no agenda of labour law changes. He flagged with them that they clearly indicate some changes to workers compensation, some changes in workplace safety and health, but not changes to The Labour Relations Act. They have said that. They have confirmed that here again. So what happened? Why do we have Bill 44?

Now, I would understand if the Premier said, well, I said that to them, I stand by what I said. They are telling the truth, but something has happened. A crisis has occurred that we have to respond to. There has been a dramatic change in labour relations in our province. Something has happened that has required me to rethink my position.

I could appreciate that. I could understand that. I have said in the House when I was a cabinet minister that that sometimes happens, and it is understandable. We may not like it happening, and there is maybe a political price to pay for it, but it is part of the discretion of government.

This Premier, in the Century Summit he hosted after assuming office, did not raise the problem. He did not raise the issue. He did not say something has changed. What I told the *Free*



*Press* editorial board, what I told other Manitobans, something has changed that has required me to change my view. When we had the Throne Speech delivered last fall by this government, the issue of labour relations was never raised. Never did he flag with the Legislature, with the electors, with the people of Manitoba, that something had happened to change the scenario that would require him to do something differently than he told other people when he was seeking election.

\* (18:40)

Then, in this session, we see the introduction of Bill 44, which proposes the reintroduction of another alternative mechanism to free collective bargaining, the same vein as final offer selection.

*Mr. Harry Schellenberg, Acting Chairperson, in the Chair*

So I have to ask the Premier, and I know he has not given the Member for Minnedosa (Mr. Gilleshammer) a straight answer, did he or did he not say to the *Free Press* editorial board when he met with them that he had no agenda of labour relations law changes? Did he or did he not say that to the *Free Press* editorial board? A simple yes or no.

**Mr. Doer:** I mean, the simple yes or no, you know, this is not a court of law, and election campaigns are not Perry Mason reruns. The bottom line is that I was getting asked a lot of questions from business dealing with specific items. If my impression was that that was the item they were interested in, so be it, but it was on anti-scab and the old final offer selection. The anti-replacement worker legislation was not going to be part of our agenda.

When the Member mentions Tony Blair, Tony Blair has brought in legislation, new Labour has brought in 50 percent plus 1 in the U.K. You know, the expedited arbitration, with the greatest respect to my friend opposite, we even had some business people saying to us all the way through the time that the members opposite passed legislation that they did not promise in '95 that all this was doing was giving the lobbyists from the legal community more money and costing companies and workers more

to go to this kind of arbitration. I do not consider that to be a "major tilt." I think my comments were on the record in 1996.

**Mr. Praznik:** Well, Mr. Chair, I accept that the leader of the opposition voted against labour law amendments in 1996, but in the interim he met with a leading editorial board in our province, who he knew would have within its power the ability to influence many electors in the general election, that through its editorial pages and through the kind of coverage it provided of the campaign it could, it had the power to leave an impression with Manitobans that this was somehow a new New Democratic Party that was not going to return to the days of Howard Pawley. That editorial board stands by their editorial and their view that this Leader of the New Democratic Party and now-Premier said very clearly that he had no agenda of labour relations law changes.

Now, to have brought in a significant change to the certification process, to have brought in a dispute settlement mechanism that diminished free collective bargaining, certainly diminished, now with the amendments, the right to strike as well as the right to lockout, those are significant changes. The editorial and the *Free Press* editorial board has not said that the Premier said he would not bring in antiscab legislation. They said he had no agenda of labour relations law changes.

Yes, lots of things happen in a general election, but you know what confirms this view is the fact that the Premier did not raise these issues at his Century Summit, nor did he even raise these in the Speech from the Throne. So it really does raise that issue: Are these people not telling the truth? Was this a deception? You know I have to ask the First Minister again, because it is really important, what is so important here—and I know the Member can reference Manitoba telephone system and commitments that were made. Now if the Premier had said that and there was a significant change in the labour relations climate that could not be anticipated or could have been but had not been discussed, and he said, well, I have changed my view, yes, I said that but something has happened, I could give him credit for that, but he has brought no evidence to the people of

Manitoba that there has been a significant change or even a change in the labour relations climate between when he met with the *Free Press* editorial board before the general election and the time in which he introduced the Bill, and that is the difficulty because it does boil down to issues of credibility and how he can be believed and be trusted.

The concern for the business community, for the labour relations community, for the people of Manitoba is if they cannot believe what is being said here, and I give the Premier a lot of room because, having been in government, I know that from time to time you say yes, we want to do this, we want to achieve this, it is our objective, and things change, so you cannot do it. I understand that and there are political prices to be paid, et cetera, but that is a legitimate reason. Nowhere in here has the First Minister offered a reason why he has changed from what he told the *Free Press* editorial board prior to the election and his government's decision to bring in the legislation. I ask him, are these people not telling the truth? Are you saying the *Free Press* editorial board got it wrong? Or is there some event that occurred that would justify this change? We would like to know, Mr. Premier.

**Mr. Doer:** Well, as I say, the impressions they had are their impressions and they are entitled to them. They are entitled to their opinions. They want us now to break our promise on the tuition fees.

**An Honourable Member:** That is free advice.

**Mr. Doer:** I know it is free advice, so their impression was that that was a promise we made that we intended to break, I suppose. That is their impression, that we intended to break that promise because we made it and we now should break it. Fair enough. I recall the meeting was very, very short in discussion on labour management relations. My recollection was more in many more business meetings where it took a lot more time because they had more concerns about the anti-replacement worker legislation. I have already gone over that. Before the Member got in the room, I spent a lot of time with the editorial board on our five commitments, and most of their questions, quite frankly, were on balanced budget, and actually on Hydro

development, are we going to take over the telephone system again. There were a lot of questions on Crown corporations. I remember the staff there were very interested, and I remember most of the other questions were centred around the editorial policy of the *Free Press* dealing with the City of Winnipeg.

**Mr. Gilleshammer:** The Premier is now talking about the impressions that the editorial board had, and wants to, I guess, leave us with the impression that there was a wide-ranging discussion and that they had some impressions of that meeting. The editorial in yesterday's paper is very clear. It says that Mr. Doer's answers were clear, and they were reassuring to the editorial board, who asked whether there were going to be labour law changes. I think to take this editorial and the very definite conclusions that they reached and call them impressions is doing a disservice to the editorial board. The editorial board stated today, in discussions we had today, that you were clear, and you reassured them that labour relations changes were not on your agenda.

*Mr. Chairperson in the Chair*

The question is: Is this true or are you saying they are wrong? They are either right or they are wrong. They do not talk about impressions. They say your answers were very clear, that you would not be moving toward changes in the labour relations laws. I think to elevate this to impressions that they may have had is certainly doing their integrity and your integrity a disservice.

**Mr. Doer:** I am trying to recall the conversation which, as I said, was short on this subject, but my impression, based on the whole campaign, was the majority of the interest I was getting from people opposed to, potentially, these kinds of general issues were: (a) interested in balanced budget legislation; and (b) interested in anti-replacement worker legislation. Maybe because I had the question at least 20 times in the election campaign that is what my impression was about some of their general concerns. I did not bring it in, and I got asked the question a number of times. I am not disputing. They are entitled to their impressions, and I do not think we spent a lot of time on this issue, as I recall.

\* (18:50)

**Mr. Gilleshammer:** Yes, that may be so, that there was not a lot of time spent on this, but you know full well, sir, that previous NDP governments in Manitoba had certain legislative agendas. When you come forward and say we are Today's NDP; we are different from them, it is a very logical question for them to ask about your links with the labour movement, your own personal background.

There were questions asked throughout the province by the public to all of your candidates, I am sure, to probably candidates from all parties. It is a natural thing for the editorial board to say: What direction are you going with labour law? Will you be bringing in labour law changes? The editorial board was not left with an impression. They were very clear, and they felt that you reassured them when you said, no, we are Today's NDP. We are not going to do that. Then, consistent with that, this was not mentioned in the Throne Speech or at the Century Summit or in your speech to the Chamber of Commerce. In early July, this was brought in.

So we have a credibility issue here, where the editorial board of the *Free Press* are not saying that these were vague discussions and generalized discussion that was going on. This was very specific questions and your answers were very clear. I know that you were a busy man during the campaign. I think you take some pride in being consistent. You said to them you would not be bringing in any labour relations law changes. Now we are faced with Bill 44. So we have a credibility issue here, either with you or with the editorial board. I guess I am asking: Are they wrong? Are they wrong in the conclusion that they reached that you had given them a very definitive answer?

**Mr. Doer:** I just want to say that I do not consider the proposed changes before this Legislature to be very "significant swings" in the balance of labour-management relations in Manitoba. I also feel that the criticism made by members opposite and by some representatives of the business community about the second vote was legitimate, and that is why we amended it; because I think that is consistent with what—the

Minister did move an amendment here yesterday, and I think that is appropriate.

We have the Member for Lac du Bonnet (Mr. Praznik), in 1992-93, talking about 65 percent, and that being a very democratic provision. I do not consider expedited arbitration or some of these other things we have passed, or propose to pass, we have not passed them and that is up to the members opposite. I do not consider those to be—we will find out. Time will tell whether it is the kind of sky is falling scenario that has been purported by people or a kind of rebalancing of situations. Productivity continues to go up and the economy continues to perform, as was just indicated to me today by the new Conference Board results to be upwardly projected. All the predictions about doom and gloom and everything else have been adjusted upward.

**Mr. Chairperson:** Before we proceed any further, the Chair wishes to announce that the Committee's time has been extended for another hour.

**Mr. Gilleshammer:** Mr. Chairman, what the Premier has just said then is that these changes brought forward in Bill 44 are so moderate, are so modest that both he and the editorial board are right; that these changes to the Act are so insignificant that he, in fact, was correct when he said that he was not going to have labour relations law changes; that the editorial board understood that there would be absolutely no changes in labour legislation. What the Premier is now saying, and I would like him to confirm, that these changes are so moderate and so modest that you were both right.

**Mr. Doer:** There are so many words you are trying to put in my mouth with that question. How many words can you put in my mouth at one time? At least 86 or 87, and they are all very good, by the way. I have to say to the Member opposite, they are all very—we are both right, and we are both wrong.

I think it is safe to say that this was not an item that took a lot of time on our agenda. I do not believe that there was an emphasis on this going into our government. I think there were more questions on Today's NDP on Crown

corporations. When you asked a question about Today's NDP, there was a lot of interest, as I said before, on downtown Winnipeg, a lot of interest, and I will have to see if we have some notes on this, a lot of interest in the balanced budget, and a lot of interest in the telephone system. They really wanted to make sure that we did not repurchase the telephone system. They argued that we should almost sell Hydro, I think, too. Again, I am just going by memory.

They have the right to interpret what we are doing. They have done it. I think they are interpreting the proposals in Bill 44 to have more consequence than we have, but the *Free Press*, with the greatest of respect, the last editorial I read that affected us was: Break your promise on tuition fee cuts. It was a bad idea.

I do not like fighting people who buy their ink by the barrel. I generally find that disagreeing with them does not win, so they are usually always right.

**An Honourable Member:** We are inviting you to tell them they were wrong.

**Mr. Doer:** I know you are inviting me to do that, by putting words in my mouth.

Let us put it this way, when they wrote their editorial to see who they were going to support in the election campaign and have this huge swing that the Member for Lac du Bonnet (Mr. Praznik) determined, I think they went through a whole page and did not make a decision. Perhaps no matter what any of us said to them it did not make any difference, in terms of the impressions at the end of the day. They said let the people decide and ultimately the people will decide in '99. If the sky falls in three years on this labour bill, the people will know that the members opposite are right. If the sky does not fall, they will know that their silly singing today in the House was all to nought. I hear it was good though. I am sorry I missed it.

**An Honourable Member:** You did not say that to your friend on CJOB this morning.

**Mr. Doer:** He is a better singer than both of you that I understand led the song, with no disrespect.

**Mr. Chairperson:** The next member on the list is the Member for Brandon West.

\* (19:00)

**Mr. Scott Smith (Brandon West):** I see the members opposite have a lot of energy and are expending that quite well here. Mr. Chair, we have extended past for an hour. I wonder if the Committee would consider a 10-minute break.

**Mr. Doer:** I believe I was asked to come in from quarter after five to six o'clock. Do you want to keep asking me the same questions?

**An Honourable Member:** No, we have more questions, many, many more.

**Mr. Chairperson:** Who wants to speak now?

**An Honourable Member:** I have a question.

**Mr. Chairperson:** The floor has been for the Member for Brandon West. Are you yielding the floor to the Member for Lac du Bonnet?

**Mr. Smith:** If the Committee is not in favour of taking a break, that is up to the Committee.

**An Honourable Member:** Do you need five minutes?

**Mr. Doer:** How much longer do you want me here?

**An Honourable Member:** Could be an hour.

**An Honourable Member:** Could be two hours.

**Mr. Chairperson:** What is the pleasure of the Committee? Okay, 10-minute break.

**An Honourable Member:** Mr. Chair, in relatively efficient use of the Committee, I wonder if the Minister of Family Services might take the chair for 10 minutes while the Premier takes a break.

**Mr. Chairperson:** Any suggestions? What is the pleasure of the Committee? *[Agreed]*

He is now ready for the questions.

**Hon. Tim Sale (Minister of Family Services and Housing):** Well, I do not know about that.

**Mr. Chairperson:** That was my impression, because he sits here.

**Mr. Cummings:** Mr. Chairman, I appreciate the Minister of Family Services making himself available. *[interjection]* It is amazing how polite we can be if we choose to be.

It has just come to my attention, and perhaps the Minister of Family Services would have thought that I would have had this issue in front of him sooner, but I wonder if he would—I am sure he is familiar with the organization known as Concept Special Business Advisors. It has come to my attention that they believe they are an organization that has provided service to help the disabled get into the workplace with a pretty long history, about 23 years of activity, I understand. I wonder if the Minister is familiar enough on a one-on-one situation to provide some understanding as to why this organization may or in fact, as I have clearly been told, they will not be funded this year.

I think given that long a history, it is only fair that the Minister may want to provide some public rationale as to why he has chosen not to fund what seems to be a certainly well-intentioned organization providing a valuable service.

**Mr. Sale:** Mr. Chairperson, I appreciate the Member's question. He would not have known during Estimates that that decision had been made, because it had not been made during our Estimates debate. It was under consideration. The agency has been under review for quite a while, certainly back into the previous government's time, when there were concerns about the agency's, basically, efficiency and appropriateness of the training. Let me put a little bit of history in perspective on this for the Committee.

Concept Special Business was created to deal with very high need handicapped people who would normally find it extremely difficult to find their way into competitive employment. There were no agencies at the time that were aggressively working with this particular client

group. Concept was somewhat unique in that almost from the outset its executive director was a person with a fairly severe handicap, a severe speech impediment and significant motor impairment as well, a very intelligent, capable person by the name of Brian Stewart. I am sure the Member is aware of that.

The agency initially thrived fairly well and provided a fairly significant volume of service at a high level of competency to very difficult people. Of course, its success rate was not 100 percent by any means, but I think the community was generally satisfied with Concept. It had a strong board at that time and basically things were good in the first numbers of years. Over the last few years, other organizations that are now providing similar kinds of training to similar levels of individuals have come into being. At the same time it became clear that Concept was not receiving referrals. I do not want to go into the reasons in the Committee as to why we were told that was the case, but suffice it to say that there were a number of reasons alleged by numbers of organizations and individuals that might otherwise have been referred or accepted referrals to Concept.

Concept is a relatively small agency in overall terms—\$137,000 is the annual budget roughly—and it had an executive director, support staff person, and two trainers for that money. So you can imagine, these are not high-salaried people. But what had happened over the last several years, and it certainly had come to the attention of the Department a year and a half to two years ago, was that referrals were not coming in and cost of training per trainee was very, very high because there were a small number of referrals, but the budget did not go down. Given the size of the agency, you cannot really shrink the budget to deal with a smaller number of referrals because essentially it is a barebones staffing level now. So it is not very efficient to have one or two trainees at any given time in an \$137,000-a-year agency.

We met with the board. I cannot give the Member the exact date when the process of working with the board began. I am trying to be as forthright as I can here, but my impression is that it began just before the transition of government and went through the fall and into the

winter. A board at that time was virtually non-existent, so a new board was recruited, but the total number of people on the board was small. Dr. Henry Enns, an honorary doctor, but Dr. Henry Enns was the chair, recruited, and several other people, but the board did not ever reach its full complement.

*Mr. Daryl Reid, Acting Chairperson, in the Chair*

The Department asked them to provide a kind of renewal plan and at the same time to deal with some of the serious concerns that have been raised about the quality of training and the quality of administration. We gave them some time to do that. When we reviewed the work, we came to the conclusion, rightly or wrongly, that the agency was not going to be able to provide quality training at an acceptable volume and that the confidence of the referring community just was not there. So, as you might imagine, as the first minister in Manitoba's history to be responsible for persons with disabilities, it was not a nice decision to have to make, not one that I was very happy with. I have also known the individuals involved in that agency for many, many years, so this was not an easy decision. The decision, however, was made and communicated to the board about six or eight weeks ago.

We have also informed the broader community that the funding for Concept would be reallocated to similar high-need training opportunities that would provide better stewardship of the funds. We provided Concept with wind-down time and money to meet their obligations, ensure that staff have a decent period of time with which to figure out what alternatives there may be for them. As the Member, I am sure, would understand, this was not an easy decision.

\* (19:10)

**Mr. Cummings:** I appreciate what the Minister said. While I am not intimately familiar with the operation of this organization, I have followed up with a few questions to Mr. Stewart, and he has, in part, provided answers in advance to a couple of questions that I was wanting to ask him. It may well be too far down the road, but

when the new board—and this is a problem when there are third-party organizations that the Department funds. I think I expressed some amazement at the large number of third-party delivery funding agreements that this department has to deal with as I am learning more about the actual workings of responsibilities in the area.

I wonder, can the Minister assure me that there was, and he has in part done it already, a genuine effort made to try and put the operation on a more forward-looking basis in order to attract the clients? At the same time, he might comment on whether or not he is satisfied that there was not some hidden agenda. No one has suggested to me there was, so I am asking the question without any preamble. I hope there was no hidden agenda by what, in some respects, could be seen as competing organizations to—if this organization was not in business—pick up their responsibility. I am assuming that there was not. But I would like to know if the Minister has given that any thought or has any thoughts he could share with me.

**Mr. Sale:** The Member probably knows that there is a resource organization of about 22 agencies that meets fairly regularly with our assistant deputy, Martin Billinkoff, and is actually co-chaired by Martin, and Brian Stewart, and has been meeting for some time, a number of years. In other words, there are a large number of organizations out there who might conceivably think that there would be some benefit. I think that is a hypothetical situation. But I can just tell the Member that if there were, I would not have supported it if I had any sense that any organization had a vendetta going. I have known Mr. Stewart for many years. He has been an effective advocate for people who carry disabilities in their lives.

The Member probably knows that I have worked in that community as a consultant, and I know the community pretty well. I have no evidence, and no one has even whispered to me a suggestion that someone thought they could benefit from a vendetta against this organization. I think, in fact, what I have experienced is mostly sorrow that this has not worked out. But I would also say to the Member that people generally couple that with a kind of sense that that concept had seen its day and that it had been

a very good pioneer 20 years ago, but that times had passed it by to some extent, I guess. There is, I think, a sadness, but also a realistic acceptance that this was probably the right decision.

I just say again to the Member that I am sure he would understand that within two months of being named by our Premier as minister responsible, this was not a decision that was a pleasant one to have to make.

**Mr. Cummings:** I accept the Minister's comments. That is why I am being as thoughtful as I can in asking the question. Because it struck me as being, on the surface, counterproductive given the mandate that he had been given.

On another aspect, but related in the sense of third-party funding, in the area of discussions that the Minister may have had—well, I am sure he has had—with sheltered workshop settings, third-party organizations that run group homes or sheltered homes, assisted living in the community, there was I am sure—and let me choose my words, carefully—it is my understanding that the Minister acknowledge that he was looking at improved funding. He, either through himself or through members of the Department in discussions, left the impression with this community that certainly they were looking at what I would openly acknowledge had been a pent-up demand for improved salary recognition within the area.

The Minister has made some significant announcements in the area of day care, but some of the numbers that I heard thrown around in terms of available funding for distribution to these communities sounded somewhat familiar to the numbers that were out there in terms of funding that was allocated to the day-care community. That led my suspicious mind to ask: Does the Minister believe that he will arrive at a new funding envelope in this area, particularly toward support of workers, in an effort to try and keep them on a consistent basis? Turnover is expected, but when the salary is lower than competitive rates, it is higher than it should be.

To be blunt, I wonder if the Minister has financially, at least, cast his wad in the one area this year, and whether or not he will, in fact, be

able to anticipate being able to have money to actually fund changes in this other area. I do not need to know how much, and I would not expect him to share how much with me, but in ongoing discussions on this side of his responsibility, can he assure me that he still has some monies left in his envelope, funding in his department that he will be able to deal with, before the financial year-end, some of the demand that is now surfacing and certainly has, by implication, expectations?

I am not trying to make this a long and convoluted question, but I want to make it so that the Minister can answer me relatively easily. I am not asking for specifics, but I want to know if he has money that he expects to be able to allocate, or will these be negotiations that may go through into his next fiscal year?

**Mr. Sale:** Yes. I will be a little more expansive than that. Generally, yes.

The Member knows, I am sure, from his discussions and probably from his home community that there are approximately 3500 Manitobans living in residential communities in the community, as opposed to in institutions, at the present time. The people who support them, depending on, of course, their level of disability, do very difficult work and very demanding work and very personal work. There is a huge, huge salary range for these people as well as a huge retention range, and the salaries range from \$6 an hour and \$6.25 up to \$14 or \$15.

I am not blaming the previous government or any government, but unfortunately this is a relatively new service area in human service terms, and so what has happened is that many, many smaller agencies have arisen, one at a time, here and there, and they have been dealt with one at a time, here and there. Instead of having a policy framework and a pattern within which you then expect certain levels of service and fund certain levels of service, we just have a mishmash of your agency gets enough money to pay its workers \$7 an hour, and your agency gets enough for \$12 an hour. There is no pattern.

\* (19:20)

We were facing tremendous problems all over the province, not in any one region, but in

different situations where agencies that had been brought in at a funding level that allowed for \$7 or \$6 an hour could not keep anybody. You cannot work with disabled people with a constant turnover of staff. So we have put in place a targeted program. The community is aware of it. We have written letters. We have asked for budget and salary information so that we can target funding to the agencies that are least well funded. That is a first step toward getting in place a pattern of support that will have some consistency to it. At the same time, we want to have also a pattern of expectation in terms of quality of service and the training of staff.

I think in any new field, the Member would agree, you have to develop what you are doing, figure out how to do it right, and then get some standards in place so that there is some consistency and some accountability across the system. That is what we are doing, and we are just in the first stage working with the groups that are paying less, the lower rates. Letters went out I would think a week ago to all of them. They were made aware of this about two months ago or so when Estimates were first introduced. The kind of paperwork of doing that is underway now, the expectation that money will flow in October, the third and fourth quarters. So, yes, there is an annualization next year, but it will start in the third and fourth quarter of this year.

**Mr. Cummings:** I thank the Minister for his answers. I would relinquish the mike to my colleague.

**Mrs. Driedger:** Just a couple of questions. I wonder if the Minister could tell me how much activity there has been in looking at the issue of a safe house for child prostitutes. I understand that he had received one request from the community to look at the issue. I understand there was another request, but I am still trying to track down that second one.

**Mr. Sale:** The second request may be the same one we are trying to track down.

Save the Children Canada have been flying around as though they had some mandate or money to do something, and yet they do not seem to even be incorporated in Manitoba in

terms of any ability to actually mount a project. So they seem to be looking for a third party who would be the sponsor for such a project. They initially told us that we did not have any role in this and that they were bringing bags of federal money to do this and they just wanted us to know they were coming. Then on a second go-around, they wanted us to immediately agree to put up significant amounts of money and wondered why we were not present, active with their plan.

We have never seen a plan, and in the first place we do not have a business plan from them as far as I know. The fairly strong community I think that the Member is aware of that works with child sexual abuse and kids on the street prostituting or whatever, there is a pretty good network of agencies in Manitoba that may not be adequately supported, but they know what they are doing and they are out there. We do not get a sense that Save the Children is in real contact with that group either. Well, I am trying to be polite. The Member said they are not, and I am simply trying to be polite here.

But I think my preference is to work with local groups who know what the street is all about and New Directions is certainly one of those groups. I think there may be something happening through the federal government and New Directions in the relatively near future. Frankly, our department has not been asked nor been given a kind of specific plan. The committee that works in this area became somewhat inactive. It is now being reconstituted and re-energized.

**Mrs. Driedger:** Could the Minister just indicate for Save the Children, was Cherry Kingsley the person who was heading that up that you might have had contact with? She would have been from British Columbia.

**Mr. Sale:** My staff tell me that that is the name. I have never met with them, I have never met with that person, but my staff indicate that that is the name of the person.

**Mrs. Driedger:** I wonder if the Minister could indicate for me, in two other Estimates I tried to find out from, firstly, the Minister of Justice (Mr. Mackintosh) a little bit of information about the



Healthy Child Initiative and the meetings held by the five cabinet ministers that supposedly meet to provide direction and policy around these issues. The Minister of Justice actually did not have an answer for me. It almost appeared that the way his answers came out in the Justice Estimates that that particular group had never met. When I asked the question in Health, I was not given an answer. It was handled in a very evasive way. I became very concerned that in fact from both of those ministers when asked with their lack of being forthright, it appeared that the five cabinet ministers that were meeting and setting policy around this issue, I was quite concerned that perhaps they had not been meeting.

I wonder if the Minister could tell me exactly what is happening in that area. I would have some concern that some of the really good progress that was being made by the Children and Youth Secretariat, the momentum that had finally developed, which actually now in the past several months, I do not know what is happening. I do not even have a sense of momentum there anymore. I wonder if the Minister could give us some reassurances. I really do not want to see children's issues fall through the cracks. If he could start with the answer on the frequency of meeting of the five cabinet ministers, because I know in government our cabinet ministers were eight that addressed this issue monthly.

**Mr. Sale:** Well, I am pleased to tell the Member that that is the pattern that we have adopted as well and that the minutes of the meeting go to cabinet for cabinet's consideration as well. We have recently approved the various guidelines for some of the initiatives that we spoke about that are going out to the community now for their review and feedback, parent-child centres, for example, being one of those. The initiative, as you know, has an additional \$2.8 million allocated to it this year, which is a very significant increase on the base that was provided in the former Children and Youth Secretariat. We have just hired the new director, Dr. Heather Hunter. She started last week in her new position.

I think that if you actually check with the community, you will find that in fact there is all

sorts of energy being injected into this field. I am not going to be critical of the previous government in this regard, but the FAS/FAE conference had 700 people at it this May, and it was extremely well received. Manitoba was seen as having mounted a very effective conference. I can tell the Member that when you compare what is going on in the Prairie provinces, including Manitoba, in FAS/FAE, there is no place else in the country that can hold a candle to it in terms of quality program and awareness.

When you examine what we have done in our area in terms of early childhood education, the BabyFirst and EarlyStart programs have been added to under our government, funding has increased, numbers of sites have increased. I am extremely encouraged that the three northern territories have joined the Prairie partnership now, become part of the FAS/FAE initiative, so that our reach and our ability to deal with that issue is greatly strengthened. They joined on in January. So I am not sure where the Member would get the idea that there is some lessening of initiative here.

It is under this government's initiative that we have reached a tentative agreement, subject to the restoration of the Canada Health and Social Transfer, that we will have an early childhood development agreement in this country, a very positive step. I am not wanting to pat myself on the back, but I have spent a great deal of time with our federal and provincial counterparts in this area seeking a consensus with the federal government on how we can move forward on early childhood development. I eagerly await the first ministers' meeting at which that might come to fruition. I seriously believe that it will, but it obviously awaits their decision.

So I do not accept the Member's view that we have lessened our priority here. In fact, if anything, it is very substantially added to with the new resources of which I spoke: \$9.6 million into day care, which is certainly child related; increased numbers of spaces; bringing the numbers of special needs kids up to a thousand children accommodated in our day care centres now, who, I think, can only benefit from such support. So I hope the Member will continue to be supportive of this initiative and will see, as

we move along, that it is growing and that the foundation that has been laid is going to be well built upon.

\* (19:30)

**Mrs. Driedger:** Certainly I will be supportive of the issue. You know any issues that are going to impact so positively on children, I am very supportive of. My concerns arose I guess after having run into some staff from the Department who felt that the momentum had been lost with the changes that this government had brought in. So I did have some concerns, not hearing too much specifically in that area. I am glad to hear that there are some new initiatives.

When the two other ministers refused to even tell me whether or not the cabinet ministers had met, then I did become quite concerned about who was involved, because it is very, very multi-departmental in terms of the scope that needs to happen to make this really, really effective. They were both defensive and basically would not give me the information, which was a very straightforward question, I think, and a legitimate one.

Our ministers, when they met it was very public. It was not a big secret how often they met. Then when I could not find out from these ministers, I had some concern, I had a red flag go up. That is why I am glad I have had the chance to ask you, but I would like to ask the Minister—

**Mr. Sale:** Just to let the Member know that the next meeting is September 11, just so she knows.

**Mrs. Driedger:** Is that an invitation? I am not sure the Minister would be prepared to tell me, but I am curious as to when this particular group started meeting. Were the two other ministers evasive because it only started recently?

**Mr. Sale:** The first meetings around this issue took place in the planning of Estimates. The departments who had seconded staff to the former secretariat met through the process of Estimates preparation. Obviously the policy decision about direction was made during that time.

So ministers began to meet on this issue I do not know whether it was before Christmas or just after Christmas, but the meetings were not regular. There were more meetings than one a month at some points of the Estimates planning process. We met, I would think, four or five times in total over a fairly short period of time. Then when we got into the Estimates process, when we were into the House, we had fewer meetings because there were a couple of other things happening at that time.

We have everything to be happy about in this initiative, so I am happy to share with the Member. What we did was ask our staff, most of whom she knows, I would expect, to prepare a strategic plan for the new initiative and to figure out how we would keep the actual service delivery responsibilities lodged in the appropriate departments while keeping a focus on this whole area from the five major departments. I think I said in Estimates to the Member for Ste. Rose (Mr. Cummings) that my concern with the Secretariat is that it is a great idea as long as the job of the Secretariat is to develop policy. When the Secretariat becomes a program delivery entity, then you get into problems, because you have got your departments delivering programs here, and you have got your Secretariat, that does not really have much administrative strength, delivering programs over here.

So the name of the game was to get this initiative lodged in an appropriate place and make sure the departments really had a responsibility for carrying out the direction of government, and we are doing it, not just lobbing it off to a Secretariat saying, you do it, you do it, you do it, because the Secretariat really did not have the horses to do all the things they were being asked to do.

So the planning of that and the agreeing on all of the guidelines for how we would do it took probably the best part of seven or eight weeks. Once the committee of ministers started to meet, it has met on a monthly basis, and I expect that will continue for some time.

**Mr. Mervin Tweed (Turtle Mountain):** I have a few questions for the Minister. I will under-

stand that if he does not have the information that I would just ask that he could provide it.

**Mr. Sale:** I wonder if the Member could use his mike. I cannot hear what he is saying.

**Mr. Tweed:** Sorry. I just have a few questions. I know there is another group ready to go. I have had some calls from families of the residents of the training centre in Pelican Lake at Ninette. I am wondering if you can tell me today or in the very near future if the removal of these residents and placing them throughout the province is on schedule.

**Mr. Sale:** The short answer is yes. We expect to have the last residents placed in November. I think the Member can probably understand that it is difficult if you simply are moving one or two at a time. It is almost better to move a group out at a time and keep a group together because it is hard for those who are left. We are trying to be sensitive to that dynamic and move people in groups and keep groups together as long as that is possible in the remaining pods of people that are there.

So, yes, it is on schedule. It is going very well. I am really pleased, and I am sure the Member is pleased, with the opening of the new agency services in the immediate area that are going to employ a fair number of the staff as well as some new people in that general area of Ninette. I am extremely pleased with that development, and I am sure he is as well.

**Mr. Tweed:** Can the Minister just advise if his department has had any participation in the new homes in the regions? I am talking, I guess, specifically financially.

**Mr. Sale:** My understanding, although I would need to get a detailed briefing on this to be completely up to date, is that, yes, of course we have. We have met with the proposed operators. Certainly Eleanor Struth, think is her name, in fact, the Member may know if I am being incorrect in her name. We have worked very closely with her around the day programs. I believe, if memory serves me, I think there are four new residences contemplated at this point, although I would not want to be held to that number. I may be inaccurate but I think it is

four. Certainly we will be involved with funding those residences.

**Mr. Tweed:** The committee that has been organized I am told is doing an admirable job. I would if I could just like to give the perspective of the events or of the issue out in that particular region at this point in time with the facility that is being vacated. The communities around there believe that the facility belongs to that region. I know there has always been an argument over the Sanatorium Board owning it or local community. I would just like to advise the Minister that the community's feeling is that the facility was originally built by taxpayers' dollars, by local community taxes raised specifically for that.

Over a period of time, the facility, I think more for convenience of doing things within the grounds and within the facilities, was turned over to the Sanatorium Board. It is my understanding and anyone who can recall the history suggested that it was turned over for a dollar to make it legit, but the sense and I think the understanding was that it would always be owned by that particular community. I can certainly say my experience has been that the Sanatorium Board believes that it does own it and probably technically it does, but I think my sense was that when an understanding is out there and things are done for specific reasons to assist the programming and the things that were going on at that particular facility, that the people believe that that agreement is out there and exists.

I am sure if you were to talk to anybody in that particular region, it has almost become like an urban legend in the sense of what people believe. I accept what they believe. I think that there are people that have collected the history, and that is what they have come to, that resolution. I think it is important for you to know that. Because the community is trying to build the homes that are necessary or create the homes and the opportunities. I think that is one thing that I can say with quite a bit of confidence is the people of that particular area, as I am sure they are in most parts of Manitoba, sometimes accept what happens to them, whether they like it or not, and try and make the best out of it. I think that is a strength that we share out there.

\* (19:40)

There is an issue over the facility. The discussion is over ownership. Again, community believing that by natural right it belongs to that region and that area. I understand the Sanatorium Board is looking to try and raise some funding for certain things that they are doing in their line of work. I understand that. But I do not think that they understand the sense of community and the feeling of community in that particular part of the country. I guess all I would urge the Minister to do, if he knows what level the negotiations are at—I am told that there is not much communication between the community and the Sanatorium Board—is get involved and help the community out.

I think they have lost a tremendous financial opportunity with the closing of the centre. They are looking for alternative ways of utilizing that facility which they believe the community owns, and are trying to create some economic opportunity. So I would just ask that the Minister communicate with both sides and see how negotiations are going, or if he is involved, encourage them to move forward and perhaps offer whatever assistance his department can do for this community.

**Mr. Sale:** I thank the Member for the long statement about what obviously, it would not be an urban, it would be a rural mess. Doctor Stewart of Killarney, who I am sure the Member knows, his father was the first superintendent, has written extensively about the history of Ninette. I think he has made a very persuasive case that, in fact, the facility should be deemed to be a publicly owned facility that has really been built with, operated with public money from the outset. I do not believe the Member is correct that there ever was a transfer for a dollar, because if there was, the issue of ownership would be clear.

*Mr. Chairperson in the Chair*

I can tell the Member the issue is not adequately clear. We are in discussion with the San Board. We are the interim managers of the facility. Ultimately, when the facility is no longer needed for its current purpose, the San Board is going to have to carry the costs of

looking after it. I do not suppose they will be very pleased about that, but they assert ownership so they are going to have to carry the costs of ownership. I think the former minister of Health is probably seized of this issue, as well.

I will just tell the Member that if he can find the caveat that was registered in 1923 in the Land Titles Office down there, and can come up with that caveat, he could probably solve the question. I would suggest this would be a really good project, because we have looked for it. Our legal department has looked for it. The Land Titles Office have looked for it. We have asked the San Board for it. Nobody can find it. However, because we are diligent New Democrats, we are still looking.

We will accept help from any quarter. If the good Member for Turtle Mountain can shed any light on where that caveat has gone. It is interesting that the number of the caveat exists on the title. The date of registration is there. I do not remember the date but I think it was June of 1923, some time like that, but nobody can find the actual caveat. I do not know whether there was a flood or whether there was a careless filing or what, but we are still looking for it, because that would probably sort out the question.

In the absence of that, I can tell the Member that the weight of opinion is that the San Board is the de facto owner and that it would be difficult to overturn that ownership at this point. So we are working with both parties and we are committed to the economic development initiative that I am sure the Member knows about with the tourism potential of that area. I have met with that group. They are hoping to move forward in a tourism promotion kind of scenario, although they are not seeing their entire work as related only to the facility. They have a broader vision of what their work ought to be, and we support that.

**Mr. Tweed:** I just want to assure the Minister, if you have been looking for it as long as I have, I suspect we are not going to find it. Again, all I would ask is that you keep involved with it and keep moving it forward. I appreciate your answers.

**An Honourable Member:** Mr. Chair, we are asking for the return of the First Minister.

**Mr. Chairperson:** First, the Member for Lac du Bonnet, then the Member for Ste. Rose.

**Mr. Praznik:** I am going to yield.

**Mr. Chairperson:** You want to yield to the Member for Ste. Rose?

**Mr. Praznik:** I am going to let him go ahead of me and I will take the spot after.

**Mr. Chairperson:** Well, seniority counts.

**Mr. Praznik:** I do not know what that means, but it counts for something.

**Mr. Cummings:** We had a fair bit of discussion this afternoon with the Minister of Health (Mr. Chomiak) based on the questioning that flowed from Question Period this afternoon. There still seems to be an unwillingness to acknowledge that it appears, in fact, I would say it is becoming more and more clear, although the Government does not yet acknowledge it, and I look to the First Minister for leadership in this respect, that there is a significant deficit developing in the Winnipeg Health Authority, or whatever title we should be referring to them by today. The Minister of Health, by not answering the questions, has really left us with the clear understanding that there is a \$10-million-or-more deficit currently looming. I wonder if the First Minister has had any communication in this respect that he would like to share with us.

**Mr. Doer:** Well, I would understand why members opposite, with the \$300-million deficit over the last few years in health care, would want to know what the status of the current fiscal year is.

I would point out a couple of things. We have reduced the spending in the budget from over double digits in 1999-2000 to just at 6 percent in terms of this budget. We are incorporating all of the wage increases negotiated by previous members that were not budgeted, as Deloitte and Touche had identified in a couple of areas, not all areas, but the nurses negotiations were dealt with, but the CUPE

health care sector was not the 3, 2, 2, with a 2% adjustment on top of that.

The indications we have had so far is there is \$800 million, if you look at a third of a fiscal year, and we have not got the complete results yet, but we go in quarters. The first third of the year we certainly believe that we have some challenges in the budget but that we have some very good progress on some budgeting accuracy and the results from various institutions. There are some that are a little bit below expectations, there are some that are a little bit higher.

\* (19:50)

In terms of the \$800 million that would flow in health care in the first one-third of the year, we generally feel that we are operating close to that amount, subject to some more numbers to come in in the next quarter.

**Mr. Cummings:** Well, let me be a little more specific. I think the First Minister knows very well what we would like to have a better understanding of. That is in the area of cafeteria expenditures, which has more than once caused significant grief and debate related to whether or not this is a funded service or what sorts of revenue stream it might produce. If it has a shortfall, who picks up the shortfall? We are getting a clear picture that there is a shortfall out there that is about to have to be met by some portion of a budget or of fundraising. There are only limited sources of revenue that are available, self-generated revenue being the third one that I am aware of. The Premier has alluded to the fact and let us put it together. He built in the increases that we put into health care. He has just indicated that he built in the increases of negotiated settlements plus a 6% increase, as part of a 6% increase.

They have taken considerable pride in saying that they can manage these budgets better, that there will not be any deficit shortfalls. Yet at the same time we tried to always indicate that dire and pressing needs in the health care system would be funded in order to make sure that no one was denied appropriate health care, pressures were met, at the same time applying pressure to make sure that the facilities

and the regions made every good effort to achieve their budgetary goals.

The Minister of Health seemed to have left us with the impression that budgets are pretty well cut and dried and that regions will be expected to meet those budgets. So there is a gulf in between there. Part of that gulf, it strikes me, is going to be exacerbated by what may well be a shortfall in an area such as funding cafeterias.

As I said before, if that information were to have come forward in my presence when we were in government, we would have sat up and taken significant notice of it. I challenge the Minister of Health (Mr. Chomiak) whether or not he might have had perhaps a lapse in having seen that, and I would give him that. I mean he is a busy man. Surely, on contemplating this, between he and the Premier, they must either have or have not seen this as being flagged, and we would like some confirmation.

**Mr. Doer:** The Minister has answered these questions, as I understand it, for a couple of hours. Let me just give you some feedback. *[interjection]* Well, he learned well. Let me just give you—

**Mr. Chairperson:** The First Minister has the floor.

**Mr. Doer:** Thank you. It was interesting because a few months ago I went to a Concordia Hospital event, and the CEO and the chair of the board both said to us it was very helpful in budgeting to get a budget number before the year started for the first time that they could remember.

Now the second point to make is it is not a 10% increase in the budget. It is lower. I guess each percentage is worth about \$20 million, if I am not mistaken, in a budget, even more. So it is quite a bit less in overall terms to accommodate the wage increases that were negotiated by members opposite. So we are ratcheting down the percentage increase, giving notice earlier to the number that has to be achieved, and thirdly, we are receiving reports. We are getting ongoing reports across the system of both the patient care situation and other important management information. I think it is safe to say our pre-

liminary number from Deloitte and Touche was reduced by about \$20 million to \$30 million, a few million dollars at least in the last year on the health care side.

On the issue of cafeteria, let me just go back to Concordia Hospital as well. Part of the original management plan was, as I recall it, to eliminate the cafeteria, but the staff wanted to eat there and management could not lose the nurses and the doctors. So management then was left with a management plan that assumed that the cafeteria be closed and patient care dictated that it was better to have doctors and nurses around for patient care.

**An Honourable Member:** Are they losing money though?

**Mr. Doer:** Well, are you losing money when you have somebody around that is a nurse that stops their shift earlier to go take care of a patient? As I recall it, under the former government's watch, the cafeteria that was going to be closed down remained open. So the Minister will be reporting to the public shortly on our promise and including the economics of our promise from the last election.

**Mr. Chairperson:** The Member for Lac du Bonnet is second place.

**Mr. Praznik:** You know, Mr. Chair, the question is about the cafeterias. I can tell the Minister from my own experience, and I tell the Premier this, and I guess where we get into the concern—the fact that there may be, in the fiscal reports, a \$10-million deficit being run in the Winnipeg Hospital Authority is not really a surprise to us. That is not to reflect on the current Minister of Health (Mr. Chomiak), quite frankly, because having served in that portfolio, I probably know better than anyone else at this table what he has to deal with as Minister of Health.

What our problem is is the Premier. The Premier set an expectation. He said so in the Budget speech. He talked about it in the House on numerous occasions when he said we will give the money; we will give it up front; we will expect the managers to manage it. We will demand that they manage it. There will be no more deficits. I remember when he got into full

flight on how he was going to run health care, I turned across the aisle of the House to the Minister of Health, and I said you would never live with that.

By the way, I think the Premier has put the Minister of Health in a terribly unnecessary situation because of his bluster. If this Premier had said we are going to work to change that; we expect it will take some time and there is a lot more administrative work that has to be done; you know, I would have said this Premier understands what his Minister of Health is going through, but he did not. He gets up day after day in the House, and why we are even on this issue today is because in the House he got up in full flight today and he talked about how great it was, we are eliminating the deficits, we are budgeting, and they are living within budget, and it is not a reality. I say this to the Premier that if he spent time with his Minister of Health to try to understand what is happening in that system—again, I am not here to blame the Minister of Health.

\* (20:00)

I think the expectations that the Premier has created with his statements are not achievable. Now, if he wants to continue to leave that impression with the public, we will continue to take him to task. Why we raise the cafeteria issue is because it is symptomatic of a problem in the health care system that is not a Conservative problem, it is not a New Democratic problem, it is not a Liberal problem. It comes to some of the fundamental problems in our managing health care. The management tools available to his Minister of Health are not there yet and in place to be able to manage a \$2-billion-plus budget. The question on cafeterias is representative of what is fundamentally wrong or sick in our health care system.

By the way, I am not saying it is the politicians. Maybe that is a little self-serving, as one that served as Minister of Health, but I think it is probably more active and reflective. The Minister of Health does not manage those cafeterias. You give a budget to those facilities, as you said, and they have to manage within it, but you now appoint the Board who manages the Winnipeg Hospital Authority. They deal with

those hospitals. Why should any hospital in the province of Manitoba use taxpayers' dollars destined for health care to subsidize the cafeteria in their operation? That boils down to a pricing policy of the administration within those facilities, of pricing the food they serve to recover their costs. No one is even asking to make a profit, but after years of my party pushing for that and I would say having limited success in some of those areas, and your party now taking over and putting your board into place and pushing on this particular issue, there is still a fundamental problem. We would just like you to confirm what is out there everywhere in that system, that there is a \$10-million to \$12-million deficit being racked up.

By the way, I am not blaming the Minister of Health. I am only blaming the fact that you set an expectation, Mr. Premier, as to what would be in place today that is unrealistic. I tell you, as a former minister, of my frustration with the health care debate all the way around here is that we keep getting into these battles. You did it to us, we will do it to you, and yet the real issue is not being addressed. If you want the real issue to be addressed, come clean. Yes, there is a \$10-million-plus deficit, and yes, half a million of it is for cafeterias.

You know what? Just that being public should put enough pressure on the administrators in those hospitals to get into their cafeterias and do a proper accounting for their cost and ensuring that dollars that should be spent on nurses, medical care, recruitment of physicians and a hundred other places that this Minister of Health is going to need that money is where it is spent. Is that the Minister of Health's problem? Did he go out and order to be subsidized? I think not. I did not when I was Minister of Health, and I do not think this minister has, but unless the public comes to appreciate the problems in this system and puts pressure on the day-to-day administrators to do the right thing, it will never happen. So they will run a deficit that will get hidden and at this House we will debate it until one day the public says we have had enough. They throw you out of office, and we are back into office, and if we carry forward the same way, we will go with it, and you know what, the problem will never get fixed.

I want to ask the Premier, it is not just the half million dollars on the cafeteria. We hear it is \$2 million, \$3 million, \$4 million at the Misericordia that they are carrying in health care money because I know I have talked to some of the board members. They have not completed their staff adjustments for their change in operation from an acute care facility to a long-term care facility with other function. Now rural health facilities, other ones, are asking for money for new diagnostic equipment, just to put it in perspective again. I ask the Minister of Health, you know, we get calls from people at Seven Oaks, and we have not asked the question in the House, do you have a CT scanner that is working there today? I would suspect, if you answer that, the answer is no. You could say, well, we should have replaced it. We could say why you would not replace it.

The fact is there is only so much money. I bet you if you add up all the premiers at the Premiers' Conference last week and the federal government saying we want to raise money and the issue of where do you spend it in health care. What would be needed just to bring all our medical equipment up to date? Hundreds of millions of dollars, I do not know. When it is a half million here in cafeteria funding, and it is \$2 million, \$3 million, \$4 million at the Misericordia for not doing the staff adjustments, and when it is all of those other things, that is money everyone knows is needed somewhere else. I am not blaming the Minister of Health because I have been in that chair, and my goodness—

**An Honourable Member:** You are too kind.

**Mr. Praznik:** Maybe I am being too kind because he was sometimes kind to me as a critic and as we approached the campaign he was like any other politician and just like I would be. But I am saying at this committee today that if we really want to save medicare and health care, we have got to come clean, and we have got to get the public to understand where all of these problems are in the system and the demands. There is not one Manitoban, I think, a reasonable Manitoban, who would expect that public money that is needed for new CT scanners and diagnostics and recruitment should be used to subsidize the cafeterias in hospitals. There might

be some exception in some small place, and one might be able to justify for staff recruitment, but the Health Sciences Centre, for goodness' sake is just bad management.

Do you know what? If you do not admit it and you do not get on with letting the public know and putting the pressure on people who make more money than you, Mr. Premier, and you, Mr. Minister of Health, to do the job, then it is a pox on all our houses and on yours. The issue here is not that half a million dollars is being used to subsidize cafeterias, the issues are: What are you doing to make sure those managers stop that? So I ask the Premier again today, in the spirit of letting us get to what health care is about from someone who—and you can fault me for things I did or others. I will tell you I watch this Minister of Health very closely. I watch him every day, and I probably feel more for him than any other member of that Legislature because as he goes through some of these battles I sit there and think, boy, I can see the same forces.

The same managers who are running those cafeterias were there when I was Minister of Health, and we knew years ago it was \$3 million they were losing a year. We actually pulled it out of some of the hospitals' budgets because we said, if you have money to spend on subsidizing your cafeteria, you do not need it. I mean that is what it is coming down to. So here we hear again it is a half million dollars. We hear it is several million dollars to deal with Misericordia. Now I suspect, and I want to ask the Premier again what instructions had been given? Misericordia, we know, whether you agree with it or not, is in the transition. You have not reversed the decision. Now we also know, and I am suspecting here—

**Mr. Chairperson:** Sorry.

**Mr. Praznik:** I will put my question.

**Mr. Chairperson:** I have to say that the hour has been extended to nine. We already exceeded eight, and I forgot to notify the members of the Committee.

By the way, when you yield your place in a speaking order, I do not know if you would just yield the order or yield the privilege to speak.



**An Honourable Member:** I just yielded my place in the order to come after the Member. I do not think any of our other members would disagree, Mr. Chair.

**Mr. Chairperson:** Okay.

**Mr. Praznik:** Mr. Chair, I come back to Misericordia as another example. The Government, unless they are going to announce today that they are changing the fundamental direction that a hospital is going in, but by the way, it was recommended by Doctor Postl, right? Are those staff changes all complete or are they being carried? Now, if they are being carried, maybe the Government's fear is that that will result in layoffs of people.

You know, I have to tell the Minister the only reason layoffs would probably be needed is because the hospital system has not yet completed its mobility agreements. Because, you know what I envisioned is one hospital system where if you did not need staff in one place, you could be able to move them like we do at Hydro or anywhere else to other places in the system. Surely to goodness there is work for those people at Misericordia Hospital, but the current arrangements may require layoffs and rehiring. Now, is that why they are not completed?

First of all, I want to know, are they completed or are they not? Is Misericordia carrying dollars just because they have not completed their work? When are you going to get on with it?

These are all dollars that the public expect are going to be spent on the things that I know this Minister of Health really wants to spend them on. So I ask the Premier, who has got up in the House on so many occasions to make the point over and over again that we are running this better, we are demanding that people live within budgets, I am asking, just confirm what almost everyone out there in health care is talking about, and then what steps you are taking to deal with it. That is all we are asking. We do not need it hidden, and we are not here to condemn. Where I think the Premier and the Government are at fault is they are not coming clean with it. Then you will and should be condemned.

\* (20:10)

**Mr. Chairperson:** Who wants to answer this question?

**Mr. Doer:** I will. Well, the Member made a lot of interesting observations, and I thank him for those.

**Mr. Praznik:** Mr. Chair, he thanks me for the observations, but here we have him today, concurrence on budget, a concurrence motion which spends a part of a \$2 billion-plus budget which is going towards the Department of Health and through the Department of Health to fund the Winnipeg Hospital Authority. We are asking a very straightforward question. Has a request been made for part of those dollars to fund a deficit at the Winnipeg Health Authority, part of which is to subsidize or pay the debt or deficit on the operation of the cafeterias? Is part of that being used to cover extra costs at the Misericordia because they have not completed their transition plan? A simple question. We have a right to know. It is public money. It is not the First Minister's money; it is public money. We just want to know, confirm it or deny it, but do not evade it, because evading us is telling us it is true.

**Mr. Chomiak:** Mr. Chairperson, I indicated to the Member for Ste. Rose (Mr. Cummings) on this issue that I am advised that the policy instituted by the former member when he was minister whereby the government funding would not go to subsidize the deficits of cafeterias is still the policy that is in effect. That is what I have been advised.

**Mr. Praznik:** Mr. Chair, if that is the case, I would commend the Minister, because I do not think public cafeterias in hospitals should be subsidized by health care dollars. I would ask him: Would he confirm whether or not on the current projection of the Winnipeg Health Authority that the cafeterias for which they are ultimately financially responsible, particularly the Health Sciences Centre, where they run the Health Sciences Centre, they are the governing board of the Health Sciences Centre, are they in fact today running a deficit? Can he tell me if they are running a deficit, breaking even, or producing an income? Consequently, if they are

running a deficit, what plan is there to cover that deficit so that no public money will be used to subsidize those cafeterias? That is all we want to know.

**Mr. Chomiak:** Mr. Chairperson, I am advised that the policy instituted by the former member, whereby public, government money, funding from the central government flowed through the regional health authorities, was not to be utilized for subsidizing the debts of cafeterias, that that was the policy put in place by the former government. I heard the former minister make that statement. I am advised that that policy continues in effect. That is what I am advised.

**Mr. Praznik:** Mr. Chair, I am asking now the Premier (Mr. Doer) or the Minister, who appointed the board of the Winnipeg Regional Health Authority, within whose operating authorities are the Health Sciences Centre. This cabinet appoints the board of directors who governs the Health Sciences Centre. I am asking these gentlemen today, whoever will answer, whether or not in the facility which is in their purview of operation, that they appoint the managing board, if that facility is today operating its cafeterias at a break-even, surplus or deficit position. If it is a deficit, what plans will the board they appoint take to ensure that the policy of not using public money to subsidize or pick up those deficits is adhered to? Will they raise prices, reduce costs? What steps are being taken?

**Mr. Chomiak:** I am certain the Member does not want me to go beyond the recommendations of the critic, who is accusing me of micro-managing the system. The Member is aware that the Board has a specific purview to deal with matters within their jurisdiction, and the Government funds on a program basis to the regional health authority based on needs and assessment. The Minister knows the process well.

I am advised that the policy directives that were formerly in place under the regime when the Member was formerly minister are still in place and that the policy directive still is in effect. As the Member indicated, we are talking about expenditures in the range of \$1.5 billion or \$1.6 billion with respect to the Winnipeg

Regional Health Authority. I am advised that the policy still remains in effect.

Now I have not taken a look at the statements of account and the financial statements of the Health Sciences Centre. The Member may be looking at financial statements and financial numbers and reaching conclusions. All I can say is that the same directive that was put in place by the Member when he was minister has been followed, I am advised, by the Winnipeg Regional Health Authority at present.

**Mr. Praznik:** Mr. Chair, I appreciate the Member's statement, and I know we will be coming back to review this with him at Public Accounts at some point, to ensure that is the effect. I would say to him, again, knowing the Minister and knowing the pressure he is under, this was one of the problems I experienced and his predecessors in that office experienced, a big system with a lot of managers who, quite frankly, need to be much greater under the public scrutiny, and that is our concern. I am not here to blame him for it today, but the managers of that facility better be doing their job.

I want to ask him again with respect to the Misericordia Hospital, which I, as minister, was much more involved in and I expect he, as well: Has their staff plan been completed, or are they in fact still carrying a higher staff load than required because they have not, either under government direction or their own decision, gone on with completing it? I would like him to answer that question.

**Mr. Chomiak:** The decision with respect to Misericordia is generally following the lines that were entered into and the commitments made by the previous government. The Member can appreciate that we have not totally completed the capital rollout yet, which will be completed in the next several weeks. Misericordia has a part in that capital rollout process.

**Mr. Praznik:** Mr. Chair, I can tell you that as a minister who was intimately involved in that, the carrying of staff beyond that particular period was not something that we had contemplated. So that sounds like there is more money now. I do appreciate that there is another capital project and there is some need for transition. How much

of that, I do not know. Of course only he would have access to that information. I would tell him again, maybe some gratuitous advice, but the case of the Misericordia makes again the need to be able to have the mobility of staff within the whole Winnipeg hospital system, because while other facilities are short of people today, if there are people without enough work to do or are not being properly used at the Misericordia, my suggestion to this government is, they need the tools to be able to move those staff to where they are needed even while they are waiting to come back to the Misericordia. That may require this minister to get tough with the Misericordia to make that happen, or others, but to let it sit is a waste of public money. So I leave that.

I have a couple of other questions on use of money. Would the Minister tell me, one of the problems that I had when I was Minister of Health, again we are talking about deficits and managing dollars and consistency of policy. One of the issues that was raised with me was that different hospitals, using public money, had different policies and applications. I would like the Minister to tell me today if he is aware if the St. Boniface Hospital is continuing to fund drugs for dialysis patients outside of the Pharmacare Program, in other words, giving, if you go for dialysis at St. Boniface Hospital, you receive your drugs from the pharmacy without cost, without the Pharmacare deductible, whereas if you attend at Health Sciences Centre or other dialysis centres in the province, you get a prescription and you have to buy your drugs under the Pharmacare program, which is a totally inconsistent point of view.

\* (20:20)

I just raise this with him because these are the kind of things that certainly I found were happening and we were trying to correct. It makes the case for the Hospital Authority to have the authority to make sure that this is not the case. Because if it is, it means that St. Boniface is using dollars destined for nurses and other kinds of care, perhaps to ensure that there was a urologist on duty the night my constituent's father came in that weekend, and he is familiar with the case. I am not blaming him for that, but I am just saying that here was a case. There was not a urologist at St. Boniface

Hospital, and yet if they are using money for an unauthorized purpose, it is great to say we are charitable, it is great to do it with the public's money. When others do not get it, is he looking into these things and ensuring there is consistency of application of policy?

**Mr. Chomiak:** Mr. Chairperson, two responses to the Member's point. First off, we are going further than just looking at the application and the applicability of pharmaceuticals offered in hospitals, but we are looking across the whole spectrum of the Pharmacare program in terms of its application and the inconsistencies in terms of application across the system. So we are doing that. The Member knows there are some very good people in the Pharmacare area of the Department who are seriously looking at a complete co-ordination.

The second point I want to make to the Member, for the first time ever, with the molding together of the two hospital authorities, all of the institutions in Winnipeg came together and shared budgets and started looking at common budgetary considerations and lines. That is the first time that has happened. I am not taking credit for that. The Member can appreciate that this is an evolving process. I was very pleased to see that development. There will be further developments in this area, because it is clear the Member knows it, and we know it. The Member is correct that, clearly, if regionalization is to have any effect, there has to be, there are no advantages to regionalization without implementing the administrative tools that provide for that. For the first time, all of the institutions came together with the Winnipeg Regional Health Authority to prepare and work on their budgets collectively and sharing budgets. That was a step forward that had not taken place before.

**Mr. Praznik:** Mr. Chair, will the Minister tell us the status of the CT scanner at Seven Oaks Hospital? If it is broken down, since he is not allowed to spend over his budget, what capital item will not be purchased to replace it?

**Mr. Chomiak:** Mr. Chairperson, the CT scan has been approved by both Treasury Board and Cabinet for replacement at Seven Oaks Hospital and is coming from the pre-existing capital budget for equipment.

**Mr. Praznik:** Knowing that that budget has very little discretion on it, I would ask him, and given that CT scanners are not inexpensive, what has been forgone to allow that money to replace that?

**Mr. Chomiak:** I am advised that the funding came from existing funding, that we had funding within the budget. I ask the Member, the fact is that Seven Oaks does about 5 percent of the volume of CT scans, and that machine broke down. We have authorized, the machine is being replaced as soon as possible in order to deal with the need in the system. I am advised that there was funding within there.

I might indicate, for equipment and replacement in terms of this year's capital, we maintained a fairly high level of capital, higher than the Minister had when he was minister, in terms of equipment replacement, because we actually identified equipment needs and requirements in this year's capital plan as significant to the system.

**Mr. Praznik:** Again, it is easy not to answer my question about the deficits, and the Premier (Mr. Doer) says he appreciates my advice, but the reason we raised this is because it is important the public know to put pressure on the managers of the system that they are doing their best. This Minister of Health and the people of Manitoba need probably more money in equipment replacement than any of us could imagine, and wasting those dollars, wasting those is wrong. My big criticism of this Premier tonight is he will not come forward and be honest and admit what the situation is and dodge it. It is when you dodge it that you take full responsibility and you let off the hook those managers in there who should be held accountable.

I have one question for the Premier. During the election campaign this Premier made a promise to the people of the Island Lake community. Well, when you read the promise, it was a promise to look into it, sort of, but to the people of the Island Lake community, it sounded very much like, in fact, it was a promise to do dialysis. In fact, I think there was a big event, a political event that was held in which the Premier got up and he signed some commitment to bring in dialysis.

Now, there is not one of our members, and I certainly appreciate the growth in the need of dialysis, the need for dialysis closer to home, and I know there are many more centres that are going to have to be built, but again it is the Premier's style of getting up, creating an expectation: We will not have deficits in our system, when they are. so I will not admit it, they will go away. It is the Premier's style. Well, we are not doing labour changes, to the editorial board of the *Free Press*, but, oh, I do not remember the conversation exactly.

Well, I will tell you he made a promise to the people of Island Lake. What the Premier did not tell the people of Island Lake is that to have a dialysis centre, you have to have a hospital. Now, if the Premier asked me, do 5000-plus people living in Island Lake need a hospital, I would agree. The question is, and it has been the long-standing question. We know that Norway House has a hospital, the announcement yesterday of dialysis for Norway House and the issues that have gone on there, but we know that it is not easy to get those hospitals. We know that there is a federal responsibility.

Now, the people of Island Lake have said to us they expect a dialysis program in Island Lake. Given that the federal government has indicated no, at least in my days there, unless something has changed, they have had no indication or whatever to put in a hospital. Even if they were to build a hospital, recruiting staff is extremely difficult, and if he talks with his Minister of Health, he will know how difficult it is to those northern remote locations.

So I ask the Premier: Was this just another premieratorial ranting to get people excited before the election or is this Premier really going to deliver on that dialysis program? Will we see dialysis in Island Lake and hence a hospital in the mandate of this government? Also, because this will be my last question, in order to deliver this is the Premier prepared to build that hospital with provincial money if the federal government is not prepared to put in a penny?

**Mr. Doer:** Well, the signature on my document stands.

**Mr. Chairperson:** I thought that was the last question.

**Mr. Praznik:** The document says I will look at it. If that is what the Premier says, I will sign something and we will explore it, knowing full well that there are very difficult obstacles, what you are really saying is: I will look at it, I will get your votes, and then I will have the excuse. If this Premier really wants to deliver on this promise, is he prepared to go to the wall and build a hospital there with provincial money without federal participation that will allow a dialysis unit to take? If the Premier wants to be accepted as a man of honour, is he prepared to do what it takes to deliver on the expectation he created among the people of those communities?

**Mr. Doer:** I have spent more time dealing with the rhetorical flourish from the Member opposite, one who accuses me of making a premial statement. You should not put words in my mouth. When you have about 78 sentences in a preamble to a question, I answered it in a very, very specific way. The signature I put on the document to the people of the Island Lake community in Garden Hill stands. I am not going to answer every rhetorical assumption. The Minister has gone from what I promised to what he thinks people expect I promised.

**Mr. Praznik:** Well, they know what they expected you promised.

**Mr. Doer:** Well, I think that we know what—

**Mr. Praznik:** That is what they say to us.

**Mr. Doer:** Well, we took a stand and we put it in writing.

**Mr. Praznik:** Poor Dave is left to go and try to explain it.

**Mr. Doer:** I think the Minister of Health is perfectly capable of not only—there is not even a question of explaining. It is the whole idea of, yesterday we saw an announcement in Norway House, a co-operative announcement between ourselves, the First Nations, and the federal government. It is a good idea. I said today in the Legislature that the midwifery was passed by members opposite, and we proclaimed it. *[interjection]*

No, I do not want to be generous—no, I am just kidding. I am just saying that sometimes we are so busy fighting each other, we are not listening to each other, and that is fair enough, but what we said we would do—I can tell you, and the member opposite would know, the list of concerns from the Garden Hill community, the hospital for Island Lake, the dialysis equipment, the connection on the causeway, I mean, he will know all the issues. We know all the issues too.

\* (20:30)

He will find a commitment on something we believed is deliverable, and that is the commitment in form of a signature. It is not the poor Minister of Health. He has been discussing these issues actually with the federal government. I can say in the premiers' meeting last week, one of the things we talked about is starting to get more co-ordination between the Aboriginal leadership, the federal government, and the provincial governments on delivering services in First Nations and Aboriginal communities. We believe

**An Honourable Member:** Good luck.

**Mr. Doer:** Well, good luck is helpful, and I appreciate the Member for wishing us good luck.

**An Honourable Member:** Maybe you will have a new federal government.

**Mr. Doer:** Well, that is another—and I do not know which, is it Alliance for the Member for Lac du Bonnet now or—*[interjection]* To use the Member's logic, if you do not deny it, it is true.

**An Honourable Member:** Then I deny it.

**Mr. Doer:** Anyway, I appreciate that question.

**Mr. Chairperson:** The Member for Russell (Mr. Derkach) gave the Health critic one question, opportunity.

**Mrs. Driedger:** I have one question I am being allowed here. The question is related to an Aboriginal personal care home which has been discussed. Both the Premier and the Health Minister received a letter I think back in January or February. I have also seen a copy of a second

letter that was just written probably in July, asking why neither of them have responded to that first letter and wondering where this is at in terms of this personal care home being built in Manitoba.

**Mr. Doer:** Yes, I recall in my briefing on this issue that the Minister of Health was asked this question in Estimates by former premier Filmon. We did not find any funds for that project in the capital budget on a go-forward basis. So we are looking as part of the whole decision-making process on the feasibility, et cetera. We have had a number of meetings on the issue, as I am aware of, with the Minister of Health and the community.

The yes-no part of your question, which is legitimate, we have not got an answer to that yet. We are very actively working on the proposal to see whether we can make a positive announcement or not. Included in the positive announcement there has got to be money either way in the longer term capital budget.

If the Minister of Health wants to add something—but I did inquire on that based on my correspondence as well.

**Mr. Chomiak:** Mr. Chairperson, there have been many, many meetings. There have been meetings between the health authority that is responsible for this and the particular body. The Member has to appreciate there is more than one group that is advocating for a particular. The Member has to appreciate that in terms of being the Minister sometimes it is difficult before a process is completed in terms of the needs and requirements and the allocation to meet with all of the groups because of their requirements and the fact that they may gain a particular impression from a meeting that one may not wish to convey.

There is a process in place. There is more than one organization vying. The idea, of course, is one that I think members opposite and ourselves think is a need and a requirement. That is for an Aboriginal personal care home in the city of Winnipeg. So that is the process we are still going through. As I have indicated, the capital process is still not complete.

**Mr. Chairperson:** The Member for Russell, finally.

**Mr. Derkach:** Mr. Chair, my question is to the Premier, first of all. It has to do with deficits. I guess I should just give a minute of background to why I am asking the question.

In rural Manitoba, our regional health boards are running some very tight budgets. Some of them are in deficit positions. The information that seems to be coming to them appears to be such that, yes, they have to live within their budgets, and if they cannot live within their budgets, they are going to have to rationalize their facilities. That spells fear in the communities. It spells fear to the people who need these facilities. The Premier knows better than anyone the distances that have to be covered, not only in agri and rural Manitoba but in northern Manitoba as well, between facilities.

We have had experiences in rural Manitoba. I live there so I can attest from personal experience that people have died because they could not get to a facility in time because the distance between facilities was just too great. This is a tragedy because it does affect the quality of life, if you like, in our communities. Our communities have enough hurdles in front of them right now without facing these kinds of fears and these kinds of questions. I did raise this with the Minister of Health (Mr. Chomiak), and although he responded it did not give me a lot of comfort.

I go back to an editorial in the *Winnipeg Sun* on March 18, when the Premier said—and I will just read a portion of this. With regard to health care he said: That is going to start with ensuring Manitoba Health sticks with the spending projections it is given at the beginning of the year. Manitoba Health and the province's 12 regional health authorities will be given realistic budgets at the beginning of the fiscal year but after that health care officials will be forced to stay within those spending limits. Now these are comments that are attributed directly to the Premier, and they are comments that I take seriously because when a comment is made by the Premier of our province I would expect that there is significant validity to that.

When I realize that our urban health facilities are running a deficit of something in the neighbourhood of \$10 million in this first quarter and then realize on top of that that part of those deficits are attributed to such things as the subsidy to cafeterias, that signal is not a very good one when rural health facilities have been told that they will have to live within their budgets.

Now, if we take a look at the amount of money that is spent in rural Manitoba on health care, I think it is somewhere—and the Minister of Health can correct me if I am wrong—but I think in total it is somewhere in the neighbourhood of \$600 million, which is not a large piece of the pie when you look at the entire health care budget. I guess the fear is that although someone is going to have to make up those deficits in the urban hospitals—and we agree that they will have to be made up because that has happened in the past under our administration as well—I do not want to see rural hospitals being closed, rural facilities being closed because we simply will not bend on such things as deficits that are being run by rural regional health authorities. So I want to ask the Premier if the treatment of facilities in urban Manitoba is going to be the same when it comes to deficits as it is in rural Manitoba and vice-versa.

**Mr. Doer:** I appreciate the question. The same principles of budgeting must apply. I think the Member opposite will probably appreciate that if you develop a culture from saying you have to live within your budget to a culture that says you will pick up any deficit, then you have no budget left. So you understand why I am not going to change from my words of March 18, because to do so you cannot possibly have a budget and then not have a budget and just pick up all the deficits because you will do it every year as part of the culture of governance as opposed to the opposite where you hold people accountable.

\* (20:40)

The question about the consistency between regions, urban, northern, rural, is a valid one. I will make sure that the consistency is there when I discuss this as we go on, on an ongoing basis, with our Minister of Finance (Mr. Selinger) and Minister of Health (Mr. Chomiak). I think it is

safe to say that the Minister of Health has answered the question posed by members on the cafeteria deficits. We are not going to close down a hospital in rural Manitoba to pay for a cafeteria deficit in Winnipeg. So that is a fair question. We are not going to do it.

**Mr. Derkach:** Mr. Chair, I pose this question to the Premier because of the seriousness of the whole issue of health care. The issue of dialysis in rural Manitoba is extremely important, and I have lived with families and I have held their hands in times when they have not been able to access urban facilities because urban facilities are full, and yet we do not have access to those kinds of services in rural Manitoba. Sometimes people are left with nowhere to go, and I have gone to the extent where I have had to appeal personally to the Minister of Health, and he responded very positively and I always thanked him for that. In rural Manitoba, sometimes there has to be more leniency, I would say, than there is in the large centres because of the inflexibility because of size in some of our small facilities in rural Manitoba. Once again, in the Budget address, the Minister of Finance (Mr. Selinger) said for the first time in a decade health authorities have their budgets based on stable funding formulas. Now I believe that the Minister of Health, if I am not mistaken, said just recently that there is no funding formula, that indeed they are working on a funding formula.

**An Honourable Member:** No, we are on the pre-existing formula, and we are maintaining the committee that you guys set up to look at a new funding formula.

**Mr. Derkach:** Then he went on to say in his address, Mr. Chair, that regional health authorities must exercise greater fiscal responsibility, avoid deficits and reduce administration costs now that proper funding levels are in place. My point is that in this budget this has to be something that has been approved by the Premier, and indeed if these hospitals are not to run deficits and are running deficits today, what action is this government prepared to take to ensure that in fact these deficits come under control? The fear that I have is that some of our rural facilities are going to suffer the consequences as a result of the pressures that come in

an urban centre I understand those and I have lived through those. I know that those will come to this government as well, but I certainly do not want to see that impact be borne by rural facilities.

**Mr. Doer:** Well, I appreciate that and the funding formulas, as I understand it, it is a formula that we have inherited from the members when they were in government, and I am sure that the members opposite, with their sensitivity to many rural communities that they represent, and we represent rural communities as well, would have built that sensitivity into the funding formula that was provided in the budget approved by the Legislature to the hospitals and to the authorities. The point is, though, we cannot afford a \$300-million deficit every two or three years in health care, and there is going to be and there is less of a funding support. Manitoba is now spending more money per capita on health care as of '99 than any other province in Canada. So we have a challenge, and I recognize that it should not be at the expense of, but we do not have the luxury and we are not expecting a major adjustment of equalization like we got in January of this year, and I know members opposite pooh-poohed this and said that there was never a deficit, and that is fair enough.

But we got lucky this year and we got unlucky with the agricultural crisis, and the members opposite put \$70 million and we put another \$40 million in over budget for the income support, so that is \$110 million of that amount of money, but we were quite worried about it last fall and January—[interjection] Well, that Deloitte and Touche will be dismissed by members opposite, but I would rather have good luck on something like that than bad luck, and I would rather defend why do you have a surplus now than when you said you were going to have a deficit before. I would rather defend that argument from you than "God, you got elected and look what happened the first couple of weeks, you have got a deficit." So I would much rather have that good luck, but I do not want to budget on good luck, and you do not want to budget on good luck. Nobody, no matter what their political stripe, wants to budget on good luck, and so we cannot run deficits in health care, in health care authorities.

We cannot have these \$100-million deficits every year. I am sure the Member opposite struggles with that. Now, I am hoping that we can live within the legitimate budgets with the hospital authorities, without any "real pain" to patients and people, because at the end of the day we cannot create a perpetuating culture of assuming the deficits after we say they have to live within the Budget. You just cannot do that, because year after year after year, there are always good and sufficient reasons to run deficits. At the end of the day, as you said, if you do not hold people accountable, and if you do not have a budget—I mean, if we gave the health care authorities 2 percent and then they had to look at closing hospitals, then the Member opposite would have a very legitimate question.

But giving 6 percent when inflation is 2 percent, and when drug costs are the highest increased costs, and your settlements that you negotiated, albeit, what they were, I will not put any words on it, last year in the Budget, are certainly not near the 6% level; there is enough room to improve the patient demand, the innovations like technology, the innovations like home care and other things we are announcing in the community, and live within the budgets.

So, if we were asking them to live within 2 percent, a rural hospital authority, or 1 percent, then you would be absolutely right. The Legislature would be setting people up to make decisions to hurt communities, but we are not. If we cannot, we are trying to go from four times the inflation rate from the previous budget to about two and a half times the inflation rate, maybe three times the inflation rate and we have to go down even further as we go.

I respect the points being made, and I respect the human consequence of what you are raising, because I do, I am sure that you have had situations where you have had to hold your neighbour's hand or your family's hand and go through that horrible situation, but we are working off the existing formula with adequate new investment and we have to have the integrity of that process in my view. We cannot continue to have a culture of the budget does not mean anything. That is why we tried to change a bit of it by having the adequate number at the front end. You and I know that if you have a



budget and you know what it is at the beginning of the year, at least you can make decisions and be responsible. That is easier and it should be more manageable for a health care authority, as it would be for a farmer who cannot always predict the weather and the commodity prices. We actually think that it is fair funding, and it is the Member's formula from the past, and we want to make it work.

**Mr. Derkach:** Mr. Chair, just one final question and a comment. I would ask the Minister of Health (Mr. Chomiak) a couple of questions that he indicated he would get back to me on, and I will respect the fact that he will send that information to me with regard to dialysis in Russell. There is also a question regarding home care and the personal care facility that was announced by the former minister for the Russell area, where there has not been any movement on it to date.

My last comment to the Premier is that I do not begrudge the Premier wanting to make statements that are very positive and put his government in good light, but I think the Premier overstated the fact that in this year, authorities would have to live within their budgets, because we see what the reality is. We experienced it over 10 years. It is not something that I believe anyone can manage in a finite way. It is a situation that has plagued us and will probably continue to plague ministers after this particular minister.

\* (20:50)

I think the Premier has to temper his expectations, or at least the impressions that he gives Manitobans, and we will come after him about those comments, because I believe that if the Premier would say that we will ratchet down those deficits to the point that they will have to live within budget in two or three years, I will live with that, I respect that, and I will work with him to achieve those levels as an opposition can. I cannot go out there and support and defend a statement when I know from previous experience that that is just impractical and impossible.

**Mr. Doer:** Members opposite established the management system under the health authorities

that we are working with. We cannot micro-manage the spending levels in authorities, but we can make fair investments in health care based on the information we have: salaries, patients, population, distances, technology, drug costs, food costs, et cetera. We can make those kinds of decisions. Looking at other provincial budgets in Canada, on top of the highest per capita amount of money being spent, 6 percent is about a range equal to most provinces. Saskatchewan is a little lower. I think Ontario is a little lower. I think Alberta is a touch higher. Most of us are trying to get away from 10 percent per annum increases. I do not think 10 percent is sustainable. As a person who believes in health care and medicare, 10 percent is not sustainable per year. We just do not have the growth in GDP, even in good times, to sustain that. So we cannot afford two or three years.

I know that the statement on its own looks naive, but at the end of the day we are going to hold people accountable for living within their budget. As I say, we are not going to go out to the hospital authority and count the vice-presidents they have and all the things. We did that in the Winnipeg Health Authority where we thought it was inequity. You talk about equity, I heard a lot from rural Manitoba about Winnipeg having two health authorities. I am sure the Member opposite did and will not admit it. I am sure he heard a lot of flak in his own team.

I go out to Brandon, and every time I used to go to Brandon, Mr. Blackmon, a good person appointed by members opposite, good administrator, let me have it, and I was only in opposition, so I cannot imagine what would happen in government. So we tried to deal with that inequity.

**An Honourable Member:** He likes it both ways.

**Mr. Doer:** Well, I think he has competence for whoever is in government and for the people in that region. You know what, I like his enthusiasm. The members opposite employed him for a task on boundaries. I liked his enthusiasm. I like people with a lot of energy, so I do not want to even begin to think about beyond that. I just think he is a capable guy with good energy levels. I like enthusiasm. I like

positive people like that. Anyway, I am not here to defend somebody else's curriculum.

Having said that, I agree. These are real patients with real staff and real communities with real blood-and-gut consequences, but we cannot have a medicare system if we continue to fund it at 10 percent or if we continue to have a culture of deficits. So we tried to arrive at a fair number in the Budget. We have tried to say we are not going to go way down and way up. We are trying to have it a little bit—you know, in terms of the two-three-year plan, we are not going to come from 10 to 2, which I think would be really almost—well, especially with the wage increases that are quite a bit higher than that—so we are trying to go, you know, 10, 6, et cetera.

**Mr. Chairperson:** Shall the motion pass?

**Some Honourable Members:** Pass.

**Mr. Chairperson:** The motion is accordingly passed. That concludes the work of the Committee of Supply at this time. Committee rise.

### House Business

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, on Orders of the Day in the Chamber, of course, please call third readings as they appear on the Order Paper.

### THIRD READINGS

#### Bill 4—The Elections Finances Amendment Act

**Hon. Gord Mackintosh (Government House Leader):** I move, seconded by the Minister of Agriculture and Food (Ms. Wowchuk), that Bill 4, The Elections Finances Amendment Act (Loi modifiant la Loi sur le financement des campagnes électorales), be now read a third time and passed.

*Motion presented.*

**Mr. Harold Gilleshammer (Minnedosa):** I would like to take this opportunity to put some comments on the record relative to Bill 4, The Elections Finances Amendment Act. Indeed, I think many Manitobans, as they get to know

more about this bill, have some grave concerns about the fact that this bill is going to stifle some of the debate and some of the dissemination of information that goes on around legislation in this House. I think we have seen ample evidence of that in this particular session.

The Government brought in Bill 42, which is an attack on the rights of school boards to make decisions in dealing with their employees. This was a bill that created a lot of interest across the province with school divisions, municipal councillors, reeves, mayors, and indeed, members of the Manitoba Teachers' Society.

This bill seeks to limit the amount of advertising and input and information that can be disseminated by parties who have a genuine interest in legislation, and what is happening in government. There are real concerns that the passage of this bill is not going to allow Manitobans to communicate with each other, to communicate on public policy issues, to communicate to their legislators and to communicate to the general public the grave concerns that they have relative to the direction that government is going. This is seen in many parts of the province and many parts of the country as being very undemocratic, and it does stifle the debate. It does stifle the information that groups are allowed to disseminate.

We have seen also with a bill like Bill 44, a bill which the Government has brought before this Legislature, one that they not only did not talk about during the campaign last year. The Premier (Mr. Doer) is proud to talk on many occasions about five promises. There was no promise on labour legislation.

In fact, when he met with the editorial board of the *Winnipeg Free Press* last year around this time, he was asked very directly about what his relationship was with labour unions within the province of Manitoba. He was asked very directly what he was going to do in terms of the labour-relations laws in this province. He stated very clearly to the editorial board of the *Winnipeg Free Press* that he had no plans, that he was not interested, that he did not intend to make any changes in labour relations law. The *Free Press* also credits him with saying that, yes, he was going to make more and make some

improvements in Workplace Safety and Health. He was also interested in doing something, in his mind, positive in Workers Compensation. But he did indicate that he would not touch The Labour Relations Act as far as labour relations laws were concerned in this province. He was asked very clearly what his intentions were, and the editorial board says that his answers were very clear and were very reassuring.

This bill, Bill 4, now would gag organizations and people from speaking out against a government policy which was not enunciated during the campaign, a government bill, which there was no warning about, a government legislation that has been brought in, in July of this year, that has really brought together not only the business community but many Manitobans to speak against this legislation. If in fact we accept Bill 4, this is going to severely restrict what people are able to disseminate in terms of solid information, telling other Manitobans what in fact their government is going to do. Even today as we sit here, there are Manitobans who are just now finding out what is contained within this law. We are finding out that the Premier (Mr. Doer) of the province misled Manitobans last year when he was asked this question, and now he is bringing forth legislation contrary to what he stated, contrary to what he said. This was his attempt to promulgate on the people of Manitoba that there was a Today's NDP.

\* (14:50)

This legislation indicates very clearly that this is really yesterday's NDP who sit in this Chamber. This legislation, Bill 4, would not allow the people who want to make others aware of what is contained within this legislation. It is going to severely limit their ability to do that. That is why people from across this province have spoken out against Bill 4. It is undemocratic, and it is going to limit the ability that Manitobans have to talk about the legislation, to see what the legislation contains in detail, and see how it is going to affect them.

Now the Premier (Mr. Doer) had also said that he was going to work with opposition parties in bringing forth legislation of this type. Well, let me tell you, Mr. Speaker, there was no

advance warning of this legislation. Members on this side of the House knew nothing of this until the month of July when this legislation was introduced into this Chamber. The fact that we meet in committee is something that is part of our way of doing business here, and the Premier certainly did not mean that that was the consultation that was going to take place. He stated very clearly that there would be consultation with members of the Opposition in this Legislature to bring forward a piece of legislation that Manitobans could accept and Manitobans would feel was a fair way of doing it.

But this lack of consultation is becoming the hallmark of this government. School trustees were surprised at the degree of legislation that was brought in by the Minister of Education (Mr. Caldwell) in terms of returning to the fact that school divisions would now not have contained within that arbitration award any concern, any consideration for the ability to pay.

Yesterday and the two days previous we saw home schoolers from across this province sitting in the gallery, because they were very much opposed to legislation on home schooling. Again, there was no warning. There was very limited attempt I understand, a cell phone conversation by the Minister of Education, to communicate with this group.

This legislation in Bill 4, again, is going to play into the hands of government who do not want the public to know what their legislative agenda is. I might point out to you that the labour law, for instance, or the changes for home schoolers was not mentioned in the Throne Speech. The Premier when he addressed the Century Summit had a wonderful opportunity to tell the labour community and the business community what his intentions were on labour law. He refused to do so when he wrote that Throne Speech. He deliberately left that out. This legislation is going to further inhibit Manitobans from participating in the creation of laws within this particular parliament.

Similarly the railroad bill, again very, very limited consultation with the people who are inherently involved in the short-line railroads in this province, very little consultation with them. As I said yesterday, I do to some degree, con-

gratulate the Minister of Highways and Transportation (Mr. Ashton) in that he brought in about a dozen amendments to try and fix bad legislation.

Again, Bill 4 is not going to give stakeholders an opportunity to get their message out with the passage of this bill. This is going to put a gag on groups who want to explain to other Manitobans what their government is doing. I can tell you that if this government was in opposition, they would not accept this legislation. They would not be putting forth this legislation. It is undemocratic. It is going to stifle debate.

The Premier (Mr. Doer) has talked about bringing forth legislation that was recommended by the Chief Electoral Officer. It is true that the Chief Electoral Officer does have recommendations in his annual reports that are advice and information for government. Some of what is happening, in fact, was in the Chief Electoral Officer's report. But the Government has gone a step further. They have gone further than the Chief Electoral Officer had advised. In fact, they have added portions to this bill that places limitations on communicating by third parties in this province. Again, we feel very strongly that that is not something that this party, that this government ran on. This is not something that Manitobans wish to accept.

I can tell you that I sat through some of these presentations. I recall, particularly, the community newspapers. Community newspapers are those papers out there that publish, usually once a week. A good part of their livelihood and business is based on the fact that they carry advertisements from a variety of groups. We have seen those advertisements in the papers by the business coalition, by the labour groups, by the school trustees, by municipal councils, all making comment on legislation that is currently before this House. What this Bill 4 will do will severely limit the ability of those groups to contract with the community newspapers to make themselves heard, to put that information out to the public. Again, this government is going a lot further than the Chief Electoral Officer indicated in his report. They will be stifling the debate. They will be preventing information from reaching citizens, citizens who

are genuinely interested in the process and interested in the legislation.

On top of all of this, similar legislation has been struck down in other jurisdictions, most recently in British Columbia. The wording is very, very similar. I know the Premier has hung his hat on a Supreme Court decision that he tabled in this House after he was asked to do so. That Supreme Court decision really is in regard to quite a different question. Yes, it has to do with freedom of speech. Yes, it has to do with putting forth information. But the legislation which has been brought in by this government is very much modelled after the legislation that was put in place in British Columbia, and it was struck down by the court. We have asked the Premier (Mr. Doer) to review that, and he indicates that he does not have to simply because of the Supreme Court legislation that he thinks is relevant. I can tell him, from looking at the B.C. case, looking at the B.C. legislation, looking at the fact that that legislation was struck down by the provincial court, the same is going to happen here.

A number of the groups who appeared before committee in opposition to this legislation have stated very clearly that they do not intend to let this legislation sit. They are going to take this to court. They are going to fight the government on this. What the Premier is doing by not looking at what has happened in another jurisdiction, what he is doing is he is going to run this province the cost of going through a court decision, and we are confident the court is going to find in the same manner as it did in British Columbia.

So I can tell you that many individuals and groups across this province deserve to be heard. The Government maybe does not like to hear their criticism. The Government does not like to hear the alternatives they have. We saw that in committee the other night when the Government brought in closure. We have seen in this Legislature after a number of days of debate and committee work that, sometimes by agreement, committees did run late. Not only did they do this on the first opportunity on Bill 42, they did it on the second night of hearings on Bill 44, and they know full well that many Manitobans have jobs to go back to, Manitobans who reside

outside the city of Winnipeg. I can tell you first-hand, on Bill 42, that the Chair of the Board of Rolling River School Division came in to make a presentation. She was on the list and waited till midnight to be heard and could see that, even though she was from out of town, she was not going to be heard in the near future, and she left and went home not to return again.

Again, this government, I think, is gaining a reputation for themselves by the way they treat people. That is the way they treat people, and there are Manitobans who sincerely have something to say, and members of this government do not want to hear. They do it by using the rules, they use them by abusing these people, and not giving them the opportunity to be heard on legislation, and I say that is wrong. They had every opportunity on the labour legislation to meet the next day, in the morning, the afternoon, or the evening to hear another dozen presenters. The Minister of Labour (Ms. Barrett) puts out a press release glorifying the fact that they have listened to Manitobans, and they have tinkered with the legislation.

\* (15:00)

Well, that is not good enough. Not only did you prevent people from being heard by that committee, but you certainly did not respond to some of the thoughtful presentations that were made. This legislation on Bill 4 is going to take all of that a step further. There are going to be penalties imposed on people who want to bring forward ideas. They are going to be threatened by being told that they are exceeding the arbitrary limits that have been brought forward on the amount they are able to pay to have their message taken out.

Many of these groups do not have a forum, a forum like we do here to debate, a forum where members of the Opposition and members of the Government can say what is on their minds to try and put forward cogent arguments either for or against legislation. These third-party groups often have to resort to purchasing space in daily papers, in weekly papers, in the electronic media, and the paltry sum that they are being allowed to spend by the guidelines put forward in this legislation is going to stifle that voice.

As we have seen in committee, as we have seen as ministers consult with groups by cell phone or on the east side of the Legislature, this is a government who is gaining a reputation of not wanting to hear from people, and this legislation is carrying that one step further. It is not going to allow groups to spend their own money to take out sections in community papers, in radio advertising to indicate to fellow Manitobans what government is about, what government is bringing in, what the legislation actually means to them.

Many Manitobans do not have the ability to access legislation. They do not have the ability to have somebody interpret some of the more complicated parts of it. Here in the Legislature, of course, we have Legislative Counsel who can indicate what certain sections of the Bill mean. What this is going to do is it is going to completely stifle the ability of these groups to bring forward their ideas and be critical of the Government, and that is part of western democracy, that government has been elected by the people to govern, to put forward their platform, to put forward their ideas in legislation and in regulations.

This legislation is going to limit the voices that they are going to hear. I am quite surprised that this government in their early days are bringing forward legislation that is much more than was talked about during the election campaign, and it affects a lot more groups and people than simply political parties.

If this government thinks that they can govern without criticism, without hearing what people have to say, they are badly mistaken. I think you are going to be surprised at the feelings that are out there about this legislation from groups. I have mentioned in particular the community newspapers who work very hard to keep small operations going, who depend on not only government advertising but also groups who want to put forward ideas.

Part and parcel of this, of course, is that government is going to be able to—they would say they are not advertising. They are going to say we are dispensing information to the public, in many cases, bragging about their programs and their legislation and the initiatives that they

are going to embark on. It does tilt the playing field because groups who wish to put their point of view forward are not going to be able to do that.

I would ask the Government to rethink this legislation. I know we are on a path to pass it today. I know that the legislation also has to be proclaimed, so there will be a period of sober second thought where members of Executive Council and members of caucus can take a look at this legislation and perhaps not proclaim all of it, in fact, perhaps bring it back another session when they have had a chance to review it in the off season, so to speak, and see that there are some shortcomings in it.

I can tell you that if it remains in its present form, it will be challenged in the courts. I think the Government will face the problem that this very likely can be thrown out by the court, as it was done in British Columbia. I would ask you to take a good look at it and perhaps not proclaim it until you have done some more work on it and bring it back another session.

As this time, Mr. Speaker, I am going to step aside because I know there are other colleagues who want to put their thoughts on the record.

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** I am pleased to have the opportunity to put my comments and thoughts on the record on third reading on Bill 4.

Mr. Speaker, I know members of this House have heard my comments on second reading, but I feel it is very important given that, again, this government is intent on ramming legislation through, something that we have seen a consistent pattern of in this first session of the Legislature under this New Democratic Government. Certainly the middle word "Democrat" in the name of the governing party has not sort of served Manitobans well.

We know and we have seen, as we have moved through this first session, that they seem determined to remove people's democratic rights through several pieces of legislation that have been introduced. We only need to look to some of them in their own party that have criticized this kind of bill that is being brought forward,

Bill 4, The Elections Finances Act. We do not have to look any further than the youth that they say they represent and they say support their party, and the comments that those youth have made, to know that this legislation is ill conceived and that it does not do any service to the democratic process in the province of Manitoba.

If we look at the commitment that the Premier so much likes to talk about, the election promises, and what he talked about during the election campaign, what we see in Bill 4 today and what he said before the election are two different things. I just want to go back to Today's NDP talking about steps toward better politics and restoring trust in government. During the election campaign, they indicated that we will pass this legislation soon after coming into government. The now Premier committed at that time to work with the other parties in the Legislature in a co-operative way to fully implement the reforms. Well, Mr. Speaker, none of us have disagreed that we should have a look at election finances and a look at what the rules should be into the future. But none of us anticipated or expected that unilaterally, single-handedly we would see a Premier that would try to impose his will and his agenda on the people of Manitoba without that kind of consultation that he talked about, that he committed to, that he promised in the last election.

But we know that the things that were promised during the election campaign by the New Democrats were issues that they have paid lip-service to but they really have not, in any meaningful way, implemented what they promised to do. We have seen the New Democrats, after they were elected but before they had an opportunity to put this legislation in place, they discussed it at their party's provincial council, and we have the Young New Democrats that have clearly stated that there is a hidden agenda with this legislation, there is an ulterior motive by this Premier and his government. He defended and talked about that motive in December during the provincial council meeting.

I want to quote, again, from the Young New Democrats who, in their newsletter, have indicated that it is alarming to note that in many respects the legislation, Bill 4, that we see before us is motivated by a "let's screw the Tories"

mentality. The issue was hotly debated at their council meeting, and the Premier attempted to bolster his position by referring time and again to the amount of money the Tories stood to lose and how it was important to pass this legislation quickly before the Tories had a chance to fill their war chest. Well, that is great motivation for making law in the province of Manitoba.

\* (15:10)

What, again, was the rush by this government to look at election finance reform? They have a majority government. We are not going to be seeing an election campaign for another three or four years in the province of Manitoba. What is the rush and what is the hidden agenda? Surely, in the spirit of consultation that this government always talks about, the Premier could have said let us strike an all-party committee of the Legislature, let us meet with the Chief Electoral Officer, let us set up a process to ensure that there is meaningful election finances reform.

But, no, he appears to be bound and determined to rush things ahead, ram them through this Legislature in the middle of the summer when he hoped that no one would be around to know what this legislation was about or what it would be doing.

Well, Mr. Speaker, again we saw, when this bill went to committee, people, many organizations that came out, ordinary citizens or members of groups and organizations that deal with the public. We had the Taxpayers Federation. We had the broadcasters that came out united in opposition to this bill. We had the National Citizens' Coalition, which I know the Government does not give any credibility to. The Premier (Mr. Doer) has publicly called them wimps. Very often, and we heard it at committee on Bill 44 in answers to questions, presenters saying that when someone could not defend their point of view, they decided that making personal attacks on individuals was the only way that they could deflect from their own lack of competence or ability to present their point of view.

When you hear the Premier, who is supposed to be the Leader of this province, calling Manitobans wimps that present their personal

point of view, that does not say very much for the kind of leadership that we are seeing. Maybe that is why we are seeing the kind of legislation and the kind of mismanagement of this whole last 10 months of governance in this province.

Surprise, surprise. Who was out, full force, supporting this legislation at committee? The Manitoba Federation of Labour and CUPE. The very organizations that wrote Bill 44 and led this government by the nose, said to this government: We got you elected; this is payback time. We will come out and support you on Bill 4, but you make sure you pass Bill 44 at the labour legislation. You owe us big time.

So, here again, we have the NDP speaking for the labour unions and the labour unions coming out to support the Government on a gag law known as Bill 4 in the province of Manitoba. So we know what the hidden agenda of this government is. This government is there to put in place whatever the union movement in the province of Manitoba asks of them. We know and we have seen, time and time again, through newspaper articles, editorials, that it is not this Premier and his cabinet colleagues and caucus that are running the show in the province of Manitoba, but there is a group and an organization behind them that are driving the process, driving the agenda, dictating to this government what the laws of this province will be and what the agenda and the policies will be for Manitobans. I say shame. Shame on this government. *[interjection]*

Again we have sensitivity on the side of the Government. Because it is only when they hear the truth and they do not like it that they start to try to turn the tables and deflect from the issue at hand. We are talking about Bill 4. We are talking about gagging Manitobans. We are talking about taking away the democratic right and the democratic freedom of people to choose what political party they will support and how they can participate in the democratic process. It is not only in Bill 4. It is also in Bill 44 where workers have had their democratic right to a secret ballot taken away from them as a result of this government.

I am not sure what the next hidden agenda of this government is going to be. Maybe the

Premier will look at unionizing all of Manitoba, everyone in Manitoba, Mr. Speaker, and he will say that he will have all of a sudden become the union boss of all Manitobans as a result. I mean, he has moved from union boss to Premier, and he still acts like a union boss. Once a union boss, I guess, always a union boss. Maybe the next thing we will see from this Premier is unionization and people will no longer have a secret ballot in order to vote in the province of Manitoba, but all they will have to do is sign a card. He will have Bernie Christophe and Rob Hilliard going around signing up Manitobans, and he thinks maybe in that process he will be premier for life.

We do not know what to expect from this government, but what we have seen to date in the last 10 months is a government that is intent on ramming legislation through, a government that is intent on taking away people's democratic rights to freedom of speech, their democratic rights to a secret ballot, and a government that seems to believe that they know what is best for Manitobans. Manitobans are not intelligent enough to figure it out for themselves. This government says we know what is best for you. We will tell you what to do. We are government now. You do not have the intellectual capability to make decisions and choices on your own. We are going to make those choices for you.

Well, Mr. Speaker, it will not take very long to see this province back to the place it was under the days of Howard Pawley where it took him six short years to bring this province to its knees. We are seeing that kind of arrogance again and that kind of philosophy that will take Manitoba down not build it up.

So we are opposed to this legislation. We are not the only ones opposed to the legislation. The only people who seem to be supporting this New Democratic government and this legislation are those union bosses, again, that are the partners in solidarity with this government. The majority of Manitobans will find that their taxpayers' dollars, their dollars that they pay in taxes are going to be spent fighting challenges in court based on the unconstitutionality of this legislation. We have already seen the same kind of legislation struck down in British Columbia.

We have seen that it will not withstand the Charter challenge.

But that does not matter to this government, because they do not really care about how much money they spend or how they spend taxpayers' dollars. There is no accountability. We will ram this legislation through, even though it has been proved to be unconstitutional. But we will take your tax dollars and we will defend it in court if we have to. Mr. Speaker, that is the mentality. In a very short time, we have seen what the agenda of this government is, and Manitobans will soon come to realize that their individual rights have been removed from them as a result of the policies and the philosophy of this Premier and his government.

\* (15:20)

We do not support Bill 4. We will be voting against it in third reading. The issues that have been raised by many third parties and the concerns that have been raised will, I am sure, come true and Manitobans will be the ones that are the losers as a result of this undemocratic, unconstitutional legislation. So, with those comments, we are prepared to indicate again that it is a sad day for Manitoba to see the kinds of rights taken away from them that this government seems to be intent upon doing. Thank you, Mr. Speaker.

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, I want to take this opportunity to put some more comments on the record regarding Bill 4, and once again to reiterate the fact that I am not in support of this bill.

I am not in support of this bill for a number of reasons, in particular because this bill is an infringement on personal rights. This bill is loaded with language which takes away the rights of individuals and the rights of the individual freedom of association. It will eliminate the rights of individuals to speak out against the Government, particularly during election campaigns, one of the very valuable rights that we are allowed under our democratic system. It also takes away the democratic right of people to form an association, to form a group to raise a common voice to concerns that they have against



issues and policies of the Government. So I am against this bill on that principle.

I am against this bill because this bill is unconstitutional in its nature. We have seen that. We will see it. This bill will be taken to court. There are a number of groups that have indicated that they will test this legislation in the courts. In fact again, the Premier (Mr. Doer) was advised by the Chief Electoral Officer to wait, be patient until they heard the final results of the legislation in B.C., which has lost its challenge under the appeal courts in the province of British Columbia. This legislation in many ways is modelled identically on that legislation, and that legislation has not survived the test of the courts. A number of times, the Premier referred to the *Libman* case to justify this legislation. We all in this House know, and the Premier knows now, full well, that the *Libman* case does not apply in this situation, that there have been other cases tested since then. In fact, the primary witness in the *Libman* case has even reversed his position, and indicated that the evidence he gave before the courts in that case, he has changed his mind and realized that the argument does not hold.

So I am against this bill because it is unconstitutional. Most importantly, I think I am against this bill because it does not do what this government and what this Premier said in the election campaign was his intent to do with this bill. It does not do what he is saying now that it will do. I will not question the Premier's intentions, but it should be obvious to him. It should be obvious to the members of his government that this bill does not accomplish what he is telling the people of Manitoba he wants to accomplish. It does not create a level playing field. There are a number of discrepancies. It will lead more and more to more cynicism on behalf of the people of Manitoba once they come to fully understand it.

There was no rush for the Premier to put this bill before the House. We are not going to have an election for a number of years. The Premier did, in his election promises, make reference to the fact that he would be willing to work in co-operation with all members of the Legislature to bring in legislation that would accomplish his established goals. We do not have that here. We have had no consultation. This bill was brought

into this House prior to any discussion with any other member on this side of the House with regard to this bill, in open conflict with what the Premier had said publicly. He then stood up and said: Committee is the time to hear information. Committee is the time to consult. Well, we went through that process, and the Premier knows that we came into that committee with his ideas already set in terms of amendments. We did hear people. But we did not give any thought to their presentations. The die was cast. The Premier was moving down the road. We are moving down a road, I think, in a very, very difficult area and in an area that is going to come back to make this legislation look foolish. Because I do believe that this legislation is foolish legislation.

You cannot in this day and age try to restrict the rights of individuals. That may have worked in the 1800s when people did not have access to information. We are in the year 2000. We have the Internet. Power is moving more and more towards the individuals through their access to information. They will be able to find out what is going on. They will rise up, and they will want to have their say. We as a democratic society should not in any way try to infringe on the rights of individuals either to speak their minds freely or to join together in groups with a right to freedom of association to make their position known.

I want to go back to just bring a little history into this argument, into this debate. I am going back to the 1930s. I am taking my information from a book called *Capitalism and Freedom*. It goes on to explain how important it is to have a free society. In the 1930s in Britain they did not have that. They had a broadcasting system which was publicly owned. As a result of that, there was a member of the Legislature, a member of Parliament for the country of Britain, that wanted to speak out. He wanted to speak out against what was going on in Germany because he felt that Hitler's approach was taking Europe and was going to take his country in the wrong direction. He was very forceful about that, but he was not allowed to speak on public radio because his views at the time were felt to be too controversial. That is the road we are heading down when we try to set up roadblocks for people in terms of voicing their opinion.

That individual was Winston Churchill. From 1933 on, Winston Churchill, although he was a member of Parliament, was not allowed to speak on the public broadcasting system in Britain because his views were too controversial. I would ask the government: Is that the road they intend to go down? Because that is what this legislation is leading towards. This legislation is putting restrictions on individuals on their ability to use the media in whatever fashion they choose to speak out on issues of their choice.

That is wrong. During debate on second reading I was having a bit of back and forth with the Premier (Mr. Doer). The Premier wanted to raise the issue of Bill Loewen, who is my uncle, and the formation of the National Party. So we had an interesting discussion on it.

Under this legislation we will not give individuals like Bill Loewen the opportunity to rise up, to put their efforts behind issues which they disagree with. In that case the primary issue was free trade. There was a large and vocal contingent of our society in Canada that was looking for a place to go to argue against the Free Trade Agreement. This was in 1993, after the agreement had been passed. That group, with the assistance of Bill Loewen, got together, formed a political party, and made their voice heard. It was very, very expensive.

That is what we are taking away. That is an expensive process. So once again this legislation tilts the balance in the favour of the existing political parties, certainly the existing, best known political parties, which are the Conservative Party, the Liberal Party and the New Democratic Party. It is going to make it very, very difficult for any citizen or any groups to come together to form a new political party and to make their voices heard.

\* (15:30)

If that is the intention of this legislation, so be it. The Government has a majority. If that is what they intend to do, if they want to limit political discussion to the three well-established political parties, then that is their prerogative. They can do that. But they should have the courage to stand up before the people in Manitoba and indicate to those people that is

their intention and that is what they are going to do.

We have not seen that from this government on many, many levels. I did not hear it from the Premier that day when we were discussing this issue on Bill 2. What I heard from the Premier was a reference to the fact that the National Party also stood against donations from corporations and unions. Yes, that was one of their platforms. That was a principle, a principle of that party.

I want to remind the members opposite that on that principle, when that party received a donation from a union, when that party received a donation from a corporation, they did not say: Well, we are going to change the law after we are elected, and then no one will be able to do it. They sent it back. They sent the cheque back, they sent the money back, and they told those groups, the unions and the corporations, thank you for your interest, but this party stands on a principle. That principle applies now. It does not have to be legislated. You do not legislate principles, you have principles.

That is not what we are seeing from this government. What we are seeing from this government is a promise to eliminate union and corporate donations during an election campaign. Once they are elected, what do we see? The first thing out of the gate, they have a massive fundraising dinner. I believe they charged, I am not sure, was it \$325 a plate? That may be a little high. It might have been \$250. Anyway, it was a healthy sum. That dinner was designed to raise money from unions. They were not selling tickets to individuals. They sold tickets to the unions. They sold tickets to corporations. It was designed to raise money from corporations and from union coffers. They know well that it was not designed to sell all those tickets to individuals.

So this party does not stand on a principle. It stands on convenience. The people of Manitoba need to be aware of that. The people of Manitoba need to understand that. Quite frankly, it should be up to the New Democratic Party, it should be up to the government of the day to get up and say that and be honest with the people of Manitoba.

If they want to play this shell game, if they want to stand up during elections and say, you know, we do not support donations from corporations and from unions, they should do so on principle. They should bring legislation before this House that deals with that principle. Before that legislation is passed, they should act on their principles, if that is what they are.

They have proven in this case that is not a principle of theirs. They do not have as a party a principle that it is wrong for corporations and unions to make political contributions. That is not a principle. They have proven that since the election. They should stand up and speak to this bill for what it really is. What it is is a bill of convenience for themselves and for their union leaders.

There is another very, very damning part of this legislation. I think the public will become aware of this and will be very alarmed by the fact that now this government is restricting contributions to political parties, limiting it to people who are what they quote as normally resident within the province of Manitoba. We are going to have to see how the courts define normally resident, because I am sure that will be challenged. There are a great many people who move in and out of the province. There are people who live in the province their whole lifetime, retire because of their inability physically to deal with some of the severe weather that we have in this province. They have not lost an interest in the province of Manitoba. Some of those people have been involved in politics all their life. They have not lost an interest in their political beliefs and they want to continue to support it.

What has this government done? It has shut them down. The ramifications are widespread. My dear aunt in Victoria, who may want to support me, she may not, but up to now she has the choice. If she wants to send me a donation to say, John, we appreciate the fact that you are willing to stand up and be counted and run for elected office; by the way, here is a small contribution, because, you know, she cannot afford much. She will be living off her retirement income, but she may want to just say: I want to support you in a small way because I believe in the democratic principle and I appreciate.

That applies to all members of this House. It applies to all individuals who may choose to stand up and give their beliefs before the public and take their risk at the poll.

This legislation takes that right away from those individuals. Those individuals are Canadian citizens, they are people who want to be involved in the process. This government has no right to take away their constitutional right to be a part of the process.

Once again, if that was the principle, if what this government was saying to the people of Manitoba, look, elections in Manitoba should be only for Manitobans, and if you are outside the province of Manitoba you should not be involved, then they should stand up before the people of this province and say that. They should enact that in legislation they bring before this House.

But they do not do that. They think they are being clever in trying to draft legislation which will, in their mind, have an effect on that big corporate bogeyman that they see out there that they think is going to somehow rise up and make enormous financial contributions to political parties and tip the scales, something that has never happened in an election in Manitoba. In fact, if anybody stood up and tipped the scales it has been people right in Manitoba. It has been union leaders who have been using the funds that they collect day in and day out, week in and week out, for every member of their union, who do not have a choice.

So, if this party is going to stand up for democratic principles, I would suggest to it that maybe it should take a deep, deep look and decide if they really do have any principles besides the principle that says, let us do anything we can to see that we are elected and remain in power. If they are willing to look into their souls and come to those conclusions and come to those principles, then I would ask them to stand up before the people of Manitoba, state those principles, and if they are still in power to come before this Legislature and bring us legislation that is going to live up to those principles, not legislation that is poorly written, that will not survive the test of constitutionality and which in my opinion is devious in many ways.

So, Mr. Speaker, those are my primary objections to this legislation. It should be withdrawn. We should form an all-party committee or we should have a commission of inquiry. We should have a public process to let the people of Manitoba determine how they want to be governed, how they want to see their elections handled, because what they do not want, I am sure what they do not want, is to cut out one segment of society and to allow those that want to tilt the political system in their favour to have a large say in all of this.

That is what they have done, because nowhere in this legislation, although they do not allow people from outside of this province to make financial contributions, individuals, what they do allow is people to come from out of province to work on elections and to do so in a way that does not cost any political party any bit of their election expense allowance to have those people come here. That has long been a problem with elections, to have this flood of people, this flood of workers come from outside of our province to try and influence elections in our province. These people, in many cases, have no real interest in Manitoba. They have a political interest in one political party. They do not even know who the candidates are. They are just coming in to work for one political party because they work for that party in another province of the country or they work for that situation in another province.

Once again, if it is true that this government wants to limit the political process to people that reside in the province of Manitoba, then I would challenge them to bring legislation before this House that does that.

Mr. Speaker, in speaking to this bill in second reading, I mentioned a number of other concerns that I have about this bill. I want to put it on record that none of the flowery amendments that the Premier (Mr. Doer) has brought to this House to speak to this bill satisfy any of those concerns. In fact, they only make me more concerned about the legislation. When I say this legislation is poorly written I only have to give the example that the Premier himself gave when he spoke one week about three weeks ago and said, well, this legislation will ensure that the ads we saw during the last campaign that were there

by the teachers' union and by the nurses' union are banned and will not be seen again, only to change his mind a week later and say, well, look, people are complaining about that. This legislation really will not do anything about that. So what is this legislation meant to do?

My suggestion to the Government is to figure it out, decide what their principles are, and then until that is done to withdraw this legislation.

\* (15:40)

**Hon. Jon Gerrard (River Heights):** Just a few brief comments on Bill 4. As I have indicated when I spoke in second reading I am not fundamentally opposed to moving to a situation where we have individual contributions, but I think that this bill as it stands now has a number of significant flaws which should have been carefully addressed during the process of committee and debate and amendment here which were not.

I do want to compliment the Government on clarifying what is an election communication expense, because I think without that clarifying amendment, we would have been into a real quagmire interpreting what was an election communications expense and what was not.

That being said, I think that there are two really big issues which are outstanding. The Government is proposing to have an all-party committee, but that committee will come together after the legislation is passed. I think that there really are fundamental problems that should have been worked out with an all-party committee before the legislation was passed so that in fact we have some understanding that we are going to have a piece of legislation which is in fact workable.

I have some great misgivings about the ease with which an all-party committee will now be able to work having the legislation already there and not having the flexibility that we might have had to work out in a serious fashion some of the details in how the legislation would apply and how it would apply fairly and how it would serve not to limit democracy as one indeed is concerned here but to enhance democracy.

I also have some real concerns about the third-party provision. As I have said before, being a third party here, it may affect me particularly, but, no, Mr. Speaker, the third party here means non-political parties, of course. In this circumstance it is the non-political organizations or groups who want to contribute or want to participate in the debate. The limits which in this circumstance are being applied are such that during an election a third party will not be able to purchase advertising in even reaching all the voters of this province. That clearly is a concern in terms of limiting the extent of debate, limiting the participation of third parties. Clearly that was one of the limits which was taken into account in the court ruling in British Columbia. A little bit more time and consideration might have come to a better conclusion as to what was an appropriate limit if indeed we were to limit third parties in this fashion.

So I continue to have some major concerns with this legislation, will oppose it in its present form because of that, and just wanted to make that position clear.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is third reading of Bill 41 that was moved by the Honourable Government House Leader (Mr. Mackintosh) and was seconded by the Honourable Minister of Agriculture and Food (Ms. Wowchuk), that Bill 4, The Elections Finances Amendment Act (Loi no 2 modifiant la Loi sur le financement des campagnes électorales), be now read a third time and passed.

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

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Speaker:** All those in favour, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Yeas have it.

#### Formal Vote

**Mr. Marcel Laurendeau (Opposition House Leader):** Yeas and Nays.

**Mr. Speaker:** A recorded vote has been requested. Call in the members.

Order. The question before the House is third readings, the motion moved by the Honourable Government House Leader (Mr. Mackintosh), seconded by the Honourable Minister of Agriculture and Food (Ms. Wowchuk), that Bill 4, The Elections Finances Amendment Act (Loi no 2 modifiant la Loi sur le financement des campagnes électorales), be now read a third time and passed.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Aglugub, Allan, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers, Wowchuk.*

#### Nays

*Cummings, Dacquay, Derkach, Driedger, Dyck, Enns, Faurshou, Filmon, Gerrard, Gilleshammer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Pitura, Praznik, Reimer, Rocan, Schuler, Smith (Fort Garry), Tweed.*

**Madam Clerk (Patricia Chaychuk):** Yeas 29, Nays 23.

**Mr. Speaker:** I declare the motion carried.

\* \* \*

**Mr. Mackintosh:** Mr. Speaker, would you please call Bill 42.

### **Bill 42—The Public Schools Amendment and Consequential Amendments Act**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Education (Mr. Caldwell), that Bill 42, The Public Schools Amendment and Consequential Amendments Act (Loi modifiant la Loi sur les écoles publiques et modifications corrélatives), be now read a third time and passed.

#### ***Motion presented.***

\* (16:10)

**Mrs. Joy Smith (Fort Garry):** Mr. Speaker, today I rise to put some closing comments on the record regarding Bill 42. It is with much regret that I have seen Bill 42 go through, because I do believe or have come to this stage in the dying moments of the bill simply because I do believe that it is very important that Manitobans understand the gravity of what has happened here.

This bill passed, went through amendments and passed during the hot summer days. This bill passed under duress with much speed. Members opposite have been asked on a regular basis to reconsider this bill and to move forward and to go out into the province of Manitoba and collaborate with the taxpayers.

Mr. Speaker, the gravity of this bill will be felt in the very near future. We have asked that amendments be looked at. We have asked that more teachers at the grass roots be collaborated with. The ramifications of Bill 42 will be so far reaching that it will hit in the classrooms all across Manitoba. It will hit the taxpayers pockets all across Manitoba. It will hit the very teachers it is supposed to assist.

Mr. Speaker, we heard time after time that working conditions in the classrooms have to be improved. Nobody would argue with that. Nobody would argue with the fact that teachers need to be supported. But it is a very sad day when this bill goes through for Manitoba because the ripple effect, the wave of distress, will go across Manitoba in a very meaningful way when taxes are raised, the ability to pay once again.

We have had a lot of feedback from members in the business community, had feedback from some grass-roots teachers, had feedback from parents. In looking at the Bill itself, and especially the one particular clause that talks about the ability to pay, and the amendment on the ability to pay that was turned down by members opposite, Mr. Speaker, causes grave concern on this side of the House.

Mr. Speaker, we look at all the bills that, in the first sitting of this Legislature, with this brand new government and we look at all the bills that have been rammed through with the careless manner in which legislation was put forward, thrown together and put together with the thread of an agenda that is very scary for Manitobans.

What we should be looking at in Bill 42 is, first of all, the well-being of the students, and the Minister of Education (Mr. Caldwell) in this House has very eloquently talked about his caring for the students here in Manitoba. Unfortunately, actions speak louder than words. It is the feeling of members on this side of the House and myself and the Manitoba Association of School Trustees and the Manitoba Association of School Superintendents and the principals and a goodly number of the teachers—a goodly number of the teachers, Mr. Speaker, really did not know much about the Bill at all, did not know really what it meant. They were just told that they would be in control and their working conditions would be better.

Some of the teachers that have looked at it have questioned aspects of the Bill, and when we have these members of leading organizations like the Manitoba Association of School Trustees, parents, taxpayers that are questioning the Bill, this government, members opposite had ample opportunity to sit back, shelve the Bill and go out all across Manitoba and speak to the constituents, speak to the taxpayers, speak to the schools, take a long look at what is going to happen to the programs in the schools. The money goes so far; it is not an endless pit. There has to be a plan, a five-year plan, a ten-year plan and for this government a four-year plan because that is the length of term of office this government will be in, as a result of the legislation that has gone through this House. The lack of

collaboration, the lack of attention to detail, the lack of attention at looking at the future, the future and well-being, No. 1 of the students of the province of Manitoba because schools were built for students, I am sorry, not for teachers.

Teachers are there to teach the students and they are to be supported. They are to be supported but they need to have the resources, the taxpayers' money to be able to put programs into place. Most teachers do not go to parent-teacher interviews and talk about their paycheques. Most teachers do not go to interviews and say my well-being and the liaison, the friendly atmosphere between the students and the parents and the teachers depend on their contracts. Teachers do not think that way. Teachers in Manitoba are loving, caring people. They do have at this present time a respectful wage and a wage that does need to be increased, but the far-reaching ramifications of what has happened in this bill is absolutely astonishing.

In my 22 years of teaching I taught, particularly at junior high, my students not to be influenced by peer pressure. Unfortunately, there has been union peer pressure through all these bills that have been presented through this Legislature. We sat in committee of Bill 42. We really had closure in Bill 42 except we did not scream and yell about it. Members on this side of the House did not. When it happened with Bill 44, we screamed and yelled about it because it happened once too often. There was closure with Bill 42 because the assembly, the Committee was not stopped at 12 midnight, but far into the night we sat listening to presentation after presentation after presentation. In those presentations, you could tell they would have private citizens supposedly who were presenting, and they always let us know that they were presidents of some union. In talking to a number of grass-roots teachers, they did not even know that these committee hearings were taking place.

Teachers are extremely professional, intelligent people, and teachers in this province have been ill-informed. They have not been informed. They do not know what is going on. My greatest fear is that the teachers will be blamed for this unsavoury bill. Teachers will be blamed when taxes go up. Teachers will be blamed, and this is unfair to the teaching population.

Improvements, problem solving, and facing challenges are all a part of what members opposite have to deal with, whether it be in health care, whether it be in labour bills, whether it be in education. This Minister of Education, it is my belief, has a heart for the education, I will not deny that. I feel as if he is a man who believes he is doing the right thing. I think the Minister opposite is also a person who votes with his caucus depending on what the majority rule. We saw that in Bill 12 where home schoolers were pleading for a little bit more time, and it was turned down. I daresay, it must be very difficult for some members opposite, when they know that they have to vote, no matter what others believe, they have to vote according to the caucus.

\* (16:20)

Now I do not know whether this occurred or not, but I cannot see any logic as to why Bill 12 passed or was not shelved with the hoist motion, but, you know, it started with Bill 42. We should have seen the danger signs. Members on this side of the House were very hopeful that when we presented logical reasoning as to why the ability-to-pay clause had to be left in, we had hopes that, at its very worst, the amendments would be altered but the ability-to-pay clause would be in there to protect the students, the taxpayers, and the teachers.

On the surface it looks like, well, now teachers will finally have wonderful working conditions. This is a camouflage of a disaster that is about to happen in this province. When you take the wrapping off and look underneath, the whole core is rotten. What is going to be happening is disaster in the public school system. The face of the public school system is going to be tarnished with a bill that is going to drain taxpayers of money that is needed in households across this province. It is going to drain school divisions of finances that support programs, and it is going to open up divisiveness.

I see another thread. This government has a talent for putting in the most divisive bills that cause people to war against one another. The war that we are going to see here is going to be between teachers, parents, trustees, and princi-

pals, because there is no order; there is no common sense; there is no long-term vision. We have to not just look for today or look for maybe tomorrow, we have to look at three, five, ten years down the road. We have to build a system that is sustainable. We have to build a system that allows for the liaison between teachers and parents to occur. I must stay one of the most thrilling aspects of being involved in the education system, first of all, was with the teaching of students that I was privileged to be a part of for 22 years. The next thing was the privilege of being able to work with parent groups and to see Regulation 54/96 go into play where parents have a right to have meaningful input into curriculum, into discipline policies, into all aspects of education, even into fund raising, where parents have this obligation and this right.

Before this present government came in, this province had these wonderful new curriculums, curriculums that needed to be rewritten for the past two decades. Mr. Speaker, the previous government brought in these curriculums. The previous government brought in assessment, accountability. So the students and the parents knew where they stood. They were not fooled. It used to be ten years ago, or as early as five years ago, where parents would get report cards that said: good, very good, whatever. And parents said: This is not good enough. They had children who went through all the school system. At the end of the day when they graduated and went to post-secondary education, they found out that their children could not read, write or compute.

This was a very sad day when the Grade 3 assessment was convoluted to such a way that there is absolutely no consistency across the province. In actual fact, it has put a greater burden on the teachers. A lot of teachers are not schooled in test design. That is why we have resource teachers in schools. That is why we have in-services across the province for assessment. That is why the former government put in supports. I daresay, we needed even more supports for teachers so they could handle the testing process. It was an outcomes-based test. What that meant is that children were assessed on what they had learned, based on the curriculum before them. We now have a smorgasbord of tests. Members opposite should

realize that in testing I can speak with authority with the background I have had with testing and my certification as a special education teacher—tests are designed to test different areas.

With Bill 42, I ask members opposite this question: Where is the funding going to come from to ensure that the programs, the testing, the assessment is stable in this province where students and parents will know, by the time they have graduated Grade 4 that students have achieved a high academic and social standard, and that the public school system has done its very best?

The former government had to address these issues, Mr. Speaker. The University of Manitoba was putting in extra years for students arriving at university who absolutely did not have the ability to write an essay. There was a year put in at the university to catch everybody up on reading and writing. It spoke to the fact that the accountability and the assessment in this province were less than adequate for the students.

We went through, I would say, about four or five years of very difficult times in the education system, because the paradigms were changing, new curriculums were changing, parental involvement was introduced. All these things converged upon the school system.

That is the opportunity that unions took to speak out and say the working conditions are not as they should be. I would agree that the working conditions for teachers absolutely had to be improved, but in this bill, in the preamble, in I believe it was clauses 9 and 10, it actually spoke to the fact that collective bargaining and good collective bargaining made teachers happier, so therefore the students would be happier. Mr. Speaker, this is absurd.

I taught in a real classroom, and I worked with real parents and real students. At one point in my career, I was at a school for seven years that had every sort of challenge you could imagine from low-income families to single-parent families to kids with learning deficits, to ADD, all these things, and you know what made it work? What made it work was the love and the caring for the students and the embracing of the parental ideas and the parental aspect into the



education of their children. The potential of the students out there is what we should be talking about. We should not be talking about the collective bargaining process. All the first part of this major educational legislation had to do with collective bargaining.

Mr. Speaker, this government has to wake up and look at what the real issues are. The real issues are the fact that we are short of math and science teachers at the senior levels. The real issues are there are children who are having problems in classrooms that we need to address. I have taught many students who you would say are students that could have never succeeded. I have to tell you some of those students are now in post-secondary institutions. One student is now a surgeon that everyone thought would never work.

You see teachers who are putting out the time, the love, the caring. Liaison cannot be legislated; liaison, good feelings, good rapport cannot be legislated. I spoke previously on the fact that the good rapport starts person to person, just as in this House, when the Minister of Education (Mr. Caldwell) and myself and members opposite and members on this side have had great differences of opinion, but through collaboration and liaison and listening there could have been a middle ground that was met, a middle ground where we could have worked together to problem solve, to improve the working conditions of teachers and yet not take the proverbial financial rug out from underneath the Province, out from underneath the taxpayers, out from underneath the schools.

\* (16:30)

I have to tell you that this government and this minister will wear this bill. If there is any chance at all at this point in time for reconsideration, which I do not think will ever happen, now is the time. We have seen Bill 12 where there was lip-service paid only to open-door collaboration. We have seen Bill 44 where our own Premier (Mr. Doer) of this province selectively took phrases out of the presentations to support his point of view, nothing said about the other ones. We have seen closure invoked to such an extent that presenters had to go home. It was so late at night they were tired. We have

heard from members opposite their desire to listen to the people.

Mr. Speaker, it is unfortunate that this truck-load of legislation that was put together with the threads that I have been talking about will not stand the test of time. With Bill 42 in particular I shudder to think of the kind of ramifications that this province is going to feel because of the content of Bill 42.

I must speak to the fact that when I heard the presenters, a large part of the presenters that we are talking about, the workplace conditions, related unfortunate incidences when employers and people who were responsible for schools did not work as well with their teachers as they should have. Teachers need to have the collaboration. They need to have input. Teachers need to be listened to.

Mr. Speaker, members on this side of the House do not believe that Bill 42 is the answer to these workplace ills. These workplace ills have an awful lot to do with interpersonal relationships, have an awful lot to do with leaders who are in place in individual school sites who do not have the ability to bring the team together.

I have to say, Mr. Speaker, that I have been all over this province. I have to say that I have talked to many schools, many trustees, many principals, many teachers, where the relationship in that school was wonderful and the school divisions were wonderful, because they had the ability to meet the challenges, because their individual leaders, their trustees, their principals, their teachers, had the ability to build teams and collaborate. Their one focus was one thing, the students in the classroom. That focus is now off the students of the classroom and is now back on the paycheques of the teachers. I do not think teachers want that.

Teachers want to be paid well, should be paid well. I know that this minister is probably well-intentioned, but we have an NDP Government that has a very socialistic kind of agenda that unfortunately is not fair and balanced. The best of intentions, if one segment of the community is left out, will not solve the challenges and the problems that the public

school system is facing. So, with much regret, members on this side of the House see this very ill-fated, ill-thought-out bill about to become law here in the province of Manitoba. I have to say that the ramifications will be felt far reaching all across this province. Unfortunately, it will cause students to live in homes that cannot financially support the schools in their districts. The dollar will not go that far.

Mr. Speaker, having put these comments, once again, on the record, I know members opposite are fully aware how members on this side of the House feel about this bill. We have told them loudly and clearly. I have to say that in one, two, three, four years, we will be coming back and we will be saying because of Bill 42 the taxes were raised, because of Bill 42 the wedge has been split between teachers, principals, superintendents. The school divisions will look entirely different in four years because of forced amalgamation, will have come to fruition or come into place because of Bill 42. So the ramifications of this very ill-thought-out bill will speak to the people of Manitoba in a very meaningful way when this government has to go back to the people and say: We did not realize what this meant. It is very unfortunate that this has occurred.

So it was with much sadness once again I speak to Bill 42. I know it is in the dying moments. I know that there is not much that probably is going to change. I know that members opposite have rammed this bill through. It will come into law. It is with much sadness I see this happen, because of the hurt that it is going to cause all across the province.

**Mr. Leonard Derkach (Russell):** I want to put some comments on the record with regard to Bill 42. Although I have put some comments on the record with respect to this bill, it certainly is one that I think is worthy of comment, once again. Because as we approach the dying moments in the passage of this bill, we see that the Government is not prepared to change its mind even after having listened to not only us as opposition, but to members of the public as well.

The theme of this government throughout the course of this legislative session has been to simply ignore what Manitobans have to say to it,

has been to ignore the pleas of ordinary citizens with respect to the massive number of bills that have been put before this legislature that have infringed on the rights and the freedoms, and have trampled the rights and freedoms of ordinary people within the province of Manitoba. This is a serious issue because never in the history of this province, I do not believe, have we seen this kind of infringement on people's rights and freedoms by a government in its first sitting in the Legislative Assembly.

So, Mr. Speaker, I think it causes us some concern with respect to where this government is going, the direction this government is taking, and the tone that it is setting for this province. This province has been blessed with some fortune over the past 10 years because when we took government, we had to take this province out of an enormous debt. In partnership with the good people of Manitoba who are strong, who have an ability to build this province to be a strong and viable province, we were able to dig this province out of an enormous debt, lower the taxes in this province, bring us back into line with the rest of the provinces in Canada and then surpass, as a matter of fact, our place, if you like, in this country to where our economy was probably the second strongest in Canada. That is no small feat. I would never presume to take credit for doing that as a government alone. We had to work in partnership, in consultation, hand in hand with the people of this province to be able to accomplish that.

\* (16:40)

Today we heard, in this House, the Premier (Mr. Doer) of this province stand in his place and try to take credit for the burgeoning economy of our province. That simply is not fair. The Premier and his government cannot take any credit for the economy that we are experiencing in this province. To date, I have not seen this government in partnership with the businesses of Manitoba start any specific business in Manitoba since they have taken office. They cannot take credit for seeing one business move into this province where they have been a partner in establishing that business in the province of Manitoba. All they have been doing to this point is riding on the coattails of the economy that was started and was generated

by the people of this province and the previous government, Mr. Speaker.

So, when we look at Bill 42, once again it is a very strong-headed approach that does not take into account the ordinary people of the province of Manitoba. This bill did not have its origin with the people of the province. This was a political agenda of this government.

Now, the Minister of Education and Training (Mr. Caldwell) has said with reference to Bill 12 that we politicized the issue. If you want to talk about politicization, look at Bill 42, because this is pure, raw politics. This bill does more to take away from what has been built by Manitobans than we can imagine, because it simply takes away the accountability, the responsibility that was imposed on people who were in charge of the bargaining, conciliations and arbitrations in the province of Manitoba.

Mr. Speaker, this does not do anything for the classroom teacher, for the ordinary teacher who works day after day in the classroom, because those few pennies that may be put into that teacher's pockets are going to be taken away by the higher taxes that are going to have to be imposed on that teacher as a result of what happens in the province as a whole.

There may have been problems with some of the issues as they relate to Bill 72. There would have been no furor had the Minister of Education and Training (Mr. Caldwell) simply taken a look at Bill 72 and said: I am going to change some elements of Bill 72. That would have been fine. But to repeal the entire bill and to come in with a new bill that amends and takes away almost all of the important aspects of Bill 72 is just not responsible. I think it is an irresponsible action taken by this government and by the Minister of Education and Training.

Bill 42 is going to do harm to the education system as we have it in Manitoba today. True, the Minister of Education and Training (Mr. Caldwell) and his government have the good fortune of some surplus income that is coming into this province as a result of an economy that is strong because of the work that was done previously. So the Minister of Education and Training is enjoying the fruits of the labour of

Manitobans and of the previous government, but now he is going to squander it. I believe that is wrong. I believe it is enormously wrong to simply put that money in the pockets of a few people and not allow the entire education system to benefit by it.

Now, Mr. Speaker, trustees were concerned about this legislation. They came before the Committee. They wanted to make their case known before the Committee. Why did this minister and his committee members and this government cut off debate? They cut off the presentation. They invoked closure on the trustees.

Now, the Member for Flin Flon (Mr. Jennissen) says that is not true. It is true. Mr. Speaker, the trustees were not allowed to finish their presentation. Now, these are trustees who represent the vast majority of taxpayers when it comes to education taxpayers, the tax base in our province. Now, this government could not afford them an additional 10 minutes to complete their presentation. I do not think it would have taken 10 minutes. It would have probably taken 5 or less to have the trustees complete their presentation.

We asked for leave, but the Minister said no. The Committee said no. The Committee said no. As a matter of fact, it was very evident when one individual in that committee said cut them off. Mr. Speaker, I think that is unfortunate. I think that is a tragedy because Manitobans, the ordinary people of this province were cut off from having their voices heard on this bill. I had no difficulty if the Teachers' Society had not finished their presentation. I would have given leave for them to complete their presentation if they would have required more time because it is important for us to be attentive, for us to be good representatives, and for us to be good stewards of this Legislature and of the processes in this Legislature to listen to Manitobans.

That is a theme that has been consistent with this government since they took office, and I go back to the issues on Bill 5. You will say why are you talking about Bill 5 when we are supposed to be talking about Bill 42? But it is a thread that has gone through all of the bills, all of the legislation that was introduced into this

House this legislative session. In Bill 5, the Minister had promised to hold public hearings. He even went so far as to advertise the location, the times of those public hearings prior to that bill being introduced. That was the proper way to do it. That was the way you consult with Manitobans, but then someone got to that minister, someone in Executive Council, someone on that side of the House said to the Minister you will not do that. The Minister was forced to cancel all of those public meetings and those consultations that he should have rightfully held.

My question to that is: What is the Government hiding? What agenda, what hidden agenda are they on that will not allow them to consult with Manitobans? We saw it again in Bill 42. We saw it again in Bill 12. We saw it again in Bill 44. Bill 42 gives some, I guess, extra advantage to one small sector of our society and that is the teachers. The teachers did not have a disadvantage with Bill 72. All Bill 72 did was it said that every arbitrator has to consider the ability of that school division to meet that agreement that was going to be imposed on that division and on those teachers. It simply said that the arbitrator had to be responsible in the award that that arbitrator was giving. And there is nothing wrong with that, because even with the funds that this province has, to the Minister of Finance and the decisions he has to make and the decisions the Government has to make, the ability of taxpayers to pay for the things that we want, for the things that we need certainly has to be taken into account. We do that in our own personal lives, day after day. We have to consider our ability to afford something before we make that expenditure. I think it is a responsible approach and one that should not be taken away from arbitrators who make decisions when it comes to collective agreements. That is probably the single most offensive part of this bill because it ties the hands of school boards.

\* (16:50)

Now, the Teachers' Society is all in favour of this and understandably so. I do not blame the teachers for being in support of this. They have seen that they can take advantage of this government, this Minister of Education, who is weak, this government, which is weak, and they can have their way with them.

It is easier to say yes than it is to say no. So this minister has caved, this government has caved to the wishes of one interest group, in this particular case. They have said, yes, we will let you have whatever it is you want. Why have they done that? Well, again, it is political. It goes back to the support that this government received when it was running in the election campaign. It is simply a payback. Let us call it for what it is. Bill 42 is a payback. It is not a responsible way for government to act. *[interjection]*

Well, I just heard the Member for Interlake (Mr. Nevakshonoff) say they are finally getting something back. *[interjection]* No, no, no. The Member for Interlake says the teachers are finally getting something back. If that in fact is the case, then what I have just stated has been confirmed, that this is a payback bill, that this is a payback to the teachers for their support in the election campaign that brought this government into office. It is the wrong thing to do. It is the wrong thing to do because it is irresponsible.

Does that then say that the trustees have to suffer because the trustees perhaps did not give this government the kind of support that the teachers did? So now the trustees and the taxpayers must suffer. Who suffers? It is the children of the province of Manitoba. The Member for Interlake says it is time they got something back, it is time the teachers got something back. At whose expense? At the expense of the small children in this province, and I think he has acknowledged that.

Mr. Speaker, that is what Bill 42 does. It creates a hardship for the children of the province of Manitoba, because trustees are not going to be able to afford those elaborate awards that are going to be given by arbitrators because they no longer have to consider the ability to pay. I think that is grossly irresponsible on the part of this government. It is unfair. It creates an imbalance in the whole negotiating field.

I negotiated for teachers at one time, and I have negotiated for trustees. I have been on both sides of the fence. Yes, we tried to extract every advantage we could when we went in to negotiations with trustees when I was a negotiator for the teachers, and we did the same

thing when I was a trustee. We tried to ensure that we represented the people who had put us in that place, and we represented them to the best of our ability. But at least in those days there was a level playing field. In those days, you went before an arbitration board and you had a chance to appoint one arbitrator. The other side had a chance to appoint an arbitrator. The chair of the arbitration panel was appointed by a process that was agreed to by both sides. There were a number of people that you could choose, in the case of an arbitration chair.

Yes, our government changed that. Our government changed it because, as time went on, negotiations became skewed. Arbitrators started making statements like a school board does not have to consider the ability to pay because all they have to do is increase taxes. To me, that was somewhat of an irresponsible statement. Members opposite can say, well, that did not happen. All we have to do is check the records, and indeed it did happen.

As a matter of fact, the arbitrator in the case where that happened was one former minister of Education, and indeed someone who should have known better. But that then changed the tone of the way arbitration awards were being handled, because that set the precedent in determining that indeed arbitrators no longer had to consider ability to pay because all school boards had to do was increase taxes.

What does that say to the taxpayers of our province? It says that, indeed, we do not have to worry about the taxpayer. All we have to do is tell them that they have to pay more. Regardless of whether they can afford it or not, they have to pay more. That is irresponsible, Mr. Speaker. You know that. I know that. Most Manitobans know that. But, unfortunately, this government does not know it. This government does not know what this imposition is going to do to the people of Manitoba. This government does not know what hardship it is going to create in those school divisions who cannot afford some of those high increases in costs.

There are times when the economy is buoyant and when school boards can be more generous. Those school boards are interested in the welfare of their children. So in good times

when they can afford it, you can rest assured that they will be more generous. They will open up the purse strings and allow for greater increases in their teachers' salaries. But there are times when you cannot afford it. So therefore, you have to consider the ability to pay. Not every school division can pay the same, Mr. Speaker. Sometimes that is the flaw of the arbitration system. Because the arbitrator forgets to take into account that some school divisions do not have the same ability to raise funds as other school divisions do. So it puts school boards in a position where they have to make some very difficult decisions about what programs are going to be cut, what schools are going to have to be closed, what programs are not going to be available, and what opportunities are not going to be available to the children within that division.

If we think we are talking about hypothetical things, all we have to do is take a look at the record and what has happened in some school divisions where school divisions can barely offer the bare minimum and the bare standards of programming. I know the Minister has said: Well, if they cannot afford to do that, they will have to amalgamate. Well that is no solution. True, maybe we have too many school divisions in our province. The Minister seems to feel that we do. But you know, Mr. Speaker, there is no better control of costs than there is at the local level, because people at the grass roots understand what their capacity is. If the Minister wants to enlarge the size of our school divisions, he is going to have to be prepared to enter into that debate with Manitobans.

Manitobans are not going to take this lying down. They want efficiency, yes. But I do not know any community, I do not know any school, I do not know any community that is willing to put the lock on the door of their school. Because not only is it a school, it is the focus of that community. It keeps the children in that community. It keeps safety in that community. It gives a purpose for that community to be alive. We have seen that happen in many communities.

I will never forget where a school was closed in a community next to my home town. The community was alive. It was vibrant. They had about 60 students in their school when the

school was forced to close. The school board felt they could extract some savings by closing that school, and maybe they did. But, at what expense to the community? At what expense to the families within that community? That seems to be the last consideration sometimes when we make those decisions. The quality of education in that school was good. The quality of education was high. Those students did not do more poorly when they went to a larger school. It gave purpose to that community. It made it a community, Mr. Speaker.

\* (17:00)

So if the Minister of Education (Mr. Caldwell), through this bill, is now going to force school divisions to make some difficult choices about what programs they are going to have to cut, because only one part of that entire system is going to be more richly reimbursed for its efforts, the entire community is going to suffer. I daresay that teachers are going to suffer, because they are going to lose their jobs. There are going to be larger classrooms. There are going to be more students in those classrooms and fewer programs. It follows, Mr. Speaker.

I am not one who should stand here today and say that teachers should not be paid fair value for the work that they do. I do not believe that our teachers are overpaid. I believe our teachers deserve to be paid fairly for the efforts that they put into their profession. It is a tough profession. Teaching is not an easy profession. I admire every single individual who puts his or her name forward to become a teacher and takes that step into that profession. It is a noble profession. It is one that does not receive the respect it should have, and I am the first one to say that. But it is also one that takes a lot of energy and a lot of personal commitment to make that teacher a master teacher. We have many master teachers in this province.

We do not give teachers the resources that they require sometimes to do their job. We impose on them curriculum changes that are very difficult for them to adapt to, and we do not give them the resources to be able to adapt to those curriculums quickly enough. That is a reality of funding shortages, because we know that as a small province with a small population

we still have to compete in the world environment and in the global economy. Therefore, it is a little more difficult for us than it is perhaps in larger jurisdictions.

Mr. Speaker, we have done, in my view, a very respectable job in terms of the people who have graduated out of our high schools, out of our university and our college institutions. If you take a look at some of the people who have come out of the education system of this province, we should be very, very proud of what they have accomplished in their lives. So our education system in this province has not been one that we should be ashamed of. It is one that we should be proud of. But we cannot destroy it, we cannot destroy it at the elementary to high school level by making conditions difficult for trustees and difficult for the people who work in the systems.

When it comes to Bill 42, I am disappointed that the Government in its first session decided to move so quickly and so hard on this issue. I can see some amendments that could have been made to Bill 72, and that would have been, certainly, probably acceptable to us, but not the complete repeal of that bill and then the imposition of what we see in Bill 42.

So, Mr. Speaker, I think I have said my piece with regard to Bill 42. I think it is clear where I stand on Bill 42. It is clear where we stand as a caucus. We have done what we can with regard to Bill 42, and now I believe that the Minister, if he has been listening to the presenters that were before the House, if he has been listening to anything that has been said in this House, he would clearly stand in his place and amend this legislation so that it is more palatable to the people and to the children of the province of Manitoba. Thank you very much.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to put some comments on the record concerning Bill 42, The Public Schools Amendment and Consequential Amendments Act. This bill addresses the mechanism for settling collective bargaining disputes between teachers and school boards. It amends The Public Schools Act to bring teachers under a collective bargaining process which includes some aspects of The Labour Relations Act. In

doing so, it prohibits strikes by teachers and lockouts by school boards, while providing instead a scheme of binding arbitration. However, the result is to some extent a mangled hybrid of the two acts, The Public Schools Act and The Labour Relations Act, which both school boards and teachers have indicated is suboptimal.

It is worthwhile, I suggest, going back to 1956 under a Liberal government in Manitoba. The changes introduced in 1956 remained in place for 40 years, a testament to the remarkable balance that was achieved under a Liberal Government in 1956 when teachers were moved from The Labour Relations Act to The Public Schools Act. The Labour Relations Act provisions were basically transferred intact to The Public Schools Act except that there was binding arbitration instead of the right to strike by teachers and the right of school boards to lock teachers out.

Since then, of course, much time has passed. The Labour Relations Act has been very considerably modernized, but The Public Schools Act has remained in essence an historic artifact, in many of its provisions a time capsule, which captures the state of bargaining as it was in the mid-'50s. Of course, it is time to move forward, recognizing the modernization that has occurred in The Labour Relations Act.

The situation for collective bargaining for teachers and for school boards remained the same from 1956 to 1996. However, with the passage of time, the collective bargaining situation was clearly, by the 1990s, deteriorating, as indicated by submissions from several of the presenters. As an example, the submission by the Brandon School Division No. 40 indicated, and I quote: The legislative amendments introduced in 1996 through Bill 72 sought to rectify the deterioration that had become increasingly evident in the collective bargaining process in the concurrent shift in the balance of power in favour of teachers.

Clearly it is inappropriate to move back to the legislation as it was. We need, instead, to move forward. However, I should note that Bill 72 implemented by the Conservative government was a very flawed and one-sided bill. It

was viewed as draconian by teachers. It created a situation with tremendous animosity on the part of teachers and where, in a number of school divisions, relations between teachers and school boards are at an all-time low as illustrated by the presentation by Doug Halmarson. The Conservatives swung the pendulum far to the right. The result was very unstable, and today, only four years later, change is necessary and is being implemented.

The new bill, however, swings the pendulum too far to the left, as the presentation from Winnipeg School Division No. 1 indicates: "Bill 42 goes farther than anticipated and will substantially change collective bargaining between divisions and its teachers. Bill 42 and the changes proposed to the legislation speak only to the issues raised by the teachers. It does not address issues and concerns of school boards." That is a direct quote.

Indeed, the Bill should speak to the issues of teachers, and it does, but the Bill should also address issues or concerns of school boards and it does not do so. It should. In a similar vein, the presentation by the Interlake School Division emphasized, "We now have, with Bill 42, swung the pendulum from legislation that favoured school boards to legislation which would appear to favour teachers' interests. Is this action really in the best interests of students?"

\* (17:10)

School boards are vital and should have had their issues addressed in the process of developing Bill 42, as a presentation from the Hanover School Division indicated: "A school board exists to translate its communities' hopes and aspirations for its young people into a sound and sustainable educational system."

The Minister of Education would have done well to listen better to school boards. The goal of this legislation is, after all, optimizing the conditions for student learning, a goal which teachers, school boards, parents and governments share. There were clearly flaws in the way that the NDP Government approached this legislation. Many school boards complained of a lack of consultation when they appeared before the Committee. The Manitoba Association of

School Superintendents pointed out that not only were they not consulted, but in the Act itself the commission charged with reviewing the issue of class size and composition did not include superintendents. They asked, and I quote: Why are those persons charged with forming classes with the most experience in forming classes and with a balanced system-wide view on forming classes omitted from the consultation lists?

Fortunately, in this area, the Government did listen. The Government should be complimented. Superintendents are now included. However, there are aspects of this legislation which could bear considerable improvement.

Liberals seek the best balance in collective bargaining negotiations between teachers and school boards. Liberals believe the interests of students are best served when there is a balance and when there is a good working relationship between teachers and school boards. Liberals believe the record of the 1956 agreement obtained under a Liberal government was an excellent example of balance that lasted for 40 years. At the same time, Liberals seek to move forward not backwards. Liberals recognize that over time The Labour Relations Act has been very considerably modernized. It is not appropriate to move backwards to what was.

By 1996, after 40 years, our Manitoba society and our Labour Relations Act had evolved beyond the stipulations of the 1956 legislation. The legislation dealing with teachers and school board bargaining clearly needed modernizing. Today, as we sit in the Legislature, it is important to get the balance right. There are several areas where school trustees from many divisions expressed legitimate concerns. These include, among other issues, those of management rights, time lines for the collective bargaining process, whether principals and vice-principals are included with teachers or with management, and the fairness of the process to assess class size and composition.

As many school boards argued, there are legitimate issues which they, school boards as management and as elected officials, must have a major say in responsibility in determining. As an example, I listened with interest to the presentation of Doug Edmond of the Manitoba

Association for School Superintendents. Evaluation of staff is an integral part of the teaching and learning process.

Most school boards in Manitoba have developed, often with extensive teacher and community input, an extensive research on effective practice, policies and procedures to govern this activity. Bill 42 would make teacher evaluation methods an arbitrable item. School boards under Bill 72 were required under sections 129 and 131 of The Public Schools Act to act fairly in relation to matters not referable to arbitration. However, failure to act was subject to "the grievance procedures outlined in the collective agreement" and as such was ultimately arbitrable in any case. The form and process of teacher evaluation, however, was not arbitrable.

These points raised by Doug Edmond were well taken. The Minister should have listened better. Bill 42 includes principals and vice-principals with teachers for the purposes of bargaining. The matter indeed should be as would happen if teachers were moved fully under The Labour Relations Act, a matter referable to the Labour Board for decision. There are principals who feel they should have a separate bargaining unit. There are many school trustees who see principals as management and separate from teachers. Rather than government arbitrarily making this decision, it should have been left to the Labour Board, as happens in other circumstances.

The present bill has a sunset clause such that if there is no agreement on changes in relation to including class composition and class size in the binding arbitration, these items will be automatically included in bargaining after two and a half years. This is an unbalanced approach, as many school trustees pointed out during the committee hearings. The process indeed should have been made fair without coming to a conclusion as to what would happen ahead of time.

It is very critical to have a fair process for arbitration and to ensure that the process happens fairly. Several school boards stress the importance of an arbitrator who has a knowledge of education issues and who is sensitive to local concerns. Nothing that will provide for such an



arbitrator or for these considerations in having an arbitrator, which can be appointed, perhaps, more arbitrarily under this act than might be desirable. Smaller rural school divisions were particularly concerned the precedents from larger urban school divisions be imposed on them without fully understanding the local conditions.

Bill 42 is the Today's NDP solution for teacher and trustee negotiations, but in many respects it really is yesterday's move back to the yesterdays of Howard Pawley. Indeed, we should not be moving back, we should be moving forward. We should have progress. Instead of going halfway and producing mangled hybrid legislation of The Public Schools Act and The Labour Act, the Government should have looked much more seriously at going all the way to bring teachers fully under The Labour Relations Act with binding arbitration instead of strikes and lockouts.

The Manitoba Teachers' Association argued that, instead of this mangled hybrid, which is this legislation, we should move teachers fully under The Labour Relations Act with the exception, of course, of not having strike-lockout and having arbitration. Teachers who presented also made this point, and I quote, for example, Andrew Peters: I would still far rather have my interests protected under The Labour Relations Act than The Public Schools Act. I do not want special treatment; rather, I want the same treatment as any other employee in the province.

The Manitoba Association of School Trustees has also articulated their position, and I quote: The most expedient and fairest way to do this, that is, to give teachers the same rights as other employees in the province, would be to include teachers under The Labour Relations Act with the sole exception that binding arbitration rather than strike-lockout be the final dispute resolution mechanism.

As the presentation from the Western School Division indicates, and I quote: We could support the notion of including teachers under The Labour Relations Act, with the sole exception that binding arbitration rather than strike-lockout be the final dispute resolution mechanism.

Let me go back to the presentation by teachers during the hearings on Bill 44. Jan Speelman, President of the Manitoba Teachers' Society, made the point clearly: At our annual general meetings in 1998 and 1999, teachers from around the province voted overwhelmingly in favour of moving teachers under The Labour Relations Act.

\* (17:20)

Every other employee group in the province bargains under The Labour Relations Act. Why should teachers be singled out? In fact several school divisions at the Bill 42 committee hearings stated that it was their preference that teachers be included under The Labour Relations Act. "Our members do not understand why teachers are treated differently than doctors, nurses, university professors, Crown attorneys, or the police. While we are pleased with the changes that Bill 42 will make to teachers' bargaining rights, our goal is to be treated like everyone else. We are not asking for special treatment. We are asking for fair treatment just like the unions who will be listening this evening."

Clearly the Government, in bringing forward this legislation, has failed both teachers and school boards. It failed to take the time that it should have to look, with both eyes, at bringing in The Labour Relations Act applying to teachers instead of this mangled hybrid, which is unlikely to last for the 40 years that the Bill, introduced in 1956, did. In fact, its life span is likely to be much shorter, maybe only a few years.

During the Committee hearing on Bill 42, I specifically asked Minister Caldwell why he had not moved forward to put teachers under the modernized Labour Relations Act. The Minister of Education provided only a poor excuse for not pursuing this course vigorously. Clearly, the Minister has rushed this legislation through, and because it is rushed and unbalanced, it is, as many have indicated, unlikely to stand the test of time.

Many presenters have referred to the problem of the lack of resources for schools in the last 10 years. Clearly, this has contributed to

a situation in which teachers have felt caught in the middle between a provincial government cutting back the proportional investment in education in Manitoba and school boards struggling to finance adequate education for children. The result has been increasingly a patchwork education system with different opportunities and different conditions for teachers in different school divisions. The trend has been unfortunate, and to the extent that the present government is committed to providing more resources to schools, this should help, but it should be noted that for many school divisions the changes in the last budget were much less than had been promised.

At the present time, Mr. Speaker, there are several major changes occurring: a change in school board boundaries that the Minister is promoting; a change in the formula for funding school divisions by the province; and, of course, the changes to The Public School Act, Bill 42, being considered today. It is an appropriate time to move more slowly and to do a better job than the Government and the Minister of Education is doing. As the presentation from the Dauphin-Ochre school trustees emphasized, and I quote: "To be good managers, we must plan ahead. Bill 42, the changes to The Labour Relations Act, the Minister's promised review of the funding formula, and the announcements regarding school division mergers have made planning virtually impossible. The education of our students is too important to jeopardize by moving too quickly to meet a political agenda."

One of the issues that arose during the course of this bill was the importance of considering teachers as professionals. At one point, Minister Caldwell indicated that the consideration of having a college of educators was one of the reasons why he did not move to include teachers under The Labour Relations Act, but when I questioned the Minister, it was clear that this is a separate issue. A college of educators has an important role in the development of professional standards and ongoing learning. It is not a bargaining agent. Liberals support a college of educators, independent of whatever changes are made to this bill, because of the importance of recognizing teachers as professionals, because of the importance of a college to improving teacher morale and because

of the importance of the college to lifelong learning of teachers.

Moving forward means considering that we live in a world of rapidly changing technology. In this world, teachers are less the leader up front than the guide at the side. In this world, students are knowledge builders, while teachers provide the coaching so that students can learn to be the knowledge builders. The old motto, I teach; you listen, is going. It is time to reflect upon the position of teachers and the impact of these changes on the bargaining process by teachers and school boards. We have a very dynamic and changing educational environment. We need to have stability. We need to have partnerships. We need to have the ability for people to work together so that they can embrace change for the betterment of students.

One thing is clear: the very nature of the classroom is changing. In quite a number of schools now, instead of the traditional layout of desks there are computers along one side or at the back of the room. While some students learn from teachers in a more traditional mode, others in the same classroom learn on their own, using computers, with only occasional assistance from the teacher. In some classrooms it is students from more advanced grades teaching those in the lower grades on the computer. It is a time of considerable change, and sometimes this change can be very effective.

A number of years ago, I visited Sun Valley School and saw the incredible new world, in a sense, where Grades 5 and 6 students could produce a talking book and using computers help Grade 1 and Grade 2 students to learn to read. The process was, in fact, more effective in helping the younger grade children learn to read, and in part this was because the Grades 5 and 6 children were role models and in part this was because the Grades 5 and 6 children, in producing the talking book, were producing something that came from their heart, from their community that meant much more than something that had been imported from somewhere else.

So the world of education is changing. We need to be aware of that. We need to make sure that we consider it so that we too can change. In

a world where there is a lot of change, one of the critical needs is for research in education to understand and to advance the nature of what is best practices in this new emerging world. We can no longer proceed by guess and by golly. We must be guided and helped, facilitated in our efforts by research results, and this means not just research imported from elsewhere. The most effective research and innovation occurs when teachers and students are involved in the process of trying and testing and innovating and advancing education themselves. The models for doing this may vary.

In Saskatchewan, the provincial government has provided funding for teacher-initiated research efforts, an innovation that the present government could look at. There may be new partnerships among educators and students in primary and secondary grades and those in post-secondary education institutions, in business and in government. There is room for new partnerships involving different schools in a school division or in different school divisions and even in different provinces. Over the years, I have seen too much that was innovative and advanced introduced by teachers which has been lost because there was not a province-wide effort to learn from within. It is time to initiate such a province-wide effort, with teachers and school boards as partners together working for the better education of our children.

The ability to pay is without question an important criteria for citizens, for school boards and even for teachers, and whether this is written into the text, as in Bill 72, or is assumed to be there, as the NDP suggest with Bill 42, it must be considered. We all know that there are limited financial resources. We must, day to day, grapple with those limits. There is much fear among school trustees and Manitoba citizens that Bill 42 will cause taxes to rise, as well as removing the authority of local jurisdictions. This comes from Birdtail River School Division's presentation and many, many others. As a brief from the Manitoba Association of School Business Officials indicated, we must question why the Government would introduce new legislation that will have significant financial implications for all school boards, which will only exacerbate the current funding dilemma as well as restrict each school board's ability to

manage their operations. There are real fiscal financial realities which we must deal with. We can do this better working together than providing a framework which might create real problems.

\* (17:30)

Manitobans recognize that part of the difficulty with education in the last 10 years has been that the provincial government has proportionately decreased funding to school boards and school boards themselves have had to raise taxes. Manitobans recognize also that some of the limits to provincial funding were related to a need to balance the provincial budget, but education nevertheless received less than its proportional share as the previous Conservative government focussed on other issues as its priorities. That was the choice of the previous Conservative government. They chose to invest government dollars elsewhere, rather than education. Clearly, Mr. Speaker, education should receive a fair share of provincial funding. It needs to receive a fair share and to the extent that the NDP can improve the situation, they are to be complimented.

At the same time, we need to work together to explore ways to provide education at a lower relative cost. There are big differences in per-student cost from one school division to another. The achievements of students in a division are not necessarily proportional to the dollars spent. School divisions need to learn from one another where it is possible to be more cost effective. Research into avenues for education, which looks both at quality of education and cost effectiveness, need to be explored. Education is clearly one of the most important areas for provincial government investment, but we must here, as elsewhere, be conscious of cost, as well as being conscious of quality.

For the future, it is important that Manitoba children have a strong start and are ready for school. Looking after children well is important. A good education system for children assesses not just short-term costs but long-term costs. Sometimes, it is a matter of pay now or pay way more later. We want the lowest life-cycle cost not just the lowest short-term cost, and this is a very fundamental and important consideration.

In summary, Mr. Speaker, I am opposed to Bill 42, just as I think Bill 72, the previous bill, was bad and one-sided. So I believe that Bill 42 comes without achieving the balance and the forward-thinking approach that the Manitoba education system needs, believe that the Minister could have done better. There are many positive comments, many suggestions that were included. He could have done better working with the teachers and the school boards to have teachers under The Labour Relations Act. He could have done better in thinking about Manitoba's education system in a forward-thinking way, rather than a backward-moving way. So, in opposing this bill, I speak out for a more balanced and fairer approach, an approach that will better serve our students, an approach that will give better education to students throughout Manitoba. Thank you.

#### House Business

**Mr. Mackintosh:** On House business, Mr. Speaker. Is it the will of the House not to see the clock until eight o'clock?

**Mr. Speaker:** Is it the will of the House not to see the clock until 8 p.m.? [*Agreed*]

\* \* \*

**Mr. David Faurshou (Portage la Prairie):** Mr. Speaker, once again, it is a privilege for me to rise in the House and participate in debate on Bill 42. I last rose in the House in discussion of Bill 42 at second reading, and I was very much involved in statements that related to my past experience as a trustee. I want to say that at any time throughout that debate it was not abundantly clear that my statements were reflective upon classroom teachers here in the province. I regret that that may have happened, and my apologies to any teachers that may have been offended by my remarks. My remarks were to be made in respect to the Manitoba Teachers' Society. I have had on numerous occasions, debate with elected representatives of the Manitoba Teachers' Society.

#### House Business

**Mr. Mackintosh:** I am so sorry to interrupt the Member, but better sooner than later. Just on the

matter of House business further, Mr. Speaker. Is it the will of the House to allow the Committee of Supply meeting in Room 255 to continue its work until 7 p.m. on the clock in the Committee room?

**Mr. Speaker:** Is it the will of the House for the Committee in Room 255 to continue their work until 7 p.m.? [*Agreed*]

\* \* \*

**Mr. Faurshou:** Mr. Speaker, continuing in regard to the comments in the Chamber here regarding Bill 42, on second reading. I did make remarks that pertained to a former president of the Manitoba Teachers' Society, Ms. Diane Beresford, and consequently Ms. Beresford sent a letter to my attention in regard to those comments that were made in the Chamber. I would like to respond to Ms. Beresford, apologizing if she feels that I embellished or overstated her remarks.

However, I would like to quote from an article which she wrote in the Manitoba Teachers' Society newsletter called *The Manitoba Teacher*. I would like to quote from her authored article: I came into this job on a bargaining ticket. Further, she went on to say: My parents met at a young Communist meeting in England. So I came by my union and socialist leanings honestly. For me, what began as ideology has developed into a belief based on experience. I am impatient with teachers who say—before I go on to further quote Diane Beresford, I would like to examine the word "impatient" as defined by the *Webster's Dictionary*. The *Webster's Dictionary* defines impatient as "one who is not patient, one who is reckless or short of temper, intolerant." I would like to go to intolerant. Intolerant, by definition, is: "unable or unwilling to endure, unwilling to grant equal freedom of expression, unwilling to grant or share social, political or professional rights, bigot." May I then go to the definition of bigot: "a person obstinately or intolerant, devoted to his or her own opinions and prejudices."

\* (17:40)

With those definitions, Mr. Speaker, it comes to the point of how we might understand

better the former president of the Manitoba Teachers' Society, speaking on behalf of the Manitoba Teachers' Society, when she goes on to say that she is, in fact, intolerant, impatient, of teachers who say, oh, I am not really interested in bargaining; I am interested in teaching children, or I just want to close the door on my classroom and teach, or professional issues are what really interest me.

These are some of the comments that Diane Beresford stated that she was not really interested in, and she was very intolerant of those individuals that were in fact interested in those particular elements of teaching. Now, Diane and I have had opportunity to debate issues outside this House. She went on to state that I, as the Member for Portage la Prairie, was hiding behind the protection of the Legislature in order to distort and mislead statements and that it was unworthy as a member of the Manitoba Legislature and that she considered that I should apologize.

Well, Mr. Speaker, at this point in time, I would like to apologize to Ms. Diane Beresford for any misunderstandings that we may have had or any statements that I may have placed upon the official record of this Chamber that she feels were perhaps misleading or misunderstood, and, hopefully, Ms. Diane Beresford would take that as an answer to her request by correspondence.

Now I would like to turn my attentions to specifically Bill 42. We sat for many hours in committee. In fact, more than 20 hours were dedicated to the study of Bill 42, as well as other legislation as pertaining to education, and that included Bill 48 and Bill 12, but the majority of the time was spent hearing from those persons throughout the province as they made mention of their concerns with Bill 42. I do not believe that we received a presentation that was totally happy with Bill 42. There were considerations that perhaps Bill 42 had not addressed all of the concerns of the Manitoba Teachers' Society or teachers working throughout the province. Then there were others that suggested that Bill 42 was in fact going to cause significant grief in various capacities.

I took with great interest numerous presentations throughout the evening made by

persons employed and engaged in the profession of teaching. It was stated time and time again that ones were not interested in any special treatment, only fair treatment. Then, after that particular statement was made, virtually every presentation went on further to ask in fact for special treatment in regard to how they as individuals and they as members of the Manitoba Teachers' Society were to be treated. Some of those special situations were, under The Labour Relations Act, those persons engaged in the capacity of management are to be considered just that, part of management, and not part of the bargaining unit. It is clear by all of the presentations that were made that there is significant support for maintaining the management component, i.e., principals and vice-principals within the bargaining unit.

So already the statement that one wants not special treatment only fair treatment is false and misleading because that is special treatment and something that gives me great distress. I would like to go on further and cite other particular presentations, however I know that my time is specifically short here. However, before I leave the Chamber, I do want to in fact look to the profession of teaching here in the province and to say, from my perspective, it is truly a time-honoured tradition, and the teachers throughout the province are very much committed to the young people of Manitoba and the responsibilities they shoulder each and every day, not just engaged in that of sharing information but most assuredly caring for the welfare of the young people in their charge. So my hat is off to the teaching profession and the teachers who engage in that profession each and every day.

I would like to conclude, though, in regard to my past life, if one might state that, in the capacity of trustee for the Portage la Prairie School Division, there were representations made by members of the teaching profession in Portage la Prairie, and I was very disappointed to hear a statement and see it written in the presentation that was made by Mr. Doug Halmarson: I know I speak on behalf of all teachers in Portage la Prairie when I say that relations between the teachers and the Board are at an all-time low.

He is referring to the relationship between the teachers employed in the Portage la Prairie

School Division No. 24 and the Board of Trustees. I am very disappointed and as well would like to state that this is a situation that I am afraid was brought about by arbitration situation here in the province and by the threat of arbitration. It is something that I am afraid took place in the Portage la Prairie School Division after my leaving; I was elected to the Legislative Chamber here. There was much said throughout negotiations and when arbitration was applied for certainly the situation changed and the Board of Trustees felt that they were compelled to—and I do not say that in a bad light. It was based upon precedent that was set elsewhere in the province by an arbitration settlement, but went ahead and made for a settlement that included certain clauses that, ultimately I am afraid to say, have spawned further deterioration in relationships.

I stated in the debate that the noon hour supervision clause had cost the Portage la Prairie School Division upwards of a \$140,000-plus. I would like to clarify that. According to this statement, it was only \$105,000 recognized by the local Manitoba Teachers' Society in Portage la Prairie, which is up from the original anticipated \$50,000 to \$80,000 that was provided during negotiations which ultimately, Mr. Speaker, leads to other parts of the budget being changed in order to accommodate something that is in an overexpenditure position.

I also would like to say that I appreciated the commentary of both individuals that presented from Portage la Prairie. I know them both to be extremely dedicated teachers and ones that take their profession very seriously. They are truly a credit to their profession. I am very, very pleased to say that Ms. Pam Stinson and Mr. Doug Halmarson are individuals that I have a great deal of respect and admiration for.

\* (17:50)

So, having said that, Mr. Speaker, I would like to conclude my remarks. I would like to say to all members of the Legislative Assembly that I cannot support Bill 42 on the basis that I believe there is no better way than to negotiate settlements between the two parties and to recognize the importance of the role that both have to play in the education of our children. It dismays me to see that the rules under which

those negotiations take place are perhaps viewed by both parties as yet being not fair.

I challenge the Government to look at the Bill and to try and find that neutral ground which both parties are looking to have provided so that morale and relationships can indeed improve between not only the local school division with which I am familiar but with all school divisions and school districts throughout the province, because it is a very, very important charge that we have because our children are our future, the future of this province. Thank you.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is third reading on the motion moved by the Honourable Government House Leader (Mr. Mackintosh), seconded by the Honourable Minister of Education and Training (Mr. Caldwell), that Bill 42, The Public Schools Amendment and Consequential Amendments Act, be now read a third time and passed.

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

**Some Honourable Members:** Yes.

**Mr. Speaker:** Agreed?

**An Honourable Member:** No.

**Voice Vote**

**Mr. Speaker:** All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Yeas have it.

**An Honourable Member:** On division, Mr. Speaker.

**Mr. Speaker:** On division.

**Bill 6—The Water Resources Conservation  
and Protection and Consequential  
Amendments Act**

**Hon. Jean Friesen (Minister of Intergovernmental Affairs):** Mr. Speaker, I move, seconded by the Minister of Industry, Trade and Mines (Ms. Mihychuk), that Bill 6, The Water Resources Conservation and Protection and Consequential Amendments Act (Loi sur la conservation et la protection des ressources hydriques et modifications corrélatives), be now read a third time and passed.

***Motion presented.***

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, I just want to rise in the House to put a few words in regard to Bill 6, The Water Resources Conservation and Protection and Consequential Amendments Act. It is quite a mouthful for what is involved in a bill like this. This bill I rather doubt is necessary in the scope of the situation we are facing in Manitoba. This bill was basically put in place by the Government in response to some of the same lobbyists that brought them forward in their wisdom to put forward Bill 5 and a number of other bills. Of course, everyone in Manitoba wants to make sure that we protect our water and that we have an extremely valuable resource there. It is an extremely valuable resource that we must take every precaution to make sure that we have maintained as a valuable resource and keep in large quantities in the future.

But Manitoba's problem, most of the time, is not too little water. It is how to manage the water we have, and we need to make sure that we continue to do that. This bill came out of the Government, as I said, because of pressures that they got from sources within the province of Manitoba that I do not think really was very well thought out on behalf of the Government. This bill is not needed. It is one of those sky is falling bills, if you will, that we have seen the Government come forward with a number of times during this Legislative Assembly. It would augur, for the Government members, very well if they would take a serious look at the value of this product and, as my honourable colleague from Lakeside indicated in his opening comments to this bill during second reading,

they need to take a look at the water as a resource and as a valuable commodity that we have in this province.

They are saying: Well, we are putting this in place in case we ever end up with a situation where we do not have enough water for our own needs in the province of Manitoba and then we will definitely be able to store it up and have enough to be able to get us through those periods of time.

Mr. Speaker, this province needs a water management plan that will develop water for the needs of many of the industries and many of the resources that we can use it as a complementary means, a complementary mechanism to develop much more opportunity in this province. Of course, that is not what this bill is about. It is about the export of bulk water, and I think we need to make sure that we know that this is not to do with the Devil's Lake situation of water in that area. We are looking at the movement which looks at the movement of water throughout the Hudson Bay basin, which, of course, Devil's Lake is a part of, we are very well aware of this, but this bill has exemptions in it that allows us to export bulk water out of Manitoba during times of disaster. Our neighbours being struck by disaster, whether it is the neighbouring states in the U.S., it certainly allows us to continue to move bulk water exports out of some of the companies that are bottling water in Manitoba today up to certain volumes.

There are a number of exemptions that have been put in place in this bill that if the Government was very, very serious about maintaining complete dropping of exports of bulk water then they would have done so in the Bill. It is no surprise that this bill has come forward. It is just another one of those, as I said, sky is falling bills that leave the public to have some mistrust of this government, as they have seen in Bill 44, of course, where the Premier promised during the election campaign that there would be no changes to the Labour Relations Board coming out of there and of course now we have seen Bill 44 go through committee last night, and we will look forward to the debate on that as well in third reading.

There is various skepticism from the farmers out there today because of the lip service that

was given to supporting them in the rural areas this past year, particularly in the region that I come from on the west side of the province. Of course, we did not see any support from this government in regard to that disaster aid, at least, that came out of that area that was not generally available to everybody else in the province in regard to agriculture, which, as I said, was needed many times.

They have seen the Budget where they said, well, we are going to cut taxes but they came in and made them the highest taxed province. It is a situation where it is just a bill that is just extremely not needed in regard to the process here in the province of Manitoba. I think it is one that we need to take a look at and a much more well-thought-out plan is needed before we were to pass a bill like this, in my mind, Mr. Speaker.

I think that my colleagues have indicated to you in their comments earlier in the session in second reading and in other discussions in committee on this bill that we need to seriously look at a sound plan, a sound working plan to deal with Bill 6, the bulk exports of water in this province. You know, this bill just does not cut it. It just does not do it. It is no surprise, as I have said earlier, that the Government has brought it in. It is just one of those sectors of the legislation that this government has brought in during this session that we believe could have been much more well-thought-out before it was brought forward and tabled in the first place. This came out, of course, of the conference in Banff that the new Minister of Conservation (Mr. Lathlin), at that time the Member for The Pas, went to in looking at the national debate on this issue.

\* (18:00)

There have been, of course, bulk export bills coming forward from the federal government to deal with the Great Lakes situation and some of the anti-tanker movement of water that was proposed for that area of region, I guess, to be shipped to other areas of the world. My colleagues have mentioned the river sources that we have in Manitoba as far as what happens to that water when it enters Hudson Bay and it ends up mixing with the salt water that we have in the North, and once it enters the ocean, the complete loss of an accountability of being able to utilize

that water for any source that we may have here. I guess there could always be the fear that we could drain the ocean by turning all that water around and running it back south, but I do not think that is going to happen, Mr. Speaker.

I am very serious about the situation. I have had the opportunity to travel through some of the central prairie region, never mind the central U.S. region, and we are dealing with North American markets. We are dealing in a global marketplace today. We are interdependent, if you will, in regard to many of the issues that are facing us. While we have to make sure that we keep our identity and look at our independence here in Canada, we need to make sure that we are also not just giving lip-service but also co-operating with many of our neighbours, as we would with our neighbours in our homes. We need to deal with other neighbouring provinces and perhaps neighbouring states as well because, in many cases, we have more in common with them than they do with perhaps some of their own, more geographic ties, at least basically, Minnesota, North Dakota, Montana, well, Minnesota and North Dakota are neighbouring Manitoba, than maybe some of their own states in the United States have in other jurisdictions.

So, Mr. Speaker, with that, I am proposing that this bill, having said that it was not required, and I believe that we will not be supporting this bill at this time in regard to the efforts that the Minister has done, because I just feel that this bill was not put together and well thought out enough in regard to being able to look at the export of bulk water. There could have been many more definitions and exemptions, opportunities raised whereby this could be utilized as a source, not just a source of revenue but a source of growth for our province. I think it would be a scare tactic to say that we are not going to have enough water in Manitoba.

But water is a very serious issue at this time with the contamination that we have seen in some jurisdictions and the disease that has been caused in some sources, particularly from E. coli, and so therefore I want to make it very clear that we need to protect water. We need to manage it well. We need to make sure that it does not become contaminated. We have an opportunity in this province as we grow, not just



in the agricultural industry but in our industrial efforts as well, to make sure that we manage that water for the good of this province, for the long-term goals that we need in this province, so that the Minister of Trade, whoever that might be, the ministers of development, Intergovernmental Affairs and Agriculture, so that the whole government of Manitoba can gain in many areas of being able to manage this product so that we can have a sound future in the province and not have to worry about the gathering and the development of water for our future.

That could, if we look at the value of water in other areas, in other jurisdictions, given the kinds of flow that we have the ability to not control but manage in the province of Manitoba, become a very valuable resource, dare I say, not unlike that of oil. It might have as much importance to Manitoba as oil does to Alberta. Therefore, I think that it is imperative that the Government relook at this whole bill and continue to renegotiate with the federal government where we are at in this time.

With that, Mr. Speaker, I am going to leave the discussion on Bill 6 to some of my other colleagues. Thank you.

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, I want to put some words on the record regarding Bill 6, some more words, as I already spoke to it on second reading, but I think it is important to reinforce those comments based on what we have seen from this government.

Bill 6 is another firm indication of exactly who is driving the bus here, and obviously it is union leaders. This bill is another case where the union leaders have given their marching orders to the NDP Government, and the NDP Government has taken them and followed them exactly as they said. As my colleague before me mentioned, there is no real reason for this bill.

We have a very valuable resource in the province of Manitoba, our water. Certainly we want to see it preserved and utilized. It is one of our greatest assets, and we would all agree with that. That is why we do need a master plan, a long-term plan with regard to our water, but one that looks to opportunities, not just maintains the status quo, because it is a natural resource and a

renewable resource. There will be opportunities in the future and demands placed on that water, and we need to have a plan in place to do it. Our plan should be more than just a simple reaction to a call for action by Paul Moist. That is really what this bill is all about.

I mentioned before, on November 16, shortly after being elected, I received a letter from Mr. Moist, and to quote from that letter, on behalf of the Canadian Union of Public Employees in Manitoba, quote: CUPE has launched a major campaign to keep Canada's water system public.

Nobody in this House, some people may have an argument with that, but this is not about anything other than union jobs. Mr. Moist, and we understand his job is to make sure that his union grows and he has more influence over more people. That is his job. His job is to expand his union. That is his goal. As he states clearly in the literature, this is based on a motion that was adopted by CUPE, as he states, at their national convention that they held in Montreal some time in the fall of 1999. I quote from the literature, he is instructing the Government to pass legislation banning the bulk removal and export of water. So he has asked, they have followed through, and that is what they have done.

He is also asking in here, oppose the bulk export of water, and that is what this government is doing. I think, when you look through the literature, certainly he has framed some of it in a positive perspective. What he is saying is that water may become the oil of the next millennium, and he may be right. There are going to be lots of opportunities open up in the next millennium. Certainly our great water resource may be one of those economic opportunities we have.

We do not know at this time whether that is going to be better served by public ownership or by private ownership, and we will have time to work that out. There is no reason to jump to this bill, pardon the pun, to jump to the pump on the water bill, but that is what this government has done. They have done so without a lot of thought, without a lot of understanding about what really goes on.

Mr. Speaker, my father farms near Tolstoi, near Gardenton, Manitoba, just outside of Gardenton, Manitoba, which is near the U.S. border. Oftentimes we have people from North Dakota coming across the border into Gardenton to draw water to take back to use in the industry of farming in the northern states. That has happened freely, and that has gone on for a long time, because the water is there and the water is needed. So, out of courtesy, we have let people come across the border and fill their tanks with water. According to this legislation, that is going to be prevented. I do not know why. Why would we ask a farmer, a friendly neighbour who has farmed in North Dakota, probably held a family farm for years and years and years, why, all of a sudden, are we demanding that they stop this practice of coming and using our water? It is not posing any threat to us. There is not a water shortage in the area. There is lots of water. Simply what we have been doing is the neighbourly thing to do for years and years and years, and that is allow our neighbours to come and use water which has been available.

\* (18:10)

That is not the only case. I have a dear aunt in her 90s who lives in Neche just across the border. For years and years there has been a pipeline, a water line, that has run from Neche through to Altona. I might mention there is also a dear aunt, who as a result of Bill 4, if she so chose to send me a small token, and I will mention in the House that every once in a while at Christmastime, I get a lovely card from this dear old lady with a couple of U.S. dollars in it. It is one of those family traditions that has gone on and on for years and years, since I was a little kid. She also happens to be the last living relative of my grandfather on my father's side, so it is a very, very dear relationship. She was certainly supportive of me in the last election. She might have wanted to send a couple of bucks along to help me out. Of course, now she cannot.

The irony here is that for years and years and years when they did not have a water system in Altona, our good neighbours to the south in Neche gave us water. They allowed water to flow from Neche into Altona so the citizens of Altona would have a good water supply. A

friendly, neighbourly thing to do between neighbours, not only neighbouring countries who have a good relationship, but more dear to that, neighbours who basically live side by side regardless of where the border is.

Circumstances have changed, and now what we have is the good people in Altona pipe water the other way. They supply the town of Neche with their drinking water, with their washing water, through the same pipeline that they took advantage of for years and years because they wanted the water to flow the other way, because they needed it.

What is this bill saying? This bill is saying: Well, sorry, we cannot do that anymore. The Municipality of Altona cannot, according to this act, do the neighbourly thing, do the right thing. The thing that any of us would do just as a matter of courtesy to a friendly neighbour, I hope, would be to say look, we have lots of water. We have more than is needed to meet our needs. You need some water in your area. We have an excess. Access ours.

Who would argue with that? I do not think, anybody, except maybe the curmudgeons on the other side of the House who have now decided to enact a bill that is going to cause trouble for this and, in fact, who knows what their intentions are? They might even shut down the flow of water from Altona to the good citizens of Neche. I cannot imagine what duress that might put on the citizens of Neche, but I certainly would not want, I mean my aunt is over 90. I would not want her to have to worry about whether she might have to relocate because she does not have proper water facilities. So I hope the Government will actually do some research into this issue before this legislation is brought into effect. I note here, it comes into effect the day that it receives royal assent, so hopefully before this bill receives royal assent, we will have at least had the courtesy to accommodate our good neighbours and our good friends in the wonderful community of Neche.

Again, it just goes to show what can happen in a legislative forum such as this when we have others outside to us who have supported what is now the governing party for years and years, and they come back for a payoff, even a small payoff

like this. I mean who would have thought that passing a bill that could be wrapped in motherhood that opposes the bulk export of water, who would have thought that that would cause any controversy in this House. Obviously the Government did not think, because they did not even do the research to think about what it was going to do. All they did was say, well, Mr. Moist, thanks for your support over the years. You have got a battle here you want to fight. You want to protect union jobs. You want to build your empire. Sure, we will do it for you.

I am sure instructions went to the drafters of this legislation to get a bill ready that can be presented to the House and, based on the instructions that were received from Mr. Moist, would give him the opportunity to go back to his national organization and say, look, I, Paul Moist, was successful. I talked my government into passing legislation against the bulk export of water. Certainly I can appreciate why Mr. Moist would want that. I fail to appreciate why this government, without doing the proper research, would simply kowtow to him, but that is apparently what they want to do, as they have done in The Election Finances Act; as they have done with Bill 44, The Labour Relations Act; as they have done with Bill 42, The Public Schools Amendment Act, in their rush to appease Ms. Speelman and as they have done with their policy on nursing education with the head of the nurses' union, all who have given large support to this government both financially and morally.

The point being that we should not be in a situation where, as a government, they are just succumbing to every demand that comes their way from the union leaders. There is no need for this bill. There are regulations that already cover this. We have spoken about this before. This bill does nothing positive, should not be allowed to pass. It can only cause situations, probably unintended situations, but situations that may end up pitting neighbour against neighbour who have been friends and co-operated for years and years, probably back to the 1800s. All of a sudden, in a heavy-handed way, this government is coming along and saying: Well, you cannot help your neighbour anymore, which by the way just seems to go pretty contrary to what we have heard from the First Minister (Mr. Doer) with regard to Bill 44 and the Oblate Brothers and

their presentation. They seem to want to be on all sides, but certainly they must realize that respecting and being friendly to their neighbours is paramount.

So, Mr. Speaker, I wanted to put on the record my objections to this bill. I hope the Government will follow up on the issues I have raised. I am sure there are others around the border. It also seems a little ironic that, when over half the population of this province depends on their drinking water supply from outside of this province, we have a government that is in a big rush to place restrictions on the bulk export of water. Maybe Ontario will do that next week, and we will have to find another source for our drinking water. I do not know. I certainly hope that the government in Ontario does not bend to the requests they will be getting from the unions in Ontario to pass a bill banning the bulk export of water.

I am opposed to this bill. It should not pass. It should be withdrawn. The Government should do the right thing and let the neighbourly citizens of Manitoba, North Dakota, Ontario, just work it out amongst themselves. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise just to put a few words on the record. I believe that there are some significant flaws in this bill as written, some of which have been pointed out already.

On the other hand, I think that the principle of having legislation which prohibits the bulk export of water is a reasonable one, and on this occasion I will support this bill. I believe that the circumstances of the implementation of this bill, when the NDP in fact implement the Bill, that I would suggest that due care and consideration is given to some of the concerns about cutting off our friends arbitrarily, about emergency supplies potentially, here and there.

\* (18:20)

I think that the Government should proceed carefully, in a friendly fashion. At the same time, I think this is a general, reasonable framework of a bill, in particular given the North American Free Trade Agreement. What it does is clearly indicate that water is not a commodity in the

traditional kind of sense of other commodities. It is something that we in Canada believe is very important. It is the lifeblood in a sense and something that we treasure and we need to take care of well.

It is in this framework that we need to be very careful about water supplies, about pollution, about making sure that we have clean waters, that our lakes stay in good condition, and although I think this bill does have some significant flaws as it is put together, the framework is a reasonable one, and on this occasion I will support the Government.

**Mr. David Faurshou (Portage la Prairie):** It is a privilege for me to rise this afternoon and help in the debate of Bill 6, which has been before us since early December. The Bill, as it is named, The Water Resources Conservation and Protection and Consequential Amendments Act, indeed is a mouthful, and one would like to understand the Bill and the purpose thereof before passage.

The questions that I have been asking have yet to be answered. The Bill, as in the preamble states: "WHEREAS the conservation and protection of Manitoba's water resources, and of the ecosystems associated with and reliant upon those water resources, are essential for long-term environmental, economic and social well-being of Manitoba."

No one can disagree with the intent of the Bill. The Bill is one that is not necessary. There is already more than adequate legislation passed previously by this Legislative Assembly that protects the water resources here within the province of Manitoba. This bill goes further to limit the export of water to certain criteria, and I believe that already the Minister has within his legislative power on Executive Council to license any waters that may be exported out of this province.

It was interesting to see that when similar legislation was in Ontario, that Ontario made a special provision for Manitoba in regard to the Shoal Lake aqueduct that provides water for the city of Winnipeg and has done since 1919, because the aqueduct was constructed for the city of Winnipeg on the basis that the technology

at the turn of the century did not provide for the purification of waters from either the Assiniboine or the Red River.

In fact, at the turn of the century, 1903-1904, the city of Winnipeg was devastated by Red River fever, which was spawned by microorganisms that were in the drinking water coming from those two rivers. So, ultimately, the City of Winnipeg looked for a clean, pure source of water for the city's expansion in the years to come. That provision was made to recognize Manitoba by Ontario.

There are no provisions here to recognize our neighbours to the south, North Dakota, or our neighbours to the west, Saskatchewan, at the present time. My honourable colleague from Fort Whyte already cited a particular situation that exists in the province today between the town of Altona and the town of Neche. So I believe that we have negotiated, recognized needs, and fulfilled those needs very adequately over the years without legislation that we have here before us.

I would like to draw attention to an editorial that appeared in *The Globe and Mail* on March 13 of this year. It was authored by Peter Pearse, who is a Vancouver consultant on natural resource issues and a former professor of economics and forestry at the University of British Columbia. He also chaired a public inquiry on federal water policy in the 1980s. Mr. Pearse's observation is that we here in Canada use more water per person than any other country in the world with the exception of the United States. He also goes on to further observe that we in Canada have had more than our share of big engineering works. We have dammed and diverted more water than any other country in the world. He goes on to say that we have dammed or diverted more water, almost twice as much as the next two leading countries, that being the United States and Russia. I think one can appreciate that a great deal of the land now farmed here in our province has in fact been made available to agricultural production because of the ditching and management of water.

So we in Canada could be looked upon perhaps as the world's authority in water

management. Most certainly there are provinces that have done more to further this than others. However, what Mr. Pearse goes on to say is that we need to control diversions of water from one watershed to another, whether they involve exports or not. I think that is the primary issue which this legislation really does not address. This legislation is in place solely because the federal counterparts of the New Democratic Party have been very vocal in their statements that we own the water here in our country, and we are not prepared to share that ownership or that resource with anyone, notwithstanding, of course, the minor exceptions that have been listed in this particular legislation.

In any event, Mr. Pearse says, "A nationwide prohibition on exports is unnecessary. Provincial governments are responsible for licensing water use in Canada and all of them already have procedures for reviewing applications to ensure that they do not present environmental conflicts." He is recognizing that Manitoba already has adequate legislation in place in which to provide for the conservation and protection of Manitoba's waterways.

Now this brings me to the point which I stressed to this Legislative Assembly on second reading of this bill. This bill is designed to conserve and protect Manitoba's water resources. Well, ladies and gentlemen, honourable colleagues of the Legislative Assembly of Manitoba, the Nelson River system and the Churchill River system are now naturally exporting water out of our jurisdiction. It is flowing into the Hudson Bay, part of the Atlantic Ocean. The freshwater that is conveyed to the Hudson Bay immediately—well, perhaps I embellish—but almost immediately becomes tainted by the saltwaters of the Hudson Bay.

There was a great deal of study done, funded by the Manitoba Hydro, to study the estuary along the shores of the Hudson Bay. They found that that estuary at Churchill, for example, was in fact very, very minor. Because of the tidal action being so significant, the freshwater-saltwater mix, truly the estuary as it pertains to the domestic freshwater from the Churchill River is in fact very, very minor. There was construction taking place over the past year or more which effectively put in place a weir,

which provides a man-made barrier between the freshwater flowing down the Churchill River and the saltwaters of the Hudson Bay, so that the water behind the weir can be drawn upon for the use of the town of Churchill. It does, indeed, provide a significant source of water, of very pure water, water which the town of Churchill is very proud to say is of tremendous quality.

\* (18:30)

So, Mr. Speaker, this particular situation which I describe is covered under this act. One cannot make use of the waters which are flowing out of the mouths of the Nelson and Churchill Rivers. That particular situation is a natural export of water, which no piece of legislation that we pass here in the Legislative Assembly will ever change. There are vast, vast quantities of water. I want to make mention, once again, that there was considerable media attention to Nova group's application and acknowledgement of that application with a permit by the province of Ontario government. Because of the media attention and the outflow of many comments that were not in support of the permit being issued, the permit was subsequently cancelled.

I do want to stress, once again, the magnitude of that permit of exporting water by tanker from Lake Superior would have been satisfied by a mere 31 seconds of average flow of the Churchill River, 31 seconds. It is a minor, minor amount of water. This permit caused a nationwide attempt by the federal government to get on record a national accord provided for by each and every province with companion legislation, which we have before us today.

So I think this is an overreaction, a knee-jerk reaction. One that is totally unnecessary to have us pass in the Legislative Assembly of Manitoba and put onto the legislative laws of this land.

I am very, very disappointed that I am having to once again rise on this bill and to make remarks that are in opposition to the Bill, because I truly believe that members are being asked to vote on something that takes a great deal of time to study and fully understand what in fact Bill 6 means.

I want to say in closing, Mr. Speaker, that the natural resource which we have here in

Manitoba is abundant as it relates to water. It is something that we are very blessed with, that many, many areas of this globe which we inhabit do not. I do not believe that this legislation serves us in the greater global community. We need to look at what we have in this province and be prepared to share, and yes, I will be so bold as to say perhaps profit for and provide for further services to Manitobans: an improved health care system, an improved educational system, improved quality of life for those persons impoverished within our province.

This natural resource right now is flowing away from us. It is untapped. It is a spent resource, naturally spent and being lost to us. This legislation does not let us make use of that natural resource, and I am very, very disappointed that we are being asked to pass this legislation. I will leave my remarks at that because I believe some time in the future, if this bill is passed, we will have sobering second thoughts. We will more fully understand our resources and our place in this global community with our abundance of natural water.

I would like and hope to see that this clarity of thought and second sobering thoughts come sooner than later. Thank you, Mr. Speaker.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is third reading of the motion moved by the Honourable Minister of Intergovernmental Affairs (Ms. Friesen), seconded by the Honourable Minister of Industry, Trade and Mines (Ms. Mihychuk), that Bill 6, The Water Resources Conservation and Protection and Consequential Amendments Act (Loi sur la conservation et la protection des ressources hydriques et modifications corrélatives), be now read a third time and passed.

Agreed?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

### Voice Vote

**Mr. Speaker:** All those in favour of the motion, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to the motion, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Yeas have it.

**An Honourable Member:** On division.

**Mr. Speaker:** On division.

### Bill 15—The Water Rights Amendment Act

**Hon. Jean Friesen (Minister of Intergovernmental Affairs):** I move, seconded by the Minister of Agriculture (Ms. Wowchuk), that Bill 15, The Water Rights Amendment Act; Loi modifiant la Loi sur les droits d'utilisation de l'eau, be now read a third time and passed.

### *Motion presented.*

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, it is an opportunity for me to rise today to speak to Bill 15, The Water Rights Amendment Act. This bill is another reactionary kind of a bill that if passed in its present form is going to inhibit the individual rights of perhaps agricultural producers, farmers, to be able to manage an asset that they have purchased themselves and put their own investment into. It is going to create difficulties in some areas for farmers to be able to provide an opportunity for them to maximize the returns on their operations because of the restrictions that this bill will place on it.

There is no doubt, Mr. Speaker, that we need to have a sound water management plan, as I have mentioned in the discussions earlier this afternoon and this evening, for the province of Manitoba. That should have been part of what the Government has come forth with as opposed to saying: Well, we are going to take away the rights of the individual here, from the municipality. We are just going to claw back

those powers here as a province without a plan in place to provide the kinds of overall management scheme and plan that is needed for the province of Manitoba, whether it is in the area of irrigation, or whether it is in the area of drainage, or whether it is in the area of building dams for management processes, or whether it is even looking at the long-term viability of the aquifers that we presently have in the province of Manitoba.

Mr. Speaker, this bill came about as a reaction of the Government to a court decision that overturned a ruling that had allowed municipalities to be in charge of drainage, an individual case that took place near the community of Boissevain in southwest Manitoba. The members involved were not constituents of mine. But I have been in discussions with many of them, with this family in regard to what they were planning on doing in regard to managing their own water management on their own operation. Of course I have also been in discussion with some of the people who would have been impacted downstream from this kind of a process. Everyone's view has to be taken into consideration in these kinds of bills that are put forward, and when these kinds of plans are being made.

\* (18:40)

I have had some personal experience being involved in dealing with these kinds of management structures in regard to water in a local area with other farmers. It can have a very lasting, satisfactory opportunity for the people involved in that area to know that they can manage their own affairs and manage their own abilities without government intervention, or at least with the least amount of it. Having the opportunity for municipalities to work together would have provided a sound opportunity. I know the Government is trying to say: Well, we are going to take back these powers so that municipalities do not have to make agreements between each other, or at least limit them. There is no doubt that municipalities are still going to have to get together before any flows of water in regard to drainage, at least, can occur from one jurisdiction to another.

In my speaking to this bill in second reading, I looked at The Water Rights Act as

opposed to The Water Resources Administration Act. There is some doubt as to whether or not this bill was even required, similar to Bill 6. It was a reaction from a certain lobby group that this government put in place. This is a reaction to a court case that overturned a ruling that the municipalities would take jurisdiction over the drainage of water in the province of Manitoba.

Mr. Speaker, as I have said, it would have been a much better plan to have put one in place that required or provided opportunities for municipalities to come together in conservation districts and ultimately, into watershed management districts. Of course, this has been the plan of the rural municipalities of Manitoba. AMM, the Association of Manitoba Municipalities is very much encouraged by bringing a plan together to create and utilize conservation districts. Having had some experience with those myself, I would very much encourage the Minister to look at further use of those. Because they are very sound opportunities for municipalities to come together and work together in expanding the jurisdiction. Of course, it takes away some of those inhibitions if they see others than just the councillors themselves having to make all of the decisions. The players involved in these conservation districts are local entrepreneurs, not always farmers, not always business persons that are involved in those areas. They can make decisions or help the municipal councillors make sound decisions for the long-term management of water in the province of Manitoba.

Of course, AMM as well has indicated that it would be perhaps even better to have water management areas as watershed management districts in the province of Manitoba, and that there should be boards established to help manage these areas. Of course, they even went so far in their plan in the presentation to the Committee as to outline what the makeup of those committees should be.

So, Mr. Speaker, I think these are the things that the Government would have learned if they had gone out to the public and talked to the municipalities, the individual farmers, the conservation district or the watershed management area in Manitoba that is already established. They would have learned some of these concerns

at public meetings had they so responsibly gone out and held them. But it is a concern that they did not do that. I think, as I referred to in Bill 6, it is just one more area where the trust of this government has been breached between themselves and the local conservation areas, and the farming community in rural Manitoba. The trust factor that they think is there—

**An Honourable Member:** I do not think so.

**Mr. Maguire:** The Minister of Agriculture (Ms. Wowchuk) is indicating that she thinks that that is still there. I mean, Mr. Speaker, if that was the case, then why did they not go out and hold public consultations before bringing this bill forward and having to have the legislation come in that has been put forward? This is another indication.

They have indicated that they will hold public hearings, as they did on Bill 5. They actually started them and then cancelled them. They have said that they would hold public hearings in regard to many of the issues of environment. They cancelled the Manitoba Environmental Council at their first opportunity. Here is a situation where they had the opportunity to hold public hearings, but did not, brought in the Bill, took away the jurisdiction from municipalities and took it back themselves, actually gave the Minister a strong indication that he could have the last word and last say in every individual case. That is the kind of micromanagement that we do not feel, on this side of the House, is necessary on every bill that goes through.

Certainly, if you are going to allow the people who you are employing to do the job that they are hired to do, then they should set the regulations in place that are required for these kinds of bills and allow those bureaucrats, those persons hired by the Government, civil servants, to go out and do their job. They are not allowing that with this bill because, of course, everything could refer to the Minister for final say and his final stamp.

Mr. Speaker, this is a situation where the Government has said: Well, we are going to pass this bill. Then we are going to go back out to the country and hold public meetings. Well, in Estimates, I was told that the Minister would

hold these public meetings in September. Well, we are getting awfully close to September, and I have not seen anything come out of the Government, yet, that would say that they are going to hold these kinds of public meetings.

Of course, we have seen them on Livestock Stewardship in regard to environmental concerns. That is about water management and the ability to have the role that water will play in the development of our agricultural industry. The process that is being gone through there is one of holding up the kinds of development that are required in the agricultural industry, and creating uncertainty in another form. That is inhibiting the kinds of investment that farmers are making or need to make to have a viable industry in Manitoba in the future.

Of course, this bill, Mr. Speaker, already infringes upon the purchase and the investment that a farmer has already made in regard to whether he would have the ability to go to the extreme to do what many farmers did this summer in the Red River Valley, where they received the 10 inches of rainfall over a very short period of time, much of their land was flooded. They would have to go to the Government to get a permit to drive their tractor across the field to drain it into the ditch, if that was to be carried out in its ultimate form. We think that is the kind of micromanagement that the Government does not need to do in regard to the ability to run these bills.

Mr. Speaker, I am going to close by saying that this bill is not necessary. We will be voting against it simply because this government has not listened to the concerns of everyone involved in this particular sector to deal with a sound plan to develop water management in the province of Manitoba. So, Mr. Speaker, I thank you for the opportunity to put these words on the record, and I would turn the discussion on Bill 6 back over to the House.

\* (18:50)

### House Business

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I wonder if there is leave of the House for the Committee of Supply



meeting in Room 255 to continue its work until eight o'clock on the Committee room's clock?

**Mr. Speaker:** Is there leave of the House for the Committee in Room 255 to continue their work until 8 p.m.? *[Agreed]*

\* \* \*

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to put a few comments on the record with regard to The Water Rights Amendment Act. This act, as it has been brought forward, has problems within it. It has considerable potential for government to abuse it. There are important rights of landowners and of municipalities. Nevertheless, I am prepared on this occasion to support the Government, because I think that this bill, in fact, lays the basis for being able to manage watersheds on a water basin basis.

It is important to have provincial authority in this area. We have seen time and time again over the last number of years areas where watersheds have had problems, whether we are talking about La Broquerie or Sturgeon Creek or water planning needs in southwestern Manitoba. As a result of the very heavy water last year in the spring, clearly we need in this province water basin management done well and done effectively. Clearly that needs an understanding of the relative roles of players, individual landowners, municipalities, the provincial government, the role of conservation districts, the role of watershed management groups to make sure that things are managed well.

I do, however, want to put on the record that the NDP Government needs to proceed very, very carefully in implementing this act, because farmers have individual rights. Municipalities have an important role, and there is the potential to build up a huge bureaucracy unnecessarily if the NDP is not careful. It is very important that the Government plays a facilitator role rather than a dictatorial role.

The provision to be able to license does not mean that you necessarily have to have a licence for every little drainage ditch, but that it does enable the provincial government to exert and have overall responsibility. That responsibility

needs to be exercised with considerable care given the circumstance that came to light in southwestern Manitoba, in fact, was the basis for the court case. We need to make sure that farmers have an appropriate ability to manage, that government and the framework can respond quickly, not put off decisions time and time again without acting or acting irresponsibly. I put the Government on notice that, although I support this bill, it is one that I will be watching them very, very carefully, as will many, many citizens around this province, because if you do not look after this well, it has a potential to cause a huge lot of problems for many people and make a situation worse instead of better. Although it is important legislation, it is important that it be done well.

I would just put a few comments on the record about Sturgeon Creek because I have asked questions in the House about Sturgeon Creek. I have recently gone out and visited and talked with people along Sturgeon Creek and in the Sturgeon Creek Association. What is remarkable about Sturgeon Creek is that after the heavy rains earlier this summer, the stench along Sturgeon Creek was so awful that people could not open their windows. They could not go outside and enjoy their gardens in the way that they were used to. Quite clearly this was not a natural stench; this was a real problem in water management.

Sturgeon Creek originates, at least part of it, in the riding of the Honourable Member for Lakeside (Mr. Enns). There are several channels coming down. There may not necessarily be a single point source for the problems that arose. There are several municipalities and a number of jurisdictions, and clearly these municipalities and jurisdictions need to be brought together in a water-basin-wide management capability in a way that takes into account the importance of agriculture and farming and the needs of agriculture but at the same time takes into account the needs of managing the water well so that Sturgeon Creek, which flows through the riding of the Member for Lakeside, is well looked after, that Sturgeon Creek no longer has the problem, as it did recently, for the first time maybe in its history, for the first time certainly in 40 years, where people along the creek could not go outside because the stench was so awful.

The die-off of fish, which occurred in Sturgeon Creek, clearly occurred not just in one part but in both of the major branches of Sturgeon Creek, was widespread. It speaks again to the need for careful water-basin-wide management. This creek could be a model for how we can look after our watersheds and our creeks and our water basins in a way that will optimize a fish habitat as well as optimizing conditions and circumstances for farmers and for people who live along Sturgeon Creek and the many other waterways in our province.

So, for consideration of the future of water basins like Sturgeon Creek, I support this bill, and I support the Government. I do that, giving them, as I have said, my concerns, spelling out the fact that the Government will be watched very closely on this bill and how it implements it. Nevertheless, we have reached a stage in this province where we need effective water basin management, and this is one of the tools that will be necessary in order to do that.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is third reading on the motion moved by the Honourable Minister of Intergovernmental Affairs (Ms. Friesen), seconded by the Honourable Minister of Agriculture and Food (Ms. Wowchuk), that Bill 15, The Water Rights Amendment Act (Loi modifiant la Loi sur les droits d'utilisation de l'eau), be now read a third time and passed.

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

**Some Honourable Members:** No.

**Some Honourable Members:** Yes.

#### Voice Vote

**Mr. Speaker:** All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Yeas have it.

**An Honourable Member:** On division.

**Mr. Speaker:** On division.

#### Bill 17—The Elections Amendment Act

**Hon. Greg Selinger (Minister of Finance):** I move, seconded by the Minister of Agriculture (Ms. Wowchuk), that Bill 17, The Elections Amendment Act; Loi modifiant la Loi électorale, be now read a third time and passed.

*Motion presented.*

**Mr. Marcel Laurendeau (Opposition House Leader):** Mr. Speaker, this side of the House will be supporting this bill now that the Government has accepted the amendments brought forward by the Leader of the Opposition (Mrs. Mitchelson), and we are looking forward to royal assent.

**Hon. Jon Gerrard (River Heights):** I rise, Mr. Speaker, to indicate that I, too, will support this. I believe that the amendments are a contribution and recognize that the Opposition has played a role in this legislation, as well as the Government. Thank you.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is third reading on the motion that Bill 17, The Elections Amendment Act, be now read a third time and passed.

**An Honourable Member:** Question.

**Mr. Speaker:** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

\* (19:00)

**Bill 26—The Court of Queen's Bench  
Amendment Act**

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I move, seconded by the Minister of Intergovernmental Affairs (Ms. Friesen), that Bill 26, The Court of Queen's Bench Amendment Act, Loi modifiant la Loi sur la Cour du Banc de la Reine, now be read a third time and passed.

*Motion presented.*

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise just to put a few comments on the record. This bill is, in essence, a housekeeping measure. The Queen's Bench Act already provides for mediation. The Government is simply expanding the definition of "mediation" to include both designated and private mediators.

The interesting issue for the Government is whether the Government will expand their present mediation program beyond the Perimeter Highway. Mediation, quite frankly, is all but unknown outside the Winnipeg judicial centre. The present family conciliation program in northern Manitoba is underfunded and understaffed. Clients often wait three or more months to bring mediation or a home assessment, and then the process takes five to six months to complete. As a result, many clients opt for litigation, rather than for mediation.

This issue needs to be raised. This issue needs to be dealt with. This bill really is not substantive if it does not apply to the whole province, so I charge the Government today to address this issue, take seriously the needs of northern Manitoba, as well as the needs within the Perimeter Highway. This is important. This may be a housekeeping measure, but indeed if it is not implemented properly, if it has not addressed the issues in northern Manitoba, the message, the ability, the potential of this bill will be lost.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is third reading on the motion by the Honourable Minister of Finance (Mr. Selinger), seconded by the Honourable Minister of Intergovernmental Affairs (Ms. Friesen), that Bill 26, The Court of Queen's Bench Amendment Act (Loi modifiant la Loi sur la Cour du Banc de la Reine), be now read a third time and passed.

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

**Some Honourable Members:** Agreed.

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

**Bill 35—The Planning Amendment Act**

**Hon. Greg Selinger (Minister of Finance):** I move, seconded by the Minister of Intergovernmental Affairs (Ms. Friesen), that Bill 35, The Planning Amendment Act; Loi modifiant la Loi sur l'aménagement du territoire, be now read a third time and passed.

*Motion presented.*

**Mr. Harry Enns (Lakeside):** I want to put a few of my concerns with respect to Bill 35 on the record. I want to preface my remarks by saying and making it very clear that it is very sincerely my hope that what I put on the record does not come to pass and that I am wrong, but it is important that I put them on the record.

Before I do that, Mr. Speaker, I do not know for certain how this government operates, but I know how my government operated. When legislation came forward, it was discussed with all of cabinet and then with caucus before it ever came into the House. I honestly believe that is not the case with this present government, because there have just been too many examples of bills that have appeared in the House that I am sure if honourable members, particular in the back bench or even fellow ministers, fully understood would have never seen the light of day.

For instance, in the bottom of my heart, I do not believe this government really wanted to

antagonize the parents of the home schoolers of this province in the manner in which they have done. I think the Minister of Education (Mr. Caldwell) presented to his cabinet and to his caucus—well, there are some minor housekeeping amendments that we want to do to the education act. I do not really think that they would have—from gentle quiet people, Manitobans, not that many, they number in the hundreds not in the thousands, that spent just about a full week or two weeks in this public gallery not believing what this government was doing. I do not think they were told that.

I do not think, for instance, that in The Wildlife Act we passed in this House that the Minister of Conservation (Mr. Lathlin) really told, and particularly the Minister of Finance (Mr. Selinger), and I want the Minister of Finance to listen to that, that he is going to have to lay out a million dollars because of Bill 5. They thought they were just appeasing Vicki Burns and the Humane Society about the business of, well, we do not like penned hunting.

Now you are expropriating without compensation the livelihood of a number of Manitobans, and there is such a thing as natural justice in this province. When a government action takes away somebody's livelihood, a lawyer will take this government to court, and I do not think the Minister of Conservation has indicated to his Minister of Finance or to the Government: Look, I am going to pass Bill 5, but this is going to cost the public treasury X number of thousands of dollars.

Just as, and I will give you an example, when this government in an abortive way attempted to introduce elk ranching in 1985 and then changed their mind. They paid out in excess of \$100,000 compensation, because they had encouraged people under the law to get into that venture. Now under the law there are a number, and I have several in my constituency, people that started game farming. That was legal for them. They approached the Department of Natural Resources when they did that. Now, all of a sudden, this government is bringing in legislation that makes it illegal, and they will put them out of business.

You have the power, you will do it. In fact, the law has been passed. I say to the Minister of

Finance and the Treasury, it is going to cost you money to do that. I do not think the Minister of Finance appreciated that when Bill 5 was introduced into this House.

Now I am speaking to Bill 35, and my colleague the Minister of Intergovernmental Services (Ms. Friesen), and this is the most serious, I do not think she appreciates, and I do not think, more importantly, the Government appreciates that this bill, this little planning bill is going to cost the Minister of Finance, the Provincial Treasury millions of dollars. This bill effectively shuts down the hog and pork industry in Manitoba. Absolutely. This bill effectively has chased the Schneider expansion out of Manitoba. You mark my word. Not only that, but I wish the Member from Brandon was here. This bill could turn the Maple Leaf plant into a very expensive warehouse space in three years, employing 50 people.

Mr. Speaker, I want to tell you something, since the turn of the century, through the Depression, the '40s, the '50s, the '60s, Manitoba enjoyed the benefits of processing not only all of Manitoba's beef, but we processed most of Saskatchewan's beef, and a good portion of Alberta's beef, Canada Packers, Swifts, Burns. There were up to 10 000 to 12 000, I might add, unionized jobs in the beef packing industry in Manitoba.

One decade of the NDP, and all of those jobs, all those plants disappeared. *[interjection]*

Well, I will tell you exactly what it had to do with it: introducing a business climate that was not friendly to that kind of development; introducing for the first time such novel things like the payroll tax; such things as government intervention in the beef industry, the beef commission—*[interjection]* You call it whatever you want, but we all know that we do not process any beef in the province. None, not any, except for a few regional plants in Winkler, and small like that. This, Mr. Minister of Finance, what your colleague of governmental services is doing, is doing that to the pork industry.

At three o'clock in the morning, I had a little chat with Bernie Christophe who has the opportunity of getting at least 1200 new

members in his union, in that proposed Schneider plant. I said, look, I cannot make the members opposite listen, but knowing that Bernie Christophe can make this government listen, I said talk to someone in this government. Talk to the Minister of Industry.

We have not heard a single word of encouragement from the Minister of Agriculture (Ms. Wowchuk), from the Minister of Industry (Ms. Mihychuk), from the Premier (Mr. Doer) about the pork industry in Manitoba. All what we have done, we have established task forces that have roamed the province to bring out all the opposition. We are passing legislation that is going to make it more difficult to operate hog barns and build new hog barns in Manitoba. All that has been sent out is negative signals.

\* (19:10)

I say this with some background. It has been my privilege to have been Minister of Agriculture, not once but twice, for the province of Manitoba over a period of eight years. I am aware that we have currently the most stringent regulations with respect to manure management in the country, bar none. I am not saying that that is good enough, that it cannot be improved upon. I applaud those efforts of this government to continue improving upon them, but somewhere in the statements of the Government I want some encouragement that the pork industry has tremendous opportunities for the province of Manitoba. I have not heard that once from a single minister; I have not heard that once from the Premier: I have not heard that once from this government. All I have heard, all I have seen is that they send out more and more task forces. Let us understand one thing.

There is a considerable body of the public, may even be a majority, that do not want any hogs to be produced, period, in Manitoba. The Hogwatch group wants that. They have hired Brian Pannell, a well-paid lawyer, who will follow every request now that this bill makes it mandatory for the municipalities to advertise throughout the province. Whoops, somebody in Vita wants to build a hog barn. Brian Pannell and the well-financed lobby moves in there and squelches it. Mr. Speaker, that is what it all starts with. If we cannot produce hogs, then we do not

have processing and we do not have the jobs. I know this internally that they will continue to talk and negotiate but the Schneider expansion is history, is toast. More importantly, the only way that the Maple Leaf plant in Brandon can be viable, they are hoping to come back from the four-day work week to the five-day work week, but to make that plant viable they need a double shift and we do not have the hogs to do that. We do not have the hogs to do that and this bill will virtually guarantee that those hogs will not exist.

I have said, as I said in my opening remarks, that I hope I am wrong, but fortunately we record those comments that we make in the House. I suspect within the period of two or three years these will regrettably be prophetic remarks. My concern is even at this late hour surely the Minister of Agriculture or the Minister of Industry or the Minister of Finance should think back and say: Hey, are we really doing this? My colleague the Member for Emerson (Mr. Jack Penner) can tell you, Albert Viellefuere family—by the way I served in the House with him for many years, he was a member of the Liberal Party and sat in this Chamber for a number of years—his family is one of the most progressive family hog operations, pork operations in the province of Manitoba. They had a substantial expansion plan prior to the introduction of Bill 35. They have been indefinitely put on hold. They will expand nothing in the province of Manitoba because of Bill 35.

*Ms. Bonnie Korzeniowski, Acting Speaker, in the Chair*

Elite Swine is considering moving out of this province to Alberta. Well, the Minister shakes her head. The Minister knows that I happen to be on personal, you know, intimate, you know, relatively intimate terms with one Gary Stott and others of that organization. She knows that full well, so why would I be telling her something that she pretends to know better than I? I am telling you, Madam Acting Speaker, again, as in Bill 12 with the home schoolers, as in Bill 5 with The Wildlife Act, as now in Bill 35, this government, this minister does honestly not know what they are creating and what they are doing. This bill, this relatively noxious bill, and I take some responsibility as—it is not my role and I know my colleague the Member for

Emerson is the Agriculture critic—but this bill has not received the attention that it deserves. Agriculturally speaking, rural development speaking, this is the most significant bill of the session. This is the most significant bill of the session and this bill will shut down a good part of rural Manitoba. Thank you.

**The Acting Speaker (Ms. Korzeniowski):** The Honourable Member for Russell.

**Mr. Leonard Derkach (Russell):** Madam Acting Speaker—

**Mr. Enns:** Oh, of course they want. They want you to decide where the hog barns should be built and take the heat off the councils. That is a no-brainer. We resisted that all the years. They had asked us to do it for years.

**The Acting Speaker (Ms. Korzeniowski):** Order.

**Mr. Enns:** They do not want to fight with the environmentalists and their councils. They want the Government to do it.

**The Acting Speaker (Ms. Korzeniowski):** Order, please.

**Mr. Enns:** I got carried away, Madam Acting Speaker.

**Mr. Derkach:** Madam Acting Speaker, my colleague the Member for Lakeside I believe has a better understanding of this process and what the impact of this bill will be than most of us in this House, because this member has not only lived through the changes to this act, but, indeed, has had the responsibility to ensure that this act applies when he was Minister of Agriculture.

In addition to this, Madam Acting Speaker, there is a history in how sensible approvals could be done with regard to livestock expansion in this province. And let it be known that it was our government under the direction of the Minister of Agriculture then, the Member for Lakeside (Mr. Enns), who passed laws in this province with regard to the disposal of livestock manure that are probably more stringent than they are in any other jurisdiction in Canada. Even under those conditions, we were still

allowed to grow the livestock industry in unprecedented numbers over the course of the last few years. Why? Because there was a development of a partnership, a partnership between producers, the municipalities and government, and it was not intrusive. It was a partnership where we looked at what it was we could do rather than what we could not do, and this all came about in a time when the Crow rate was taken away, when one would have expected that there would have been a dramatic downturn in the agriculture industry in the province, and it happened at a time when the grain prices in Canada were probably the worst they had been in several decades and at a time when costs for production in agriculture were higher than they had ever been.

So, Madam Acting Speaker, one has to assume that there had to be some correct chemistry in all of this in order for this to be able to happen. Now, with the introduction of this bill, I can see that we are stepping back in time, and I say this from a little bit of experience that I had as being the steward of The Planning Act when I was Minister of Rural Development, a department I might add that has been decimated and has been shut down. The reality is that today we have no advocate and spokesman for the people in rural Manitoba in this government. This bill simply removes the ability for entrepreneurs, for those who are interested in diversification, for those who want to expand and grow the livestock industry from being able to do that.

All of these changes are very subtle. They are moved in very subtly, just as they were in the days when we had a burgeoning livestock industry in the cattle industry. I remember those days when we had 11 000 employees in the city of Winnipeg working in the cattle-processing industry, the numbers of companies I could not even name because it has been some time.

What happened? In the reign of the then-New Democratic Government, every single job was lost. The industry was closed down, and I was not in the farming business then, but I had some livestock, and what I used to do is farm my livestock out and then have the cattle finished in a feed lot. But the then-Minister of Agriculture, the Honourable Bill Uruski, came out with a

very innovative plan. He said we are going to subsidize the calves. We are going to have a cow-calf program in this province. But who was he talking to? He was talking, of course, to his constituents in the Interlake who never did finish a lot of cattle at that time. There were a few significant feedlots in that area, but a lot of the farmers there were cow-calf producers. He forgot that if you subsidize at that level, the farmer, the producer will take that subsidy, sell the calves and put the money in the bank.

\* (19:20)

Madam Acting Speaker, what happened in that event was all of our calves, which were not finished anymore in the province of Manitoba, moved to the province of Alberta. Alberta said, ah, here is an opportunity. We are going to grow our feedlot industry, and we are going to subsidize feed grains, a very smart move because all of a sudden it allowed for the feedlot industry in Alberta to grow. With that feedlot industry moved the packing industry, and what happened in our province? We lost 11 000 jobs right here in the city of Winnipeg.

**An Honourable Member:** Here in the city of Winnipeg, 11 000 unionized jobs.

**Mr. Derkach:** Yes, Madam Acting Chair, they were all unionized jobs.

There are different ways that you can kill and shut down an industry. You do not have to have the same program that Bill Uruski had, but today we are starting it with Bill 35. This is just the beginning, because I know the same person who is responsible largely for the demise of the livestock processing industry in Manitoba is, once again, lord over what? MACC is he not? So now let the Minister of Agriculture (Ms. Wowchuk) not say, oh, oh, so you are opposed. I am not opposed to anything except putting us back in the days when we lost a significant industry in this province, and many of us remember that. We are returning back to those days, and the first step to that return is right here in Bill 35.

Madam Acting Chair, this is not insignificant. However, people in Manitoba have probably not taken a great deal of time to look at

the contents of the Bill and the impact that it is going to have on the producers of our province. *[interjection]* Did you say you were chicken?

**An Honourable Member:** No.

**Mr. Derkach:** Oh, I am sorry, I did not hear you.

Madam Acting Chair, this bill is simply not going to be ignored by many of the livestock producers in our province, because the livestock industry is very mobile. I can tell you that it will pick up and move out of our province because under this act we will not allow it to expand in our province. Under this act, we will virtually shut down all expansion of the intensive livestock industry, basically hogs, and you can regulate an industry to its death.

The other part of this is that here we have a bill that is going to cause the Government extreme amounts of cost, because they are going to have planning police out in the rural part of Manitoba in order to be able to implement all of the articles of this legislation. *[interjection]* Well, the Minister of Finance (Mr. Selinger) asked the question why AMM supports it. Well, I can tell you that in the days when I was minister and had responsibility for The Planning Act, the UMM, the Union of Manitoba Municipalities, said to me that they were not even in favour of us having an appeal mechanism, that when an application was turned down by the municipality that we would allow it to be heard by an appeal mechanism that would be put in place by the Government. That is how seriously they viewed the importance of having autonomy over planning issues within their municipalities. This changes all of that.

Now, the Member for Dauphin-Roblin (Mr. Struthers), who represents a significant part of the rural part of the province that I come from, certainly should have some serious concerns about this legislation. If he does not, then this legislation was not explained to him very carefully.

Madam Acting Speaker, I believe that if he knew the impact that this bill will have on the rural municipalities, on the rural landscape of Manitoba, he would not be supporting it in the

House. He would be encouraging his minister. Now here we have a minister, she is a very knowledgeable person, she is certainly someone who has a broad range of knowledge about a lot of issues, but she has never experienced the rural lifestyle and, if you like, the rural governance issues. So, therefore, I am not going to fault her completely for bringing in these regulations, but I fault the Minister of Agriculture (Ms. Wowchuk) for not having any voice around that cabinet table to be able to effect any change in this legislation. If she had influence around that cabinet table, then this piece of legislation would not be before us.

Now the Minister of Agriculture finds this humorous, but I do not think a lot of the people who depend on the livestock industry, who depend on the diversification of agriculture in our province, would find this humorous at all.

We need to take this bill very seriously. We need to take the impact that this bill will have on the province of Manitoba very seriously. The changes are subtle, and the Minister will probably stand up and say I do not know why the big fuss about a bill that has such insignificant changes. They are not insignificant changes. These are significant changes, but they are subtle.

Madam Acting Speaker, I believe that my colleague the Member for Lakeside (Mr. Enns) is correct. This gentleman has been in this House for significant numbers of years. He has seen our province grow. He has seen our province stall. He has witnessed a lot of changes in Manitoba, and he has a good understanding of what it takes to keep that rural economic engine going. This is not the legislation that will keep it going.

Once again, I feel for the people of rural Manitoba. I feel for the people who have jobs in the processing industry because just a year ago we were attempting to attract another two livestock processing plants into our province, one in the hog industry, and Schneider did come along, but they have not built yet. We had a bison processing plant that was interested in locating in Manitoba. The reason they were interested in locating in Manitoba, because they saw a government that was pro-business, they saw a government that was pro-development,

they saw a government that was pro-agriculture. With that kind of an attitude in government, they knew that there was some hope and some future in this province.

I ask what hope and future is there in our province with the type of legislation that we have been seeing introduced into this session, the first session of this new government in this House: Bill 5, Bill 15, Bill 35, Bill 42, Bill 18, Bill 12, Bill 44. So this is a sad day for Manitoba. This is a sad day because we are passing some legislation, and although we can oppose it with all the strength that we have in opposition, it still does not mean that we can stop that legislation. We have appealed to every minister in this House, who has brought this kind of legislation forward, to look at this legislation again. They are all new ministers. The only one who has had legislative experience prior to this session has been the Premier (Mr. Doer) of the province. As new ministers, they have moved very boldly, but there is a problem if you are going to be as courageous as some of these ministers are.

\* (19:30)

So, Madam Acting Speaker, I say it is a sad day for the province of Manitoba, a sad day because the impact of all of this legislation is going to be very, very significant, very negative to the economy of our province and to the direction that we have tried to focus the province in over the course of the last 11 or 12 years.

So, Madam Acting Speaker, as we close the debate and as we end the debate around these bills, and especially on this particular bill that I am speaking to, it saddens me that we have a government that does not understand what it takes to keep the economy going. It does not understand what it takes to keep that economic engine and the jobs that we depend on so heavily in this province to keep our revenues up. It is a government that does not understand how the make-up of this province is and what it takes to keep this province afloat and competitive in this global, economic environment, so I have to tell you that we will not be supporting this piece of legislation.

Perhaps it is too late to ask the Minister to change her mind, but I think that she should



probably hoist this bill for six months, take another look at it and then come back with a more informed piece of legislation which will allow for growth in our livestock industry in the province of Manitoba. Thank you.

### House Business

**Hon. Gord Mackintosh (Government House Leader):** Would you please canvass the House to determine if there is leave not to see the clock until 10 p.m.

**The Acting Speaker (Ms. Korzeniowski):** Is there leave of the House to not see the clock until ten o'clock? [*Agreed*] Agreed and so ordered.

\* \* \*

**Hon. Jon Gerrard (River Heights):** I rise to put a few comments on the record on Bill 35. The perspective I bring is different from the Conservatives who have been anti-environment and different from that of the NDP who have been anti-business. Clearly, in my view, there is the potential to grow the hog industry in this province, which is a very important industry, but there is also the potential to look after the environment well. I will indeed support Bill 35 but support it giving the Government a real caution because it is in the implementation of this bill that they may be fraught with huge difficulties.

It is time in this province that there are some province-wide standards. The AMM has recognized this but not the implementation of it. The reality is that when we are looking at the hog industry, one of the biggest impediments to expansion right now is concerns about the environmental issues and that they are being addressed well and looked after well. What is important for this government to show is in fact that they can be looked after well and speedily without the kind of arbitrariness that has happened from one municipality to another. Let us be frank. I think the Member for Lakeside (Mr. Enns) will recognize that there have been very different perspectives in different municipalities.

One of the problems with expanding business operations has been that people in the

hog industry have often been at the mercy of not knowing just what hoops they have got to go through and that if those environmental criteria are laid out carefully, and it is clear that when people in the industry meet those, there is the ability to proceed. There needs to be an ability to assess the technical areas well, fairly, rationally, clearly across the whole province, and move quickly, because entrepreneurs cannot wait and wait and wait, and the agricultural industry is too important to be beset by a huge level of arbitrariness in the evaluation of hog industry developments, the development of new barns.

*Mr. Speaker in the Chair*

What is needed here is, yes, this legislation, but it needs to be implemented in a very pro-entrepreneurial as well as pro-environmental way. Having clean waterways, having clear standards, business always works better when you have very clear rules so they know if they meet those rules, it is a go in terms of building that hog barn. When you have the bar clearly set, then it helps industry instead of being an impediment. The biggest problem is where you have a huge area of uncertainty, and one of the problems at the moment indeed is the uncertainty that the NDP Government is creating through Bill 44, through a variety of other measures which are anti-entrepreneur measures, and in this kind of climate it becomes incredibly important that the NDP move clearly, effectively and in a pro-entrepreneur as well as pro-environment way to implement this bill.

I think it was a mistake, quite frankly, for the NDP to move on this bill before they had all the hearings. Indeed, one of the sad things was that there were hearings going on in one place and committee hearings here on this bill. Many of the people who were in Steinbach could have been here and probably should have been here presenting, and it was sad that this was the way it was done. It was sad that the—[*interjection*] Well, I think it was a problem with this NDP government, that they are not very good at listening or organizing things, and that is one of the reasons why I support this bill, but with a lot of concern. I say to the Minister that she needs to demonstrate that she is a friend of the industry as well as a friend of the environment.

The Minister will be measured, and the Minister of Agriculture (Ms. Wowchuk) will be measured exactly as the Member for Lakeside (Mr. Enns) has said, with what happens with the hog industry. If the hog industry leaves this province like the beef processing industry did, the Minister of Agriculture and the Minister of Intergovernmental Affairs (Ms. Friesen) will be hanging their heads in shame as they are chased out of office for the horrible things that they have done to this province.

\* (19:40)

There is an opportunity here which the ministers can take. The ministers have an opportunity, an opportunity to be pro-entrepreneur and pro-environment. If you can do that and build the industry as well as improving the environment, which indeed is what has to be done in this province, then people will support you. I believe that we have moved to the point where indeed we need measures. This one clearly has a lot of flaws. I pointed them out at second reading, but I will indeed support, but I support with a lot of concern that the two ministers responsible, of Agriculture and Intergovernmental Affairs, will not be able to really carry the day and show that they can be both pro-entrepreneur and pro-environment. Thank you.

**Mr. John Loewen (Fort Whyte):** I wish to inform the House that I am opposed to this bill. I share a lot of the concerns that the Member for River Heights has just expressed. He seems to have the confidence that this government can overcome the difficulties with this bill and see something positive. I do not have the same faith in this government. I have a lot of the same concerns. I have other concerns, but I do not have faith that this government can overcome the concerns and can manage the two facets, one of preserving our ecology and the other is dealing with economic growth.

Quite frankly, I do not see a real reason for introducing this bill at this time. It must have been something else at the cabinet table when this government first came into power. There must have been a little contest going on to see how many bills each minister could bring before this House and how quickly. I think this must be

one of these bills that was put before the House so that somebody could get the prize. We saw the toys in the House the other day; maybe that was the prize, a little toy for introducing the most legislation in this session.

Unfortunately for the people of Manitoba, bills like this have been introduced without really much thought. That is even evident by the Minister's introductory statement of this bill when she mentioned that this is only an interim solution. Here we have a bill that is being introduced for some supposed reason which we really do not even know, and the Minister believes is interim.

In spite of presentations to committee, in particular from the Manitoba Pork Council, that were urging the Minister to step back and wait for the results of the Livestock Stewardship consultations to be received, what do we see? We see this government rushing ahead, and quite frankly that was even evident in the committee meetings when the gentleman from the Manitoba Pork Council, who gave us the presentation, apologized for the fact that he only found out that morning that there was a committee.

The Minister indicates that he was not on the list and that maybe that was the issue. Well, AMM was on the list, and they were not there either. They were not there because they were notified late, late on Thursday afternoon that there was a committee meeting on Monday in the middle of summer, and sure enough, lo and behold, someone was away and did not get the voice mail, thought the committee meeting was on Tuesday when in fact it was on Monday. What kind of organization is this? I have to speak for myself. I happened to be out of town that Friday on a trip to another part of the country and, lo and behold, when I got into the office for Monday morning I found out that there was a committee meeting at 10 o'clock Monday morning.

That is not so bad. That can be overcome. What really galled me was that the Government used their majority at that committee meeting at 12 o'clock to say: We are shutting down presentations. We are not going to allow for one more person to come to this committee and give us a presentation on this bill.

Now, if that is not the heavy hand of government, I do not know what is. That is written all over this bill. This bill is the heavy hand of government stepping on places where it should not tread to the detriment of the folks in rural Manitoba. That is unfortunate because the rural economy tends to drive the economy in this province, in particular as it pertains to Winnipeg.

The Minister's own words, and in fact the words from AMM, who did give conditional support to this bill, I will admit, conditional support. They have concerns. They mentioned those concerns in a written proposal that they faxed, unfortunately, because they were excluded from the committee process. We were not allowed to ask them what concerns ranked the highest in terms of their priorities. All we had was a document hastily faxed. But I believe, at the end of the day, they even had to fax to us before they received all the approvals they would have liked to have received from their executive council before sending it.

The question remains: Is this really all of the concerns AMM had, or is this simply what they could bring together in the very, very short time that they had, once they had received notification that the committee hearings were taking place?

I think it is unfortunate that the Government is stepping in, in this heavy-handed fashion. The Minister should be aware. It is unfortunate. My rural colleagues can speak much better to this, but she should be aware that there are lots of entrepreneurs in rural Manitoba that just want to get about with the business of diversifying their operations, and this bill puts the heavy hand of bureaucracy all over it. It is going to make it very difficult for people to diversify into the types of operations that, in the Minister's opening statements, she admits provide economic spinoff and economic benefits to all of this province. I would think, with her knowledge of the city of Winnipeg, that she, in particular, would be concerned with the economic spinoffs from the livestock, in particular, as we have seen from the hog industry to the city of Winnipeg. She witnessed the destruction of the livestock-processing industry in this city and the loss of 11 000 jobs directly as a result of the policies of the previous NDP government, but I think she

would be a little more cognizant of the type of legislation that she is bringing in to hamper economic development, the type of effect that that could have on the city of Winnipeg.

It is ironic. She mentioned the other day in committee that it was ironic that we were both on the table dealing with different issues, giving our history, but it is ironic that this minister is also responsible for the city of Winnipeg and indirectly responsible for the redevelopment of the lands in St. Boniface that used to house those plants, and anyone can go down there and have a clear understanding that that area is a wasteland, has been for the last 15 or 20 years and it is unfortunate. This bill will certainly not help that process. So I am voicing my objection to this bill. There is no need for it. We should have waited until the Livestock Stewardship consultations were finished. There then should have been a consultation with the AMM and with members of the industry, because, like my colleague from Lakeside, I believe the Schneider plant is done. It is not only because of this bill; Bill 44 will certainly play an important role in the decisions of that organization but, in effect, serious damage has been done, not only to the rural economy through the introduction of this bill but it will have an impact on the city's economy as well. Thank you.

### House Business

**Mr. Mackintosh:** Mr. Speaker, is there leave of the House to allow the Committee of Supply sitting in 255 to continue until 9 p.m. on the Committee's clock.

**Mr. Speaker:** Is there leave to allow the Committee of Supply in Room 255 to sit until 9 p.m.?  
*[Agreed]*

\* \* \*

**Mr. Speaker:** To resume debate on Bill 35.

\* (19:50)

**Mr. David Faurshou (Portage la Prairie):** Mr. Speaker, it is a pleasure for me to rise this afternoon. However, I am very disappointed with the Bill that we have before us, Bill 35, The Planning Amendment Act. My honourable col-

leagues have addressed the concerns that we on this side of the House feel towards this bill. We feel it could have catastrophic repercussions on the economy of Manitoba, especially upon the agricultural industry and the diversification. The only words that come to mind are the last words that were spoken by Jesus upon the Cross: Forgive them Lord, for they know not what they do. I believe that is the case here this evening in Bill 35's case. I ask all members of the House to consider and reconsider the passage of this Bill 35 because it is not what this Legislative Assembly should be doing at this point in time. I believe that to vote against this bill is the right thing to do.

**Mr. Jack Penner (Emerson):** Mr. Speaker, just a few short comments on The Planning Amendment Act. I concur with what the Honourable Member for Portage la Prairie (Mr. Faurichou) just said a little while ago. I honestly believe that the Government really has very little appreciation for the huge impact that this bill will, in fact, have. The other thing that I find interesting, if you are going to open The Planning Act and you are going to make some real changes, then why would the Minister not have dealt with many other issues that pertain to what I call environmental issues? That is really, I believe, at the essence and core of this bill, that they are really wanting to address environmental problems. I find it interesting that this is directed virtually directly at all the hog barn construction that is currently going on in the province. One has to wonder that if those lagoons that hog farmers use to store waste in are so offensive to people and the Government wants to address it, then why does the Government not put the same requirements in place for communities when they build lagoons for human waste?

It really confuses many of us in rural Manitoba and virtually all of our rural community are dependent on lagoon storage systems for the waste that the humans excrete, and this bill does not speak to that. This is an amendment to The Planning Act, and it does not speak to the requirements of the establishment of a lagoon for human waste for towns, villages, cities to store their waste in, but being what human nature is, it would appear to me that humans really do not want to deal with their own mess that they create. They would like to blame somebody else

for the problem and then enact things, place things in legislation, that would sort of divert the attention away from the real situation.

I very often wonder how long we are going to allow the access overflow and the draining of some lagoons into our river water systems. This is human waste, and these waters that we drain through ditches and creeks and rivers into our drinking system, many of us in rural Manitoba depend on our drinking water and all potable water from the Red River. Yet, when I look at how some communities drain their lagoons into that very same river, I have to wonder about where our thinking really is. Yet here we are drafting a very specific bill dealing only with livestock, livestock waste and waste storage systems. That is what this act does.

It is clearly, in my view, creating a difficulty for a problem that I honestly do not believe exists, and I will tell you why, Mr. Speaker. Animal waste is probably one of the most natural fertilizers that you could buy anywhere. It really does not matter to me whether it is in liquid form or whether it is in solid form or whether it is stored in straw that the Honourable Member for Burrows (Mr. Martindale) could actually pour it with a pitch fork. He calls it manure, but I call it straw storage, a carrier—that is all straw is—for manure, and if you spread it on the land it looks nice because it is only straw, but it carries exactly the same nutrient value that liquid water puts on the field when you spread it. Exactly the same principle, and yet our Minister of Agriculture (Ms. Wowchuk) says we should go back to the little family farms.

The little family farms, when I grew up, took that straw and the manure that was stored in that straw and dumped it out in the middle of the river. Then in the spring of the year the ice would lift and away it would go headed right for the lake. The dead cows and the dead pigs were all taken onto the river ice and away they floated, and nobody would have to bother cleaning them up. Mother Nature did it for them. Boy, did we do justice to our water system then, the little farms that were along the riverways and the waterways.

Now, today, we are passing legislation that will make it very difficult for the establishment.

We will give every person in this province an avenue to debate the relevance of a given storage system. Is it not interesting? Do we debate? Are we allowed from across this province to come and debate the merits of a human waste storage lagoon? No, of course not. Are we allowed to debate the slurry storage at the Flin Flon mine? Of course not. Are we allowed to debate the relevance and the merit and the safety of the slurry storage ponds at Thompson? Of course not.

Yet, when a group of farmers that were forced to change the way they do business, that were forced, by federal government action, to change how they farm, forced them to get into livestock, we are saying to these farmers hold it. You cannot. Do you know why we are doing this, Mr. Speaker? Because of a few very, very wealthy people that have more money than you and I will ever know or see, that have the ability to convince, hire people to convince you and I that we should not be involved in animal production. It is the animal rights' movement. It is the Vicki Burns of the world, and yet Vicki Burns and her organization are probably the largest killers of penned animals in this province. Yet we allow ourselves to be cajoled and coerced as legislators to do this kind of stuff to our rural farmers, and I think it is appalling.

The interesting thing is that when you do these kinds of things and you give authority to only one person, that is when the word "dictatorship" starts creeping into one's mind, and it does not surprise me that the organization of municipalities is in support of this legislation. It does not surprise me at all because why should a group of politicians want to take on the responsibility of making these decisions when they do not have to, when they know they can foist that responsibility on a central government and a given single minister. How, why would they want the responsibility?

Here we are dealing with The Planning Amendment Act, dealing with The Planning Amendment Act that will now force municipalities to notify the Minister immediately when a plan, whether it be for a subdivision, whether it be the plan for a hog barn—let us put it that way. That is what this is. This is hog barn legislation, nothing but, and yet this Minister of Agriculture

(Ms. Wowchuk), who should be a proponent for the agricultural community, sits on her butt and does not even say a word about this, does not protect, does not speak for it, does not stand for the industry that she is responsible for.

Do we believe in sustainable development? Not on that side of the House they do not. This government has made it very clear that sustainable development is not even in their vocabularies. They have no intention of looking at industry in a long-term sustainable fashion. If they did, they would know the merit of using natural fertilizer in agricultural production. This is one of the most natural fertilizers that you will find anywhere in the world, and yet this minister allows herself to be coerced by somebody like Vicki Burns and the PETA movement and the Hogwatch organization.

\* (20:00)

She has no respect for the people who make the large investment, want to make the large investment. Instead, she impedes progress by calling, in the middle of the introduction of legislation such as this, for a committee, a committee that is called the Livestock Stewardship committee, to go out on the road and debate the Livestock Stewardship program that she so proudly displayed. The centrefold of the paper that she prepared draws out all the absolute possible things that could go wrong with the industry and portrays it as a centrefold spread. How dare the Minister put herself off as being a proponent of agriculture. It is simply incomprehensible how this government proceeds.

It reminds me of what my colleague for Russell said a little while ago, Mr. Bill Uruski, who was formerly the Minister of Agriculture, his attempt to establish the Beef Commission, clearly an indication during that time and the subsidy they gave to the cow-calf operators, clearly an attempt to promote one side of an industry over the other and throw the imbalances into play. That is exactly what this government is doing now by introducing this Planning Amendment Act. It is throwing an imbalance, an uncertainty at a time when agriculture cannot stand any more uncertainties.

It is time that this Minister of Agriculture got up on her feet and defended agriculture, but

she sits quietly and laughs at things when we debate things. I think this minister truly needs to re-examine whether she truly wants to be a Minister of Agriculture or whether she wants to protect the views of the PETA movement, the views of the animal rights people, or whether she truly wants to promote agriculture for what it is.

I truly believe that agriculture and the farmers of this province are some of the most safety-conscious people in this province. They produce the safest and the best quality food anywhere in North America, anywhere in the world, and yet we constantly portray them as villains, and I think it is deplorable.

This series of legislation that this government has introduced, be it from the labour act, the education act, The Planning Amendment Act, the transportation act, all point to an attempt to control and control and control. It is called dictatorship, and no other word for it. I think, clearly, this act speaks very loudly of that, making sure that every application going to a municipality will now have to be reported directly to the Minister, and under a number of other acts the Minister has the authority to say yea or nay. That is what is wrong with this act.

That is what I cannot understand about the organization of municipalities, that they would support something like this, because they are giving up the authority that they used to have. Now, here we are going to be back to where we were, back to the early 1980s when we lost our beef industry.

I say to you, we are well on our way to losing the pork industry as well. That will mean thousands and thousands of jobs, and that will mean the consolidation of thousands and thousands of more farms into much bigger units, and the only person that can take responsibility for that is the Minister of Agriculture who has portrayed herself as the defender of the little guy, and yet, she is a proponent of the big corporate operations. I say to you: This bill will fly in the face of progress eventually.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Yes.

**Mr. Speaker:** The question before the House is third reading on the motion moved by the Honourable Minister of Finance (Mr. Selinger), seconded by the Honourable Minister of Intergovernmental Affairs (Ms. Friesen), that Bill 35, The Planning Amendment Act (Loi modifiant la Loi sur l'aménagement du territoire), be now read a third time and passed.

Is it the pleasure of the House to adopt the Motion?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Speaker:** All those in favour, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Yeas have it.

**An Honourable Member:** On division.

**Mr. Speaker:** On division.

#### Bill 43—The Sustainable Development Amendment and Consequential Amendments Act

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Intergovernmental Affairs (Ms. Friesen), that Bill 43, The Sustainable Development Amendment and Consequential Amendments Act (Loi modifiant la Loi sur le développement durable et modifications corrélatives), be now read a third time and passed.

*Motion presented.*

**Mr. Jack Penner (Emerson):** Mr. Speaker, I will not be as long on this bill as I was on the other one.

The Sustainable Development Amendment Act is another indication of how little under-

standing this government has for the industry, for the human resources that go into the industry, for industrial development, for primary production development and, indeed, for the products that we use and consume in our daily lives. True sustainable development starts right from the ground up. True sustainable development is looking at the soil, planting a seed, watching it grow, doing the harvest, doing the preparatory work, doing the processing, delivering a product at the end of the day, and making sure that in that process the environment is protected.

Back in 1988 we established, I believe we were one of the first jurisdictions to establish the Sustainable Development Round Table. We need to go back into Hansard and look at some of the debates, but I think this now government sort of cajoled and joked about the establishment of the Sustainable Development Round Table and some of the people that we appointed to it.

A few come to mind, because I was one of the original members of the Manitoba Round Table. Rob Hilliard was a member who came on the board when I and a number of people out of the department of resources, industry people, some very influential people sat on that round table.

The Sustainable Development Act was a process of development. It took a few years. I believe it serves as a sounding board for all sectors in society, for individuals, for industry, for the environmentalists, for a consumer, the primary producer, all our members, all were members of this round table, including a few ministers. It gave us a great opportunity to sit and debate the issues.

At the end of the day, I think we were all wiser for it, and we were able to make decisions and bring forward recommendations to government that really, in my view, in a great way, in a great co-operative effort, changed the way we did business. We really changed the way we did business. It brought a new awareness to the general public about how safety conscious the people that debated these issues really were, how aware the industry was of the effect they had on the way you and I live, how aware the primary producer was of how you and I perceived the

product that he put on the grocery shelf. That is what The Sustainable Development Act was all about when it was written. That is what the round table was all about, but the round table was nothing more than a forum for debate, making the consideration of legislation that should be brought forward.

\* (20:10)

Mr. Speaker, I have heard much talk about factory farms by this government. I think what this government should really do, it should set aside some of the major bills that they have brought forward, just set them aside for a year, and they should sit around a forum such as a round table and hear the debates from all sides on these bills. I think they would change their mind in what they would include in that legislation. I think they would change their mind on whether they wanted to be as authoritative in some of their approaches as they are today.

So I say to you, Mr. Speaker, on The Sustainable Development Act, I believe that our primary productive community is probably one of the most environmentally sensitive. Some of them are right now practising sustainable development to a much greater degree than they ever have and are some of the most environmentally conscious people in society today, because they are aware that they also eat the food that they produce. They are aware of the tremendous job creation capacity they have and the huge spinoffs they create. They are aware of how much foreign currency the products they raise out on the farms create for governments, how much foreign currency earnings we get from the exports.

I know that the honourable members that now sit in government railed hard against the free trade agreement. Yet today I hear them talk about the advantages of free trade. It is only because our earnings on exports have gone up very, very dramatically.

So I say to you that sustainable development, yes, we must maintain sustainable development. Should we be very careful how we amend the acts that are in place because they were good acts? Should we be very careful? Yes, we should. Should we give credit to those that

truly practise sustainable development? Yes, we should. Should we hold them up with question and doubt and contempt very often? We should seriously question, because they are the true sustainable development people.

I truly believe that there is nobody in society that would willingly damage the environment if they could find other ways. That is where we need to come in, that is where we need to help, and that is why we need to sit around tables of discussion, in round tables, and discuss possible ways of helping those people that need help to correct the way they are doing things, whether it is industry, whether it is agriculture, whether it is any other sector in society that should be part of the whole sustainable development pool.

I say to you, Mr. Speaker, that I commend the Government for looking at sustainable development. I am concerned that they have done away with a major part of the sustainable development discussion group, but they will have to live by that, and we will not have to answer for that.

I say to the Government, on sustainable development, let us continue the process that the previous government developed. Let us continue along that path and do not divert away from the process that had been established, and I think you will serve yourselves well.

**Hon. Jon Gerrard (River Heights):** I rise to comment on Bill 43. In this case, while I have supported the Government on Bills 6 and 15 and 35, I rise to express my very strong opposition to Bill 43.

Bill 43 terminates, liquidates, extinguishes, ends the life of the Manitoba Environmental Council. This is a huge mistake. This is a betrayal of all principles of environmental responsibility, environmental stewardship in this province. The NDP Government should be absolutely ashamed of what they are doing in this act. There is no hole that you can crawl into where you can hide from what you have done.

**An Honourable Member:** I guess we are voting against this one, eh, Dr. G.?

**Mr. Gerrard:** Absolutely. This is the most despicable piece of legislation that has been

presented in this House for a long, long time. That this bill to destroy and end the Manitoba Environmental Council was presented as a central part of the Government's sustainability strategy just before the July 1 deadline for presenting it is extraordinary. Ending the Manitoba Environmental Council, a group of individuals who have worked hard with virtually no support from government to provide a perspective, a valuable perspective on the environment for many, many years, is a sad day today when the NDP will push this bill down the throats of all the citizens of Manitoba.

I will come back to the Government's sustainability strategy, because this was presented as a central part of it.

The Government, by law, as part of The Sustainable Development Act, has the responsibility to present by July 1 of this year a full strategy for sustainable development with a variety of component strategies which deal with economic, social, resource, and so on and so on and so on areas of sustainable development.

What the Government presented was one of the components of a strategy planning on the east side of Lake Winnipeg, the COSDI report. Indeed the COSDI report was deliberately set out and says so in the report to deal primarily with issues which were not within the purview of The Sustainable Development Act, to catch up some things that had been missed. It is beyond understanding that the Government would present this as a sustainable development strategy in parallel with legislation to abolish the Manitoba Environmental Council.

In The Sustainable Development Act, the Government was made legally responsible for providing by July 1 of this year not only a full strategy with the component strategies but a full strategy with procurement goals and guidelines very carefully spelled out. The development of those procurement goals and guidelines clearly spelled out in the act is to involve all the departments. It is to involve the Sustainable Development Round Table, and, rationally, it should involve some fairly broad consultations with industry. Those procurement goals and guidelines have not yet been presented, in spite



of the fact that we are now almost two months after the legal deadline for providing it. There have not even been consultations with business on that procurement strategy. The Minister of Industry should be ashamed of herself.

\* (20:20)

I talked the other day to the business coalition. What they said was that they had received a phone call about a month ago from this government saying: We are interested in talking to you about this, and we will call you back. A month later, there has been no call back, no consultation, no movement, in spite of the fact that this government is behind legally, behind where it should be in presenting the procurement policy, is legally in variance with the law. The Government has broken the law. It has broken the law in not presenting the sustainable development policy adequately and on time. It has broken the law in not presenting the procurement goals and guidelines on time. It has broken the law in the Sustainable Development Round Table, has not even met in more than a year, has not even been able to consider and participate in the development of the Sustainable Development Strategy. The government's sustainable development policy has become a farce.

What is shameful is that the Minister of Justice (Mr. Mackintosh), when asked in this House what he was going to do about the lawbreakers of his government, sat in his seat and did not even deign to reply. The Minister of Justice, who has chased down people, ordinary citizens who have broken the law, has failed completely to provide any approach to the members of his government who have broken the law as it pertains to sustainable development in the environment. The situation is shocking. It is a shame. It is an embarrassment to this government. While the Government has done some things not too badly and some things very badly, this it has done terribly.

This government's approach to the environment is a shame in getting rid of the Environmental Council. Its approach to the environment in producing this bill is a shame. It is a disgrace to this government and to this province. I am strongly opposed to this measure. I voice my

opposition, Mr. Speaker, and I will continue to voice my opposition where I see the Government making big mistakes like this.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is third reading on the motion moved by the Honourable Government House Leader (Mr. Mackintosh), seconded by the Honourable Minister of Intergovernmental Affairs (Ms. Friesen), that Bill 43, The Sustainable Development Amendment and Consequential Amendment Act, be now read a third time and passed. Agreed?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Yeas have it. On division?

**An Honourable Member:** On division.

**Mr. Speaker:** On division.

#### Bill 47—The Civil Service Amendment Act

**Hon. Jean Friesen (Minister of Intergovernmental Affairs):** Mr. Speaker, I move, seconded by the Minister of Labour (Ms. Barrett), that Bill 47, The Civil Service Amendment Act; Loi modifiant la Loi sur la fonction publique, be now read a third time and passed.

*Motion presented.*

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I get up in opposition to this measure.

In my view, the NDP Government, in bringing in Bill 47, is taking a step which will in essence emasculate the Civil Service Commission. The longer term effect of this bill, sad to say, will be to politicize the civil service more than it has ever been. There were problems, we all know that, under the previous Conservative government. The NDP is showing that they are some of the most Machiavellian politicians that this province has ever seen.

This bill and the elements within it provide for a significant transfer effectively of powers from the Civil Service Commission to the Treasury Board. The Treasury Board will now be able to create classifications and to set qualification standards internally without scrutiny and without any semblance of impartiality. In the past the process was a co-operative one between the Civil Service Commission and the Treasury Board. The Civil Service Commission acted as a check on the political and other excesses from Treasury Board. The new provisions in this bill, the new elements limit the role and the effectiveness of the Civil Service Commission. It should be asked if the Civil Service Commission will be consulted, has been consulted on the changes. The problem is that the NDP Government has moved this forward quickly. It has had not a lot of comment, but this bill creates, I suggest, a lot of problems for government and for the civil service in this province.

The existing provisions limit the pay increases upon reclassification. Now the Treasury Board and the department will be able to increase pay to whatever level they want within the new classification range for the employee. The Government will find it easier to bump their people into higher salaries without justifying a higher classification in order to achieve the increase. The Treasury Board will now administer the pay plan directly, possibly a further deterioration in internal safeguards now provided by the Civil Service Commission.

Provisions within this bill effectively remove any independent oversight on the hiring of temporary employees. This is a very important change, since in the past departments and

ministers would like to use this as a means of introducing friends to the civil servants for easier redeployment into the system. Having the Civil Service Commission control this form of hiring made it more difficult for patronage to be used in hiring temporary people and bringing them into the Civil Service Commission.

\* (20:30)

The provisions within this bill empower the Treasury Board at the expense of the Civil Service Commission, at the expense of the Civil Service Commission's integrity and independence. Educational leave can be a reward for inside party workers that are no longer wanted. It has been used in this way in the past, but it has been more difficult when you had to justify it to a Civil Service Commission.

Essentially the Civil Service Commission has no powers now to seek regulations except in regard to technical officers and those excluded from the right to be active politically. The Civil Service Commission will retain the responsibility to select civil servants, one that has been compromised many times in the past, because the Civil Service Commission is not fully independent in this regard already. Many ministers get to see the three finalists in a competition and to influence the outcome, subtly, of course, through a deputy minister or a director of human resources. The NDP Government, as I have said, is emasculating the Civil Service Commission. The longer term effect will be to politicize the civil service in a way that will be detrimental to government in this province.

Administering the transferred authorities without the oversight of the Civil Service Commission and the potential for exposure of any abuse will encourage Treasury Board, the departments, the Government, the ministers to favour their own rather than bring people in and up on the basis of merit. The greatest danger is likely to come from the advisers around the Premier who passed that influence but never such direct control as is apparent here through the Treasury Board. So I say, Mr. Speaker, that this is a sad day and I say on behalf of the civil servants who work very hard in this province and where promotions should be considered on

the basis of merit that a Liberal government would make changes which would reinforce the impartiality, the role of the Civil Service Commission. The Liberal government would not go down in this direction. We would reverse the direction that this province, this government is going because this is a bad day, a sad day. It severely compromises the Civil Service Commission in this province and that is sad for Manitoba.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is third reading on the motion moved by the Honourable Minister of Intergovernmental Affairs (Ms. Friesen), seconded by the Honourable Minister of Labour (Ms. Barrett), that Bill 47, The Civil Service Amendment Act (Loi modifiant la Loi sur la fonction publique), be now read a third time and passed. Agreed?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Speaker:** All those in favour, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, say nay.

**Mr. Speaker:** In my opinion, the Yeas have it.

**An Honourable Member:** On division, Mr. Speaker.

**Mr. Speaker:** On division.

#### Bill 48—The Rural Development Bonds Amendment Act

**Hon. Rosann Wowchuk (Minister of Agriculture and Food):** Mr. Speaker, I move, seconded by the Minister of Labour (Ms. Barrett), that Bill 48, The Rural Development Bonds Amendment Act (Loi modifiant la Loi sur les obligations de développement rural), be now read a third time and passed.

#### *Motion presented.*

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, I want to put a few words on the record regarding Bill 48, The Rural Development Bonds Amendment Act. We had quite a discussion about this in committee, I think one of the committees that actually did manage to hear everybody that wanted to present, and we are pleased for that. The Member for Dauphin (Mr. Struthers) asked me if it is a good bill, and I think there are some positive issues in this bill. I will give the Minister of Intergovernmental Affairs (Ms. Friesen) credit for that. I am not sure, though, under the present circumstances, whether there is really a need for Grow Bonds and this type of financing in the city of Winnipeg.

I noted when Mr. Melymick was at the committee I congratulated him for the work he has done with the Grow Bonds Program, for the hard effort that he and his staff have put into this program. This is an excellent concept. It is a program that has worked well in rural Manitoba. One only has to look at the economic statistics for the province of Manitoba, and too often we tend to focus on Winnipeg as the economic hub of the province, and while Winnipeg does play a very vital and important role, it is augmented by our rural economy, which has become very strong. I think that is one of the great tributes, and history will show that that will be one of the many great strengths of the provincial government to serve this province well for 11 years.

It was a time when the rural economy was diversified. A lot of effort went into providing programs, such as a Grow Bonds Program, that would provide hope and opportunity for individuals, entrepreneurs and in particular for the young people in rural Manitoba.

*Mr. Harry Schellenberg, Acting Speaker, in the Chair*

This program has helped to ensure that young people had an opportunity to stay at home, to have hopes that they could see would be realizable and to dream of situations where they could stay close to their roots and be successful. In a lot of cases that has been lacking in rural Manitoba over a lot of years. I know

that, from first-hand experience with a lot of my family, a lot of my cousins that have grown up in rural Manitoba and faced with a situation where the viability of the family farms that have been in the hands of our family members since before the Depression just were not there anymore. It is through programs such as the Grow Bonds Program that they have been able to have a dream and to get a business established.

I know what it is like. I have been there, not in rural Manitoba but certainly in the city of Winnipeg. I know what it is like to work with somebody who has a dream and who wants to start a business from scratch and build it. I found that to be an extremely rewarding career. I am sure if one was to take a poll of the individuals in rural Manitoba that have benefited from the Grow Bonds Program, we would see much the same results. It is not just those individuals that it has helped. There has been lots of spinoff in our rural communities. There have been lots of jobs created as a result of business expansion and infrastructure that has been done through the Rural Development program, and the Grow Bonds have played a very key role in that.

I did want to congratulate Mr. Melymick because he has brought the program a long way. As with all government programs, it was not perfect. It is not perfect today, but it started with the thread of a good idea, a hope and a desire by the previous Conservative government to diversify rural Manitoba and to help that economy do well so that everybody in Manitoba would have the types of opportunities that some of us have had. I congratulate the previous Conservative government for that.

We find today though when we look at the Grow Bonds Program that Mr. Melymick has taken it in a little different direction. The program, as it stands today, primarily competes with other substantial financial institutions that are providing the same type of financing. It is not strictly venture capital that is being accessed by people who are looking to access the Grow Bonds Program. It is more along the lines of mezzanine financing, although many of these businesses are still rather high risk. In fact, what they are, are situations where in some cases the bank would have provided the same type of financing. Although that certainly does bring

more security to the Government of Manitoba and puts less risk in a Grow Bonds Program, I am not sure that that is necessarily a step in the right direction.

\* (20:40)

Grow Bonds are in place so that entrepreneurs, both those who have existing businesses and those who want to start a business, can avail themselves of capital in cases where capital might not be available from other sources. One interesting aspect of the program is that individuals can contribute as little as \$100, which is not very much money and certainly once Bill 4 passes is more money than anybody who is interested in the political situation and lives outside of Manitoba will be able to contribute to any individual who chooses to run. So this is a little different situation, but the fact that someone can invest \$100 and say to a member of their family, say to someone in their community, I support you, I may not have a lot of money, but in spirit and in mind I am putting my \$100 on the table. It may be a significant \$100 to that person who is making the investment. It is the moral support and that is so often what small businesses need, particularly when a business is starting up there are all kinds of challenges, all kinds of pressures, all kinds of trials and tribulations.

The failure rate among small business is very, very significant and many times when those businesses—and they all struggle. It is very rare that we have a business start up that does not struggle at some point. At that point, the person behind the business, the person who has had the dream, the person who is watching a dream take a bit of a wrong turn and maybe not come to fruition as quickly as they had hoped, oftentimes they do some serious soul-searching and may come to the conclusion where they say you know, I just do not think I am going to make it. Maybe the best thing for my family, the best thing for everybody—we are not bringing much money in here—maybe the best thing is to just give up on my dream and go out there and get a job.

When you have that \$100, or whatever it is, when you have that commitment from a member of your family and you have that commitment

from somebody in the community that has shown faith in you, often that can be the turning point. That can give somebody who is struggling the inspiration to carry on, to put their heart and soul back into their business, give it that one final shot and in many cases with a little bit of luck that is all it takes. *[interjection]* The Member for Inkster (Ms. Barrett), the Honourable Minister of Labour, says: Win one for the Gipper.

In many cases, it is that type of attitude that makes a small business successful, somebody who is going to go to that length that is going to say there are people depending on me, there are friends who have invested in me, I just have to do this. I have to keep working at it with all my heart and all my soul till it turns into something successful. It does happen. I have been there. It was not all easy when we started our business. I know that my uncle when he started his business in 1968 had a dream, not much money, and took less out of it. His family suffered financially for it for a period of time. His family missed him for a period of time, because he put all his time and all his effort into building his business. He had a dream and his family stood by him, and his family invested, his brothers invested, his sisters invested, and the result was I think something quite remarkable.

I just want to touch on that for a little bit, because we hear a lot from the Opposition from time to time—and we have heard in committee—about the new economy, and we certainly heard it the other day, you know, fostering millionaires at the expense of anybody. Just to clarify, I want to mention that what sort of got me to this point was the fact that my uncle's brothers and sisters had invested in his business, and they were not people at that time that had a lot of money. They were all first generation off the farm. They had young families. They were trying to make their way in a new city, but they supported their brother, and they supported his family. The result of that was a long way down the road with a lot of hard work by a lot of people, this province saw the creation of close to 20 millionaires as a result of that business. That is no small feat.

I take very great exception to anybody in this hall, anybody in this Legislature or anybody

outside of it that criticizes someone for putting their heart and soul into a business, putting everything they have on the line just because they get lucky, they work hard, everything comes together, and they become millionaires. There is no shame in that. In fact, that is something that I believe we need more of and people should stand up and people should be proud of it. There is nothing wrong with money per se. You can criticize people for how they spend their money, but you should never criticize anybody for how they make their money.

In particular, why I want to raise this to the attention of this government, is because one of those millionaires, one of those people who invested in her brother's business, also worked very, very hard for this province. She became a millionaire. Unfortunately for her and unfortunately for the rest of her family, she was taken by cancer at a very young age. It was a very, very sad situation, and the reason why I raise that in this House today is because she, above anybody, should not be criticized for putting in the work she put in to become a millionaire. She sat on the board of that company. She passed away this December. At the time of her passing, she was a member of the MEC, the Manitoba Environment Council. She worked hard and she worked diligently for years and years on behalf of the people of Manitoba and the environment community. She was at odds with this government very many times, but that was how she spent her time and that was how she spent her money.

So, when people stand up and criticize people for becoming millionaires, I think of Alice Chambers, my aunt, who, through good fortune and through her willingness to invest and have faith in her brother and for her willingness to work along side of her brother for years and years, became a millionaire. Three years ago, her husband died tragically of a heart attack, very suddenly. Their three children this December were left as a result of their mother's loss to cancer. She was a wonderful person. She was a millionaire. She was a terrific person, and she worked very, very hard for this province, and that is why not only do I resent the fact that some people seem to want to criticize people for becoming millionaires, I also resent the fact that

this government, in a very heavy-handed manner, shut down the MEC. That is a very personal thing to me, and I mentioned that in committee, but I just wanted to relate the two, because I think, when we look at the Grow Bonds Program, that is exactly what we are trying to do in Manitoba, and that is exactly what needs to be done.

We need to invest in people. We need to provide people with good ideas, the hope and the opportunity to realize their dreams. I am hopeful that through Bill 48, through the introduction of Grow Bonds to the city of Winnipeg, we will foster more business, and we will foster a lot more business, and hopefully we will foster more millionaires. When that happens, I hope the members opposite and I hope everybody in this community will not judge people for becoming millionaires but will judge people for what they do once they become millionaires, because that is the true test.

\* (20:50)

In that vein, I am going to end my discussion on this bill. I gave some warnings to the Minister in committee about some of the pitfalls in terms of the possible loss of focus on rural development as a result of introducing Grow Bonds to the city of Winnipeg. I trust you will take that concern I have into account and that her department will continue to put as much focus as has been placed on rural development because I think that is very, very critical. At the same time, I am hopeful that, as a result of this bill, we will see the economy continue to grow in the city of Winnipeg and some people out there who have a great idea but maybe do not have the financial capacity to finance it themselves or amongst their family will take advantage of this program and will have many, many more successful businesses. Hopefully, as a result, some businesses will grow into large businesses, because there is nothing wrong with large business, particularly if the head office is in Winnipeg or anywhere in the province of Manitoba. There is tremendous economic spin-off from that. So, with that, I would say I am prepared to support this bill, and hopefully it will bring about further economic development in our province.

**Mr. Jim Penner (Steinbach):** I would like to put a few words on the record also to Bill 48. One of the things that I noticed the other day is an amendment to Bill 17. It uses the same word. It defines the word that is used in Bill 48, and in Bill 48 it says that the title of The Rural Development Bonds Amendment Act will be changed. The word "community" will be substituted for the word "rural." So when Bill 17 was amended, a definition was included in Bill 17 of the word "community."

*Mr. Speaker in the Chair*

I would just like to read that definition so we have an idea of the change that is taking place in Bill 48. "Community" means any geographic territory which has an elected or appointed government, leadership or council which has jurisdiction to pass rules, regulations or by-laws on matters of local concern within the boundaries of that geographic territory.

Now, of course, we understand that that includes any city in Manitoba. I am confused by that because through a change in law last year Steinbach became a city. We reduced the requirement from 10 000 to 8000, so that snuck us under the wire. So I do not know if Steinbach is rural or urban. I do not know how the other communities in Manitoba are defined either, whether Portage la Prairie and Brandon are rural or urban.

Obviously, in Bill 48, the geographical territory eligible for a Grow Bond is being changed and will include all of Manitoba, as far as I can see from the definition of community. It seems strange to me that the same definition of community that was brought forward as an amendment in Bill 17 would not have been brought forward in Bill 48 because it seems to me that it would be most appropriate to include that in Bill 48.

Mr. Speaker, I would like to talk briefly about the reason why Grow Bonds were created. Grow Bonds for rural Manitoba were created primarily for one reason. That reason is that financing in rural areas is much more difficult than urban areas. People who want to build a little furniture factory; people who want to produce a small pasta plant, and I know of

several; people who want to produce a little factory that produces truck boxes, grain bodies they call them; people that want to manufacture specialized trailers for the rural industry to move their specialized equipment; the people who need financing in rural Manitoba, and I have experience in this, are told by the major institutions like the banks and the trust companies and even the credit unions, well, we have a limitation on rural financing.

I was part of a project in Winkler that went up for sale after 10 years of operation because we could not refinance. There was no trouble with the cash flow. We had adequate cash flow, but the property, worth about \$6 million, went up for mortgage sale, not because we could not make the payments, but only because we could not renew the mortgage because the trust company decided we do not want to finance into the rural areas. So obviously the rural areas were a little more high risk than the city areas.

Now I am not opposed to the city having the Grow Bonds come to the city. I wanted to tell you the reason why the Grow Bonds were created. There is a lot of history to this thing. If you go back in the financing of business, you will find that governments used to, in fact the governments even in Manitoba used to finance businesses. You could apply to a government and the Government would guarantee your loan or finance your business. Now we know that the failure rate of those government-financed businesses was quite high, and it became a burden to governments. Federal and provincial governments were burdened by the failure rate of government-financed businesses. So one of the programs that alleviates this is a more structured program, and it is the Grow Bonds Program.

The reason the Grow Bonds Program was started in Manitoba was for rural people. It had a cap of credit on it, which I am told is \$25 million. That is the amount of credit available under the Grow Bonds Program. Now, mind you, that is not paid out in cash. That is paid out in guarantees, but guarantees and cash can be the same thing—

**An Honourable Member:** Unfortunately.

**Mr. Jim Penner:** Unfortunately. So I have to say, Mr. Minister, that if you are adding geographical territory to the Grow Bonds Program, one of the things we would really like to know is is it not appropriate, then, since the city of Winnipeg is over half of Manitoba, to double the credit limit? It seems improper to dilute the availability of credit to rural people when in fact you are cutting the availability by half by doubling the population to whom the Grow Bonds are available.

Again, I am not against Winnipeg receiving these benefits, but some really hasty decisions have been made in the structuring of this bill, and I think that it needs to be reviewed. In fact, I do not feel I can vote for this the way it stands. Not because I do not think that Manitobans should be treated equally; it is just that it is an unplanned dilution. I do not think the government of the day planned to dilute the availability of Grow Bonds to the rural people.

I have had about half of my businesses in my business time in Winnipeg and about half of them have been rural, and I can tell you that it is a nightmare financing rural. People do not want to take a chance in smaller communities. The risk is higher, and the availability of finance is difficult. The security demands are much higher. The interest rates are higher. If we want to help the rural people develop, we need a program that addresses those needs, and to make the Grow Bonds Program equal for a city like Winnipeg and for Altona, Winkler, Morden, Carman, Kleefeld, Grunthal, Niverville, Thompson, Flin Flon, whatever.

Whatever you do in this bill you are creating a level playing field when there is not a level playing field to start with. The playing field is tilted towards Winnipeg, and this bill does not recognize that. So I think it is ill conceived, even though I think that there should be equal opportunity for all Manitobans. This does not create an equal opportunity. By creating one geographical area for all of Manitoba, the rural people are back to the same disadvantage that they were before the Grow Bonds bill was created.

So I think we still need to address somehow, somewhere in some legislation, hopefully within

the next year or two, the needs for rural financing. It is very difficult to obtain financing for a project out of the city, and I do not understand why the financial institutions have given us such a bad time for financing in rural areas.

So that is more or less the reason for the Grow Bonds. I am concerned about the definition of community not being included. I am wondering why the ceiling has not been addressed. I would like to see more opportunity for Grow Bonds, because it allows for local investment. In Steinbach there was a bankrupt furniture factory. It has been resuscitated through a Grow Bond. It now employs between 100 and 200 people. It happened just a year and half ago that it was resuscitated through a Grow Bond, and now Schmidtke Millwork is back in business. The employees are back at work, and so Grow Bonds are creating employment. It is a responsible way to administer financing.

\* (21:00)

There are a few clauses in the Bill that are a little bit intimidating. Clause 12 says that the Manitoba Government can take as security without the consent of the eligible business any item related to the business that they wish. Item 12.1(1) says every security interest granted to the corporation in connection with its investment as an eligible business becomes the property of the Manitoba Government. So when we are saying these things, when we are redefining the security back to the Manitoba Government, we are sort of defeating the initial Grow Bonds issue where it was the bondholder that held the security. Now it is the Manitoba Government that holds the security, and it is kind of a threatening and uncertain thing.

In section 35 it says that the Minister—we always see this government going back to the Minister to do anything they want—is final authority, and the Minister may appoint a person to manage and administer on behalf of the bond corporation. Now, if the person running the business gets a person appointed to manage and administer on behalf of the corporation, that person that the Government appoints may in fact not be the correct person. Here again, I think, it is a badly written bill, because the person appointed should be arbitrated. Someone from

the side of the bondholding company and somebody from the side of the business should agree on a person who can manage. We do not need people managing businesses who have no management experience. We do not need people who are political appointees. So I feel that the appointment of an agent is poorly written, and again, I would say that I cannot support this bill even though there are many aspects of it which I am very friendly towards.

I will defer the discussion of this bill to one of my colleagues.

**Hon. Jon Gerrard (River Heights):** Very briefly, I will support this bill as a measure which may help people in inner-city Winnipeg. Clearly though, I do have some reservations. It will be in the implementation of the operation whether it works or not, and that is something that we shall see.

Government should only get involved where there really is a lack or a missing element from the private sector, and in certain areas of lending in the inner city that indeed is true. So we will watch very carefully and hope that you are able to achieve success in filling that gap. I have some concerns whether in fact you will be able to do that the way this bill is written, but I wish you luck.

**Mr. Leonard Derkach (Russell):** I thank you for the opportunity to speak on this bill. Bill 48 is one that I believe has some interesting elements to it. I was somewhat surprised, although during my tenure in the department I must admit that we looked at the prospect of expanding the Grow Bonds Program, but we certainly did not think that it was needed in the city of Winnipeg, and perhaps it is needed in the city of Winnipeg. Certainly that is something that may have merit, but I think that in the whole issue of expanding the Grow Bonds Program to the City of Winnipeg, the Minister failed to increase the cap on the entire Grow Bonds Program.

What it means is that you are diluting the Grow Bonds Program. The money that was put into the overall allocation for the Grow Bonds Program, you are diluting that throughout the province instead of putting in an additional



amount of money to accommodate the needs of the City of Winnipeg. Now I do not know, and I have not seen, because we certainly are not privileged to that information as to what the expectations are with regard to the uptake of the Grow Bonds Program in the city of Winnipeg, and certainly the Department must have some forecast as to what the projected uptake for the program would be in the city of Winnipeg. Is it 1, 2, 3, 4 or 5 Grow Bonds in the first year, and what are those Grow Bonds going to cost in the city of Winnipeg? The way the economic developmental program for rural Manitoba was structured was to allow for some of that money out of the Lotteries revenues, if you like, that came out of rural Manitoba to be shared by rural businesses. There is a pot of money that is identified for the City of Winnipeg in the Lotteries program that was also given to the City of Winnipeg. Now we see that the money that was allocated to the rural component, if you like, is being watered down, because it is now going to be made available to the residents of the city of Winnipeg as well.

So that is my issue, that I do not oppose the Grow Bonds Program being extended into the city of Winnipeg, because there may be projects that are very worthwhile, that will help the economy of the city and thus the province of Manitoba, but what I have to emphasize is that that cap has to be increased to reflect that the program is now being expanded to a major part of the province of Manitoba. I would ask the Minister of Intergovernmental Affairs (Ms. Friesen) to consult with the Minister of Finance (Mr. Selinger) and Treasury Board to ensure that indeed there is capacity to meet the needs of people in the Grow Bonds Program both in rural and urban Manitoba. It is all one pot. I understand that. I mean, the Treasury pot is a treasury pot, and I think we all have to understand that, but if you continue to water down the program so that you do not increase the cap, and therefore, you have to restrict the number of projects that can be entered into, I think, it does a disservice to the program as a whole.

So I hope that the Minister perhaps, although she has not had time to really look at that issue, that as this program is expanded into the city of Winnipeg she will closely monitor whether or not there is a need to expand the cap

so that the program is not watered down but is indeed enriched and expanded.

I also have to say that, in an overall sense, the Grow Bonds Program is a very positive program. I am happy that this government has not cancelled this particular program, because it is a program that was developed not simply by our government alone but indeed in partnership with many stakeholders in this whole area of economic development. So I like the idea that this government has not cancelled it. I hope that the parameters of the program are going to be such that it is a sustainable program, because we want to see it as a sustainable program.

The very prospect that a small business in a rural community or now in an urban community can start and set aside that capital repayment for a period of five years to allow that business' inventories to grow, and to allow it to accumulate some cash, if you like, is a good one, because it allows that business an opportunity to grow in those very first few years that are extremely difficult for small businesses.

We are not talking about large businesses. These are generally small businesses that we are starting with the Grow Bonds Program, and so they need that breathing room. If we talk about large businesses, we have lots of venture capital in the city of Winnipeg and throughout Manitoba to help and assist in the large projects that are established in the province of Manitoba.

So I am certainly not negative to this. I am certainly not someone who is going to condemn the Minister for doing what she did. I question whether or not there was a lot of thought given to expanding it into the city of Winnipeg at this time, but maybe there is. I am not in a position to comment specifically on that. I just hope that the Minister will look at it in a positive way, and that indeed at the end of the day this program is going to be utilized because we can have a program in name and never utilize it, and then it is no good to anyone. We have to go out there, promote it.

Yes, in my tenure as minister of Rural Development, we did promote the Grow Bonds Program. A lot of people in rural Manitoba do not understand it. They do not understand how

they can raise the capital using the Grow Bonds Program, but there is capital out there in small communities and usually it is in banks, invested outside the community. If you can take that money and reinvest it back in the community, I think it does everyone a tremendous amount of good and it does that community a lot of good.

So I want to keep encouraging the Minister to continue what she is doing in terms of the Grow Bonds Program to ensure that the element is a positive one, that at the end of the day we are going to have a stronger program, that is going to be well used in the province of Manitoba, and one that will use the resources of our province to build our province, Mr. Speaker. Thank you very much.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is third reading on the motion moved by the Honourable Minister of Agriculture and Food (Ms. Wowchuk), seconded by the Honourable Minister of Labour (Ms. Barrett), that Bill 48, The Rural Development Bonds Amendment Act (Loi modifiant la Loi sur les obligations de développement rural), be now read a third time and passed. Agreed?

**Some Honourable Members:** Agreed.

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

\* (21:10)

### Committee Report

**Mr. Conrad Santos (Chairperson):** Mr. Speaker, the Committee of Supply has adopted a motion regarding concurrence in Supply, directs me to report the same and asks leave to sit again.

I move, seconded by the Honourable Member for Dauphin-Roblin (Mr. Struthers), that the report of the Committee be received.

*Motion agreed to.*

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that this House concur in the report of the Committee of Supply respecting concurrence in all Supply resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 2001.

*Motion agreed to.*

**Mr. Mackintosh:** I move, seconded by the Minister of Finance (Mr. Selinger), that Mr. Speaker do now leave the Chair and the House resolve itself into a committee to consider of Ways and Means for raising of the Supply to be granted to Her Majesty.

*Motion agreed to.*

## COMMITTEE OF WAYS AND MEANS

### Capital Supply

**Mr. Chairperson (Conrad Santos):** The Committee of Ways and Means will come to order, please. We have before us for our consideration the resolution respecting Capital Supply. The resolution for Capital Supply reads as follows:

RESOLVED that towards making good certain sums of money for Capital purposes, the sum of \$1,030,000,000 be granted out of the Consolidated Fund. Shall the resolution pass?

*Resolution agreed to.*

### Main Supply

**Mr. Chairperson:** We also have before us for our consideration the resolution respecting the Main Supply bill. The first resolution for Main Supply reads as follows:

RESOLVED that towards making good certain sums of money granted to Her Majesty for the public service of the province for the fiscal year ending the 31st day of March, 2001, the sum of \$5,974,445,100 as set forth in Schedule A (Operating Expenditures) be granted out of the Consolidated Fund.

**Resolution agreed to.**

**Mr. Chairperson:** The second resolution for Main Supply reads as follows:

RESOLVED that towards making good certain sums of money granted to Her Majesty for the public service of the Province for the fiscal year ending the 31st day of March, 2001, the sum of \$54 million as set out in Schedule B (Capital Investments) be granted out of the Consolidated Fund.

**Resolution agreed to.**

Committee rise. Call in the Speaker.

**IN SESSION****Committee Report**

**Mr. Conrad Santos (Chairperson):** Mr. Speaker, the Committee of Ways and Means has adopted a resolution regarding Capital Supply and two resolutions regarding Main Supply, directs me to report the same and asks leave to sit again.

I move, seconded by the Honourable Member for The Maples (Mr. Aglugub), that the report of the Committee be received.

**Motion agreed to.****INTRODUCTION OF BILLS****Bill 50—The Appropriation Act, 2000**

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I move, seconded by the Minister of Justice (Mr. Mackintosh), that leave be given to introduce Bill 50, The Appropriation Act, 2000; Loi de 2000 affectation de crédits, and the same be now received, read a first time and be ordered for second reading immediately.

**Motion agreed to.****House Business**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, would you canvass the House to determine if there is leave, following

the finance procedures, to move to report stage of Bills 18 and 44?

**Mr. Speaker:** Does the Honourable Government House Leader have leave to deal with report stage 18 and 44 after we have dealt with the financial matters? Is there leave?

**Some Honourable Members:** Leave.

**Mr. Speaker:** Just to be sure that I heard correctly, is there leave?

**Some Honourable Members:** Leave.

**Mr. Speaker:** Leave has been granted.

\* \* \*

\* (21:20)

**Mr. Selinger:** I seek leave, Mr. Speaker, to move second reading on Bill 50.

**Mr. Speaker:** Does the Honourable Member have leave? *[Agreed]*

**SECOND READINGS****Bill 50—The Appropriation Act, 2000**

**Hon. Greg Selinger (Minister of Finance):** I move, seconded by the Attorney General (Mr. Mackintosh), that Bill 50, The Appropriation Act, 2000; Loi de 2000 portant affectation de crédits, be now read a second time and be referred to a committee of this House.

**Motion agreed to.****INTRODUCTION OF BILLS****Bill 49—The Loan Act, 2000**

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I seek leave to move first reading of the Capital Supply bill, No. 49, The Loan Act, 2000.

**Mr. Speaker:** Does the Honourable Minister have leave? *[Agreed]*

**Mr. Selinger:** Mr. Speaker, I move, seconded by the Attorney General (Mr. Mackintosh), that

leave be given to introduce Bill 49, The Loan Act, 2000; Loi d'emprunt de 2000, and that the same now be received, read a first time, and be ordered for second reading immediately.

*Motion agreed to.*

### House Business

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, would you canvass the House to determine if there is leave not to see the clock until 2 a.m.?

**Mr. Speaker:** Is there leave to not see the clock until 2 a.m.? [*Agreed*]

### SECOND READINGS

#### Bill 49—The Loan Act, 2000

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I seek leave to move second reading of the Capital Supply bill, No. 49, The Loan Act, 2000.

**Mr. Speaker:** Does the Honourable Minister have leave? [*Agreed*]

**Mr. Selinger:** I move, seconded by the Attorney General (Mr. Mackintosh), that Bill 49, The Loan Act, 2000; Loi d'emprunt de 2000, be now read a second time and be referred to a committee of the House.

*Motion agreed to.*

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Finance, that Mr. Speaker do now leave the Chair and the House resolve itself into the Committee of the Whole to consider and report of Bill 38, The Statute Law Amendment (Taxation) Act, 2000 (Loi de 2000 modifiant diverses dispositions législatives en matière de fiscalité), Bill 49, The Loan Act, 2000 (Loi d'emprunt 2000), and Bill 50, The Appropriation Act, 2000 (Loi de 2000 portant affectation de crédits), for third reading.

*Motion agreed to.*

### COMMITTEE OF THE WHOLE

**Mr. Chairperson (Conrad Santos):** The Committee of the Whole will come to order to

consider Bill 38, The Statute Law Amendment (Taxation) Act, 2000 (Loi de 2000 modifiant diverses dispositions législatives en matière de fiscalité); Bill 49, The Loan Act, 2000 (Loi d'emprunt 2000); and Bill 50, The Appropriation Act, 2000 (Loi de 2000 portant affectation de crédits), in that order.

\* (21:30)

#### Bill 38—The Statute Law Amendment (Taxation) Act, 2000

**Mr. Chairperson:** First we consider Bill 38 clause by clause.

Clause 1—pass; clause 2—pass; clauses 3 to 4(2)—pass; clause 5(1) to clause 7—pass; clause 7 carries over to page 5. Clause 8(1)—pass; clauses 8(2) to 13(2)—pass; clauses 14 to 16—pass. Clause 16 carries over to page 10. Clauses 17(1) to 17(3)—pass; clauses 18 to 21—pass; clauses 22(1) to 24—pass; clauses 25 and 26(1)—pass. Clause 26(1) is carried over to page 15.

Clauses 26(2) and 26(3)—pass; clause 26(4) and clause 27—pass; clause 28(1) to clause 29—pass. Clause 29 carries over to page 62.

Clauses 30 and 31—pass; clauses 32(1) to 33(2)—pass; clauses 34 and 35—pass; clauses 36(1) to 37—pass; clauses 38 to 39(4)—pass; clauses 39(5) to 43—pass. Clause 43 carries over to page 69.

Clause 44—pass; clauses 45(1) to 50—pass; clauses 51 to 56—pass; clauses 57(1) to 57(3)—pass; clauses 58 to 62—pass; clauses 63(1) to 64(1)—pass; clauses 64(2) to 67(1)—pass; clauses 67(2) to 68—pass; clauses 69 to 71—pass; clause 72—pass; clause 73(1)—pass; clauses 73(2) to 77—pass; clauses 78(1) to 81—pass. Clause 81 carries over to page 84.

Clauses 82(1) and 82(2)—pass; clauses 82(3) to 84(3)—pass; clauses 85 to 87(1)—pass; clauses 87(2) to 89(3)—pass; clauses 89(4) to 91(2)—pass; clauses 92 to 96—(pass); clauses 92 to 96—pass.

Shall clauses 97 to 99 pass?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

**Voice Vote**

**Mr. Chairperson:** All those in favour of passing clauses 97 to 99, say yea.

**Some Honourable Members:** Yea.

**Mr. Chairperson:** Those who are opposed, say nay.

**Some Honourable Members:** Nay.

**Mr. Chairperson:** The Chair thinks the Yeas have it.

Clauses 97 to 99 are accordingly passed.

Clauses 100(1) to 100(9)—pass; clauses 100(10) to 100(18)—pass; clauses 100(19) to 100(24)—pass. Shall the preamble pass?

**Some Honourable Members:** No.

**Some Honourable Members:** Pass.

**Voice Vote**

**Mr. Chairperson:** Those who are in favour of passing the preamble, say yea.

**Some Honourable Members:** Yea.

**Mr. Chairperson:** Those who are opposed to passing the preamble, say nay.

**Some Honourable Members:** Nay.

**Mr. Chairperson:** The Yeas have it. The preamble is accordingly passed.

Preamble—pass; table of contents—pass; title—pass. Shall Bill 38 be reported? Is it agreed?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

**Voice Vote**

**Mr. Chairperson:** Those who are in favour of reporting Bill 38, say yea.

**Some Honourable Members:** Yea.

**Mr. Chairperson:** Those who are opposed, say nay.

**Some Honourable Members:** Nay.

**Mr. Chairperson:** The Yeas have it. The Bill shall be reported.

**Bill 49—The Loan Act, 2000**

**Mr. Chairperson:** Is it the will of the Committee to proceed in blocks of clauses?

**An Honourable Member:** Sure, big groups of clauses.

**Mr. Chairperson:** Clauses 1 and 2—pass; clauses 3(1) through 4(3) inclusive—pass; clauses 5(1) through 8—pass; Schedule A—pass; Schedule B—pass; preamble—pass; title—pass. Bill be reported.

\* (21:40)

**Bill 50—The Appropriation Act, 2000**

**Mr. Chairperson:** Is it the will of the Committee that we proceed in blocks of clauses? [*Agreed*] Agreed.

Clause 1—pass; clauses 2 through 7—pass; Schedule A—pass; Schedule B—pass; preamble—pass; title—pass. Bill be reported.

Committee rise. Call in the Speaker.

**IN SESSION****Committee Report**

**Mr. Conrad Santos (Chairperson):** Mr. Speaker, the Committee of the Whole has considered Bill 49, The Loan Act, 2000; Bill 50, The Appropriation Act, 2000; Bill 38, The Statute Law Amendment (Taxation) Act, 2000, has directed me to report the same and asks leave to sit again.

I move, seconded by the Honourable Member for Selkirk (Mr. Dewar), that the report of the Committee of the Whole be received.

*Motion agreed to.*

**REPORT STAGE****Bill 49—The Loan Act, 2000**

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I move, seconded by the Attorney General (Mr. Mackintosh), that Bill 49, The Loan Act, 2000, Loi d'emprunt de 2000, reported from the Committee of the Whole, be concurred in.

**Mr. Speaker:** Is there leave? *[Agreed]*

*Motion agreed to.*

**THIRD READINGS****Bill 49—The Loan Act, 2000**

**Hon. Gord Mackintosh (Government House Leader):** I move, seconded by the Minister of Finance (Mr. Selinger), by leave, that Bill 49, The Loan Act, 2000 (Loi d'emprunt de 2000), be now read a third time and passed.

**Mr. Speaker:** Is there leave? *[Agreed]*

*Motion agreed to.*

**REPORT STAGE****Bill 50—The Appropriation Act, 2000**

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I move, by leave, seconded by the Attorney General (Mr. Mackintosh), that Bill 50, The Appropriation Act, 2000, Loi de 2000 portant affectation de crédits, reported from the Committee of the Whole, be concurred in.

**Mr. Speaker:** Is there leave? *[Agreed]*

*Motion agreed to.*

**THIRD READINGS****Bill 50—The Appropriation Act, 2000**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), by leave, that Bill 50, The Appropriation Act, 2000 (Loi de 2000 portant affectation de crédits), be now read a third time and passed.

**Mr. Speaker:** Is there leave? *[Agreed]*

*Motion agreed to.*

**REPORT STAGE****Bill 38—The Statute Law Amendment (Taxation) Act, 2000**

**Hon. Greg Selinger (Minister of Finance):** I move, by leave, seconded by the Attorney General, that Bill 38, The Statute Law Amendment (Taxation) Act, 2000; Loi de 2000 modifiant diverses dispositions législatives en matière de fiscalité, reported from the Committee of the Whole, be concurred in.

*Motion presented.*

**Mr. Speaker:** Is there leave? *[Agreed]*

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

**Some Honourable Members:** Agreed.

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

**THIRD READINGS****Bill 38—The Statute Law Amendment (Taxation) Act, 2000**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, by leave, I move, seconded by the Minister of Finance, that Bill 38, The Statute Law Amendment (Taxation) Act, 2000; Loi de 2000 modifiant diverses dispositions législatives en matière de fiscalité, be now read a third time and passed.

*Motion presented.*

**Mr. Speaker:** Is there leave? *[Agreed]*

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

**Some Honourable Members:** Agreed.

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

**REPORT STAGE****Bill 18—The Labour Relations  
Amendment Act**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Labour (Ms. Barrett), that Bill 18, The Labour Relations Amendment Act (Loi modifiant la Loi sur les relations du travail), reported from the Standing Committee on Industrial Relations, be concurred in.

*Motion presented.*

**Mr. Speaker:** Is there leave? [*Agreed*]

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

**Some Honourable Members:** Agreed.

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

**THIRD READINGS****Bill 18—The Labour Relations  
Amendment Act**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, is there leave to proceed to third reading of Bill 18?

**Mr. Speaker:** Is there leave? [*Agreed*]

**Mr. Mackintosh:** I move, by leave, that Bill 18, The Labour Relations Amendment Act (Loi modifiant la Loi sur les relations du travail) be now read a third time and passed.

*Motion presented.*

**Mr. Speaker:** Is there leave? [*Agreed*]

**Mr. Ron Schuler (Springfield):** I would like to put some brief comments onto the record in regard to Bill 18, dealing with the short line. I have had the opportunity to speak to this before and mentioned to the Minister that we had come concerns before we went into committee with this particular bill. At committee, we certainly heard some excellent presentations. The Minister indicated at that time that she was willing to listen as her government has said right from day one, the lines of "consultation," "listening," "want to hear the public." Great presentations came, and certainly I do want to quote from them in short order.

Unfortunately, neither the Minister nor the Government did listen. Nothing changed. The bill with its flaws and its defects went ahead. The reason why we have particular concern about the short line railways is because it affects what goes on in rural Manitoba. Rural Manitoba has not had a very good time as of late. They have had a lot of setbacks. Some areas were starting to see some recovery, and for some rural areas the roads are not as good as they might be. It is a little bit more difficult to access certain areas of the province, but the railway goes through. It gives very good transportation. So, for us, this was of particular concern, because we want to make sure that the rural areas do not just continue where they are but have the ability to grow and attract industry. Without proper transportation, you cannot do that.

\* (21:50)

As major railroads start to dismantle lines that they feel are not competitive of course then the short lines come into effect, and the short lines have a lot of advantages.

As was pointed out to us, Mr. Speaker, by the presenters, the short lines do not see other railroads as being their competition. They do not see the big railways as being their competition. It is the trucking industry that is their major competition, and the trucking industry does not pay to repair the roads directly, whereas the short lines have to. They have to maintain their own track, so they have a lot of other expenses that the trucking industry does not have. The trucking industry, I would suggest to you, is a very tight margined industry, and that is why the short lines also have to run their industries very tight. So foisting upon them things that make life more difficult for them to run an effective business is not a good idea.

The Minister spoke to us in regard to this bill when we were in Estimates. She indicated it was supposed to be short lines, which she then corrected during committee and said, well, actually it was supposed to be more there to address shops that had unionized staff that were going to be transferred from a federal jurisdiction to a provincial jurisdiction. The short lines understood that and indicated to the Committee, indicated to the Minister, indicated

to the Government, that they had some suggestions how you could make this bill acceptable, still wanting to target what the Minister wanted to target but not damaging, not hurting the short lines, a real growth industry, something that is very important for rural Manitoba.

One of the presentations we had, Mr. Speaker, was a submission by The Railway Association of Canada. They had three recommendations: No. 1, Bill 18 requires new small businesses to accommodate the cost and multi-union structure of labour contracts containing complex work rules developed over many decades by established Canada-wide railways. So basically what you are doing is taking union contracts that might very well apply for a multinational railway and putting it on 200 kilometres of track running up to a small town, a farming community, which is completely unreasonable. That the Minister would not have reflected that in her bill is unacceptable.

They went on to say, and I quote: "Bill 18 stands to nullify many of the flexibility." That is the whole beauty of the short-line railways is the flexibility of them. They do not have this huge multinational bureaucracy that has been built up by the big railways. They are flexible. They can accommodate farmers. They can accommodate small businesses. They can do the kinds of things that the big railways could not do and make money at it. There should be no sin in making money, and we are happy that they are able to make money on it, so not just flexibility, the cost advantages that have been a stimulant to the development of a short-line railway industry throughout North America. Their belief is that Bill 18 nullifies that. Again, that, alone, is enough that the Minister should have reflected and incorporated that in her bill.

The third thing that this particular organization brought to our attention is that Bill 18 does not reflect the fact that short-line and regional railways compete directly with other small businesses for freight traffic. Then again they mention, i.e., most truckers are owner-operators. In other words, what they tried to point out to the Minister at committee is they are not competing against other union shops. They are actually competing against owner-operator truck drivers, which makes it incredibly difficult for them to

compete if you are going to foist a union contract that has been developed over years and years and years and applies to a multinational railway. What the Minister is actually doing is forcing this industry so either those that exist go bankrupt if they try to buy another short line or basically what is going to happen is the big companies are going to abandon the railways and then what do we have? Nothing.

You know, Mr. Speaker, I have learnt, in my short 10 years of being a businessman in the city, that those individuals who go for all or nothing often end up with nothing. That is what this bill is going to do, and that is what this minister will have done with her bill. You are shooting for all or nothing, and you are going to end up with nothing. You are actually going to put these short lines out of business.

There was another presentation that was put in by CANDO. What a name, CANDO, and it speaks volumes for this company, an employee-owned company, Mr. Speaker, that has turned around and is doing incredible things. The presentation was incredible. My colleague for Assiniboia was taken by the pension plan and asked quite a few questions of CANDO, and it shows the kind of positive attitude. This is not about what we cannot do as a company. This is not about what we might do. This company is about CANDO.

They had also four recommendations to the Minister which I will just review briefly for the record. Number one, if Bill 18 is passed—and just for the record that is CANDO's presentation—modify the proposed legislation to include transfers of business affecting 10 employees or more. All that they were asking is that if you buy 200 kilometres and you are getting a rolling stock of one engine and two or three staff, they were asking for exemption from these onerous contracts, again that have been established over years, and that really belong to a multinational corporation. They spoke to us on the phone, and they were even willing to go as far as companies six and under to be exempt. Did the Minister listen to this? No, Mr. Speaker.

Provide for the amalgamation of several bargaining units into one bargaining unit representing the affected employees. The Minister said to us well, you know, Labour Board,



Labour Board. You know, at the rate that this government and this minister are foisting stuff on the Labour Board, they are going to have a bureaucracy of about 17 000 people to deal with everything the Minister is trying to shove on them. This should have been defined in the Bill. Stop shoving things in nebulous terminology and pushing it on to the Labour Board.

Number three, provide the purchaser of a business the ability to renegotiate existing labour contracts to better reflect the needs of small business.

Number four, enact progressive legislation that encourages and promotes Manitoba employers and employees to invest in the province and in themselves, something that CANDO has done and has done very effectively, I might add, and is really a jewel in the crown of Manitoba and is to be commended, an outstanding company.

When you get this kind of advice, I would suggest to the Minister, I would suggest to the Government that it is not bad to sit back and reflect. These suggestions and these suggested amendments, Mr. Speaker, should have been part of the Bill. The Minister has refused to—we mentioned to her before the Committee, we mentioned it to her during the Committee, and she refused to include them.

Alas, we will not be able to support this bill. We believe that this is detrimental to the short-line railway industry. This is detrimental to rural Manitoba, and this is detrimental to the businesses that are trying to create jobs and trying to create wealth. This is detrimental to the province of Manitoba, and we cannot support this bill. Unfortunately, the Minister did not do what she set out in the beginning. She did not listen to Manitobans. She did not take into consideration the presentations.

So, Mr. Speaker, I conclude by saying again poor legislation, and we will not support this and foist this kind of legislation on the people of Manitoba. Thank you.

**Mr. Harry Enns (Lakeside):** Mr. Speaker, Bill 18 is yet another bill that demonstrates how tunnelled and how narrow-visioned this govern-

ment is when they pass this legislation. If the Minister or somebody was listening, but we were told at committee that this bill shuts down the very lovely industry that Gimli has enjoyed, Seagram's distillery since 1968. That is what we were told at committee on this bill, but nobody listens on the other side. *[interjection]* Right.

We were told by the President of CANDO, one of our more successful short-line operators, that under this bill it is highly unlikely that he will develop any more short lines in Manitoba. That is what we were told. The short line to Gimli is one of those short lines, 100 to 150 kilometres. The Member for Selkirk (Mr. Dewar) should be listening about that. We were told from the CEO, from the general manager of Seagram's that trucks 68 000 tonnes of grain to that plant, very important to us farmers. Although not all of it is from Manitoba farmers, a greater portion of it is. Now, if there can no longer be a rail service to Gimli, that industry vanishes.

It is like you do not know what you are doing, fellows, gals. You want to stop penned hunting, and you have got all the budgie owners mad at you and the canary owners mad at you and the parrot owners mad at you. I know that you do not want to shut down the Seagram distillery in Gimli, but that is what the impact of Bill 18 could have. We were told that at committee.

We were told by the short-line operators that under this bill it is highly unlikely that short-line operations will be attractive to entrepreneurs to take them on. There is a reason for that, and my colleague from Springfield spelled it out. The competition is not with other railways, it is with the trucking industry. In the trucking industry, we the taxpayers pay for the highways that the trucks run on. The short-line operator has to pay for his own rail beds. That is why the entrepreneur that is going to take it on, and we only have two in Manitoba, and both of them have told us, at committee, pass this bill and it is very unlikely that we would take on another short line.

\* (22:00)

Sooner or later, and I think it is scheduled over the next eight or nine years, that line to

Gimli will be, like the Fisher Branch line, abandoned. And we are passing legislation now that the short-line operator says makes it next to impossible or not attractive to operate a short-line railway.

What does Seagram's do? I know they can truck their finished product out on trucks, their distilled liquor, but they will not find it economical to truck 68 000 tons of grain to their facility. They need the rail haul, the rail bed for that.

Just a comment, Mr. Speaker, they know not what they do. They pass legislation, and they do not know the consequences. These people here, like Bill 44, have never really employed people or taken the risks of starting a business, do not listen to the Art DeFehrs, do not listen to the others. Of course, they know nothing about business. We had the privilege, and that is what we hold the Committee for, we had Mr. Peters from the Cando short-line rail companies tell us specifically on Bill 18.

We had the national, Mr. Cameron, representing the 48 short-line railways across all Canada saying this kind of legislation that we are thinking about in Manitoba is unique to Manitoba. Nowhere else in the country is this kind of legislation being passed. He told the members of the Committee, told the Government, pass this legislation, Bill 18, and it is highly unlikely that any further short lines will be developed in Manitoba. But your tunnel vision is on the union issue, successor rights. The successor rights is the sole purpose that is driving this bill, that you are throwing out not just the wash water, you are throwing out the baby with it as well.

This advice falls on deaf ears, Mr. Speaker. Though the hour is drawing late, they are not listening. They will not listen to good advice, not just from us, the Opposition, although that is our job to provide opposition, but we bring expert people into committee to give the Government and to give all of us advice. The people that run the railroad say pass this bill and we will not create another short-line railway, and they will not listen, and out go another hundred jobs out of this province. That is what is happening in

this province and will happen in this province until some people come to their senses.

**Mr. David Faurschou (Portage la Prairie):**

Mr. Speaker, it is a pleasure for me to rise this evening to participate in third reading of Bill 18. It is very much a concern of mine that we had the opportunity to sit in committee and hear very clear, concise, well-researched submissions in regard to the short-line rail industry which we have here in Manitoba. I would like to pay particular attention to the submission by the Railway Association of Canada, and Mr. Cameron made the presentation. The association represents six railways operating in Manitoba and forty-eight railways operating throughout Canada. This association represents all 54 railways operating in our nation. So this association speaks with an authority. They know very well of what they speak.

Here in Manitoba, if I might just add, the railway industry pays approximately \$42 million a year in property, fuel and corporate taxes to the Province. That is substantial. It is an industry, which is very important to Manitoba in all facets. I spoke last evening of the importance of the railway industry to our province as it pertained to the agricultural industry.

Bill 18 is intended to provide for labour relations in the advent of creation of a short-line railway, but the submission from the Railway Association of Canada wanted to enlighten the Government of Manitoba as to past experiences in other jurisdictions with similar legislation. I really hope that members opposite listen at least for a moment.

Similar legislation was in fact passed in British Columbia. However, there was a legal challenge, and it was taken to the British Columbia Labour Relations Board in regard to an Esquimalt and Nanaimo railway decision, which was made just last year, Mr. Speaker. In that ruling and judgment, with respect to contract structure, it was found unreasonable for legislation to require a small railway of 31 employees to accommodate labour contracts with 5 different unions in the operation of the transcontinental railway.

Members opposite, because I believe for the most part are very common-sense oriented, how

can one expect this employer of 6, 10, 30 employees to accommodate five different unions and ultimately five different contracts? The Railway Association of Canada concluded by saying, and I believe it is very, very important that I emphasize once again this evening, the conclusion reads, and I quote: "This submission is intended to assist the Government in its effort to develop new, innovative and sustainable short line railways in the province—viable railways that will generate an array of local economic opportunities in Manitoba." I do not think anyone here does not want that to happen within our province.

I further quote: "As currently drafted, certain aspects of Bill 18 will likely inhibit the start-up of short line railways in Manitoba. This means that lines that might otherwise be transferred for continuing operations will be discontinued."

Mr. Speaker, this was a presentation of non-political influence. It spoke of the rail industry as it is in our nation today. Their clear message was that they want to see railways continue to operate. They want to see the rails that are in existence today be maintained and continue to provide economic opportunities wherever those railways may be.

The Railway Association of Canada provided to the Committee and to the Minister proposed language changes to the Manitoba labour Bill 18. The submission was there, and it was our hope that perhaps an amendment would have come forward from the Minister in true fairness. I do not believe even the union members and representatives that made submissions that evening wanted to stymie short-line railways from coming into existence here in the province. All the unions were wanting was a fair and an equitable break in transfer of ownership and in duties and job obligations as previously conducted under the larger railways in the nation. I do not think anyone is disputing the want of continued employees, but one does have to recognize the points that were raised earlier by my colleague for Springfield and that is very, very important in relationship to being competitive.

\* (22:10)

What has not been stated thus far is, in fact, that union personnel when a particular stretch of

track or some particular operations are going to be downsized or sold off, under union contract those individuals have the opportunity to participate and move on through transfers and further employees with the large railway companies in other areas. Their jobs are not lost. They still have protection from the change in ownership as it pertains to their employees. So it is not as if these employees are left wanting, and I believe that none of us in this House wants to see employees that have dedicated themselves to larger railways operating in this nation without employment and be left without job opportunities through no fault of their own.

So, Mr. Speaker, I believe that the submission that was provided to the Committee by the Railway Association of Canada has merit. I would really like to stress and emphasize that the Minister take due consideration in regard to the amendment that was proposed, because in fact it is based on very sound judgment that has been garnered through experience in other jurisdictions in this nation, our Canada. Thank you, once again, for the opportunity.

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, I am just going to take a moment to put a few comments on the record in regard to Bill 18, as well, The Labour Relations Amendment Act. This bill, as has been pointed out by my cohorts, was brought forward by the Government to deal with successor rights and as it pertains mainly to short-line railroads, or at least that is some of the implications that it has. Of course in the preamble, in the explanatory note, I should say, it indicates that it is also dealing with some of the collective bargaining agreements between federal and provincial jurisdictions and the changes that take place when a federal jurisdiction is bought by a provincial company.

Mr. Speaker, the part that I just referred to is that a federal company upon selling to a provincial company in regard to short lines must accept the federal collective agreements that are in place, and this puts a great deal of onus on the new company to purchase it. Of course, one could say that, well, they bought it knowing that they had to take on these collective agreements and therefore they should have bid accordingly.

I have talked many times on the bills tonight, and over the past few days, on Manitoba

not being able to reach its full potential. I believe that this is just another one of those bills that inhibits Manitoba from maintaining its full ability to be a viable successful province as it could be and is restrictive legislation, I guess is probably the term that I could put forward. It may seem like a very innocuous bill, but to those involved, to the small companies involved in these takeovers and these bills, and in some cases not so small, it certainly is a detriment to their future in Manitoba. The Government, in their wisdom, I do not think knows that when they put this bill forward or could not have taken it into consideration.

I have had some experience with short lines, and I want to put it on the record that I have a number of farmers in the southwest corner of Manitoba who dealt for many, many years, a decade and a half, over 20 years or nearly 20 years with the subdivision of the short-line railroad that was in place or the short line between Waskada through Goodlands to Deloraine. In many cases, that line, these individuals went to hearings to try and keep their line. They went to the trouble of looking into what it would cost them to buy their line. I know that they put tens of thousands of dollars of community-developed funds that they scraped and scrimped and gathered in their community to try to put a program together to hire lawyers to fight for the retention of that line back in the early '80s. They were successful in maintaining that line for many more years after it would have initially been abandoned if they had not gone to the trouble of taking it upon themselves to have the community drive to keep that line going.

This is the kind of legislation that would have impacted and made it virtually impossible for them to have successfully bought that line and put it in place because, Mr. Speaker, I would refer this to the difference between a farm and a processing plant. Farmers do everything they can within their own ability to manage their operations and to cut the costs of their operation to the bone, to manage their affairs as earnestly as they can. Yet they really do not have a lot of say in regard to being able to pass on the costs of their operation to the next part of the chain down the line, whereas processing plants build in the costs of that expense in regard to all of their capital and requirements and labour, particularly

labour, into the costs of doing business in that operation, and are able to pass it on in the food chain to the consumer. The consumer in Canada spends very, very little of his take-home pay, as little as 14 percent, which is nearly record lows in the world in amounts of dollars that Canadians spend in take-home pay for food to have some of the best-quality food in the world in this country that we live in, this fine country of Canada, for the average homeowner.

My point there is that this line, the parallel to the farmer and the processor, if these people had to take over the federal costs of the collective agreements that have been made under the federal jurisdiction, then those costs may be extremely onerous to the new provincial company that could be quite viable and quite successful.

I believe there are cases in the province where there could be, and certainly on the Prairies, where short lines have a role to play in being able to move a product or at least have had a chance to do that in the past. Lines that we have historically not considered as short lines may be considered as short lines in the future as the evolution of our grain elevator system takes place much, much more quickly than I think people in government today are anticipating it to occur. I think, in very few short years, perhaps as little as two, we will see a whole change in that whole development of that industry here in western Canada, particularly here in Manitoba.

We are, by our very nature, further ahead than some of the other provinces, because of course with Winnipeg being the hub of railroads in all of western Canada, moving goods between the east and western part of this nation, we have had a lot of spur per tracks, if you will, as we moved out and fanned out toward Saskatchewan and Alberta. Many of those lines have been closed over the last 10 or 15 years in western Canada, if not in the last 5.

One of the people that has been very instrumental in this whole process is an innovator by the name of Mr. Gordon Peters, the President of CANDO Contracting Limited. I would have to say that I have known Mr. Peters, as a friend over a number of years, and I would challenge anyone to have a more entrepreneurial spirit than this gentleman has. The enthusiasm that he has

exudes into other people around him as he puts forth his ideas in a very successful manner that he has. I am also pleased to mention another good friend of mine is his manager of human resources, Mr. Garry Saban. They, along with the rest of their management team, put together a formidable team in regard to developing opportunities for short-line railroads and the contracting side; being innovators in engines, and innovators in taking up track, innovators in putting down track, innovators in moving product inter-railroad, inter-regional railroad and working with the larger railroads to move goods and services across, particularly here in Manitoba, although I know they are international.

Mr. Speaker, Mr. Peters made a very good presentation the other night with four solutions that he put forward and my colleague from Springfield I believe has mentioned those, so I will not go into those, but I would like to read the last paragraph, three or four lines from the brief that Mr. Peters made the other evening: The competition of a short-line railway is not other short-line railways, regional railways or class-one railways. The true competition for the short-line railway is the trucking industry. We feel that this legislation gives further competitive advantage to the trucking industry as it would rarely ever apply to them. All we ask for is a level playing field.

\* (22:20)

Well, I know that Mr. Peters put forth his four ideas in this plan that the Member for Springfield (Mr. Schuler) talked about as solutions to this regressive legislation that has come forward by the Government, but I would assume that, given the track record of the Government and the way they have handled this situation, they would suggest that they solve this process by taking away the advantage the trucks might have by passing legislation that would require all grain to be hauled in half-ton trucks. Now I do not believe that that is a very sound way to go about dealing with legislation that could be regressive, but I think that the legislation we have seen come forward from this government to date would not lead us to believe that they would find the wherewithal to exempt

some of the companies that might have a smaller number of employees from this kind of legislation, to exempt the fact that they could renegotiate some of the existing labour contracts as have been pointed out, and on and on with the solutions that Mr. Peters had put forward.

It, of course, does not just impact short-line railroads; it impacts the workers and the shops and the other areas in regard to the rail legislation and others. I want to end there, but I want to point out that there have been examples that have been used already to show precedence in regard to this case of small companies being exempted, because in Saskatchewan and British Columbia, companies of three or less are already exempt, and I think that is worth noting, Mr. Speaker, as we move forward with these kinds of bills. If the Government had done their homework they would know that and they would not have, it would not even have been necessary to have dealt with some of these issues if they had put the correct legislation forward in the first place.

Thank you very much. I am going to end my points with those comments, Mr. Speaker.

**Mr. Speaker:** The Honourable Member for River Heights. Order. I would like to ask the Honourable Member for River Heights: Can I recognize the Honourable Government House Leader for House business first?

### House Business

**Hon. Gord Mackintosh (Government House Leader):** On House business, Mr. Speaker, I am wondering if there is leave of the House to proceed to third reading of Bill 44 when the House dispenses with report stage of that bill.

**Mr. Speaker:** Is there leave of the House to move to third reading of Bill 44 when report stage is completed? *[Agreed]*

\* \* \*

**Mr. Speaker:** I thank the Honourable Member for River Heights for allowing the Government House Leader to do the House business.

The Honourable Member for River Heights, on third reading of Bill 18.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, this is a bill which the NDP have brought in to try to do something good for workers, but they sadly really failed to take into account all the ramifications of this bill. When we are looking at the future of the short-line industry, the employment industry in this province, the implications for the future of this industry are not just the railway industry. They are the farmers of this province, they are the miners of this province, they are the food processors of this province, they are Seagram's in Gimli who have built up a business and employ many people.

So it is sad that the Government has not taken more time to look more carefully, to consider with the workers and with business the ramifications and to bring in legislation which would have better suited the times in which we live in Manitoba. If the NDP had succeeded, we would have seen people from the short-line railway coming forward and saying, boy, you have done a great thing. We are going to invest in this province. We are going to expand our short lines. We are going to make sure that short line from Dauphin to Swan River and to Gimli is going to stay there. That is what we would have heard. Instead what we heard was concern over concern.

The future of short lines in this province is in the hands of the NDP Government. It is they who will be held accountable in the years ahead as to what happens to short-line railways in this province. The real test of how this legislation works or does not work will be whether we have a short line between Dauphin and Swan River and whether we have a short line going to Gimli and whether there is an expansion of short-line railways and employment in this province, or whether on the other hand we lose those opportunities and we have a shrinking, a contraction of short lines, maybe even some head offices moving out of the province, because the NDP failed to bring together people to look at this on both sides and failed to bring in legislation which had better considered the needs at this time of our province.

History will judge. We await the judgment of history. Frankly, for my part, I oppose this measure because it has not been as well

considered as it should have been. I really think that in this occasion the NDP could have done much better.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is the third reading motion moved by the Honourable Attorney General (Mr. Mackintosh), seconded by the Honourable Minister of Labour (Ms. Barrett), that Bill 18, The Labour Relations Amendment Act, be now read a third time and passed. Agreed?

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

**Some Honourable Members:** No.

**Some Honourable Members:** Yes.

#### Voice Vote

**Mr. Speaker:** All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay

**Mr. Speaker:** In my opinion, the Yeas have it.

**An Honourable Member:** On division.

#### Formal Vote

**An Honourable Member:** Yeas and Nays, Mr. Speaker.

**Mr. Speaker:** Yeas and Nays. A recorded vote has been requested. Call in the members.

Order. The question before the House is the third reading motion moved by the Attorney

General (Mr. Mackintosh), seconded by the Honourable Minister of Labour (Ms. Barrett), that Bill 18, The Labour Relations Amendment Act, be now read a third time and passed.

### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Aglugub, Allan, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers, Wowchuk.*

#### Nays

*Cummings, Dacquay, Derkach, Driedger, Dyck, Enns, Faurshou, Filmon, Gerrard, Gilleshammer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Pitura, Praznik, Reimer, Rocan, Schuler, Smith (Fort Garry), Tweed.*

**Madam Clerk (Patricia Chaychuk):** Yeas 29, Nays 23.

**Mr. Speaker:** I declare the motion carried.

\* (22:50)

### REPORT STAGE

#### Bill 44—The Labour Relations Amendment Act

**Hon. Becky Barrett (Minister of Labour):** I move, seconded by the Minister of Agriculture and Food (Ms. Wowchuk),

THAT Bill 44 (The Labour Relations Amendment Act; Loi no 2 modifiant la Loi sur les relations du travail), be amended in section 32 by striking out "30 days" and substituting "60 days".

*Motion presented.*

**Ms. Barrett:** Mr. Speaker, this amendment is designed to give the implementation process, particularly the Manitoba Labour Board, more

time to make adjustments as a result of the amendments that are found in Bill 44.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is The Labour Relations Amendment Act (2) (Loi no 2 modifiant la Loi sur les relations du travail), proposed amendment to Bill 44 moved by the Honourable Minister of Labour (Ms. Barrett), seconded by the Honourable Minister of Agriculture and Food (Ms. Wowchuk),

THAT the Bill be amended in section 32 by striking out "30 days" and substituting "60 days".

Is it the pleasure of the House to adopt the amendment?

**Some Honourable Members:** Agreed.

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

**Mr. Darren Praznik (Lac du Bonnet):** Mr. Speaker, I would move, seconded by the Honourable Member for Springfield (Mr. Schuler),

THAT Bill 44 be amended in section 32 by striking out "60" and substituting "1,860".

**Mr. Speaker:** Order. The Honourable Member for Lac du Bonnet (Mr. Praznik) will require unanimous leave of the House to change his amendment from "30" to "60," which was distributed to all members as 30. You would need unanimous consent of the House to change "30" to "60." Is there unanimous consent? *[Agreed]*

It is a proposed amendment to Bill 44, The Labour Relations Amendment Act (2) (Loi no 2 modifiant la Loi sur les relations du travail), moved by the Honourable Member for Lac du Bonnet (Mr. Praznik), seconded by the Honourable Member for Springfield (Mr. Schuler),

THAT Bill 44 be amended in section 32 by striking out "60" and substituting "1,860".

**Mr. Praznik:** Mr. Speaker, we would hope that the Government would accept this amendment and support it as a friendly amendment. It is obvious that the Minister of Labour (Ms. Barrett), in her haste to put this bill together to be able to bring it in in the hot days of the summer, in one of the shortest periods that a labour bill has ever been considered by this Assembly, made a lot of mistakes in it.

The fact today that she had to come to this House and move a motion to extend the period for it to come into effect by an additional 30 days because, she argues, well, her staff are not prepared and she needs more time, makes the point that we have said all along, that this was an ill-conceived bill by a minister who did not take her time, did not consult, did not go through the processes that should normally be done by a labour bill, by a government who has had to amend it and change and backtrack every step through this process because they did not get it right. The Bill, with its amendments that she brought forward the other night to committee, is still a bill that is fundamentally flawed, that impinges on the right to free collective bargaining, that takes away the democratic right of working men and women to choose the union, whether or not they want a union, and the union of their choice. It is still a flawed bill.

We are suggesting that this House adopt this amendment that this bill will not become law until one year after the expiry of the term of this government, so it will give the new next government of Manitoba the opportunity to come to this Legislature and repeal this bad legislation before it does permanent harm to the economy of our province.

**Mr. Speaker:** Is the House ready for the question?

**Hon. Jon Gerrard (River Heights):** Well, I just wanted to add, Mr. Speaker, that I had considered moving another amendment to make this 1861 days, just so that I could say that the Liberals wanted to delay it longer than the Tories. On reflection, I think 1860 days is probably long enough and would do a reasonable job of giving people time to get together and consider this in a little bit more cautious and

methodical fashion than has been considered to date. Thank you, Mr. Speaker.

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, I just want to make it clear that I am not at all surprised that the Honourable Member (a) had trouble making his mind up and (b) had to change it a few times.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is the proposed amendment to Bill 44, The Labour Relations Amendment Act (2), moved by the Honourable Member for Lac du Bonnet (Mr. Praznik), seconded by the Honourable Member for Springfield (Mr. Schuler),

THAT the Bill be amended in section 32 by striking out "60" and substituting "1,860".

Is it the pleasure of the House to adopt the amendment?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

\* (23:00)

#### Voice Vote

**Mr. Speaker:** All those in favour of the amendment, please say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Nays have it.

#### Formal Vote

**Mr. Marcel Laurendeau (Opposition House Leader):** Yeas and Nays, Mr. Speaker.



**Mr. Speaker:** Call in the members. A recorded vote has been requested.

The question before the House is a proposed amendment to Bill 44, The Labour Relations Amendment Act (2), moved by the Honourable Member for Lac du Bonnet (Mr. Praznik), seconded by the Honourable Member for Springfield (Mr. Schuler),

THAT the Bill be amended in section 32 by striking out "60" and substituting "1,860".

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Cummings, Dacquay, Derkach, Driedger, Dyck, Enns, Faurshou, Filmon, Gerrard, Gilleshammer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Pitura, Praznik, Reimer, Rocan, Schuler, Smith (Fort Garry), Tweed.*

#### Nays

*Aglugub, Allan, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers, Wowchuk.*

**Madam Clerk (Patricia Chaychuk):** Yeas 23, Nays 29.

**Mr. Speaker:** I declare the amendment lost.

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Labour (Ms. Barrett), that Bill 44, The Labour Relations Amendment Act (2), as amended and reported from the Standing Committee on Industrial Relations and subsequently amended, be concurred in.

*Motion presented.*

**Mr. Speaker:** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Speaker:** All those in favour, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Yeas have it.

#### Formal Vote

**Mr. Marcel Laurendeau (Opposition House Leader):** I was hoping, Mr. Speaker. Yeas and Nays.

**Mr. Speaker:** A recorded vote has been requested. Call in the members.

Order, please. The question before the House is that Bill 44, The Labour Relations Amendment Act (2), as amended and reported from the Standing Committee on Industrial Relations and subsequently amended, be concurred in.

\* (23:10)

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Aglugub, Allan, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers, Wowchuk.*

#### Nays

*Cummings, Dacquay, Derkach, Driedger, Dyck, Enns, Faurshou, Filmon, Gerrard, Gilleshammer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Pitura, Praznik, Reimer, Rocan, Schuler, Smith (Fort Garry), Tweed.*

**Madam Clerk (Patricia Chaychuk):** Yeas 29; Nays 23.

**Mr. Speaker:** I declare the motion carried.

### THIRD READINGS

#### Bill 44—The Labour Relations Amendment Act (2)

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Labour (Ms. Barrett), that Bill 44, The Labour Relations Amendment Act (2), Loi no. 2 modifiant la Loi sur les relations du travail, be now read a third time and passed.

#### *Motion presented.*

**Mr. Marcel Laurendeau (St. Norbert):** Mr. Speaker, I would normally say that it was a pleasure to rise in the House to speak, but tonight is not one of those nights. We are tonight witnessing a government that is forcing down the throats of the people of Manitoba legislation that will be scaring away the businesses and any new businesses from coming into this community.

I must say that this afternoon my colleagues put on the record a song, but I want to put the words of Larry Updike's song on the record this evening because I do believe—and I will not sing it—that it is important that we have these words clearly on the record because they explain the reasons why this legislation was not necessary, and they explain what this legislation is going to do. So let me quote from Mr. Larry Updike's ballad of Bill 44:

Productivity is high/ Unemployment is low/  
The economy is chuggin'/That's the way it  
should go/With business expandin'/ We are the  
place to locate/But Bill 44's put a lock on the  
gate.

I don't understand/Why this bill and why  
now/Political paybacks/Gonna drain the cash  
cow/I am not anti-business/I am not anti-  
labour/Just want legislation/That is in every-  
one's favour.

The deficit's down/Optimism is high/We're  
the place to do commerce/Lots of jobs, wages

high/This is not time/For us to look back/This  
ain't 1919/We are on the right track.

Productivity's high/Unemployment is  
low/The economy's chuggin'/That's the way it  
should go/With business expandin'/We're the  
place to locate/But Bill 44's put a lock on the  
gate/I think this is more than just dollars and  
cents/If this will help workers/I need more evi-  
dence.

The Minister has not explained her reasons why she wants certain portions of this bill. She has hidden behind the fact that she has listened to her union buddies such as Rob Hilliard and a few others. I do believe we should have made another amendment to this bill. We should have renamed it. It should have been called the "Bernie bill" or the "Rob Hilliard bill." That is what would have made sense. But this minister was busy during the days and nights when everything else was going on and when the business community wanted to negotiate. She was too busy to meet with them, but she was never too busy to have Rob Hilliard or Bernie Christophe in her office for coffee. Never too busy for her constituents, because that is what they are referred to in her office. Madam Minister, your constituents are here. Mr. Speaker, they do not say that when the business community comes.

Mr. Speaker, when the business community comes, they make it very clear the enemy is here, and you only invite three at a time. You have to limit them. You have to limit them as the Premier (Mr. Doer) did when they came to make their presentations to the Premier. You cannot bring the whole group in because you have to be able to manage them, and the Premier's spin doctors walk in and put their spin on everything that is being said.

The other thing that this minister did by limiting debate, she did not give a fair opportunity for Manitobans to be heard. That is one of the areas that gives me the gravest of concerns. There was no reason for this minister to close debate and shut down debate of this House. There was no reason for this minister to not forward all the information to LMRC, but this minister stood in this House and misled this House and said on the record that she had sent

all elements of the Bill. We found out at committee that she had not sent all the elements. This minister turned a blind eye and a deaf ear at the Committee stage. She did not listen to the business community, not once, not twice, not at all. She sat there and just blindly went on and said her "thank you very much for your presentation." Mr. Speaker, this minister did not listen. So I am prepared this evening to give this Minister another opportunity to listen.

Mr. Speaker, I move, seconded by the Honourable Member for Emerson (Mr. Jack Penner),

THAT the motion be amended by deleting all of the words after the word "THAT" and substituting the following therefore:

Bill (No. 44)—The Labour Relations Amendment Act (2)/Loi No. 2 modifiant la Loi sur les relations du travail, be not now read a Third Time but be referred to back to the Standing Committee on Industrial Relations for the purpose of reconsidering clauses 3, 6(1), 23, 27(1), 27(2), 27(3) and 27(4).

**Mr. Speaker:** The motion is in the proper format, and it is in order.

***Motion presented.***

**Mr. Speaker:** Any debate on the amendment?

**Mr. Ron Schuler (Springfield):** Today must be declared black Thursday for Manitoba. Six weeks ago today, the Minister of Labour (Ms. Barrett) got up in the House and introduced Bill 44, something the like of which we have not seen for a long time coming forth in this House. It shocked members of the Opposition, horrified members of the business community, and dumfounded the general public in Manitoba. Clearly, out of the blue, out of nowhere, a bill was introduced, no warning, no indication that something so overwhelming and draconian was going to be introduced, and all of a sudden there it was, a mere six weeks ago.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

The first issue we have with this bill is the time factor. Bill 44 is very encompassing. It

covers a lot of area. It changes a lot of direction that this province has been taking. It has been heralded by the Minister of Labour as going back 50 years, which has proven to be not necessarily the case. Actually, there is a new area that the Government has gone into. It is a clear attack on free collective bargaining. It is a clear attack on fundamental democratic freedom. It is an attack on workers. It is an attack on the men and women of this province. It is an attack on the business community. What is worse yet, on top of it all, even with the changes, it does not address the violence on the picket line.

\* (23:20)

There will be other speakers before me, because I have gone on the record on dealing with all of those cases individually. I wish to make a case for this House, and I wish it to stand in the record that there are two main reasons why I stand today and oppose Bill 44 on this black Thursday. I want to deal with the time factor. Number one, not counting in holidays, we are talking working days, and I believe there was a holiday weekend in there, this bill allowed for 30 working days, 30 working days in which people could get together in the middle of summer, in the heat of the summer.

People had to cancel holidays. They might have been a week into the holiday with their families, with their children. Men and women, who work hard all year round, who struggle to get ahead, had to cancel those holidays and come back into the offices and look at Bill 44 because the bells rang in offices and in discussions all across the province. The word started to get out. Have you heard about Bill 44? Have you heard about the kinds of draconian things that the Government is trying to do? We have been betrayed was the message. We have been hoodwinked, and that is exactly the message that went out. So people were more than willing to give up their holidays, and they were more than willing to leave their families. They gave up the time and they came in, and in most cases it was worse than what they imagined. Mr. Deputy Speaker, 30 working days is hardly enough for people to get together and look at the ramifications of this bill.

I would like to go into a few individuals who actually presented to the Committee. I

know the Minister has heard my opinions, and this House has. Let us see what some Manitobans have to say, and I would like to put this on the record. Canada Union of Postal Workers presented to us, Winnipeg Local and the Workers Organizing Resource Centre: We think it would have been wiser for the Government to conduct wide-scale hearings on the state of labour relations in Manitoba and the benefits to society from the increasing—it goes on and on, but what they said very clearly in here is that there was more time needed. Not a business organization; this is a labour organization. I would like to move on.

The next presentation, here we go, Canadian Union of Postal Workers, Prairie Region. In their brief, they said further changes are necessary to this act. They stood in front of this committee. I would like to put on the record that a lot of individuals came and said why the rush? Why are you pushing this through at such a late hour or early hour of the morning? A lot of those comments are in Hansard. We, alas, do not have access to Hansard. There is just too much work to be done, and they could not get it done in time, but again here is a second union. I have another one.

The Winnipeg Chamber of Commerce, here is what they say: It is hard to see the urgency behind this proposed new law. Statistics indicate that Manitoba is not currently experiencing a particular problem with protracted strikes and lockouts. In 1999, Manitoba ranked sixth amongst the ten provinces in terms of number of days lost per 1000 paid workers due to work stoppages; seventh in 1998, and second in 1997. I would have to say the presenter read this much better than I can. Accordingly, there seems to be no reason. I am going to repeat that. Accordingly, there seems to be no reason to rush such unprecedented legislation into force without taking time for sober and broad-based considerations of its implications.

Mr. Deputy Speaker, I would like to move on to the next presentation, the United Steelworkers of America. They said: I ask the Government to step forward, address these issues we have raised and to do so in a fashion that restores—and they go on and on. Again, they say for the Government to take some time and

deal with the issues that they raised, the concerns they had about the Bill. Again, not a business group, a labour group. I move on.

Submission of the Manitoba Chambers of Commerce, and I quote: Detailed thought and analysis must occur, to be followed by a legitimate exchange of ideas between the individuals genuinely committed to equitable labour reform.

Keep that in mind. I want to get back to the legitimate exchange and deal with the LMRC at a later point in my comments, but again another presenter asking for more time.

I would like to move on to the Manitoba Employers' Council: Accordingly, there has been no opportunity for the implications of the proposed amendment to be considered fully and addressed to the Government.

Last but not least, the Mining Association of Manitoba: Any changes to the legislation should be vetted through a full consultative process that allows for the interests of all affected parties to be considered in a balanced and open process.

What is the main concern with these individuals? It is not just them. There are other unions that stated their concern, that there was a clear problem with what happened at the Labour Management Review Committee.

When the Minister got up in the House, she initially introduced the Bill saying all elements went through the Labour Management Review Committee. What we failed on, where we fell down on this particular issue is we should have got up and said we would like to know from the Minister what do you define as "elements," because by the time the Minister was done, it started to sound like all elephants went through the LMRC.

It was so confusing, I do not think the Minister knew quite where she was going with all her comments, because not all elements went to the Labour Management Review Committee. On June 21, a letter went to the Minister signed by Wally Fox-Decent, Peter Wightman, Rob Hilliard, and what did they say in their letter? In regard to your request of May 31, 2000, the Labour Management Review Committee has

reviewed the proposed amendments to The Labour Relations Act. The Committee would have preferred to have had more time to study the matters more thoroughly and to consult more broadly with the respective constituencies.

They are not talking about one side. This is labour and management would have liked more time to study the matters more thoroughly and to consult more broadly with their respective constituencies. Within these constraints, the members of the Committee made an exceptional effort, and I agree, considering that the hammer was on the Committee, that the heel of the Minister was on them to get this done, rush this through.

\* (23:30)

It is shameful, but it proves again that the whole time factor on this bill, a crucial—and my colleague from Lac du Bonnet has put a lot of good comments on the record, and the presentation by Sid Green, whom the Member from Lac du Bonnet quoted extensively. Sid Green laid it out very clearly, the attack this is on the rights of workers, on free collective bargaining, and we have heard all the arguments. I am not going to go through them all, but it is for that reason that more time should have been taken. More time should have been taken for what this government keeps talking about, consultation, and they talk about listening to people. Their idea of consulting and listening to people is you talking and they have their fingers in their ears. They do not hear anything. That is the problem.

There was a letter written, and I do not have it with me, by the chairman of the management caucus of the LMRC, Peter Wightman. He took the Minister to task. It was a letter that came at a later date in which he said to the Minister that there were many false statements that were being made, that things that were supposedly happening did not happen. Things that did happen, did not happen, and there was confusion, and the whole division started and the sides started to fight with each other. It would have made sense, it would have made a lot of sense if they would have just pulled the Bill, would have went right back to the start, would have listened to the presentations.

Again, there were a lot more that said why are we here at four, at five, at five-thirty in the morning trying to give presentations? Many dropped off because the Government forced closure, and they simply dropped off and said forget this. This is absolute nonsense.

There was one individual who worked nine hours, and then he sat for another nine hours waiting to get his chance to speak. I am surprised the guy did not fall over he was so tired, but he wanted to have his say. He wanted to have his piece. You know what? That was unreasonable to expect somebody to wait that kind of time because this was not a bill that sat in front of the House for three or four months that gave ample opportunity for people to prepare themselves, had ample opportunity for people to look into it, look at the ramifications. Thirty working days, not including holidays, taken out of this. That is all people had to prepare themselves. Then what happens? Then the Government invokes closure on them yet. Shame on them. This is black Thursday because of what that minister and that government have done to the democratic process in this House, and I say shame on them.

What came out of that process? I will tell you what came out of that process. You force things through, you ram things through, you make motions of closure and you end up with division. That is what this minister and that is what this government has got.

It is not even dealing on the particular issues because the issues are another factor and my colleagues will be dealing with the individual issues, but they divided the communities. We had good relations, and I read a quote out of here that even stated that. You do not have to take my words for it. The presenters are talking about it. They said: Who asked for this? Nobody on labour, nobody on management, nobody was asking for this.

I am going to quote. Actually, do not take my word for it. I will read something for you. This came from a private citizen who wanted to put some comments on the record. It came from Larry McIntosh. Listen to this: I was invited to attend the Premier's economic summit earlier this year. It was a positive step to get business,

labour and government to work closer together to build our economy. Great move, he says. I never heard from business, unions or government that labour relations was a problem in Manitoba. Quite the opposite, the focus was economic development. Why would we want to change this focus?

He goes on to say: In conclusion, I want to say if Manitoba gets a reputation for being anti-business, that affects us all, business, labour and unions, all of us. I love Manitoba, and I want to see it continue to prosper. I want Manitoba to be an even better place to live, work and raise a family. Bill 44 can very easily take us in the opposite direction. Please consider this carefully when you review this bill. Thank you for your time.

Nobody at that economic conference and no time during that last election, the election that was called a year ago today, it makes it twice as much a black Thursday, because not once during that election did they talk about changing labour laws. They were not honest with the public. They were not honest at the economic summit. They were not even honest with their own Labour Management Review Committee. Then they wonder, oh, look at the ads that come out. Look at the division. Who is driving this? I will tell you who drove this. The Minister drove this. She is the one who is dividing the business and labour communities. She is the one who is responsible for this, she and only she and her government. You do not blame this on labour, and you do not blame this on business, because they were thrown into this. They were rushed through it, and it was helter-skelter what they all had to try to do to meet the Minister's demands.

The Minister is sitting in her chair, thinking, quantify that statement. Quantify for me, well, where is the division? It is a unifying bill. The lion is going to sleep with the lamb, and Fido the dog is going to sleep with Kitty the cat, and the birds are going to sleep with the cats in the trees. This labour bill, oh, they are going to hug and kiss each other. It is going to bring an end to all evil and all ills in this world. All the animals are going to love each other after this bill. You know, if you listen to that, you would wonder what planet that minister actually came from. It is amazing what kind of bafflegab and what kind

of spin these people will go with. I cannot believe that sometimes the tongue does not fall out of their mouth with the kind of stuff they are willing to put on the record, but let us go to the facts. Let me read to you what Manitobans have been saying on a daily basis, and I will make this as fast as possible because I know time is short.

*Winnipeg Free Press*, July 7: Biz leaders call labour law changes pretty scary stuff; *Winnipeg Sun*, July 7: New law attack on business; Saturday, July 8: Bad all around, an editorial. I did not want to get into this too much but: The NDP Government gave a sop to its traditional constituency on Thursday, introducing proposed amendments to The Labour Relations Act.

*Winnipeg Sun*, July 8: Doer's labour pains, and they are not talking about childbirth. *Winnipeg Sun*, July 14: Labour bill pillow talk, and I do not think I want to get into that article; I recommend it highly. *Winnipeg Free Press*, July 13: Tories slam minister over new labour laws; July 13, 2000: NDP puts screws to business; *Winnipeg Sun*, July 16: Doer stumbles with business.

Now tell me, so far what I have read, anything positive? Have you seen anything unifying? Have you seen where the lion sleeps with the lamb and the cat sleeps with the budgie? I have not seen it yet in this, but we will go on. Maybe we will find an article that actually might have something positive to say.

Oh, *Winnipeg Free Press*, July 19: Business battles NDP. Here we go. *Winnipeg Sun*, July 20: Labour bill irks business, and then you wonder why ad after ad was run where the Minister finally had both sides scratching and clawing each other's eyes out, and she is to blame for it, and it is not to put a blame on the business or labour. Look at the kind of stuff that was going on out there.

Here we go, a national newspaper, *National Post*: Manitoba's NDP pays off its union debt. None of this is coming from us. This is from what Manitobans have been reading on a day-to-day basis.

*Winnipeg Free Press*, very supportive newspaper in most cases to this government,

absolutely slagged the Government on this piece of legislation. On July 2, Back down Mr. Doer was the editorial. Move on. *Winnipeg Free Press*: Business rallies troops. Oh, now, there is the real unifying headline. That was July 22. *Winnipeg Free Press*, July 23: Business may slam NDP on national stage. *Winnipeg Free Press*, July 25: NDP softens labour stand; Minister opens door to change after business launches war on bill. *Winnipeg Sun*, July 25: A flood of furious faxes. Biz bashes labour law changes. The 26th of July, *Winnipeg Sun*: Legislature hits impasse on labour bill. July 26, *Free Press*: Big biz split on labour bill.

\* (23:40)

I mean the Minister was so successful she started to split the business community and she did the same thing with the labour community. And then here, an article, and if you want to interrupt me and ask me to make a copy for everybody in this House, I would be more than willing to do it. It was in the *Winnipeg Free Press*, July 26. I recommend it highly to all of you. Wise words, and I will not tell you who wrote it but the headline is: Labour law changes roll back workers' democratic rights, an incredibly well-written article. I recommend it highly. Wednesday, July 26, *Winnipeg Free Press*, big friend of this government in most cases: Ms. Barrett blinks.

*Free Press*, August 11: Business coalition—okay, now this is the unifying moment. This is it. I have to ask members. Here was the unifying moment. This was the telling sign that the Minister had brought the sides together in *Winnipeg Free Press*, August 11: Business coalition crazy people, says the union. Whoa, now there is the unifying moment. This is the telling moment that the Minister was waiting for, and I am going to quote for you: Frankly, these ads come from the lunatic fringe, said Hilliard. They are nuts. They are crazy people.

That is where you have union leaders starting to take on the business community in such a way, and I am wondering, did the Minister not know that her bill would start this firestorm? Is the Minister so naive not to know that a draconian bill like this was not going to start this? And then she got up and talked about

this being a unifying bill, the huggy, kissy, feely bill, and here we have got two of the bigger vested interest groups in our communities fighting each other, calling each other lunatic fringe, nuts and crazy. That is what you call unifying?

Let me give you another one here, *Free Press*, August 11: Winnipeg furniture maker sets up shops in Asia and Europe. The Minister, I would like her to know this is directly because of Bill 44. *Winnipeg Sun*, August 11: Unions defend Doer, vow to fight business lobby over opposition to labour bill. The unity is such a wave, it is overwhelming sometimes. There was so much unity out in the community. *Winnipeg Sun*, August 12: Dump dumb legislation. Another editorial. *Winnipeg Free Press*, August 13: NDP bends on besieged labour bill. It sounds to me like a wounded bill. August 14, *Winnipeg Free Press*: Labour law hearings begin tonight. August 13, *Winnipeg Free Press*: Labour ups ante in battle over bill. It ended up being that labour and business started to realize how ridiculous this was and were willing to cut deals as long as the Minister would withdraw the Bill. She did not have the courage to do it. Even her own supporters were cutting her legs from under her.

Here we go. *Winnipeg Sun*, August 17: Still time to dump 44. August 17: Mandatory union votes touted. August 17, *Winnipeg Sun*: NDP to ram bill through. Here we go, the catharsis, the grand finale. The Minister on her unifying tour on her big unifying bill. They had to ram the Bill through. They had to use closure to get it through. They had to shut people up. They had to put gags on them. Oh, you cannot make it tonight because you have a family commitment? Too bad; you cannot present. You are lucky that we even let you put a little piece of paper on the table and walk out. We will consider putting it on the record, but present? Come tomorrow morning, no way. We are ramming this one through. That is this minister of unification.

Mr. Deputy Speaker, I stand to be corrected. I am going to correct myself right now. There was a positive article in the papers. There was one: Labour act just aims for fairness, *Winnipeg Free Press*, July 22, written by the Minister herself. That is the only way they could get a

positive article in the newspaper is when she wrote it. That is the only time they could get positive out of this. That was the only unifying thing that ever was in this is when she wrote it herself. Do you know what? The article is full of half truths, misleading statements and sheer nonsense.

She even had to get up in this House and apologize for some of it. I quote into the record: Since 1996, there has never been a case where the union achieved a 65% sign-up but lost the vote. That was wrong. It was wrong, and she had to apologize on the radio, and she had to apologize in this House. So this one little article that she wrote, this big unifying article, she could not even get that right. The Bill is not right, and her article was not right. Then they stand up and they spin and they spin. It is nauseating. You are on this round and round this merry-go-round, and it is not true; it is spin. Nobody is buying it, not the business communities, not the unions, not the workers, not the public, not the media.

The only ones they have got convinced is the back bench on their side, the trained seals in the back there. The only ones. They clap in the back for everything the Minister says, and I do not even believe that they buy it. They know it is spin and it is not true.

I am going to conclude—

**Some Honourable Members:** No, no. More.

**Mr. Schuler:** When my time runs out, I am going to conclude, but before then, I actually have had the opportunity to meet one of the individuals whose family came from Russia. They got out literally with the clothing on their back. They lost everything in Russia when the Communists took over, came here to Winnipeg in North Kildonan in a little hut that used to still exist, and I do not know what they have done with it now, and Mr. A. A. DeFehr, they made ironing boards in the living room. The boys helped them assemble it; their daughter helped to assemble it. That is how they started all over again.

They built a small factory and they made a little bit of furniture. They added on, they added

on, they worked hard, did not complain. I have never once heard that family complain about the fact that they lost everything, they lost wealth, they lost factory, they lost everything, and they started from scratch. They did not complain about it, and they built an unbelievable empire. And you know what? That family, in fact, I do not even know if, to this day, they even donate to political parties. It is just not something they do. They are a very private family; they are a very humble family.

If you drive by their homes, nothing is really spectacular. They do not drive the biggest Rolls Royces; they are not in big limos; they are in the top 100 wealthiest families in Canada. They have built an empire with, I believe, some 3700 employees. I will tell you something about this family, you would walk by them on the street if you did not know them, and you know what? Decent people, hardworking. In fact, you know what, the grandson of A. A. DeFehr came into my backyard and helped me lay sod. That is the kind of family they are, down-to-earth people. You want a hand, they are willing to help you.

For them to get up and say that there is something wrong, I believe, and correct me if I am wrong, and I will apologize for it, but I do not believe that there has ever been a time that Palliser has stood up like this or any of the DeFehr boys or their daughter or Mr. DeFehr, may he rest in peace, have ever stood up and challenged the Government, have ever stood up and put a letter like this on the record. If you have not read it, you should read it. It is one of the most telling things about this debate. A family who came here with nothing built an empire that employs Manitobans with decent jobs. I know a lot of my friends who work for them. They give them good employment; they treat them well. What does he say? He says: Withdraw the Bill. It is bad.

What is even more disgusting about it is the Premier (Mr. Doer) did not have the courtesy, he could have left for half an hour from his premiers' conference, he sent his Minister of Labour to meet with Art DeFehr because he did not have the courage to meet with Art DeFehr himself, and I say shame on the Premier. He should have met with Art DeFehr. The family has done more for Manitoba than almost any other family in



current history, and he has gotten up, and I quote: I am personally saddened that this legislation would undoubtedly cause us to act in a manner that is designed to protect our business.

\* (23:50)

What is wrong with somebody wanting to protect their business when they lost their first business because the communists took it over? I do not fault him over for wanting to protect his business. Why should he not?

Then the most he gets out of this government is the Minister of Labour. The Premier should have been there. That is the least one can expect to give this kind of family and the kinds of donations they make in our society. It is just unbelievable. The DeFehr Foundation is incredible, the kinds of things that they support.

*Mr. Speaker in the Chair*

For him to say: I now feel that I have to stand up to protect my business, and the Minister does not listen. They do not care; they shut down the Committee. Closure, that is their idea of listening.

As Premier, and I quote, you have the opportunity to provide leadership in the matter of policy and legislation on behalf of all citizens. If this legislation is really required and will benefit the province and the majority of its citizens, then the introduction and passage in a hurry and during the summer is not evidence of leadership or conviction. I add my voice to others and request that you set this legislation aside to determine if it can withstand a serious analysis and critique.

Mr. Speaker, I will say it again, and I will repeat it again: Withdraw the Bill; kill the Bill; hoist the Bill, but do not let it go through. Give it the time, give it time so that labour can get together. We have had press releases, press releases where labour and business want to get together, and they say: We will work something out. They do not have the courage to do it. Shame on them. That is an absolute disgrace and it is a abrogation of ministerial responsibility.

The least they could have done is said: Fine, we will hoist it for six months. Fine, we will

give it some more sober thought. Fine, we will put it through the LMRC one more time. Fine, we will give it more consideration, but nothing, absolutely nothing. So we stand here, and now we are debating it because of closure.

They would not listen to the people. They would not give them an opportunity. They wonder why there is so much division in this province, and they stand up and they say love and harmony. Well, it is not there, Minister. You divided them. You started off with LMRC. You knew LMRC was divided on this. You knew there were going to be problems. Surely, you could not have been so naive, or maybe that was the point. Maybe the point was that you wanted to divide them. Was that the point? Because, Minister, you succeeded. You got what you wanted. You have divided those two communities, and they will go on. They will go on. They will make peace somehow. They will work together, but I will tell you something: They will not buy into this spin. They are not going to buy into this spin anymore, standing up at conferences and saying: Oh, we love business and we want labour harmony, and let us all group-hug. The group-hug conference, do you think they are going to buy into that again? Do you think they are going to go for that again?

The political capital to do what was right, the political capital to consult because that word is used in this Chamber by the Government ad nauseam, consult. Everything is consult, and they do not consult. They did not consult Art DeFehr, and they divided LMRC. They did not give them proper time to consult, and then they still rammed the 12th piece through at the end that only labour would respond to. They divided the communities. They did this to the province.

Do you know what the outcome is going to be? I will tell you what it is going to be. They are not going to trust this government, and trust and confidence is what business is all about. The entrepreneurial spirit needs confidence.

Do you know what? If the Minister would have given it more time, if the Minister would have given a more open approach, if the Minister would have listened, do you know what? The Minister, nobody would have held it against her if they would have hoisted it. Nobody would have held it against her if they would have sent it

back to LMRC. Art DeFehr would not think less of the Minister of Labour (Ms. Barrett). Do you think Art DeFehr would think any less of the Premier (Mr. Doer) if the Premier walked in now and said let us hoist it? Do you know what? I am not convinced Bernie would either because do you know what? Labour came out with a press release, and do you know what? What is so incredible about it, business said: Do you know what? We are even willing to talk to you about it; let us talk. Let us delay Bill 44; let us get together. Come on, let us reason on this one. Let us deal on this, but reason is not ramming stuff through on a Thursday night, 30 work days after it was introduced. That is reason? That is not reason. That is not reasonable, and that does not bring confidence. You think business and labour do not know what is going on here. You do not think they know that this government shut down debate.

You know there are going to be a lot of businesses that will not have the confidence. There are going to be a lot of entrepreneurs that are not going to have the confidence because they do not trust this Premier (Mr. Doer). No matter how much he smiles, no matter how beautiful his tan, no matter how great his coiffure is, no matter how great he can talk, they are not going to buy into it anymore.

Do you know what? I will tell you they do not march out with a 40-piece brass band, marching out of Manitoba. They are not going to march out with drums and cymbals. They will just go, and they will invest somewhere else.

Do you know what? I have not in my short political career seen the likes of businesspeople who were willing to put their name on the line. It was not to fight the Government—the Government, I think, often thought this was to fight them—but to tell them what they were doing was wrong. What they want to do is to put on the record that what the Government was doing was bad for the economy.

The letters and the ads from the business community were not negative. They were not hostile. Even the labour community, I understand why they were running those ads. They are protecting their turf, but everybody was basically saying to the Government, to the Minister please

do not do this. Please do not do this until it has had proper consultation. Do not take away the confidence in what we have right now, in what you could call such a dynamic economy, lowest unemployment, of great investment. People are confident.

I am in business myself. We are having our best month after month. I have been in my one business now for seven going on eight years; the best month we have ever had in seven years was our last month again. That government is going to shut that down. It will come. It will come slowly because, in the end, they have thrown out reason, and we have lost confidence. That is the travesty.

Black Thursday is going to leave in a couple of minutes. It is almost midnight. We are going to go into Friday. For two reasons we had black Thursday. An election was called a year ago today. People were hoodwinked by this party. Six weeks ago, a piece of legislation was introduced that has stripped our business community, our entrepreneurs of confidence in this government, and I fear in this economy. I would say, Mr. Speaker, God help us all.

**Mr. Speaker:** Order, please. Prior to recognizing the Honourable Member for Emerson, I would kindly ask all honourable members, when making a reference to other honourable members, please do so by constituencies or by titles, and also, when quoting from papers. I kindly ask the cooperation of all honourable members.

**Mr. Jack Penner (Emerson):** I feel somewhat intimidated, just having heard probably one of the best speeches I have heard in this Legislature in the 12 years that I have served here. It reflected a truly honest appraisal of what the general public out there thinks of this new New Democratic Party. It was interesting.

\* (24:00)

Only six, seven months ago when one went to the local coffee shops, people were actually saying about this new administration, you know, this Doer is not a bad guy. He seems like an easy enough fellow to get along with. The administration that he has seem to be fair-minded and appear to be willing to listen and discuss and

debate the issues. We said in response to that, many of us said, well, let time determine where we are heading.

I think this bill and a number of the other bills clearly indicate the agenda that this new New Democratic Party has set for itself. Bill 4, Bill 12, Bill 15, Bill 42, Bill 44, Bill 35, all of which infringe upon the freedoms and the rights of individuals, each and every one of them. I was a bit surprised at the Member for Fort Rouge (Mr. Sale) when he said from his seat: Blessed are the peacemakers. He is right. Blessed are the peacemakers. I was also a bit surprised at the Member for Wellington (Mr. Santos), when he continued the saying, for they shall inherit the earth. I think these two gentlemen and all their colleagues need to reflect what they have done with one simple little bill, what they have allowed their minister to do with one bill, and it has caused the concern to be raised to a higher level than I have ever seen the concerns in the business community raised during the time that I have been in this Legislature.

Mr. Speaker, truly, when one reflects what an economy is built on and what it takes to continue the momentum of an accelerated economy and what it takes to continue the job creation effort that we have seen building during the last 10 years, one has to really question the motives of this government. What they are really trying to do, what the central banks do with interest rates, these people appear to be doing with legislation. They are trying to slow down the economy. That is quite evident.

Let us take a look at some of the actions the ministers are taking. We had an economy in rural Manitoba based on a grain economy, and because of a single action by the federal government we now saw a dramatic change occurring which is going to take huge, huge investments to finally achieve what is needed in Manitoba, and that is to diversify the economy. It takes a building strategy, it takes huge amounts of investment capital.

This Minister of Agriculture (Ms. Wowchuk) initiated the livestock security discussions and simply by doing that at a time when they were already debating acts that would be passed that would reflect dramatically on the

ability of those that were going to make the investments, the decisions, such as The Planning Amendment Act, such as The Farm Machinery and Equipment Act, such as the education acts and the labour bill that we are debating here now, it causes an uncertainty to the point where the BFR Janzen Group [*phonetic*] told me that they had brought all their construction activity, their planning for new construction to a halt. They said until this minister, until this government demonstrates to us where they are heading with their legislation and their regulations, we will not further invest until we know what the rules of investment are.

Similarly, they are also afraid, Mr. Speaker, that the rules for farm labour will change dramatically, and for the livestock industry that could mean the death knell. The farm community has largely been exempted from The Labour Relations Act by regulation, exempting the farm community from the Act simply because you have to have people where you have livestock. You have to have people seven days a week and very often twenty-four hours a day. It simply becomes impossible for individuals to be there by themselves taking care of these people, so they have to hire people and those people have to have flexible hours. That has always been the case in agriculture.

Yet this bill, if it is in fact passed, and if the exemptions are removed as the debate was within the NDP Party, will cause a severe change in attitude and direction in rural Manitoba, a very severe change, and it will further impede, I believe, the investment climate in rural Manitoba.

One might think that the labour bill would only affect manufacturers and/or commercial operations, but it will have a dramatic effect on all the other industries, our elevator companies, the grain handling facilities, the manufacturing plants, the processing plants, from pork down to grain, to beans, to everything. Really, what one has to wonder is why this new New Democratic Party is moving in this direction.

I was interested in what the Honourable Member for Springfield (Mr. Schuler) was talking about. He really hit at the essence and hit the true point on the head when he said that our

people, all our forefathers came to this country for one reason, Mr. Speaker, for one reason they came here. They wanted freedom; freedom to educate, freedom to practise their religious beliefs and freedom to do what they did best, and that is to build and to build and to build. They did it with the sweat of their brow and they put calluses on their hands, and they achieved. One has to reflect on Martin Bergen.

\* (00:10)

I know that we have talked a lot about one family tonight, but you take Martin Bergen came here in the '50s from South America, originally from Germany, came here with nothing because they had lost and left everything in Germany. He and his wife took up the profession of painting, painting apartments, and finally he told me they had saved up enough money to buy an apartment, and then they bought an apartment house, and then they built an apartment block. I think it is without question that Mr. Martin Bergen and his family have demonstrated what tenacity, what confidence and what individual drive can do, and they made the investments, and that is what has built this city of Winnipeg. People like that all over the place have invested, have invested their time and their effort, and now are being questioned. Truly one wonders whether it is a destructive attitude of this government that is bringing forward draconian legislation such as this.

When my family came here in 1874, they came here for one reason, for the same reason that the people came in 1950, for the same reason that people came in 1929, for the same reason that people came in 1907, and they were of all denominations. They came here because they were told that this was a free country, they would be allowed to practise what they chose to practise, and they would be allowed to invest in what they needed to invest in. Yet today, today we have a government that will question, that puts into question the whole matter of the rights and freedom that those people came here to practise.

The rights of an individual labourer to have a secret ballot is given in the Constitution. Our Constitution enshrines this right, and yet this minister has the audacity to introduce a bill that will even supersede the Constitution. I, quite

frankly, think if this legislation is, and a number of other pieces of legislation that have been introduced in this Legislature this session, challenged and I think they will, it will not stand. Constitutionally, it will not stand, because the rights and freedoms of individuals have been severely challenged.

You have to wonder why the Minister would do this. She says to bring balance. To bring balance to what? To bring balance to the battle? Well, it will be, or it is, a frosty Friday morning when we have to debate this kind of legislation. It is a sad Friday morning that we have to stand in this House to try and defend the individual rights that we have become accustomed to, the individual rights that our forefathers fought and died for, fought wars for, to ensure that we would have those freedoms. Yet this government, this Premier (Mr. Doer), will allow his minister to challenge those very rights of our labouring public.

How could you? How can you? How can members of your caucus support this kind of draconian legislation? How can you? How can you challenge the economy this way? How can you tell industry that they must abide by these rules that nobody needs to abide by? How do you tell your industries that they are going to have to compete in the world market under this kind of draconian legislation? How?

You know, I had a long chat with Scott MacDonald. The MacDonald family owns MacDon Industries. We talked about the farm machinery bill and how it will impose controls on the machinery manufacturing industry. Then you add to that this kind of labour legislation which will add further uncertainty. We have to wonder sometimes how long these investors, these people who have built their lives and their homes and their industries and their businesses here, that support our education system, that support our health care system, that support our social services and all the other expenditures that government must make to ensure that our public is well served, how come we cannot listen when they say: You are hurting us? How come? Why will you not listen?

Why will you impose this kind of legislation on those very people who provide the jobs for the people who vote for you? Why would you do

that? Is it because there was a promise made before the election? Is that it? Is Bernie Christophe the person that you are paying off? Has Rob Hilliard been knocking at the Premier's door and saying it is time? Who is it? What would make you do this?

Where is the commonality that your minister was talking about? Where is the co-operation? All the articles that the Member for Springfield (Mr. Schuler) quoted to you a little while ago, not one, oh, yes, except the Minister's own letter, not one other than the Minister's own letter, not one newspaper article was supportive of this initiative.

One truly has to wonder where this government is heading, where this government really wants to draw the line with the uncertainty that they have created and are creating with our investment community.

You know, I heard some comments made about the millionaires in this province by members opposite. I cringe when I hear the criticism of families such as the Bergens and the Dycks and the MacDonalds and many others.

We can talk about the New Holland plant that was supposedly to be shut down under this administration were it not for one Mr. Buhler, who has made a tremendous contribution to this city, by doing what? By being a short-line manufacturer, a short-line manufacturer. Mr. Buhler was in committee. He said why are you doing this to us? We talked about the farm machinery bill. He said why are you doing this to us? He is now saying why are you imposing this kind of draconian labour legislation on us? Why? Why would you want to do this to us?

These people contribute. They saved 350 jobs. Mr. Buhler alone, in this province, when Versatile or Ford New Holland moved out, sold their business, left a plant empty, were it not for Mr. Buhler's investment in the opportunity, those people would simply be on the street looking for jobs.

Well, Mr. Speaker, let me say this to you. If in fact this government does not change its mind quickly and does not instil confidence in the economy, many, many people will start going jobless in this province. It will take less than a

year for there to be a severe downturn in the economy if these people do not change their way. Let me assure you that this legislation and all the other pieces of legislation have shaken the very foundation of confidence in this province. I think that is the last thing that a government would want to do. Yet I guess there was a bill owed, a debt owed to the union bosses.

Who will suffer the most? It will be the very people that those union bosses supposedly are representing. It will be the labour movement, our labourers, our workers who spend day in and day out going to a job, punching a clock. They are the ones that are going to suffer. Their rights and freedoms are being taken away by this legislation. Their fundamental right to a secret ballot is being removed. The Minister says, nonchalantly, who cares. She said: I really do not care. I have met my commitment.

The Premier (Mr. Doer), in defence of this legislation, said: We made four very significant amendments to the Bill. Quite frankly, when we listened to the business community, and we met with them last night, they assure us that the amendments that have been proposed to this bill or made to this bill in committee are virtually totally meaningless. Therefore, one must wonder where these people are getting their advice from. Where is the Minister of Industry and Trade (Ms. Mihychuk) in her defence of the investors in this community? Where is the Minister of Labour (Ms. Barrett) in defence of the labour community, of the employees? That is who she should be representing, not the union and union bosses. Where is the Premier who is supposed to be representing the whole community? Where is he? Nobody answers. Nobody needs to answer.

\* (00:20)

They shut down the committee hearings. They put closure and would not even allow the last dozen presenters to present in committee. I have never seen this happen during the time that I have been a member of the Legislature. It is a first that committee will shut down without allowing the presenters that have been on the list to make their presentation.

I know that the honourable members have talked about the MTS bill and other bills that have been brought before committee. Yet every

presenter that was on the list was heard in the MTS committee. I spent 23.5 hours in a chair, listening to presenters until nine o'clock in the morning, and we heard them all. It was interesting that the very union bosses that are being afforded a payback via this bill were the ones that could not muster up any more support to bring in presenters to the bill at nine o'clock in the morning when we had gone all night at the MTS bill. Let the record show that. It is all recorded.

Yet here we are today, needing to reassess what this really means, and all we ask, all we have asked continuously, is to set aside this bill, give it six months. Give it six months, and have a discussion. Bring the community in. Bring the business community in. Bring labour in, but do not just bring the union bosses in. Bring in the actual labourers in and ask them what their views are. Talk to those people that are going to be affected by this bill, and I think you will find the answers to the dilemma you are facing today. I think you will truly find the answers. If you do not, you are going to cause in Manitoba an uncertainty that will cause industries to leave.

I find it very interesting that an industry that made it very clear that they needed some government support to expand their operation in the province, and I am talking about Schneider's, has yet to move a wheel, has yet to break sod to do the expansions that they wanted to do earlier this spring. That really brings the whole point to focus, and it is this whole matter of the business community uncertainty that is in question here. Do not be too surprised that some of these businesses will, in fact, pull up stakes and leave.

I fear for some of the smaller businesses that have a dozen or less employees that have never talked about being unionized, have never seen the need to be unionized, and this bill will allow for anybody to move into a given business. Whether it is by coercion or whether it is by incentive offer or whatever other reason, it needs to only get two-thirds. That means six people out of nine to sign cards, and there will be an automatic certification and unionization of business.

I think, Mr. Speaker, fundamentally that alone will cause small investors—we talked this afternoon for a little while about the Grow

Bonds program and the expansion of the Grow Bonds program to the City of Winnipeg, and there was a lot said about that. There are two minds, two thoughts to this whole process, but the reason I mention this is that that provided security of an investment, that Grow Bonds program provided a security of investment to small business or new entrepreneurs entering the business. You know what it did? It built a plastics industry in the town of Winkler, the likes of which no other community has seen in rural Manitoba. It provided the security of investment and security of mind to one of the largest cabinet makers now in the town of Winkler. It provided security in Steinbach for the Loewen group to expand its operations, and many others. It provided security for a potpie operation in the Interlake. It provided security for a vegetable processing plant in Portage la Prairie.

We can go on and on at what the Grow Bonds Program did in rural Manitoba, but it was only adding a measure of confidence, that these people felt secure to make those kinds of investments. Never once did they think that they would be faced with this kind of legislation. Never once did those small investors think that they would be threatened by this kind of legislation.

So, Mr. Speaker, I plead with the Minister. If she has any wisdom and any acknowledgment of what she has heard in committee, what she has heard time and time in this House, what she has read in the papers day in and day out since the time she introduced this bill in this House, if she has any consideration of the negative atmosphere that she is delivering to this province, if she has any consideration for that, I beg her to reconsider and withdraw this bill. If she would and if this Premier (Mr. Doer) and his cabinet and his caucus would agree to withdrawing this bill, they would be seen as heroes. There is no question about that. Yet these people only want to be heroes in the minds of two people, Bernie Christophe and Rob Hilliard, and that is a problem.

When one sells one's soul, one must deal with the effects of that sale. I think the Honourable Member for Fort Rouge (Mr. Sale), when he said: Blessed are the peacemakers, I say

to him if he truly wants to be a peacemaker between the business community and labour, if he truly wants to create peace, he will encourage his Premier to withdraw this bill. If the Honourable Member for Wellington (Mr. Santos) truly wants to inherit the earth, then I think he should try and convince his Premier to allow his caucus to be the peacemaker, and then he and his colleagues will, in fact, inherit the earth.

The interesting thing is that many of the people who we have we talked about here, many of the investors, many of the people who have built this city live in North Kildonan, live in the constituency of Rossmere. Yet we have not heard one iota from the Member for Rossmere (Mr. Schellenberg). The Member for Rossmere has not dared speak up, so the Premier really must have brought the hammer down, must have really laid down the law.

\* (00:30)

We have to wonder about the Member for the Interlake (Mr. Nevakshonoff). He sits quietly and reads his newspaper and reads his magazines and never gets up to speak his mind. I knew the Member for Interlake before he was a member. He was constantly voicing his opinions on virtually everything. Yet what does he do here? He sits like a toad under a mushroom with a cloud of steam over his head and the only hot air that is generated is the breath blowing on that mushroom. I think this is a problem that we have with many of the people on the opposite side. I think they look like mushrooms and they act like toadstools. I think it is time that these members of the Legislature need to reassess and re-evaluate, and maybe if they would read their own legislation, maybe they would then confront the Minister of Labour and demand that the Bill be withdrawn. As a matter of fact, if the members would be willing to, we would be willing to propose a number of amendments in this bill that would make this an acceptable bill to pass. I think that our House Leader, in fact, proposed an amendment that we are addressing here right now, and I think, if we would pass that amendment, it would make this a bill a lot more amenable than it is today.

So, Mr. Speaker, I implore you. Maybe you could meet with the Premier (Mr. Doer). Maybe

you could tell the Premier that where your family lives is an example of how progress can be made, but it is not by control, and not by coercion, and not by bringing the heavy hand of government down on a business community that will not be able to defend itself under this legislation. Maybe you could discuss with him, maybe you could impress upon him the need to free the people. Maybe you could impress upon them the need to allow the people the freedom to make their own choices. Maybe you could impress upon them the need to let my people go, and I say to you that that is what the employees, the workers in this province have said to us. Please, please do not impose this kind of draconian legislation on us, because we need the freedom to make the choices ourselves. We do not need the imposition of this kind of legislation that will force us to do things we do not want to do.

So, Mr. Speaker, I implore upon you and all your colleagues and your caucus to please, please rethink your position on this. I beg the Minister to please change your mind, and maybe then we will be able to come to our senses, and this will truly be seen as a frosty Friday morning that the NDP chose to impose this legislation. There will be frost. There will be a cold wind blowing across the economy of this province if the Minister does not change her mind, and change this legislation.

**Mr. Denis Rocan (Carman):** I am glad to have the opportunity to put a few points on the record. My remarks regarding Bill 44, I will address my points to two main areas: the Bill itself and the process by which this bill has moved through this Legislature.

To begin, let me say that I do not support this bill. I do support fair labour practices and fair business practices, but Bill 44 will not elicit either. This bill is heavily weighted against business and management, and in favour of labour and unions. Somehow the worker seems to have been forgotten. The proposed section 23 provides that, in the event of a strike or lockout following the expiration of a collective agreement, either party may apply to the Manitoba Relations Board to have the Board settle the dispute or go to binding arbitration after 60 days. This leaves the power in union hands. The

workers are given a unilateral ability to determine how the dispute will be solved.

Rather than helping to eliminate the problems of prolonged work disruptions, this provision may well serve to increase the number of work disruptions occurring in this province. Indeed, the system provides little incentive for the unions to bargain in good faith, as they need only strike and wait for the 60-day period to run out before they can force the matter into binding arbitration.

This government has proposed an amendment to The Labour Relations Act which would strip workers of their democratic rights to vote in a secret ballot for or against union certification. This amendment makes certification automatic when it has been demonstrated that 65 percent or more of the affected employees support the union. The Winnipeg Chamber of Commerce president, Dave Angus, asked: How can you argue against a democratic process of a secret ballot vote? This is a question that we would all love to hear the Minister answer. This government constantly spouts rhetoric regarding its grass-roots base and democratic values, but, in fact, a more appropriate moniker may be the "Non-Democratic Party" or the "No Democracy, Please."

Graham Starmer, President of the Manitoba Chambers of Commerce, calls this provision a regressive step, something backed up by the Minister's own words over and over again in the House when she indicated that this provision was returned to the way things had been in the 30 years previous to the Filmon government amendments in 1996.

By amending section 12(2) of The Labour Relations Act, this government is supporting acts of violence on the picket line. Under the old legislation which this NDP Government is intent on bringing back, the Manitoba Labour Board forced employers to hire back employees who were convicted of criminal activity for their conduct during a strike. How does this government's support for picket line violence match up with their election commitment favouring safer work environments? Does not this government realize that a strike is not a shield or an excuse for criminal behaviour and violence? It is truly

unfortunate that in the 21st century we see a government here in Manitoba that is now enshrining violence as an acceptable form of behaviour into Manitoba law. Violence against any group in society or by any group in society is unacceptable. Why this government keeps insisting that picket line violence is appropriate in the 21st century is truly shameful. First, Manitoba workers lose their right to a secret ballot, and now Manitoba workers are losing their right to a safe working environment because this government is supporting the return of brutality and violence on the picket line.

\* (00:40)

The Government, especially the Labour Minister (Ms. Barrett) and the Premier (Mr. Doer), told Manitobans that they were intent on listening to them, that they looked forward to hearing the committee presentations, and that was all just lip service. Never can I remember a government cutting off committee just to limit debate on a contentious piece of legislation. By setting a tight deadline on committee presentations, several presenters were forced either to stay until the early hours of the morning to present or to let their names drop from the list and forgo the opportunity to present.

I am astounded again by the way this government plays fast and loose with democratic principles. The LMRC was given three weeks to review the proposed amendments, and in a letter to the Minister dated June 21 indicated that the Committee would have preferred to have had more time to study the matters more thoroughly and to consult more broadly with their respective constituencies.

This government has extolled the virtues of co-operation and working with both business and labour in order to build a better working environment within this province. It is unclear how the fairness and balance that the Minister speaks of in relation to this labour legislation are being carried out when only five of the eleven amendments were agreed upon by both labour and management. Of the remaining six, the Minister sided with labour's recommendations each time.

The flawed process is best illustrated by the fact that the proposed section 23 of the Act was



not even referred to the LMRC. Indeed, when the Minister asked for input on how best to deal with the issue of prolonged work disruptions, management requested a six-month period to study the issue, possible solutions and the implementations which existed for labour relations. Not only did the Minister refuse to consider their request, she drafted an amendment based squarely on one of labour's proposals without even giving the business community a chance to respond.

This government has introduced a series of regressive amendments to The Labour Relations Act, which, as admitted by the Minister, was the norm in Manitoba for the 30 years prior to 1996. Today's NDP appears set on proving that they are indeed stuck in the past with nothing new to offer Manitobans in terms of hope for their future.

Indeed this government has paradoxically seen fit to appoint Eugene Kostyra, former union boss, as head of the Economic Development Board. Manitoba businesses are currently receiving a one-two knockout punch, facing both the highest taxation levels in Canada and a regressive labour legislation, which clearly tips the balance in favour of the unions.

*The Winnipeg Sun* on Saturday, July 8, headline, Doer's labour pains, states: It was in the spirit of Pawley that his successor, Premier Gary Doer, turned back the clock to the 1980s this week, saddling Manitobans with the most one-sided, pro-union labour law changes since the Pawley regime. We believe Doer is going down a dangerous path between his Pawley-style high-tax regime and his pro-union labour laws. He is poised to drive the Manitoba economy into the ground. It is unfortunate that this government insists on ramming this legislation through. It really is poisoning the relationship between business and labour, relationships that had been functioning fairly well in the past few years.

Again, I note my objections to this bill, and I will not be supporting it. Mr. Speaker, I just take this last moment that I have this opportunity to speak to thank you very much, Sir, for your indulgence with all of us during your first session. I think you did an absolutely wonderful job, George. I know I am not supposed to use

your name, Mr. Speaker, but you are truly a friend, and I want to thank you very much for your indulgence in listening to me here this evening. Thank you, Sir.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, let me begin by echoing the comments of the Honourable Member for Carman (Mr. Rocan). I think that the Speaker deserves a round of applause for having conducted the session very fairly and well.

I rise now to put a few words on the record about Bill 44. Bill 44 as much as anything is about democracy and the nature of democracy as it should be and as it should not be. Sadly, what we have seen is as it should not be by the NDP. Democracy is about listening, about consulting, about treating people fairly. Democracy is about being honest with people at the time of an election, telling people where you are going and what you are going to do.

Let us go back to the election last fall. It was Today's NDP which came forward with their platform, but there was nothing there about reworking the labour climate and the labour legislation. Indeed, the recent reports suggest that the Premier (Mr. Doer) had indeed made it quite clear that this was not part of his agenda, that he was not interested in changing the labour climate, that his real focus in the election was somewhere else. His five points, none of those five points was anything about amending The Labour Relations Act and changing the labour-business climate in this province.

If anything the Premier talked about how he wanted to bring labour and business together. He sweet-talked Manitobans at the time of the election. He led a lot of people to believe that he was sincere in trying to bring labour and management together in a fair way.

We move after the election, and we come to the Throne Speech setting out the Government's agenda. The Throne Speech itemized where the Government was going, or at least that is what we thought. That is what we were led to believe, but quite clearly there was a secret agenda which was not in the Throne Speech. There was a secret agenda that the Premier (Mr. Doer) was keeping in his back pocket to bring out later.

We move from the Throne Speech to the economic summit, the economic summit which was to bring together business and labour and get people talking, get people agreeing, working together, a co-operative working teamwork relationship, team Manitoba, as it were, the Century Summit. That is what it was called. There were a lot of good ideas which came from that Century Summit. There were a lot of really good ideas. There were a lot of good ideas that this government could have picked up and run with and brought forward, but the strange thing was that those good ideas were not the ones that were brought forward.

No, the Premier decided that he was going to bring from his back pocket that secret agenda, that secret agenda that was not part of the election, that secret agenda that was not part of the Throne Speech, that secret agenda that was not part of the economic summit. He was going to bring it forward, not right at the beginning of the session; no, not at the beginning of the session, April 25; no, not in early May; no, not in late May; no, not in early June; no, not in late June; no, it was saved until early July, July 6.

\* (00:50)

As the Premier has joked, how many have heard this story of the Premier joking about Mackenzie King and how he used to turn up the heat? Well, Mackenzie King, apparently, used to turn up the heat, at least so Premier Doer says, so that he could get things through in the heat of summer. Well, the Premier brought forward in the heat of summer. When he knew that the Legislature had no air conditioning, when he could ram it through, the Premier brought through, and his Labour Minister brought forward, legislation.

Now what was that legislation based on? Out of the economic summit and the co-operative framework, the labour and management had been asked to work together. There was a Labour Management Review Committee. The Labour Management Review Committee was asked to look very carefully at a number of options, a number of proposals. Well, the representatives from labour and the representatives from management sat down. They evaluated the options; they made some trade-

offs; they decided what they could live with, 11 options. On those 11 options, out of this came a framework for what could have been legislation, but what was not on the table was the 12th. What was not on the table was the secret agenda in the Premier's back pocket.

What was not on the table was a last-minute indication provided to labour that the Premier (Mr. Doer) had a secret agenda to bring forward, an alternate dispute resolution option. So we had a piece of legislation, which, instead of coming fairly and equitably from labour and business after they had looked at the situation and come to a conclusion as what would be fair in terms of improving and changing The Labour Relations Act, instead of a fair and balanced proposal which had come from both sides through a co-operative effort, what we got was legislation July 6 in which were inserted the backdoor secret agenda which had not been on the table.

Although the Minister had argued that she had put every single element on there, well, she forgot to tell businesspeople and a lot of other people that one of those elements was in her back pocket and hidden, the secret agenda. Well, this is not the way to operate in a democracy. This is not the way to consult fairly and evenly with people so that you bring a co-operative spirit to this province. The Minister and the Premier have betrayed the trust of the people around the Committee who went there in good faith. That is why this legislation was problematic, was a mistake with a secret agenda to begin with.

That legislation was put forward July 6. It went through the usual procedures but not in the time frame for most legislation. As has been pointed out earlier on tonight, 30 working days from July 6 to the present time, rammed through in the heat of summer, with no air conditioning in this building, with meetings going till 5:30 in the morning. Three committee meetings when there could decently have been more. Citizens not able to present at a respectable, decent hour but having to present in the middle of the night, a secret agenda to which people have to come and present in the darkest period of the night. This was an attempt clearly to hide in darkness instead of having it come out in the light of day, all the good opinions that were presented, that

were brought forward, instead of taking some time to look through those considered opinions from people on both sides and indeed from people in Manitoba who had a lot of experience in labour-management negotiations.

What the Government did was to move immediately from 5:30 in the morning to bring in some minor amendments. Yes, let us give them a little bit of credit for bringing some amendments, but the fact is that the legislation and the process were flawed from the start and it has created a bad environment for labour and business in this province. It has created an environment with a lack of trust and a suspicion about the Government. It has created an environment where we no longer have the respect for democracy as run by the Government of the NDP. In handling it this way, in a way that is disrespectful of citizens and of people in this province, this government is gambling with the future of Manitoba just as it tries to increase the number of casinos in this province and show that it is a government which supports gambling.

It is sad that during the course of this debate that the Minister of Labour (Ms. Barrett) three times had to come back and issue corrections because she had put mistaken information on the table. She said every single element had been put forward, when it clearly had not. She said that every time there had been 65 percent of people sign up and then a secret ballot that the secret ballot supported the 65 percent. It has turned out that that is not true. She said that more than 70 people had presented at committee on this bill, and it turned out, as the Clerk's office said, that it was only 61.

The tragedy of the NDP handling of this bill is the mistakes they have committed, the misleading statements, the way they have rammed this through. They have antagonized many in this province including Art DeFehr. I dealt, when I was a minister in the federal government, with Art DeFehr on a training in wood products, and what a gentleman, with what a positive feeling for the spirit of Manitoba, the entrepreneurship, the trust, the feeling that this province can be a lot greater. We certainly could achieve much more with the kind of efforts that people like Art DeFehr have made. To have him speak out against this legislation is a clear statement that this government has made a mistake.

I started out talking about democracy, why this bill was about democracy, and how the NDP Government has failed us in respecting democracy and listening to people, listening to advice and considering the very well thought out opinions from many, many people who have said take some more time, take some more time.

We had at the eleventh hour, after the committee hearings, a proposal from the Manitoba Federation of Labour. We had the business coalition coming back, and said, yes, we will take that seriously. Let us sit down and talk. Let us take some more time. But the Government would not take either labour or business seriously. They wanted to ram it through. They would not even wait for the annual meeting of the Manitoba Federation of Labour, where they said they would take the new ideas. They wanted to push it through.

\* (01:00)

This bill is not an isolated example. When the Government brought forward Bill 4, and we listened in committee, the representative from the Manitoba Association for Rights and Liberties came forward and said the attack on the freedom of people to speak out, of third parties to speak out, the attack by this government is scandalous, this from the Manitoba Association for Rights and Liberties.

This government, as we discussed earlier this evening in Bill 43, is shutting down, closing down the voice of the people in the Manitoba Environmental Council. This government, in Bill 47, is politicizing the civil service and hamstringing the Civil Service Commission. This is a government which has shown clearly time and time again in this session that they do not believe in democracy, as most of us believe in democracy in this province.

What is sad is that not only have they launched an attack on democracy but also an attack on entrepreneurs. Bill 5 is going to call into question the livelihoods of lots of entrepreneurs. Bill 18, as we heard from the shortline railway businesses and the people who want to build those businesses in Manitoba, is going to put their efforts into question. Bill 20 is going to hurt a lot of farm machinery manufacturers, not the mainline manufacturers, but a lot of

Manitoba-based manufacturers. Time and time again this government has shown that it is anti-entrepreneur, that it does not believe in the entrepreneurial spirit and supporting the made-in-Manitoba entrepreneurial spirit. Sad. We learned just the other day that this government would not even consult on the procurement initiative that they are going to bring in September. Well, it is a sad day.

We come to the end of the session. We see quite clearly that Today's NDP of last fall have reverted to yesterday's NDP. They are no longer concerned about democracy. They no longer have any interest in entrepreneurship. Why does not the Minister of Labour speak out in her defence tonight or this morning? It is this morning, one o'clock this morning, and we are going through as this is rammed through by this NDP Government in the heat of summer. Why will not any other member of the NDP Government stand up and defend tonight, this morning? Why will they not stand up and defend their actions through the course of the heat of summer at a time when there was no air conditioning?

I sat one evening in the middle of summer earlier on till 4 in the morning on the school trustees' bill and there were mosquitoes and everything else coming in, and what a shambles it was that this government had led this Legislature into. Fortunately, for the discussion in the consideration of Bill 44, there were some screens up, and we did not have mosquitoes coming into the fray as well, but that was the only positive thing. Frankly, as we wind this session down, it is a sad note to wind the session on, to wind it down on. It is a sad note that there has been a loss of democracy here. It is sad that this government has no respect for entrepreneurs.

I will bring my remarks to a close, and sit down now. We are forced to come to a vote as the NDP continue to ram this bill through.

#### House Business

**Mr. Mackintosh:** Is there leave of the House not to see the clock?

**Mr. Speaker:** Is there leave of the House not to see the clock? *[Agreed]*

\* \* \*

**Mr. Darren Praznik (Lac du Bonnet):** On this particular motion, I intend to keep my remarks fairly brief, because it is my intention to deliver my final thoughts on this bill when it finally will make it to discussion on third reading unless, of course, there is a change of view by the New Democratic Party members perhaps in these wee hours of the morning, and, you know, members of the New Democratic Party seem to think that people operate better in the wee hours of the morning. So I am hoping the same kind of inspiration that they expected of the presenters a few nights ago on committee that they also will find in these wee hours of the morning.

I know the Member for Brandon West (Mr. Smith) has encouraged me to speak at great length again on this bill. I can tell him again that I intend to, and this will not be the moment for a longer speech. I would remind him as well that my leader also has the power to grant me unlimited time to speak not just 40 minutes, and that may become a possibility. I want to thank the Member for Brandon West on behalf of my party and the business coalition for giving us the opportunity the other night to get a very good press conference and headline into the fray.

I want to thank him for that because as a new member I guess new members expect to exert their influence somewhat. If he had listened to the Minister of Labour (Ms. Barrett) who seemed to be saying, we are going to, at the Committee, review things at midnight, perhaps things might have been different. Instead, this Member for Brandon West, newly elected, still with the gusto of a new member who thinks because he won one election that he can become the dictator of the province, moves the motion that all the trained seals of the New Democrats at that committee supported, that shut it down, that said that we will hear presenters only tonight. We will sit till we heard all who are here; and any Manitoban who cannot go through the physical endurance of sitting till 5:30 in the morning, we do not want to hear them.

The reason I wanted to add a few remarks on this particular amendment is because what

this amendment is about is a chance for the New Democrats to send this bill back to the Committee to hear not 150, not 75 or 80, but 12 citizens of this province that they deliberately chose to ignore, to cut off.

**An Honourable Member:** How much time would that be? Tell me.

**Mr. Praznik:** The Member for Springfield asks how much time. Well, under the rules of our committee each presenter could speak for 15 minutes and have 5 minutes for questions by committee members. So that is 20 minutes. *[interjection]* That is three an hour. Twelve divided by three is four hours. The Member for Transcona (Mr. Reid) said it is three. Do you know what? We have learned something else today—

**An Honourable Member:** Three an hour, I said.

**Mr. Praznik:** Three an hour he said. Pardon me. I thought for a moment he was telling us that the Grade 3 guarantee does not work. We are still waiting for the Minister of Education (Mr. Caldwell) to give us that Grade 3 guarantee. The only thing we know he will guarantee is ignorance for our students, a lack of education but a happy Manitoba Teachers' Society.

\* (01:10)

This motion is about fairness. This motion speaks loudly about this government. You know, I have been in this Chamber for 12 years, and I can recall many times where we have had contentious issues, and we have had many presenters wanting to speak. I was there when we took opportunities to sit through the night and go through all the names called and presenters. They were always rare. They always occurred after many sittings of the Committee, five, six and, in some cases, eleven sittings of the Committee, not three.

Members opposite, in their first session of a new government, when they say to all the people of Manitoba, this is the tone of what we will do while in power, the tone that they set was the first major controversial piece of legislation. The first time that members of the New Democratic Party had to face a public in which not everyone

agreed with them and those who disagreed were prepared to do battle with them, instead of being adult enough to stand up and listen to what people had to say, to hear them out, to give them their opportunity to be heard, to do what a responsible government has to do—no one said they had to agree with them; no one said that the will of the majority of this House would be thwarted. All it said was that they were entitled to the common courtesy of being heard, and on the very first time that members of the New Democratic Party in government had a chance to set a tone, they chose to set the tone of intolerance, of shutting down the debate, of not listening.

I should not say this is perhaps the first opportunity; this is, Mr. Speaker, the second because on the Bill that dealt with the teachers and arbitration, on the very first night, the President of the Manitoba Association of School Trustees, a well-known Manitoban, on representing a great deal of public interest at that committee, when leave was asked for them to finish a few pages of their remarks, something we have granted many times, the Minister of Labour (Ms. Barrett) as a committee member said: Shut 'er down. You know, I just say to members of the New Democratic Party, as the Member for Thompson (Mr. Ashton) always reminded me, that it does not hurt to listen to the people of Manitoba and the message members opposite have sent is they are an arrogant, dictatorial government who will not listen to 12 people, who will not allow the four extra hours to hear those 12 presenters. This motion tonight is simply to give 12 Manitobans the chance to speak to their government. Here is their chance tonight to do the right thing. Thank you, Mr. Speaker.

**Mr. Speaker:** The question before the House is third reading amendment, moved by the Honourable Member for St. Norbert (Mr. Laurendeau), seconded by the Honourable Member for Emerson (Mr. Jack Penner),

THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following therefore:

Bill 44, The Labour Relations Amendment Act (2) (Loi no 2 modifiant la Loi sur les

relations du travail), be not now read a Third Time but be referred back to the Standing Committee on Industrial Relations for the purpose of reconsidering clauses 3, 6(1), 23, 27—

Dispense.

27(1), 27(2), 27(3) and 27(4).

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

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Speaker:** All those in favour of the amendment, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Nays have it.

#### Formal Vote

**An Honourable Member:** Yeas and Nays, Mr. Speaker.

**Mr. Speaker:** A recorded vote has been requested. Call in the members.

Order. The question before the House is amendment to Bill 44, moved by the Honourable Member for St. Norbert (Mr. Laurendeau), seconded by the Honourable Member for Emerson (Mr. Jack Penner),

THAT the motion be amended by deleting all of the words after the word "THAT" and substituting the following therefore:

Bill 44, The Labour Relations Amendment Act (2) (Loi no 2 modifiant la Loi sur les relations du travail), be not now read a Third Time but be referred back to the Standing Committee on Industrial Relations for the purpose of

reconsidering clauses 3, 6(1), 23, 27(1), 27(2), 27(3) and 27(4).

#### Division

**A RECORDED VOTE** was taken, the result being as follows:

#### Yeas

*Cummings, Dacquay, Derkach, Driedger, Dyck, Enns, Faurshou, Filmon, Gerrard, Gillehammer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Pitura, Praznik, Reimer, Schuler, Smith (Fort Garry), Tweed.*

#### Nays

*Aglugub, Allan, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers, Wowchuk.*

**Madam Clerk (Patricia Chaychuk):** Yeas 22, Nays 29.

**Mr. Speaker:** I declare the amendment lost.

\* \* \*

\* (01:30)

**Mr. Speaker:** Third reading, moved by the Honourable Attorney General (Mr. Mackintosh), seconded by the Honourable Minister of Labour (Ms. Barrett), that Bill 44, The Labour Relations Amendment Act (2) (Loi no 2 modifiant la Loi sur les relations du travail), be now read a third time and passed.

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** Mr. Speaker, what we have seen unfold before our very eyes in the last six weeks was the best kept secret in town. Who was to know that we would see this new government, just one year after they made absolutely no mention of changes to The Labour Relations Act during the election campaign, that we would see the kind of draconian legislation

introduced in the wee hours, in the middle of the summer, after school had finished and many had taken their families away on holidays, when we all know that not much attention is paid to what happens in the Manitoba Legislature? We saw the Minister of Labour (Ms. Barrett) introduce into this House some of the most draconian and backward labour legislation that has been seen.

We certainly did not hear anything about it as the new government took office and introduced their Throne Speech and talked about what their agenda would be in this session. We certainly did not hear anything from the business community or any others when the Premier (Mr. Doer) held his economic summit and indicated that he was the new, Today's NDP, the Premier in the blue suit that was going to be business friendly and was going to work with business and labour to ensure that we would see the continued economic prosperity and that Manitoba would continue to move along.

Well, Mr. Speaker, what we have seen over the last six weeks in this House is nothing short of deceit by this government, this Premier and this Minister of Labour. The business community was caught completely off guard, because they trusted and they believed that the Premier would keep his word and that he would work with business to ensure that the economy would continue to move forward and that Manitoba would continue to see prosperity. With the lowest unemployment rates across the country, there was great optimism within the business community.

We have seen since July 6, day after day, Mr. Speaker, not only the Opposition and the business community feeling betrayed by this government, but we have seen articles in the newspapers on a daily basis. Not political arguments, but arguments that warned this government that this legislation was wrong-headed, that it was not the kind of legislation that Manitoba needed to continue to grow and prosper.

We have seen time and time again this government move back to the days of Howard Pawley and the old NDP, to the days when Eugene Kostyra ran the finances of the Province and we saw deficit after deficit after deficit. He ran this province into the ground. The Premier

(Mr. Doer) at the time was part of that cabinet that made the kinds of decisions that almost bankrupt this province.

It took almost a decade to turn Manitoba around, and it was not through easy times. It was through some very difficult times where we saw a significant recession. We saw a government that took the responsibility of governing very seriously and had to make some difficult choices and some difficult decisions through some of those tough times, but managed to make it through and managed to turn this province around and see the kind of growth and prosperity that we have seen over the last several years as a result of the hard work and the commitment and the dedication to balance budgets, and to try to ensure that we made Manitoba a place where business would want to come, would want to invest and would want to grow. Well, in six short weeks, this government has turned back the clock to the dark days of Howard Pawley and his administration, and it is a sad day for Manitoba.

Never before have we ever seen the business community rally around an issue like they have around Bill 44. Normally, they are busy creating jobs, taking the risks, investing the capital that creates jobs in Manitoba. It is not government that creates jobs. It is small business that creates 75 percent of the jobs in the province of Manitoba. It is those small businesses that do take the risk, that do invest, do create the jobs, and create the economic prosperity.

Mr. Speaker, it is government's role to set the climate for business to invest and to come to Manitoba, and this government has failed miserably. In its first session in the Legislature, it has created such a rift between labour and business that I am not sure it will ever be able to be mended. It is shameful to see the agenda of this government. We are seeing the real agenda now of this government. We are seeing a government that has had a hidden agenda during the election campaign, it had a hidden agenda through its Throne Speech and a hidden agenda when it spoke to business in Manitoba.

Manitobans will not be fooled. Manitobans are not asleep, and Manitobans know that this government has made a significant mistake. We

are still getting calls on a regular basis from Manitobans who are saying what has this government done? What is Bill 44 going to do to us? I think the saddest part of this whole process has been the way that this government has been hidebound and determined to ram this legislation through in the summer months, and get it passed and in place before people have a chance to know what has happened.

\* (01:40)

Mr. Speaker, we know that business certainly understands now that this Minister of Labour (Ms. Barrett) and this Premier (Mr. Doer) have no concern or care, no long-term vision, no plan for our province and for what our province can be.

We saw many Manitobans place their names on a list to make presentation on Bill 44. We heard time and time again the Premier and the Minister of Labour stand in this House and say let us debate the Bill, let us get it to committee; we want to hear from Manitobans. We want to hear what they have to say, and we are going to listen. As a matter of fact, they even threw out a little ray of hope a couple of weeks ago that indicated that they were going to listen. I think there was an article that said that the Government was softening its approach to Bill 44. Well, nothing could have been further from the truth. We got the Bill to committee. We looked at 80-some presenters that had put their names on the list to come and tell this government what their opinion was, what their point of view was.

What this government did, after two days of listening to presentations, cut Manitobans off from having the opportunity to present their point of view. They closed debate, they closed public presentations, and they closed their minds to Manitobans who had a different point of view. One of the saddest things I think I saw through the public presentations was a group, a coalition of businesses that got together, representing some 16 000 businesses in the province of Manitoba that had some very legitimate concerns about this legislation.

They sat through the first day of public hearings and they sat through the next morning of public hearings. They came the next evening

to public hearings. Their name was a bit down the list, and I believe they sat until the wee hours of the morning. When they came to make their presentation, what did the Minister of Labour (Ms. Barrett) do? The Minister of Labour walked out of the room. She snubbed them. She said: We are not prepared to listen to the point of view of 16 000 businesses that have created jobs and created the economic activity which made Manitoba strong. Well, I say shame. Shame on the Minister of Labour. That tells you how committed she was to listening to Manitobans.

The rationale that the Government used for closing down or shutting out presenters on this bill was they could present written presentations. Well, I would like to ask the Minister of Labour whether she took the time to read the written presentations before she brought in her amendments. Those amendments I believe were written before the presentations even started.

Mr. Speaker, I think that today is a sad day for Manitoba and for Manitobans. We have seen a government that has shown no leadership, no ability to deal with, to discuss with Manitobans the issues that are important to them and bring forward legislation that might be meaningful and might have a positive impact. We on this side of the House are extremely disturbed and we know that many, many Manitobans will come to understand that this government, this Premier and his cabinet and caucus colleagues have no regard for the future of Manitoba. We are going to see many, and we have heard from many businesses.

I suppose the Government might say that businesses are not going to just close up and move out of Manitoba, but we do know that many businesses are looking for expansion and investment. They look at a lot of things when they look at expanding their business. They look at the kinds of labour legislation, they look at the taxation in provinces and they make sound business decisions based on the analyses that are done.

Mr. Speaker, being the highest taxed province across the country and having the most regressive labour laws are not things that businesses looking to expand in Manitoba will look at and think are positives. It is not things



that those who are looking to come to Manitoba and invest will think are very positive. So we lose on several counts.

We do not want to be known as the have-not province. We do not want to be known as the loser province. We worked hard for a decade to try to ensure that there was a positive attitude towards Manitoba, and in one short year, less than a year, this government has turned that around and is sending the message to those outside and inside of Manitoba that Manitoba is closed for business.

I hear the Premier (Mr. Doer) from his seat talk about this being embarrassing. I would, if I were him, be very embarrassed. The real agenda and the real driving force behind this government and this Premier are the union bosses that are pulling the strings, and the union bosses that are saying to this Premier and this government it is payback time. It is time for you to pay us back for getting you elected. The conciliatory approach that we thought we saw a couple of weeks ago dissolved this week, and we know what happened behind closed doors. We know that the union bosses sat down with this government, this Premier and the ministers over there and said: We made it happen for you; you will now do what we want you to do and you will ram this legislation through, because we elected you to do it.

As a result of what we are seeing here today, the attitude and the arrogance of this government, and the lack of consultation that we have seen by this government—[*interjection*] I have to give Rob Hilliard and the Federation of Labour a little bit of credit. They came up with a proposal that said that they would like to sit down with business and talk about what might be accomplished if they worked together. I think that was something that the business community embraced, and they said we are prepared to sit down. We would like to see, in the spirit of co-operation, this government pull Bill 44. Let us sit down and let us see if we can work something out that will bring labour and business back together.

Well, the Premier and his government rejected that proposal outright. So what we are seeing here today is business and labour looking

at trying to work things out, Manitobans saying that they have not been consulted, and so I believe, in the best interests of all Manitobans, that it might be important for this government to look at taking a little more time, doing what they promised they would do, putting some action to their words and ensuring that Manitobans are consulted in a significant way before they move ahead with this legislation.

\* (01:50)

Mr. Speaker, I move, seconded by the Member for Lac du Bonnet (Mr. Praznik),

THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following therefore:

Bill 44, The Labour Relations Amendment Act (2) (Loi no 2 modifiant la Loi sur les relations du travail), be not now read a Third Time but that it be read a Third Time this day six months hence.

*Motion presented.*

**Mr. Speaker:** Order.

The amendment is in order. Is it the pleasure of the House to adopt the amendment?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

**Voice Vote**

**Mr. Speaker:** All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Nays have it.

**Formal Vote**

**An Honourable Member:** Yeas and Nays, please, Mr. Speaker.

**Mr. Speaker:** A recorded vote has been requested. Call in the members.

Order. The question before the House is the amendment moved by the Honourable Interim Leader of the Opposition (Mrs. Mitchelson), seconded by the Honourable Member for Lac du Bonnet (Mr. Praznik),

THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following therefore:

Bill 44, The Labour Relations Amendment Act (2) (Loi no 2 modifiant la Loi sur les relations du travail), be not now read a Third Time but that it be read a Third Time this day six months hence.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Cummings, Dacquay, Derkach, Driedger, Dyck, Enns, Faurshou, Filmon, Gerrard, Gilleshammer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Pitura, Praznik, Reimer, Schuler, Smith (Fort Garry), Tweed.*

#### Nays

*Aglugub, Allan, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers, Wowchuk.*

**Madam Clerk (Patricia Chaychuk):** Yeas 22, Nays 29.

**Mr. Speaker:** I declare the amendment lost.

\* \* \*

\* (02:00)

**Mr. Speaker:** Third reading motion moved by the Honourable Attorney General (Mr.

Mackintosh), seconded by the Honourable Minister of Labour (Ms. Barrett), that Bill 44, The Labour Relations Amendment Act (2) (Loi no 2 modifiant la Loi sur les relations du travail), be now read a third time and passed.

**Mr. John Loewen (Fort Whyte):** I want to put some words on the record tonight regarding Bill 44. As has been obvious from my previous speeches and through committee, I am very much opposed to this bill. This bill is a bad bill all the way around. There are very many issues with this bill that will cause problems in the short term and in the long term for business and for workers all across this great province.

I am not going to spend much time talking about the issues that have been covered so eloquently by a number of members. I would like to congratulate them for dealing with that, particularly the Honourable Member for Springfield (Mr. Schuler), who has certainly worked hard to bring to the attention of the citizens of Manitoba the faults of this bill. He is to be congratulated for that because that is what he is here to do. He is here to keep this government in check, and he has done a magnificent job of it. He can be proud of that.

There have been many ironies that I have witnessed in this first session in the Legislature, but probably none so great as with Bill 44, the Bill that is here because of the fat-cat union bosses who told this Premier (Mr. Doer) and told this government to bring it in. The irony is that as a young lad growing up in the city of Winnipeg, we used to, on numerous occasions, go down to a little restaurant on Portage Avenue called Fat Boys. I am sure there are many members in the House from the city that remember that lovely little restaurant, a true example of entrepreneurial spirit, and a small business that was doing its bit to contribute to the province of Manitoba, wonderful food, the best chili burger in all of Winnipeg. The fries were up there with the best of them.

Unfortunately, in the mid-'80s that business was sold, the business torn down and a building put up there. Although Fat Boys in terms of the restaurant has gone under, the fact that Mr. Christophe built his palace on the same piece of property, the UFCW labour building, I think the

name "Fat Boys" still is appropriate for that piece of property because that is what we are faced with in Bill 44. We are faced with some of the fat-cat union leaders who are not looking out for the workers, who are looking out for themselves, who are looking for a way to make their lives easier to keep them accustomed to what they are accustomed to, and I think that is unfortunate.

Tonight I do not want to focus on the hidden agenda of this government, how they brought this bill before this House in the dead of summer, how it was not part of their agenda, not in their election promises, not in their Throne Speech, never mentioned to the economic summit. I do not want to focus on that. I do not want to focus on process, on the poor process that was put in place with this bill, how they duped the members of LMRC, the Labour Management Review Committee, how they tricked them into thinking that there was one agenda when, in fact, there was another, how they sandbagged that committee, how they sandbagged the business community in terms of process, how they made wonderful statements about all the good work done at their millennium economic summit, but they did not tell the truth.

They did not tell the business community their real agenda, how they duped the editorial board at the *Free Press*. I do not want to dwell on that because lots of other member have. How the Premier (Mr. Doer) sat down with the editorial board of the *Free Press* and boldly told them one thing when, in fact, there was another agenda. I do not want to focus in on the process that they went through with the union leaders and how behind closed doors they promised the union leaders that they would bring in this piece of legislation to satisfy the demands of Rob Hilliard and the other mad scientists in the labour movement that want to use this province, this great province, as their laboratory to experiment in labour laws, labour laws that are going to have a dramatic and disastrous effect for the well being of the citizens of this province.

I do not want to focus in on process with regard to how they brought this bill before the House, how they have rammed it through, how they shut down committee, how they forced

people to stay, people who were obviously suffering in the middle of the night. I mean, it was tough enough on the committee members, but to show the disrespect that this government showed for the citizens of our community that came before this committee to express their views on both sides of the issue, and this government forced them to sit there till 5:30 in the morning if they wanted to be heard. If they did not sit there, if for whatever reason they could not sit there, did this government say well, look come back tomorrow because there is time. Come back tomorrow, and we will give you another four hours.

**An Honourable Member:** They would not do that.

**Mr. Loewen:** They would not do that. They said well, look if you have come here and you have had the wherewithal to bring a presentation in writing, you can leave that and maybe we will read it and maybe we will not. If you do not do that, we do not want to hear from you. Go home. You know what, maybe the wise ones really went home because at the end of the day nobody was heard and nobody was listened to. This government came to committee with the amendments already written. They knew what they were going to do to try and maintain damage control. They have done a poor job of that, and they continue to do a poor job of that. They are going to suffer the consequences.

I want to focus in really on two issues that have not had much attention, and that is part of the problem with this bill. There is so much wrong with it that the business community, that this side of the House, that the public has had to focus in on the real three fundamental issues with this bill. That is, of course, the taking away of the mutuality of consent that is a linchpin of the labour management process, which deals with strikes and lockouts and the mutuality of agreement.

We have heard lots about the 60-day clause, the arbitration clause. We have heard lots about violence on the picket line, and how this bill will cause problems because it ignores the line. The results of these clauses are well known. There has been lots of discussion. There has been lots of debate on them, as there has been lots of

debate on the issue of the Government taking away the workers' right to vote. They did not take away the right to vote from the union leaders. They took away the right to vote from the workers, the very people they stand up and pretend to defend, the very people that the labour leaders want us to believe that they are standing up for. What do they do to these people, these people that they take union dues from week after week, month after month, year after year? What do they do to them? They take away their right to a secret ballot. Incredible.

As I said, those three issues have been dealt with lots in the debate. I have dealt with them lots in committee and my speech on second reading, and I do not think I need to dwell on them tonight anymore. What I want to dwell on are other rights that have been removed from the workers of this province. These are very, very serious issues because these are people, many of them who do not understand how to speak up for themselves, who have come from different parts of the world, maybe not used to our democratic system. In a lot of cases, these individuals cower before authority just because that is their nature. They have come here to build a better life. What they are trying to do is just keep their head down, work hard and get through, and build some hope and opportunity for their family.

What does this government do to those workers? It takes away their right to determine if they want to have portions of their union dues spent for political purposes, takes away the right they have to have some input into how the dues that are collected on a mandatory basis from them are spent. That I think is despicable. These individuals deserve the right, and they should have the right to tell their union leaders that they do not want to have their funds spent for political purposes. What was their option? Their option was to make a donation to charity as opposed to that. Freedom of choice, that is what this system is all about, and that has been taken away from them. So now they have no alternative but to see their union dues used for political purposes.

\* (02:10)

I mean it is amazing that this government, the Labour Minister, the Premier (Mr. Doer) did not even realize this, did not even understand

this two to three weeks after they brought this bill before the House. In questioning in Question Period, the Labour Minister stood up time and time again and said oh, it does not matter because we are bringing in legislation that is going to eliminate the option that unions have to contribute to the political process, not realizing, of course, that those funds will also be used to promote the political thoughts of the union leaders, to promote the parties that are going to pay back the union leaders on a national political basis and also on a municipal base. In fact, as we see, those funds are still going to be used for political purpose by those union leaders to promote this government that has been so good to them through advertising, not only throughout the period of time when there is not an election writ, but they will be allowed to spend those funds during an election campaign.

The individuals that are contributing those funds, that have no choice about whether they are going to have those dues deducted or not, it is a fact of life. If they want to work, if they want to have that job, those dues are going to be deducted. Those union leaders are going to spend those funds, not as their workers are asking, not as their union members are asking, they are going to spend those funds as they see fit.

We saw that time and time again during the presentation. When we asked the union leaders if they had polled their members on the positions they were taking with regard to Bill 44, and in particular on the issue of whether their workers wanted the right to have a say in where their union contributions would go, how they would be spent, time and time again the answer was no. No, we do not have to because we speak for our members. Well, once in a while they should stop speaking and learn to listen to their members and maybe they would come back with a different story, because I am sure there are very many people in this community and I am sure there are lots of teachers, I am sure there are lots of nurses who would rather see the funds that are deducted from their paycheques given to charity than spent on the type of advertising we see directed from their union leaders. There is absolutely no doubt about that and that is unfortunate because those people have a right to direct where those funds go.

This is a party, we see the members here, day in and day out criticize the people in this community that have been fortunate enough to make a success of themselves, make a success of their business. I would remind the Government, these are the people who contribute back to charities in this community. If you look at the lists of people that contribute to this community, you will find those business leaders, you will find those people that have been a success, you will find people from all walks of life, and it is unfortunate that those people, the workers in that group have had this right taken away from them. So, I would ask this government to give that right back to the workers of this province, to allow them to have a say in where and how their union deductions are spent. I think this province will benefit from it.

At the same time, they might tell the leaders of the union, their friends, they might tell the leaders of the nurses' union that maybe our money that is going to be spent on advertising should be spent on promoting this profession and telling people across this province what a wonderful job we are doing, how much we love our work and how great a profession this is and maybe that way it could be used to recruit more nurses. Maybe the teachers could do the same thing. Instead of spending their money, instead of having the leaders direct those advertising dollars to be spent directly for their own purposes to support a political party that is going to pay them back and make their lives easier, maybe they could spend those funds in promoting the education system. That would be a challenge that I would throw out to the members of the Government as well as the union leaders.

I am going to focus in on one other point. We heard over and over and over from union leaders how they run a democratic system and how it is not important for them to file financial statements with the Labour Board because they have an open organization and any member that wants financial statements just has to go to the head of the union and ask for those financial statements and they will receive it. Well, there is one thing I learned in business. When it comes to financial statements, if somebody tells you that there is no need to give you financial statements you better look pretty darn hard at those financial statements to see what is really going

on, because when they tell you, you do not need to look at that information, you do not have to have a third party, an independent third party who can make those financial statements available to you, you know there is trouble.

We heard at committee, one gentleman was kind enough to stay there until I believe about 4:30 in the morning and describe to us how he became president of a union local and how, when he got there, there were no financial statements. When he made a call to the head office of that union, when he asked Eugene Kostyra where those financial statements were, what did mean Gene tell him? He said do not worry about that, look to the future. You do not have to worry about those financial statements. Everything is fine, do not pay any attention to that, you just worry about the future. For the good of that local, this individual was not satisfied with that answer, and lo and behold, after a lot of digging, he found out that in the building where they were renting office space there were some financial statements stored in the crawl space of that building, stuffed down there when the outgoing president had left office. He got those financial statements and they did show irregularities, something that any organization—and if you listen to what the union leaders told us, information they would have welcomed, but what happened to this gentleman instead? What happened to him was the union got rid of him. They took over his local, the administration took over his local. They told him that he better not consider running in the next election, especially if he was going to win, because that is exactly what they did not want. In fact, they told him and he told us that the union leaders told him he could run as long as he was not going to win. Now that is democracy in action.

So those are two issues that have not been addressed very much during this whole debate. I think it is unfortunate that those two issues have been allowed to slide by. I think they need further attention. In fact, three years from now they will get further attention, I can assure you of that, and there will be fairness, and there will be honesty brought back to the labour act in this province.

I want to close by trying to help the Government understand the damage they have done to

the business environment in this province. It is business that creates jobs, that employs the workers that they feed off. It employs the workers that they demand dues from day in and day out, that builds the revenue that they run their union offices on anyway they see fit. I think this government has done a great disservice to the province of Manitoba, not only by driving a wedge and a deep wedge between business and labour, but in less than 11 months through this bill and a number of other bills, they have changed the attitude of people in this province, and they have changed it in a negative way.

We saw after 11 years of Tory rule that we had developed a can-do attitude in this province. We had people all over this province, in the urban centres, in the rural settings, who had a belief that in this province. If they had a hope, if they had a dream, if they had a vision, there was the ability to see that through and bring it to fruition.

Now, by way of a little pun, we have, obviously, now, a no-can-do province, because pretty soon we will not have Cando in this province. Bill 18 and Bill 44 have made sure of that, but worse than that the attitude we are going to have now is a why would I do it here attitude, and that is going to be very, very damaging for the citizens of this province.

Why would I do it here, when this government has made this province the highest taxed regime in all of Canada, the highest taxed constituency in all of North America? They have introduced the most draconian labour laws; they are trying to experiment with those labour laws to the detriment of the workers.

We heard this directly at committee from the President of the Business Council of Manitoba, the organization that represents the 53 top businesses in Manitoba; businesses with head offices here; businesses that have grown up here. Mr. Carr explained to committee what this government and what their actions will do to the business community. As he explained, this is a business community that wants to invest in Manitoba. They will go to great lengths to help the province that they love, to help the province that they have chosen to live in. These are

people that can live anywhere in the world, and live very well anywhere in the world, but they have chosen Manitoba. In many cases, they make investment decisions that favour Manitoba even though those decisions are not necessarily the best financial decisions for their company. They do that because they love this province, because they have succeeded in this province, and because they want to put something back.

\* (02:20)

What does this government do? It does not even have the decency to listen to them. This government tells them, we do not care what you say. We have heard from our real bosses, the leaders of the labour movement, and that is who we are going to listen to, and you better just adapt.

Well, they will adapt. They are successful for a lot of reasons. One of them is they can adapt to any situation, but what they will do is they will look twice at an investment in Manitoba. We heard that from Mr. DeFehr. We heard how he is going to have to protect his business by looking at alternatives.

When those businesspeople tell us that is just the tip of the iceberg, that means that everybody who is in business in Manitoba, everybody who is looking at doing business in Manitoba is going to look twice. They are going to talk to their lawyers, they are going to talk to their accountants, and they are going to hear the same message. Well, you know, it is a great place to live. We love it, but we do have the highest taxes in the country, and we do have the worst labour laws in the country.

This is just a start from this government. Worse than that, they have lost confidence in the stability of this government, the stability of the environment that they can create, and that is the worse thing you can do to business, because now they will say, well, we really do not know where this government is going. They have said one thing, they have said another. They said one thing, they have done another. They told us they were going to do this, and they did not. They told us they were not going to that, and they did. Business cannot live with that, and they will not live with that and they do not have to live with

that. They have lots of places to make investments, and they will make them, but they will not be in Manitoba.

I would like to think that somehow tonight, once again in the dark of night, we would be able to convince this government to pull back, to take a different look, to take a different stance, to do the right thing. To do the thing which every sound-minded citizen in this province is asking them to do, and that is to pull back in this legislation, to have a proper consultation, to get the parties together, figure out a middle ground which works for everybody, and then continue to move this province ahead in a successful fashion.

Unfortunately, we on this side of the House know that is not going to happen: (a) because this government does not listen; and (b) because they do not really know what business is all about. They spend more time in this House in many ways slagging business than they do anything else. That is unfortunate, because it is business that employs the people that make this province such a great place to live.

So, Mr. Speaker, I would like to thank you for the opportunity to put some more words on the record regarding Bill 44, and I want to close by saying I think it is terribly unfortunate that this government does not have the inner strength, the fortitude to stand up and do the right thing and withdraw this bill.

**Mr. Leonard Derkach (Russell):** The hour is late, and one might ask what person of sound mind and sound body would be standing up to speak to a bill at this hour of the morning, but then, on the other hand, what person or persons of sound mind and sound body would ever introduce legislation such as this and impose it on the people of this province.

We have heard a great deal about the bill. We have heard a great deal from members on this side of the House about why this bill is wrong for Manitobans. We have heard a great deal from Manitobans, although we should have heard more because there were more people who wanted and wished to present. As I listened to the presenters, I heard from both sides of the issue. We heard from the union bosses. We heard from some of the workers, workers who

were opposed to this legislation, workers who were not entirely enthused about this legislation. We heard from the business community. We heard from private citizens. Overwhelmingly, the theme that we heard most of all was that this bill was not given the opportunity to have the kind of consultation, the kind of discussion, the kind of debate that a bill of this significance should have.

That is what is wrong with this government. Each and every piece of legislation which is taking away fundamental privileges and rights of Manitobans was introduced in the dark of night, was introduced in the late hours of the session, was introduced in the summer months when people were away from their work places, were away from their homes enjoying the summer season. In those hours, this government chose to bring in the kind of legislation that was injuring our economy, that was harmful to the people of our province, that was harmful to citizens of Manitoba.

I want to give credit to some very hard-working members on our side of the House. I want to give credit to the critic for the Labour Department who has worked extremely hard in bringing this issue to the fore, in making Manitobans aware of what this government's plan is and what their hidden agenda truly is, because without that kind of effort on the part of this side of the House Manitobans perhaps would not know all of the issues as this relate to this bill.

I want to say thank you to this member, and I also want to say thank you to his seatmate, because together they sat. There were three new members of that committee: the Member for Fort Garry (Mrs. Smith), the Member for Fort Whyte (Mr. Loewen) and the Member for Springfield (Mr. Schuler) who sat through those committees consistently. Why? Not because they wanted to make heroes of themselves, but because they were interested in what this province is about. They wanted to make a difference. They wanted to ensure that Manitobans had the right to be heard. They did everything they possibly could. We on this side of the House have brought amendments forward to try to convince this government that, indeed, it is moving in the wrong direction.

Now I could talk about each of the steps of the Bill, and why each of those steps is wrong and why the amendments are wrong. We could talk about the fact that the major points of this bill were never vetted through the Labour Management Review Committee where they should have been. That has been stated time and time again. Members of that committee have said that they did not see elements of that bill. The Minister herself admitted that not all of the elements of the Bill were agreed to by the Labour Management Review Committee.

Now, if you are going to make changes to this legislation, I do not disagree that this government has the right to make changes in legislation. I do not disagree with that at all, but when you have a hidden agenda, that is not the way to treat the people of this province. You are hoodwinking the people of this province. You are not being honest with the people of this province. You are not telling the truth to the people of this province. That is what is wrong.

During the election campaign that was hotly contested, the New Democratic Party did not ever mention the fact that they were going to bring in changes to this legislation. The economic summit that was held, that was chaired by this government, who brought business leaders and brought labour together, and said that for the first time they were going to create an atmosphere where labour and business worked together, did they ever say in that summit that they were going to be bringing in this type of legislation? Did the Premier of this province indicate to the business leaders at that point in time that he was bringing this kind of legislation in? No. My colleagues have indicated that on the 6th of July this legislation was brought in, a time when Manitobans take some time with their families to relax a little and enjoy the summer weather. That was when the Premier and this minister decided to bring this legislation in, at a time when Manitobans did not have the full opportunity to debate, to consult, to indeed make their views known about this legislation.

\* (02:30)

So, Mr. Speaker, here we are on the 18th of August debating this legislation. This is probably the latest that I have seen the legislative session

of Manitoba sit in the time that I have been an MLA in this House. I know that, in the first year, in 1988, when we were first elected as a government, we sat into the beginning days of August, because of the lateness of the election and the time that we were sworn in as ministers, and the House coming in, and indeed there was a later session, but never have I seen a session sit this long. Why has it sat this long? Because of the approach of this government. If you consider the legislation that has been brought forward in the first session of this government that impacts negatively on Manitobans, and on our economy.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

For almost 12 years, our government worked extremely hard to dig ourselves out of debt, to build an economy, to build a province, and we did not do it alone. We did it in partnership, in partnership with business, in partnership with labour, in partnership with ordinary citizens, with the professionals of this province, with people who have a vision for this province, with people who want to see a strong province. We have strong people in this province. Together we walk hand in hand to erase the deficit, to bring ourselves into a position where we had a balanced budget, and to build this province. I am proud of the record of the Filmon government. I will always be proud of that record, because this province has never progressed as well in a short period of time as it did during that period of time when Gary Filmon was premier of this province. I am proud of that decade.

The government of today is reaping the benefits of the work that was done during that period of time, but not for long. That will not go on for long. One of the reasons that it will not go on for long is Bill 44. This type of legislation will not be legislation, will not be the kind of approach that will sustain the economic climate in the positive sense that we have had in this province. Neither will Bill 42. If you look at the legislation that this government has brought forward in its first session, we can see the writing on the wall. Business is not going to tolerate this type of approach.

We built an attitude. With the kind of legislation, the kind of approach that we take to



things, we built an attitude. I remember the former Premier of our province, Gary Filmon, used to say if there was one thing that he could change about the people of this province, it was attitude. He managed to do that. He changed the attitude of Manitobans where they believed in themselves, they began to believe in this province, and they began to talk about this province as a province of prosperity, a province where investment was welcome, a province that was open for business, a province that could compete with any province in Canada. We could compete with anyone in the world. We started to attract business into this province. We began to show that agriculture could diversify. After the Crow rate left, the agricultural economy began to grow in this province. Why? Because there was an attitudinal change that said: We can.

We grew businesses in this province, businesses that were innovated, businesses that were advanced in technology. We began to be a centre where we attracted technological businesses, we attracted new business, we attracted knowledge-based industries into this province. All of that is going to vanish because we are sending a signal, not only to Manitobans, but we are sending a signal to Canadians, we are sending a signal to the world that we are closed for business, and Bill 44 is that signal.

I am convinced, although I hate to say this, that in the next few short years we will see Manitoba lose opportunities that are going to allow us not to gain the kinds of jobs we should have in this province, the kind of investment we should have in this province, and the kind of strength that this province could be if in fact we had a different attitude and a different approach to some of the basic issues that build an economy.

What is wrong with the secret ballot? You know, one of the things that struck me in the presentations that were being made by members of the unions in this province, was one of the union organizers said that when they have a union drive, they do not go to the workplace to talk to people, they go to their homes. Now why do they not want a secret ballot? Because people will not vote at home in a secret ballot. They will vote at the workplace in a secret ballot where they cannot be harassed, but if you have to sign a

card, the union leaders go to your house where they have you one on one. I have been subjected to all kinds of salespersons who come to your home and try to put the hard sell on you. They have your attention one on one, and they can tell you a whole bunch of things. I have talked to some of those people who have had that strong arm put on them in the presence of their home where they have been told all sorts of tales and horror stories about how they might be treated by their employers so that they would sign that card.

That is not fair. That is not just. This is not democratic. We live in a democracy. Can anyone tell me what is wrong with the secret ballot? Can anyone give me one reason why the secret ballot is a bad thing in our society? That is how we elect our MLAs. That is how we elect school boards, that is how we elect municipal officials, but, oh, no, you cannot have that when it comes to the labour force because the union bosses know that in fact in a secret ballot the person votes with his or her conscience. They cannot be coerced into voting for the union bosses.

What does this legislation do for the union bosses? It certainly fattens their pockets, because all of a sudden they are able to organize more union workers by the signature of cards. All of a sudden there are more dues coming into the fat boys, and it is all a matter of greed by the union bosses. If the unions were truly interested in representation to the people, they would allow for that secret ballot. They would say vote with your heart, vote with your conscience, vote with knowledge, and we will provide it for you in an unbiased way, but, oh, no, that would never give them that upper hand that they need.

We saw Bill 42 and how the scale was tipped in favour of teachers. I am a former teacher. I bargained on the side of teachers, and I bargained on the side of trustees. I saw the imbalance, and that is why we introduced legislation that would create a level playing field, that would force arbitrators to look at ability to pay, but that has been lost in this first session of this government.

We heard the term used by my honourable colleague the Member for Springfield (Mr. Schuler) that this is black Thursday—

**An Honourable Member:** And now it is Friday.

\* (02:40)

**Mr. Derkach:** And now it is Friday. Well, it is a black week, and the sadness is that Manitobans will wake up tomorrow or this morning, when this House has passed this legislation, and they will find that their democratic freedoms and their democratic rights have been trampled on, not only the businesses, not only the citizens who pay their taxes, but indeed the workers in the province as well. So this government has attacked people in every walk of life in its first sitting.

I have never seen a government heap so much negative legislation on people in one session. When we were in government, we had to do some very unpopular things sometimes, but we were extremely careful that there was a balance, that we did not heap a whole raft of negative legislation on people at once. Sometimes you have to do those unpopular things, but you do it with care, you do it with full disclosure. You do not do it in the heat of the summer; you do not do it in the middle of the night; you do not cut off debate; you do not invoke closure; you allow for full consultation; you allow for full discussion; you give people ample time to make their views known.

The signal was given to us in Bill 5 because I think the new minister, a little bit naive about what the agenda of his own colleagues was, put out a schedule of consultation with Manitobans about a bill that he was planning to bring into this House. He even named the locations and the times that he would be out with Manitobans to consult on this legislation. Before the first meeting took place, that was scrapped. Someone got to him. Someone told him that you are not having those consultations, that it is not within our agenda for you to be going out to talk to those people. We know best. Manitobans do not know it. The same attitude was taken by the Minister of Education (Mr. Caldwell), and the same attitude and the same approach was taken by the Minister of Labour (Ms. Barrett). We can go bill by bill, and that same attitude, that same approach was taken by each and every minister.

Mr. Deputy Speaker, we still have work to do this morning, and so I am not going to take

any more time because I think I have expressed my views strongly enough about the legislation that this government has brought in. I will let my constituents know in every kind of way that I can communicate to them about the kind of attitude, the kind of approach, the kind of process that this government has embarked on in terms of the legislation it brings in, the way that they have deceived Manitobans. They say one thing, they do another. They say things in the media which are not reflective of the truth.

**An Honourable Member:** Spin.

**Mr. Derkach:** It is all about, as my colleague says, spin.

I quoted to the Premier (Mr. Doer) today from a paper in March of this year, a quote that he made about deficits in hospitals. He said: We will give them funding in the beginning of the year and after that they must, he said, live within their budgets. Now, in the first quarter, we hear that there is a \$10-million deficit in the hospitals in the city of Winnipeg, and this Premier said: There shall be no deficits. We knew he could not fulfil that promise. The Member for Lac du Bonnet (Mr. Praznik) told him he could not fulfil that promise. He told the Minister of Health (Mr. Chomiak): You are going to get yourself into trouble with that kind of declaration. The truth has come, and they have denied it. As a matter of fact, even today they were not coming forward with the truth about the matter.

That is the attitude, that is the approach that has been taken by this group, by this new government, and I swear to you and to this House that I will ensure that Manitobans know the full truth about the agenda of this government and about the approaches taken. Indeed, we will do everything we can within our power to make sure that Manitobans know the real truth about this government. Thank you.

**Mr. Praznik:** Mr. Deputy Speaker, I rise tonight to put what I imagine will be my final comments on this particular bill on the record. I hope, in these wee hours of the morning as this government pushes through this legislation in the dying days of the summer, that some of the members on that side of the House may actually pay heed to my observations, because tonight many of my

colleagues have spoken about process. They have spoken about the betrayal of the trust Manitobans have placed in this government. They have spoken about the deceit, and we saw it again today with the Premier (Mr. Doer).

I say to the members opposite that their Leader and their Premier reminds me, quite frankly, of a former leader of the federal party that I support, the Progressive Conservative Party. That was Brian Mulroney. Brian Mulroney, like Gary Doer, can come into a room and they can talk so eloquently, and people would walk out of that room believing that everything was fine, but the delivery sometimes fell short. You know, the Premier of this province is exactly like that. His biggest enemy in his political career is Gary Doer, is himself. The reason I say that, and it is demonstrated over and over again, is that he cannot break away from his love of grand pronouncements. He is never prepared to admit when he has made a mistake or he is wrong. We saw it in this bill.

We saw it today again with health care. So many people within that health care system are talking already about the deficit in the Winnipeg Hospital Authority, and they are talking about it. We are hearing about it from rural health authorities because they talk and they know, they know that there are deficits in that system. Everybody out there in health care knows that there is a \$10-million-plus deficit in the Winnipeg hospital system. They know that half a million of it is for cafeteria subsidies.

Yet the Premier (Mr. Doer) of this province, I think the Minister of Health (Mr. Chomiak) might have been honest with us and come clean if his Leader had not been there, but his Leader denies, denies, denies. He will not answer. I should not say "denies." He would not answer, that somehow, by not answering, the problem will go away, but you know what will happen? It will get bigger, just like this labour issue did for the party. It will get bigger because he cannot hide from the Auditor. Whether it is in a few weeks or a few months or next year, the audit will come out, and the deficit will be there. You know what? Then he is in a greater problem because now the issue is not the deficit, the issue is the integrity of the Premier.

We saw him here when his own department was caught breaking the law on freedom of

information, and what did this Premier do? He denied, he skated around, but when he got out to the media and they were putting it to him, he said: Well, I have taken steps to fix that problem in my office. Okay, the media accepted that. The next day we asked the Premier in this House what steps has he taken? He took none. We asked him a couple of weeks later, and he just dismissed it. I bet you he took no steps, because the quick one line got him out of the problem in the hallway and that was done, and he did not care.

Mr. Deputy Speaker, I come back to principle. The Premier of this province, and from our perspective actually we are very happy about it, because I think we are seeing the greatest weak spot in this new government is its premier, is its Leader because he will wax eloquently, and he will spin the stories, but the substance will not be there. He will set expectations that are not fulfillable, and bit by bit, it is not going to happen right away, but bit by bit it will unwind. The people of Manitoba, whose expectations will be raised, who have been told a nice story, will find, as the cold light of reality comes home, that this Premier is a lot of fluff, that he lacks principle, he lacks integrity and he lacks substance. At the end of the day, so many of you who have based your political career on this individual will find that, just as he brought you into this place, he will send you out of it. Today was a very good chance for that Premier to just admit that there was a deficit in the Winnipeg hospital system, just a deficit, and he did not. He did not, but it will come out, and there will be a bigger problem.

\* (02:50)

In committee, we did not even blame the Minister of Health. I understand how those things happen. When the Premier (Mr. Doer) got up in this House and he talked about how we will give all the money, we will put it in place, there will be no deficits, we are just great managers, I said to the Minister of Health: You will not be able to live with that, Dave. I know the system. You will not.

I think your Minister of Health knows that. His biggest problem this afternoon was having to defend an impossible standard set by a Premier

who did not know what he was talking about but just had to make it sound wonderful. From our perspective, the seeds of the defeat of this administration are already sown. They will grow; they will grow.

On this bill and matters of principle, Mr. Deputy Speaker, it is indicative of a government who has so few principles. We respect the fact on this side of the House that members opposite won the election, they have the majority of support. We respect the fact that tonight, ultimately, when the votes are tallied on this bill, the majority will prevail, and that is the way it should work in a parliamentary democracy. The Member for Thompson (Mr. Ashton), for whom I have a great deal of respect, and it is regrettable that the Member for Thompson does not have a larger role to play in the operation of that government, that member would have reminded his colleagues that they would prevail at the end of the day but between introducing a bill and preparing legislation and prevailing is the chance for the minority to be heard, the chance for the citizens to be heard, the chance for Manitobans to make their point, the opportunity for the Minister and the Government to actually learn something maybe, find out maybe that there was something that they missed to make better legislation.

What did this government choose to do? Did they accept that principle of parliamentary democracy that yes, the majority will prevail, but the minority and the public have ample opportunity to present their case, to make their arguments, to be heard and to influence the Government, and a wise government will listen. Did they accept that principle? No. You know, what was so disappointing was some of the new members of the New Democratic Party tonight who turn their backs to these speeches because that is the easy thing to do, not to face the criticism. You know what they are going to learn over the next few years? Just because you win an election and you are in government does not mean that you have all-power, it does not mean that you do not have to listen.

They have turned their backs tonight, and they are really smart about it. We do not have to listen to the Member for Lac du Bonnet or the Member for Russell (Mr. Derkach), but you

know something? Full adults would listen because sometimes you might discover—*[interjection]* I just say I can remember the Member for Thompson many times reminding me of this fact in debate, and there were many times I had to sit there in the closing days of the session and listen to New Democrat after New Democrat make a point or listened to them in committee. Many times I learned a lot of things that I incorporated into policies or legislation or actions from what members opposite told.

**An Honourable Member:** Name one.

**Mr. Praznik:** Well, the Member for Radisson (Ms. Cerilli) says: Name one. I can remember as a Labour minister at committee listening to Bernard Christophe in a presentation who said: We do not agree with the thrust of your bill, but if you are going to do it, here are 11 or 12 administrative amendments you should consider. I did not cut him off. I did not say he had to speak at 5:30 in the morning. I did not say I am not going to listen to him. You know, I think we accepted nine of the eleven amendments because they were good, they made sense, in the administration of that bill. So, yes, many things I learned.

I say to the Member for Radisson, someone who comes from a family of roots in the labour community, that she appears to have forgotten the principles of her roots.

**An Honourable Member:** Free collective bargaining.

**Mr. Praznik:** Issues like free collective bargaining. I just want to talk about that for a minute because tonight we will witness members of the New Democratic Party standing on a bill on which they will vote to diminish the right to strike for workers, the right to strike. They say, oh, well, how could that be? The reason is, quite frankly, the New Democratic Party members who sit in this Legislature today, I think the vast majority, with maybe the exception of the Member—I know with the exception of the Member for Thompson (Mr. Ashton) and maybe a few others, maybe the Member for Flin Flon (Mr. Jennissen), they have very little idea of those principles. I would say they have come to the labour movement because it is a base of

support. It makes them feel good to say we are in solidarity with our union brothers and sisters, but they have very little understanding of the principles.

I say to members like the Member for Brandon West (Mr. Smith), who comes from a labour background involvement: What are those principles? Those principles that were hard fought for over many decades were that, yes, people had a right to freely choose to bargain collectively. You know, I understand freely because it is a principle of democracy.

By passing this bill tonight, we will do away with something I did not fully appreciate when I was first Labour Minister in 1991-92 but came to appreciate. Taking away the right to vote and restoring the 65 percent card automatic certification, it means that up to 35 percent of working men and women in a workplace may never even be told that a certification drive is on. If an individual is viewed by the union as hostile or maybe someone they do not like or may be someone they are worried about, they will never be offered the chance to sign a card. They will never be told. They will never have a chance to participate in any debate with their fellow employees about the choice they will make as a group. They will be cut out of the process. The process will be hidden from them until the 65 percent are signed without a debate. I am not talking about a debate with the employer. I am talking about a debate with their fellow employees.

I say to the Member for Flin Flon (Mr. Jennissen), as I do to other members of the House, you tonight will vote to deny those working men and women a chance to participate in a debate with their fellow employees about if they want to be unionized and which union. You will deny that. You will take away that right from them because the only way they will have that right is if the process results in a secret ballot vote in which all employees have a chance to participate. You will deny that. You will take that away from working men and women. How do you justify that? I just wait till the first time you have an automatic certification and you have some workers who are not even told, and they come to complain. I am going to march them into the office of the Member for Flin Flon (Mr.

Jennissen) or the Member for Rossmere (Mr. Schellenberg). I am going to say you explain to them why you voted to take their right away, as working men and women, to have a discussion and a debate with their own fellow employees. You explain, sir. What are you going to say? Bernie told us we had to do it, or oh, well, it is really democracy sort of; the others signed the card.

Well, I tell you, I make you a promise tonight I will bring those people when they come to me into your office. I will let them look you in the eye and I will get you, as representatives of a so-called labour party, to explain why you took their right away. The Member for Rossmere can turn his chair tonight. He can turn his chair and he should turn in shame, and the Member for Flin Flon, who represents many working people, should turn in shame for taking that right away.

**An Honourable Member:** Sixty-five percent is a majority.

\* (03:00)

**Mr. Praznik:** Well, the Member said 65 percent is a majority. I agree, but should there not be a debate, should all employees not have a chance to discuss it among themselves? Is that what the Member for Flin Flon is saying tonight, that they do not have that right? Well, he said he did not say it, but what is he saying? If 65 percent sign a card and 30 percent or 35 percent are never told, they will wake up to find they are certified in a union and they never knew about it. The Member can roll his eyes, the Member can say no, but that is fact.

In every certification drive, any employee who is viewed as maybe not going to be supportive, and it may not even be of whether you want to have a union or not, it may be which union, but the Member for Flin Flon will deny that tonight with his vote, the Member for Rossmere will deny that tonight with his vote, and the Member for St. James (Ms. Korzeniowski), who comes out of the labour movement, will deny that to her fellow former union members tonight with her vote. How did they? They can get up and say we are for working people, but where are they for the rights of those working people to have a debate among

themselves? They will deny that because it is convenient, but their principle of democracy they will throw away for convenience.

*Mr. Speaker in the Chair*

Mr. Speaker, I know the night is a long one, but I want to talk about the right to strike and the right to lockout. Those are fundamental, the most important principles of free collective bargaining. You know what? Yes, we as a Legislature have infringed on them in the areas of first contract, emergency services, and some in the public interest, but these New Democrats tonight will get up shortly. If they do not have the courage, they will get up because it is easy. No one wants to actually look in the Premier's (Mr. Doer) eyes and say, Mr. Premier, maybe we should think about this again. Maybe we are not doing the right thing. None of them have the courage, none of them at all, but tonight they will vote.

I have to tell them, even Howard Pawley when he brought in his alternative to free collective bargaining in final offer selection, he even recognized that without giving labour the veto, the employees the veto, he was taking away the right to strike. He recognized that and so what did he do? In his final offer selection, he was so careful to make sure—he did not care about the right to lockout. He said we are going to take away the right to lockout, but you know to union members we will maintain your right to strike because we will give you a veto if that final offer selection is requested. He even recognized that. Even Howard Pawley recognized that.

What amazed me is that this Minister of Labour (Ms. Barrett) and these New Democrats went in committee and because they had pressure, because they had heat, because they are facing the first time for many of them—and some had a relatively easy election because their party was winning—the first time they actually had to take some heat they turn around and they scurry about, and they bring in the resolution that says well, now we will take away the right to strike. We will diminish the right to strike, and they did. The New Democrats, they did it.

You know, I never thought that I would see the day in this House where New Democrats did

that. Make no mistake about it, your Minister of Labour can tell you, well, you know, there are 30 days or 60 days, there is the Labour Board, but you know what, it is all the same. At the end of the process, if the employer has requested it and you have met all the tests and you still want to strike, you cannot. It is done. Now there are some who will argue that would be great. Take away the right to strike, but you know some of us in this House still have principles.

Well, the Member for St. James (Ms. Korzeniowski) laughs, but I will tell you if she checks the record, she will find that as a minister of Labour I have always stood by that right. There have been times in the public interest, but I have stood by that. Tonight, just her laugh tells me she does not understand it. They do not understand it. She says: I am standing with my colleagues, but I have diminished their rights.

So tonight we will witness something that I think the James Woodsworths, the Russ Paultleys, many of the labour leaders of old will turn over, and they will not believe that the party that they founded on principles has become nothing more than an electoral machine to feather the nests of a group of people who, quite frankly, have forgotten the principles on which they have stood in the past, and I say shame. Thank you.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is third reading motion moved by the Honourable Attorney General (Mr. Mackintosh), seconded by the Honourable Minister of Labour (Ms. Barrett), that Bill 44, The Labour Relations Amendment Act (2) (Loi no 2 modifiant la Loi sur les relations du travail), be now read a third time and passed.

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

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

\* (03:10)

**Voice Vote**

**Mr. Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Yeas have it.

**Formal Vote**

**Mr. Laurendeau:** Mr. Speaker, Yeas and Nays.

**Mr. Speaker:** A recorded vote has been requested. Call in the members.

The question before the House is third reading motion moved by the Honourable Attorney General (Mr. Mackintosh), seconded by the Honourable Minister of Labour (Ms. Barrett), that Bill 44, The Labour Relations Amendment Act (2) (Loi no 2 modifiant la Loi sur les relations du travail), be now read a third time and passed.

**Division**

*A RECORDED VOTE was taken, the result being as follows:*

**Yeas**

*Aglugub, Allan, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers, Wowchuk.*

**Nays**

*Cummings, Dacquay, Derkach, Driedger, Dyck, Enns, Faurshou, Filmon, Gerrard, Gilleshammer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Pitura, Praznik, Reimer, Schuler, Smith (Fort Garry), Tweed.*

**Madam Clerk (Patricia Chaychuk):** Yeas 29, Nays 22.

**Mr. Speaker:** I declare the motion carried.

\* \* \*

**Mr. Mackintosh:** Mr. Speaker, by leave, I move, seconded by the Member for St. Norbert (Mr. Laurendeau), that when the House adjourns today it shall stand adjourned until a time fixed by Mr. Speaker, upon the request of the Government.

*Motion presented.*

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** Mr. Speaker, I would like to indicate how privileged I feel tonight to speak on behalf of our caucus, our team, and what a team I want to say. Knowing it is the first time I will have this opportunity and the last, I want to thank all of my colleagues for giving me this opportunity. Let me begin by thanking those who have supported all of us in this Chamber for their professional service and for all that they have provided this session for all of us: the table officers, the Sergeant-at-Arms and the Assistant Sergeant-at-Arms, the Hansard staff and, of course, the pages who are moving on to new challenges and to new opportunities. We wish them much success.

We would also like to thank staff from the departments for their co-operation and for their professionalism when dealing with us as opposition members through the Estimates process or on case-specific issues. Thanks as well to Legislative Counsel for their assistance in drafting bills and amendments for our members. The interns assigned to our caucus were a pleasure to work with, and we wish them well and thank them for their contributions. A special debt of gratitude goes to our political staff for their commitment and hard work that went above and beyond our expectations. I just want to say you truly have been an integral part of our team. Our heartfelt thanks.

\* (03:20)

And last but not least I would like to thank the members of my caucus for the support they

have shown to me as interim leader, for the energy, for the devotion that they have shown in their new roles as the Official Opposition and for the perseverance and the passion they have shown in trying to make and hold this new government accountable. I think it would have been very easy at times for our caucus to choose a different path, but, in fact, given that we are still sitting here on August 18 speaks to the abilities and the cohesiveness of this team, so thanks.

You know, sometimes we do get caught up in the issues of the day and life in this Legislature, but I think we all have to recognize that there is a life that all of us have outside of this Legislature. It is the most important part of our lives, and that is the lives that we share with our families. You know, we share some of the excitement and the joys that we feel when there is a marriage in the family, when there is a child born or a grandchild born. We do share in the happy times.

I do want to say that I feel somewhat saddened to know that there are many in this Chamber who have experienced very personal losses this year, whether it be close friends and certainly many family members. I want to indicate that we all do look at the human side of each other when we are in those situations. I want to say that our thoughts and our prayers are with everyone in those times and just want to indicate, although we may have our differences of opinion on the issues, we all do support each other when we have to go through those difficult times.

I would like to pay special tribute to two members of our caucus tonight, two colleagues that have made significant contributions to our province who are now moving on to exciting new phases in their lives. My colleague and friend the Member for Kirkfield Park (Mr. Stefanson) has always shown himself to be a man of honesty and integrity, an outstanding and very integral part of our caucus. The Member for Kirkfield Park has always represented his constituents and the people of Manitoba in an outstanding way in all the responsibilities he has held as a member of this Legislature. He has always shown that he has the best interests of Manitobans at heart.

The Member for Kirkfield Park has followed in the footsteps of his father as a proud and outstanding representative of the people. Our caucus will miss his advice and his counsel. I would like to thank the Member for Kirkfield Park, I am sure on behalf of all of us in this Legislature, for his outstanding contributions, and we wish him very well as he moves on to a new career.

It also gives me pleasure to pay tribute to the former Premier, the Member for Tuxedo (Mr. Filmon). He has always demonstrated himself to be a true leader through good times and through bad. He always did what he thought was right and was never afraid to face an issue. He was always truthful and always answered questions. The former Premier will always be remembered for turning this province around, for bringing back control over the finances of this province.

He led us through the worst recession since the Great Depression, through Meech Lake and the greatest flood and forest fires this province has ever seen. He was Manitoba's champion on the national and international stage. He believed that Manitoba need not take second place to anyone. Just one of his many achievements, and one I know that he was very proud of, was the Pan Am Games that was a testament very much to that.

He always said that he wanted to make Manitoba the best place to live, to work, to invest and to raise a family. I truly believe that he succeeded in this. He believed we could do anything from right here in Manitoba, and he was right. He led our party, our caucus and this province in true statesman style, and we will all miss his intellect, his analytical mind and his common sense. I am confident that history will judge him as one of the finest premiers this province has ever seen in the modern era, and he can feel pride in his accomplishments over 11 years as the Leader of this province.

On a personal note, I would like to thank him for his mentorship, for his friendship and for all that he has taught me. I am very much a better person because of my opportunity to work for and with our former premier, Gary Filmon.



I just want everyone to know he will always be my premier.

Well, Mr. Speaker, I must move on with my comments. I am not quite sure where to start when I begin to talk about the performance of this government over the last 11 months. I am a bit at a loss on where to begin. I think there is an editorial in the *Winnipeg Free Press* that may set the tone. It is an editorial from Tuesday, June 20 of this year. It says if it works, better fix it: "Don't fix what ain't broken is not advice that new governments want to hear. What they want to hear is that everything is broken and needs to be fixed. Today's NDP has been pursuing this course in classic fashion and with predictable results. They arrived in office determined to show that the Tories left the treasury in a mess, then spent a ton of money proving the opposite. They came into office determined to save medicare and insist that is exactly what they are doing as they cut ribbons at new hospitals built by the former government. They came into office determined to make gambling the economic development panacea for aboriginal people and, well, they're still determined." That says much.

Just to prove the point that they tried to prove that the finances in the province of Manitoba were in a state of disarray, they hired Deloitte and Touche and Ron Hikel at a cost of half a million dollars and undertook a process to try to create a deficit. In spite of all their efforts, we have just seen the year-end report tabled that indicates there was \$11 million in surplus. They bought everything but the kitchen sink and still they could not create a deficit. Well, Manitobans waited with bated breath for the NDP's first budget hoping they would have a little more money in their pockets after May 10. The Government was warned many times, not by us, but there were many articles in the newspapers. I will just quote from a couple.

It says: The Premier and his government are on course to be a one-term wonder. For that, Manitobans who abhor the tax-and-spend dippers can celebrate. But the reason the gang will not be around after the next election is infuriating. With every province from New Brunswick west either cutting or promising tax relief, Manitobans are going to be living in an island of high taxes.

It is noteworthy that two of the other provinces offering tax relief, Saskatchewan and B.C., are run by NDP governments. Apparently only Manitobans are unlucky enough to have a dipper crew who do not realize how important tax cuts are. If this province continues to hobble business and punish individual taxpayers, the inevitable result will be an exodus of both. Then how will the dippers respond. Knowing the record of past NDP governments in this province, they will probably raise our taxes to pay for the increased demand for welfare as our economy shrinks, our property values plummet and unemployment increases. Brilliant.

\* (03:30)

Well, Mr. Speaker, that is not the only article that was written but I think it is one that is very significant. That was a warning that was given to this government before they ever introduced their budget. Manitobans had some hope and they were expecting that they might see Today's NDP, the new NDP, bringing forward a budget that would give them some hope, a little bit more money in their pockets so they could make the decisions on what they wanted to do with their hard-earned dollars. But that, we see, was not to be.

We know what we saw when this budget was introduced. We saw, when an in-depth analysis was done, indeed Manitobans right across the board paid more in income taxes after the Budget than the day before this government's budget.

They failed in that budget to provide a vision or a plan for Manitoba's economy. They failed to protect the strong economic climate established in Manitoba during the last decade. They failed to provide substantial tax cuts to Manitobans. They failed to recognize the importance of tax competitiveness so Manitoba could continue to prosper. They failed to provide any incentive for young people to stake their futures in Manitoba. They failed to provide assistance to agricultural producers affected by severe flooding in western Manitoba. They failed in many, many respects to meet the hopes and the expectations that Manitobans had for this new government, and I just want to confirm or indicate that it was not only we who indicated that they had failed Manitobans.

We saw many articles, again, third-party endorsement, of exactly what we were saying, and if I can quote from just a day after the provincial budget in *The Winnipeg Sun* on Thursday, May 11, it says: Unbalanced budget. We dared hope. We shouldn't have. There were no real tax cuts in yesterday's NDP budget. When it comes to tax reduction, Manitoba is falling behind. The Legislature erupted in NDP-initiated applause yesterday after the Finance Minister introduced his budget. Pardon us if we don't join in. Mr. Speaker, that says it all.

We had several more articles that talked about the voodoo economics of this government, and it also talks about members of the Government and their responses to the Budget, to the Budget Speech. These are not my words. This is again third-party reporting. It says: What you do not hear from the NDP MLAs is why tax cuts are important. Throughout the entire Budget Debate not one government MLA made an economic argument in favour of tax cuts. No one talked about the economic benefits of leaving more money in taxpayers' pockets or the need to stay competitive with other provinces. There is only one reason for that: they do not believe it. Again, Mr. Speaker, that says it all.

Mr. Speaker, we move on to health care. We saw, with great fanfare during the election campaign, significant promises on health care. They talked about ending hallway medicine within six months. They talked about a nursing strategy and that they were going to hire a hundred new nurses immediately upon being elected, that they were going to open a hundred new hospital beds, that they were going to reduce wait lists. They had significant promises around health care, and it was very simple. Just elect us and we will do it. We will fix it overnight. We will have the health care system just humming along like it has never hummed before. Well, we are 11 months into their mandate, and they have failed miserably. Not only do we still have hallway medicine, we are seeing highway medicine. We are seeing people being transported to Kenora for dialysis because it cannot be done here in Winnipeg. We are seeing more people travelling across the border. You know, we saw the now-Premier during the election campaign standing on the highway slapping a sign on a road sign to Grafton: Closed for business. Well, Mr. Speaker,

we know. We know he was not telling Manitobans the truth, and they have failed miserably on the health care side.

But, you know, it is not only those election promises that they have not kept. It is the rhetoric of the Minister of Health (Mr. Chomiak) that we hear all the time and, you know, very easy to continue to blame someone else for the issues. It is very difficult to stand up, to show some leadership and to take some responsibility for what is happening under your watch. The record of this Minister of Health and the rhetoric that we hear in this House on a regular basis just indicates that he has no answers and he has no solutions. His only answer is to blame someone else and try to deflect away from the responsibility that he has to manage the health care system. It is his responsibility. It is under his watch. He is going to have to find the answers. It is past time. It is time to stop blaming and start acting in a responsible manner to deal with the health care issues that face us today.

Mr. Speaker, I just want to move on to education for a few moments and talk about some of the regressive legislation and the attitude of the Minister of Education (Mr. Caldwell) as he has tried to manage and really has mismanaged the education system in our province. You know, he indicated that Bill 42 was fulfilling an election commitment. Well, we all know exactly what Bill 42 has done and that has interfered with another level of government's ability to manage their affairs, namely our schools. It is a complete, an absolute attack on school autonomy.

I do not know why this Minister of Education or this Premier (Mr. Doer) did not abolish school boards. I mean, ultimately they are driving the school agenda. With their cancellation of YNN, they know what is best for school divisions. School divisions do not have any idea; they do not have the intellectual capacity to make decisions on their own. This is a government that deals from on high with the heavy hand and says we know what is best for you.

Mr. Speaker, we have seen that time and time again, just like we have seen the Minister of Education in his treatment of home schoolers, as

hundreds sat in the galleries day after day pleading with this minister. He took them outside and tried to tell them that he was listening to them and indeed did not listen at all. He must have been very embarrassed to pass the legislation that he passed around home schooling.

When we look at the post-secondary education side of things, and I heard the Premier again today bragging about his promise to reduce tuition fees and says that they had done that. What they failed to tell Manitobans and what they hid from Manitobans was the fact that they were going to punish universities by giving students tuition and ensure that they did not have enough money to deliver the programs that they needed to deliver to ensure that we had a competitive post-secondary education system. So, again, they promised something, but they did not tell, they were not honest with Manitobans during the election campaign around exactly what they were going to do to education.

Mr. Speaker, we know the dismal record of this government on the agricultural side of things. We had farmers in southwestern and parts of rural Manitoba that saw their crops not even able to be planted in 1999 as a result of the water laying on the fields. They wanted just the same kind of treatment as other Manitobans have experienced in other natural disasters. When we were in government, we did help. We put a significant amount of money, I think it was \$71 million, into the farmers' hands. This government promised with great fanfare that they would have this wonderful new relationship with the federal government and they would just have to walk out there and the feds would say: How much do you need, and we will just provide it to you.

\* (03:40)

Well, Mr. Speaker, we saw something quite different. We saw this minister go to Ottawa, storm out of a meeting, and that is their definition of co-operation. We have seen farmers in southwestern and parts of Manitoba that were flooded receive absolutely not a nickel from this government or this Minister of Agriculture (Ms. Wowchuk). We have not asked. They blame the federal government, and they say: If the feds would ante up, we will be there at the table.

They do not have to provide the federal portion of support, but if they have 50 cents of every dollar on the table for farmers if the feds are in, why do they not just give those farmers the 50 cents that the provincial government would give them so that they would at least have some money in their pockets? To add insult to injury to those farmers, there was nothing in the Budget for agriculture.

Moving on to conservation, we see a Minister of Conservation (Mr. Lathlin) that has fumbled the ball as far as dealing with either natural resources or the environment in our province. We have a minister that has broken his own laws in his department. We have a minister that does not know whether he is the advocate for natural resources or the enforcer for the environment. He is in a true conflict, and it is this Premier (Mr. Doer) that has put that minister in that position by combining those two departments.

When it comes to management, we have seen the dismal failure of this First Minister. One of the biggest examples of the mismanagement and the fiasco that was created by this government was around aboriginal casinos. The five Aboriginal casinos were not one of their major planks during the election campaign but were one of the first things they moved on when they got elected. They put in place an independent body that was going to assess a selection committee and tried to move it away from having to have any responsibility with any of the detail around selection. We have seen one mess after another after another where communities were not consulted. Communities found out that there was a proposal in to establish a casino in their community. They knew nothing about it. They were not given an opportunity for any input, and we saw two communities indicate very clearly and very strongly that they did not want casinos.

This is very different from what this government talked about when they were in opposition. They talked about public consultation, and they talked about holding referendums, and they even brought in legislation to try to present or promote their point of view. What do they do when they are in government? They do exactly the opposite.

We have seen this Premier create a situation where he had to have a minister resign. He did not have to do that, but I am sure they are just waiting for this session to be over to continue along their path of ramming through and forcing casinos on communities that have not agreed that it is in their best interests.

I can go on to talk about the anti-democratic process that this government has followed right throughout its whole legislative agenda. When you look at Bill 4, The Elections Finances Act, and you see how this government and this Premier have taken away the democratic rights from people to contribute in the political process, it is a shame and it is a sham, and we heard the Premier at committee, when we asked direct questions, indicate that the limits that were set were his limits. He determined them all on his own because he thought they were right. When we asked whether it was similar in other provinces, he could not give us an answer. He could not even tell us what the limits were in other provinces, but he alone made the decision on what was best for individuals and how they could participate in the political process, a gag process at its best.

The highlight, of course, of this session has been Bill 44. We have talked a lot about it tonight. We have had significant debate. We know that this government and this Premier have not listened to Manitobans. They have not consulted with them. They are on their own ideological hidebound agenda, well, maybe it is not their own. I think it is the union bosses' agenda that is dictating and pulling the strings for this government.

We know very well that Manitobans will not forget who is leading and who is running this province. It is the union bosses that are still living in the past. They do not have any concept or idea of what the reality is of the new millennium. As we have seen this government move back to the past and try to go back to the bad old ways, we are going to see our province regress in stature. The decade that we spent trying to build this province and the positive economic climate will be lost.

Over the last 11 months, we have seen an unparalleled lack of leadership by any premier.

We have seen him stumble from one issue to the next. We have seen a trail of broken election promises. We have seen some badly flawed legislation in this session, and that is because they rushed it in without doing their homework on it. We have seen time and time again that they cannot manage. We see that they have no plan and no vision for the future. The bloom is off the rose and the honeymoon is over.

There is one thing before closing that I do want to thank the Premier (Mr. Doer) and his colleagues for. I want to thank them for making such a mess of this legislative agenda that we have developed a strong team that will continue to hold this government accountable, and if anything, the mess and the disarray that we see on the part of the Government has motivated us to work even harder to ensure that this is a one-term government. Thank you, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I shall be very brief. First of all, I would like to thank the Clerk and the staff of the Clerk's office and to congratulate the Clerk for doing an excellent job during the session.

Second, I would like to pay tribute to the Member for Kirkfield Park (Mr. Stefanson) and the Member for Tuxedo (Mr. Filmon), and wish them well in their future careers.

Third, Mr. Speaker, I have commented at some length during the last 24 hours on a number of bills. I do not feel the need to comment more on the session except just to say this, that it has been and is an honour and a privilege to have been in this Chamber during this session to represent River Heights and to be the Leader of the Liberal Party and to be able to serve the people of Manitoba. Thank you.

\* (03:50)

**Hon. Gary Doer (Premier):** Mr. Speaker, to you, Sir, I want to congratulate you on your job and your responsibility to carry out the functions of this Legislative Assembly. It is a quiet Assembly most times, and it is a very simple job, but in those few difficult times that you had to perform your duties, you did it with great fairness and great dispatch, Mr. Speaker, and I want to thank you for that on behalf of all of us.

I want to thank the staff from the Legislative Counsel and the staff of the Assembly, many who are here tonight checking their predictions on the end of the session. Having said that, they have to listen to a lot of speeches in an evening like this and evenings that preceded this. It is and has been for all members and all families, whether they are staff or elected members, a very unusual session in the sense that the election was called a year ago yesterday. The transition took place in October. The Budget and Estimates were put behind any normal calendar. That resulted in a later introduction of legislation. I acknowledge that summer is not the most optimum time to debate important legislation. That, in turn, has put tremendous pressure, I know, on everyone in the House. We are working toward a more normal schedule in terms of introductions.

We respect the fact that it is the government that decides when to come into the session, and it is the Opposition that has the right to end the session. Having said that, it is not the best for families and particularly I know that people have gone through personal tragedies, as the Member opposite has indicated, and even as late as this last weekend a personal tragedy of a member of a person's family. I do acknowledge that the election in the fall did present unique challenges for this Legislature, and I thank all the staff that had to put up with that and work through the summer along with all the rest of us. It has been very tough.

I want to acknowledge the Member for Kirkfield Park (Mr. Stefanson). I, too, have read that he is going to perhaps leave. I cannot understand it. I worked with the Member prior when I was urban affairs minister. I worked with him and former Mayor Norrie on The Forks proposal with former Minister Epp. He is a person whom I enjoyed dealing with in opposition—too long in opposition for many of us—but he was acknowledged a long time in government. He has been and is a very excellent representative for his constituency. The Member opposite acknowledged his family and the great contributions that family make. They all have the Order of the Falcon on their lapels. I understand that is an award from Iceland. I saw him again last weekend at Islandingagurin.

Certainly I wish him well in business. I know that he will do well in that endeavour. I always thought, Mr. Speaker, that some day, at some point in time, we would be running against each other. It is just the way circumstances developed. But I do wish him well, and wish Myrna and his family all the best in their future endeavours, if he does leave. If he does not leave, I will welcome him back here the next time the session is called back.

I also want to acknowledge that I have read in the newspaper that the former Premier will be stepping down. He stepped down as Leader of the party. How many battles have we had over the years in terms of political debate? I always have had tremendous respect for his tactical skills, his political skills, his knowledge of this Legislature, his knowledge of the departments in government. He represented Manitoba well, as the Member opposite has indicated, on the national and international stage.

He has been an excellent ambassador for Manitoba. I know that I read with interest and many people read with some degree of, how should I say it, curiosity about the assignment in Sydney. We appreciate the fact that he will be representing Canada, in terms of the Olympic bid at that location.

Mr. Speaker, we have worked through many times, whether it was an all-party delegation working on behalf of Manitoba, many issues we worked together on. I think the public sometimes sees the areas where we disagree. We have had the odd disagreement over the years, and will probably continue to have the odd disagreement, but there have been times in the past where there is say a company at risk. He would talk to me about talking to the employees, and he would be talking to the owners. I always believed that he had the best interests of Manitoba people at heart. We disagreed about how to get there, but I never disagreed with his motive.

I wish him and Janice and the family all the best again if he does not return, but if he does return, we will wish him back here again. He is training his protégé very well beside him there. I am not so sure he has the same gravitas as the Member on his right, but I wish him and Janice all the best, and thank him on behalf of all the

members on our side for his long and tireless hours.

Mr. Speaker, it is certainly important for us to recognize at this point that we have campaigned and governed always, every hour of the day that we are working on behalf of Manitobans, with a motive and an obligation to put the people, all the people of Manitoba, first in our priorities. It is important to recognize that we, on this side, believe that the Government not only should just manage the affairs of the province, but we should do everything we can every hour we work to make sure that not only the benefits of our wonderful country and our beautiful province go to those who already have, we should work tirelessly to make sure that people without will have hope, opportunity and dignity in our province.

We are reminded of the great words of Franklin Delano Roosevelt, that the test of our progress has not weathered. We add more to the abundance of those who have much. It is whether we provide enough for those who have too little. So, when we sum up today or this morning, and we look at what we are trying to achieve and the criticisms members opposite come to us with, it should be no surprise that we believe strongly that our responsibilities and our jobs in government are not just about changing offices, but changing opportunities for all Manitobans.

We believe strongly that government is not about a title or a fancy office or anything else that comes along with the job, but it is about doing something for those people in our society that want to have hope and opportunity in our communities. So when we change some of the social assistance policies—you know we had the disagreement with members opposite, they cut the nutrition for babies in 1996. We believe that is wrong, that there is more to government than hurting the most vulnerable people in our society. We, therefore, will take a different approach, from time to time, than members opposite. That is as it should be. We should be standing for different beliefs because we are, after all, members of different political parties and campaign appropriately so in election campaigns.

\* (04:00)

Mr. Speaker, that is why our platform and our programs a year ago, in fact a year ago today, when we announced our five commitments to the people of Manitoba in the last election campaign, every one of those commitments was about putting people first. Every one of those commitments we go back to every day to make sure that we are moving in a way and moving forward in way that is positive for the people of Manitoba.

You know, I just remember a moment ago talking about Aboriginal casinos. Members opposite had an opportunity from 1992 to 1999 to have just a few Aboriginal casinos like they do in North Dakota, South Dakota, Minnesota and Saskatchewan, and what they are doing in Ontario today. We do not believe in shutting people out. We believe in bringing people in. We believe in bringing in inclusion in our province and that is what divides us into the people of this province.

We did campaign on health care. I remember the session of 1996, and just let me remind members opposite: privatization of home care, closing all the emergency rooms, cancelled all the capital, fired a thousand nurses; eliminated the RN program. Well, in the year 2000, we are saying start me up, bring back the nurses, train the nurses in Manitoba, bring back the RN program that was cancelled by members opposite. We are expanding home care. We are making more progress on hallway medicine, according to a real independent source, than any other province in Canada. We have opened up the frozen food contract and we have not proceeded into St. Boniface Hospital or the Health Sciences Centre, and we are on the way to keeping all our promises to end the frozen food fiasco that was started by members opposite. We have cancelled SmartHealth, a \$35-million investment with a \$2-million asset. We have standards for personal care homes now. We have a prostate cancer strategy that includes brachy therapy.

We have cancelled the northern patient fee. Members opposite brought it in; we are proud to have cancelled it. Just yesterday we announced dialysis programs for Norway House, and we are

working on the Garden Hill project, again, bringing health care services closer to the people. Let us stop spending money on airplanes and medevacs and welfare, and let us start spending money on programs and services in our communities for Manitobans.

Mr. Speaker, we have worked with our health authorities and reduced—you know, the people in rural Manitoba could not believe that we had two health authorities in Winnipeg. We have saved close to \$1 million by cancelling the health authority in Winnipeg, and we are going from 110 paramedics in the City of Winnipeg seven days a week to 180. You know why? Because when we stabilize a patient, we do not have a nurse in an ambulance going from hospital to hospital. For the same amount of money, we are getting more effective use and a co-operative agreement with the City of Winnipeg, which is absolutely necessary for health care services in this province.

We are proceeding with many preventative health care programs. We believe the environment is very important to our preventative health care strategy. We are banning bulk water exports. We are working strenuously to stop dirty water from the United States being exported into Canada through the Missouri River system and Devils Lake through the Hudson Bay watershed. In fact, when we came into office, the U.S. Senate committee had approved it, and we are working very hard to stop it, in government. We are very proud to say we are making some progress against those very, very long odds in this project.

We have set aside the east side of Lake Winnipeg in terms of the boreal forest, and we have a livestock strategy that balances the utilization of our water, the stewardship of our water and the development and the growth of the livestock industry. Surely to goodness, we should evaluate the back end of a barn before we approve the front end of a barn, and that is what we are doing in The Planning Act here in Manitoba.

We believe education and training is crucial to this new economy. Members opposite just did not get it. All the way through the nineties, they talked about the new economy but they did

nothing about it. We have introduced two major measures to deal with the new economy. We are the first province in Canada that has brought in comprehensive e-commerce legislation, and we are on the leading edge of e-commerce here in Canada in terms of government services. People across this province will be able to do their work with the Government through e-commerce, something that was not even brought in or thought about by members opposite when they were in office.

Secondly, we believe that education and training is crucial to the future economy of Manitoba. We believe public education should respect teachers, parents, trustees, communities, parent advisory councils and particularly trust and respect the future of students by providing quality public education right across Manitoba, and that is what we started to do with our investments in our budget this year.

We have cancelled YNN. We believe it is more important for students in classrooms to be getting core curriculum, core subjects, core opportunities, instead of Cocoa Puff commercials. We are proud that even the Catholic bishops, along with many other groups, have supported this move to ban YNN in our classrooms. That is a promise made in the election and a promise kept.

We are proceeding with our promise to both fund the universities at 3.8 percent, contrary to the Member opposite, and have a \$10-million tuition fee reduction plan for universities and post-secondary education. The difference is dramatic. If you went to Brandon in the next two weeks—a year ago you would have found a 10% increase in tuition under the Tories. Two weeks from now in Brandon, you will see a 10% decrease in tuition. That is the difference of priorities. That is the difference of priorities.

We are proceeding to double the number of community college spots. We believe that members opposite sat on the Roblin report, and we are going to double the number of community college spots, more hope for our young people and more skilled workers for our companies and businesses in Manitoba. The No. 1 priority for businesses is a skilled workforce, and we are delivering on it.

We are keeping Hydro, our third promise. Our third promise is to keep Hydro owned by Manitobans for the benefits of Manitobans. We have kept that promise.

Limestone—which members opposite called lemonstone—is producing a \$150-million surplus a year in Manitoba Hydro on top of having the lowest rates in the world. Members opposite did not develop one watt of electricity. The NDP has delivered that infrastructure and now we can have the dividends for all Manitobans by a publicly owned corporation.

Mr. Speaker, our fourth promise was to deal with the causes of crime and improve the justice system itself. We have introduced greater prosecutor resources in Manitoba. We have more judges now to deal with some of the backlog. We still have a long way to go. We have implemented or begun the commission to deal with the Aboriginal Justice Inquiry. You know, I remember the former deputy premier and the former Minister of Justice saying for too long we have been doing things to Aboriginal people; we have to do things with Aboriginal people. Those were great words then, and you know they are great words now. I am just proud of the fact that the words that were used by members opposite are being implemented by our team in consultation with Aboriginal people.

\* (04:10)

We have introduced Neighbourhoods Alive! We have improved legislation for victims and victims rights. We are increasing the impoundment provisions for vehicles, and we continue to believe that we need a comprehensive approach with hope and opportunity for our young people and a justice system that is responsive. We believe in working in both areas. We do not believe in having video surveillance cameras and guard dogs in our schools. We believe in opening up the gyms and getting rid of the guard dogs, as members opposite campaigned on last year.

Prior to the Budget this year, we made a number of announcements in agriculture. I am surprised members opposite call \$40 million with \$60 million from the federal government that adds up to \$100 million, as not one nickel.

is not one nickel. They are absolutely right. It is \$100 million, and it was negotiated between the federal and provincial governments.

We also have changed crop insurance. Members opposite had 11 years to cover unseeded acres of land. They did not do it. We have done it, and that is progress from the Minister of Agriculture (Ms. Wowchuk) on behalf of all producers in this province.

I recognize that there is still a debt owed to the people of southwest Manitoba, and we still believe that the national federal disaster assistance program entitles those people to that disaster assistance. When I was at a meeting two weeks ago with the people in Melita, producers acknowledged at that meeting that this provincial government had indeed put our money on the table with the federal government to resolve that issue and that the federal government had said no to Manitoba and no to those producers. I acknowledge the comments made by the Interim Leader of the Opposition (Mrs. Mitchelson), and we support the view that those people are entitled to that coverage and must get it.

Mr. Speaker, also included in our fifth promise was to reduce property taxes and balance the Budget. We have reduced property taxes. We have reduced it by investing in our education system at such a rate that we did not have massive property tax increases as we have had in the past and by introducing a \$25-million investment for the property tax credits.

I remember in the '90s when my property tax bill went up \$105. It went up \$16 from the school division, \$14 from the City and the rest from a \$75 property tax cut which is a property tax increase from members opposite. They walked around saying read my lips, we did not raise taxes. Well, that is not true. When you cut property tax credits, you increased property taxes. You increased taxes, and we decreased them for property taxpayers in Manitoba.

We have balanced this budget. We have brought in a balanced approach to our financial affairs. We have brought in income tax cuts that we did not promise in the election campaign, \$100 million in income tax reductions that are in the Budget that will begin to flow to Manitoba



families. What I am so proud about, Mr. Speaker, is, again, consistent with the theme of putting people first, putting families first, the majority of the tax breaks go to people in Manitoba that have kids. The majority of the tax breaks go not to the wealthiest brokers in our society but to people that have kids. The tax credits for kids are the best in Canada. We are No. 1 when it comes to families and working families of any jurisdiction in Canada.

We have changed the tax system. I understand it took a very little amount of time to discuss this today. I do not know whether there was any vote on it, but we had the largest change in a tax system. Did they vote with it?

**Some Honourable Members:** Yes.

**Mr. Doer:** They voted with the tax cuts. They feigned anger about the taxes, and they voted with the taxes just an hour ago in this budget.

Mr. Speaker, the small business tax, the family taxes, the property taxes, when was the last time that we had a budget that reduced property taxes, reduced income taxes and reduced small business taxes? Never. That is why this budget is a balanced approach to Manitoba.

Mary Webb from Scotia Economics: Manitoba is keeping pace with tax cuts, and it is moving on small business rates. It is trying to move across a broad range, and it is doing a good job in its step-by-step multiyear approach, and that is going to keep Manitoba's environment improving, and it sends a definite message that Manitoba is committed over the longer term to reducing taxes as much as possible. The provincial budget provided a major stimulus, both through tax cuts and also spending.

I will put these independent analyses against some of these editorials any day of the week, because that is why retail sales are now predicted to go up by close to 4 percent because of the increased disposable income in this budget as identified by the Conference Board.

We did introduce a number of measures that we thought would help working families. Yes, the labour law changes were controversial. I regret that when Bill 26 was introduced, there

was a polarization of debate. I regret this year there was a polarization of debate as well, but there were people for this proposal and there were people against this proposal. I thought it was rather interesting some of the people that came there that were "independent" and did not have a particular view or did not represent a view going into the hearings, one of them was the Oblates, the Manitoba Oblate Justice and Peace Committee. They said: The minimal amendments of Manitoba labour relations law as proposed in Bill 44 appear to us to be no more than a very small step in achieving the Christian vision of an economy where dignity of the least powerful participants is given the highest priority.

Now, does that not sound a little bit like Roosevelt? Does that not sound a little bit like what we are all about, trying to provide a little bit of measure, a little bit of dignity for those people on the lower end of the economic spectrum? What is the purpose of prosperity? What is the purpose of economic growth? Why should some of us benefit and others not have any opportunity? What is the sense of having a community or a society where not everyone benefits? What is the sense of having a community where the least amongst us do not get any advantages of this tremendous growth?

Members opposite say, well, the economy is so great and it is doing so wonderfully, why touch it? I want to inform members opposite. Yes, the economy has improved in '99 over the previous year, and it has improved a lot more in the year 2000 over their last year. But, having said that, not everyone is benefiting. Not everyone is going out and buying a new BMW, and we believe that, again to quote Kennedy, a rising tide should raise all ships. Why not a little bit of dignity and a little bit of rebalancing for all working families?

Members opposite, you sit in this dome, you kind of see, you hear, you read the media, you hear the media, you watch the media, you hear the kind of polarization. I cannot tell you how many people were telling us and, in fact, in the Committee the other night, it was three to one in favour of this legislation. People out there want to share in the benefits of this economy. We do not want to just see increased economic growth.

We also want to see improved, increased standards of living for all Manitoba families by more disposable income in the families of Manitoba. That is what we are all about. That is why that separates us from members opposite.

Members opposite have been stating that we are going to have doom and gloom and all kinds of other things, but the Conference Board of Canada had a prediction in the spring, and then they had a new prediction in August. The last time I looked, the labour bill, which was before the Labour Management Review Committee in May and brought into this House as members opposite have correctly pointed out in July, was part of the equation of their predictions. The members opposite, like Chicken Little: The sky is falling, the sky is falling.

\* (04:20)

Well, you know what? The sky is brighter; the economy is growing. The biggest problem we have right now is there are going to be more people getting jobs than going into the labour force. Our problem is not the problem members opposite are describing in the past. Our problem in the future is we need more people, more skilled workers, more youth going to our community colleges and taking those jobs. That is the economic challenge of Manitoba. That is why we are working on immigration. That is why we are working on community colleges. That is why we are working on universities, and that is why we will be better in the future with the strategies we have taken.

Mr. Speaker, you get some negative letters when you are in this job and you get some positive ones. Some of the measures for Healthy Child, some of the tax cuts for working families, and some of the cards we got from day care centres because we worked in partnership with the day care centres of Manitoba, some of the cards we got from day care centres makes the few shots we get and the odd editorial all worthwhile. We put more money into early childhood development, into the day cares and child cares in Manitoba than any other government in Canada. Again, we are proud that we are putting people first and we are putting kids first here in Manitoba.

Finally, we are bringing in new election laws. We did not need an inquiry and a judge to tell us to bring in new standards of having election laws. You know, it is interesting, both the Republicans in the United States, John McCain, and the Democrats this last week, are struggling to come to grips with campaign finances in the United States. Well, if they want to look at where to go, they will have to come to Manitoba, because we are going to put people first. We are going to ban union and corporate donations, and I am proud of the fact that this will be good for Manitoba families, good for Manitoba people, and be good for democracy.

Finally, I am proud of the fact that, after 10 long years of recommending that the Cabinet and patronage not appoint the returning officers in the constituencies, we have removed the returning officers' appointment from the cabinet room and put it with the Chief Electoral Officer.

Mr. Speaker, I want to close by saying that democracy will be better served by our laws that ban union and corporate donations. Our people will be better served by laws that we are passing in this session to allow returning officers to be appointed by the Chief Electoral Officer. We have taken the Cabinet out of the election process and put it with the independent office.

All in all, we have put people first, and we have worked 10 months to deal with the priorities of Manitoba families and to work to fulfil our five commitments—health care, hope for young people, keeping Manitoba for the benefit of all Manitoba, dealing with the causes of crime and the justice system, balancing the budget, reducing property taxes. Those are the promises we made, and those are the promises we have kept. Thank you.

**Mr. Speaker:** It has been moved by the Honourable Attorney General (Mr. Mackintosh), seconded by the Honourable Member for St. Norbert (Mr. Laurendeau), that when the House adjourns today it shall stand adjourned until the time fixed by Mr. Speaker upon the request of the Government. Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

**ROYAL ASSENT**

**Deputy Sergeant-at-Arms (Mr. Blake Dunn):**  
His Honour the Lieutenant-Governor.

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

**Mr. Speaker:** May it please Your Honour:

We, Her Majesty's most dutiful and faithful subjects, the Legislative Assembly of Manitoba in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government and beg of Your Honour the acceptance of these bills:

**Madam Clerk Assistant (Monique Grenier):**

Bill 49—The Loan Act, 2000; Loi d'emprunt de 2000.

Bill 50—The Appropriation Act, 2000; Loi de 2000 portant affectation de crédits

**Madam Clerk (Patricia Chaychuk):** His Honour the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence, and assents to these bills in Her Majesty's name.

**Mr. Speaker:** May it please your Honour:

The Legislative Assembly, at its present session, passed bills, which in the name of the Assembly, I present to Your Honour and to which bills I respectfully request Your Honour's assent.

**Madam Clerk Assistant:** Bill 4—The Elections Finances Amendment Act; Loi modifiant la Loi sur le financement des campagnes électorales

Bill 5—The Wildlife Amendment Act; Loi modifiant la Loi sur la conservation de la faune

Bill 6—The Water Resources Conservation and Protection and Consequential Amendments Act; Loi sur la conservation et la protection des ressources hydriques et modifications corrélatives

Bill 7—The Protection for Persons in Care Act; Loi sur la protection des personnes recevant des soins

Bill 8—The Enforcement of Judgments Conventions and Consequential Amendments Act; Loi sur les conventions relatives à l'exécution des jugements et modifications corrélatives

Bill 10—The Cooperatives Amendment Act; Loi modifiant la Loi sur les coopératives

Bill 12—The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques

Bill 13—The Taxicab Amendment Act; Loi modifiant la Loi sur les taxis

\* (04:30)

Bill 14—The Provincial Railways Amendment Act; Loi modifiant la Loi sur les chemins de fer provinciaux

Bill 15—The Water Rights Amendment Act; Loi modifiant la Loi sur les droits d'utilisation de l'eau

Bill 16—The City of Winnipeg Amendment Act (2); Loi no 2 modifiant la Loi sur la Ville de Winnipeg

Bill 17—The Elections Amendment Act; Loi modifiant la Loi électorale

Bill 18—The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail

Bill 20—The Farm Machinery and Equipment Amendment Act; Loi modifiant la Loi sur les machines et le matériel agricoles

Bill 21—The Water Resources Administration Amendment Act; Loi modifiant la Loi sur l'aménagement hydraulique

Bill 22—The Court of Queen's Bench Surrogate Practice Amendment Act; Loi modifiant la Loi sur la pratique relative aux successions devant la Cour du Banc de la Reine

Bill 23—The Jury Amendment Act; Loi modifiant la Loi sur les jurés

Bill 25—The Interpretation and Consequential Amendments Act; Loi d'interprétation et modifications corrélatives

Bill 26—The Court of Queen's Bench Amendment Act; Loi modifiant la Loi sur la Cour du Banc de la Reine

Bill 27—The Correctional Services Amendment Act; Loi modifiant la Loi sur les services correctionnels

Bill 28—The Northern Affairs Amendment and Planning Amendment Act; Loi modifiant la Loi sur les Affaires du Nord et la Loi sur l'aménagement du territoire

Bill 29—The Health Sciences Centre Repeal and Consequential Amendments Act; Loi abrogeant la Loi sur le Centre des sciences de la santé et modifications corrélatives

Bill 30—The Social Services Administration Amendment Act; Loi modifiant la Loi sur les services sociaux

Bill 31—The Electronic Commerce and Information, Consumer Protection Amendment and Manitoba Evidence Amendment Act; Loi sur le commerce et l'information électroniques, modifiant la Loi sur la protection du consommateur et la Loi sur la preuve au Manitoba

Bill 32—The Victims' Rights Amendment Act; Loi modifiant la Loi sur les droits des victimes

Bill 33—The Highway Traffic Amendment and Consequential Amendments Act; Loi modifiant le Code de la route et modifications corrélatives

Bill 34—The Statute Law Amendment Act, 2000; Loi de 2000 modifiant diverses dispositions législatives

Bill 35—The Planning Amendment Act; Loi modifiant la Loi sur l'aménagement du territoire

Bill 36—The Summary Convictions Amendment Act; Loi modifiant la Loi sur les poursuites sommaires

Bill 37—The Miscellaneous Health Statutes Repeal Act; Loi abrogeant diverses lois en matière de santé

Bill 38—The Statute Law Amendment (Taxation) Act, 2000; Loi de 2000 modifiant diverses dispositions législatives en matière de fiscalité

Bill 39—The Insurance Amendment Act; Loi modifiant la Loi sur les assurances

Bill 40—The Business Names Registration Amendment, Corporations Amendment and Partnership Amendment Act; Loi modifiant la Loi sur l'enregistrement des noms commerciaux, la Loi sur les corporations et la Loi sur les sociétés en nom collectif

Bill 41—The Balanced Budget, Debt Repayment and Taxpayer Protection Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'équilibre budgétaire, le remboursement de la dette et la protection des contribuables et modifications corrélatives

Bill 42—The Public Schools Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les écoles publiques et modifications corrélatives

Bill 43—The Sustainable Development Amendment and Consequential Amendments Act; Loi modifiant la Loi sur le développement durable et modifications corrélatives

Bill 44—The Labour Relations Amendment Act (2); Loi no 2 modifiant la Loi sur les relations du travail

Bill 45—The Teachers' Pensions Amendment Act; Loi modifiant la Loi sur la pension de retraite des enseignants

Bill 47—The Civil Service Amendment Act; Loi modifiant la Loi sur la fonction publique

Bill 48—The Rural Development Bonds Amendment Act; Loi modifiant la Loi sur les obligations de développement rural

**Madam Clerk (Patricia Chaychuk):** In Her Majesty's name, his Honour the Lieutenant-Governor doth assent to these bills.

*His Honour was then pleased to retire.*

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I move, seconded by the Interim Leader of the Official Opposition (Mrs. Mitchelson), that this House do now adjourn.

*Motion presented.*

**Mr. Speaker:** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, August 17, 2000

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