

Second Session - Thirty-Ninth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Justice

Chairperson
Mr. Daryl Reid
Constituency of Transcona

Vol. LX No. 5 - 6 p.m., Thursday, May 29, 2008

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	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.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARCELINO, Flor	Wellington	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McFADYEN, Hugh	Fort Whyte	P.C.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
PEDERSEN, Blaine	Carman	P.C.
REID, Daryl	Transcona	N.D.P.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SARAN, Mohinder	The Maples	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELBY, Erin	Southdale	N.D.P.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew, Hon.	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON JUSTICE**

Thursday, May 29, 2008

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Daryl Reid (Transcona)

VICE-CHAIRPERSON – Mr. Rob Altemeyer (Wolseley)

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

Hon. Messrs. Chomiak, Swan

Messrs. Altemeyer, Briese, Mrs. Driedger,
Messrs. Eichler, Goertzen, Mses. Howard,
Marcelino, Messrs. Reid, Saran

Substitutions:

Hon. Mr. Bjornson for Hon. Mr. Chomiak at
10:36 p.m.

APPEARING:

Mrs. Mavis Taillieu, MLA for Morris
Mr. Blaine Pedersen, MLA for Carman
Mr. Cliff Graydon, MLA for Emerson
Mr. Hugh McFadyen, MLA for Fort Whyte
Mr. Kevin Lamoureux, MLA for Inkster
Mr. Leonard Derkach, MLA for Russell
Mr. Ron Schuler, MLA for Springfield

WITNESSES:

Bill 37–The Lobbyists Registration Act and
Amendments to The Elections Act, The
Elections Finances Act, The Legislative
Assembly Act and The Legislative Assembly
Management Commission Act

Mr. Howard Rybuck, Private Citizen
Mr. Michael Richards, Progressive Conservative
Party of Manitoba

Mr. Greg Georgeson, Private Citizen
Mr. Glen Cummings, Private Citizen
Mr. Jim Huggard, Private Citizen
Mr. Darrell Rankin, Communist Party of
Canada–Manitoba
Mr. Mitchel Tripple, University of Manitoba
Students' Union

Ms. Trudy Turner, Private Citizen
Ms. Patricia Flaws, Private Citizen

Mr. Gustav Nelson, Private Citizen
Mr. Del Sexsmith, Private Citizen
Mr. Andrew Basham, Green Party of Manitoba
Mr. Brian Higgins, Private Citizen

MATTERS UNDER CONSIDERATION:

Bill 14–The Criminal Property Forfeiture
Amendment Act

Bill 26–The Legal Profession Amendment Act

Bill 35–The Statutes Correction and Minor
Amendments Act, 2008

Bill 37–The Lobbyists Registration Act and
Amendments to The Elections Act, The
Elections Finances Act, The Legislative
Assembly Act and The Legislative Assembly
Management Commission Act

Bill 39–The Court of Appeal Amendment Act

Bill 40–The Drivers and Vehicles Amendment,
Highway Traffic Amendment and Manitoba
Public Insurance Corporation Amendment Act

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Mr. Chairperson: Order please. Will the Standing
Committee on Justice please come to order.

The first item of business is the election of a
Vice-Chairperson. Are there any nominations?

Ms. Jennifer Howard (Fort Rouge): I would
nominate Mr. Altemeyer.

Mr. Chairperson: Mr. Altemeyer has been
nominated. Are there any further nominations?

Mr. Kelvin Goertzen (Steinbach): I would like to
nominate my friend, my colleague, a man I know
who would fulfil the role of that high office
tremendously.

Some Honourable Members: I can't.

Mr. Goertzen: Oh, I'm sorry. I thought I could
actually nominate the Minister of Justice (Mr.
Chomiak). Then my second choice would be the
Member for Lakeside (Mr. Eichler).

Mr. Chairperson: Okay, we have two individuals
that have been nominated—oh, Mr. Goertzen.

Mr. Goertzen: I'd also like to nominate Mr. Altemeyer in the spirit of bipartisanship tonight.

Mr. Chairperson: Mr. Goertzen, Mr. Altemeyer has already been nominated, sir.

Mr. Goertzen: Oh, so sorry. Then I'll second the nomination, but I'll have another nomination.

An Honourable Member: Are you going to nominate the page?

Mr. Goertzen: I will nominate—well, he would have been my first choice on that side, but my second choice would then be the Member for Fort Rouge (Ms. Howard).

An Honourable Member: I thought I was your first choice.

Mr. Goertzen: Well, you were, but you said you took yourself out of the running.

An Honourable Member: Okay.

Mr. Chairperson: Member for Fort Rouge has also been nominated.

Ms. Howard: I would decline the nomination with thanks.

An Honourable Member: Question.

An Honourable Member: You can't shut down nominations. This is an election.

Mr. Goertzen: Then, seeing that Ms. Howard was unable or unwilling to fulfil that role, I would nominate the Member for Charleswood, Mrs. Driedger.

Mr. Chairperson: Mrs. Driedger has been nominated. Any further nominations? Seeing no further nominations then, we'll proceed to—

Point of Order

Mr. Goertzen: Point of order, Mr. Chairperson.

Mr. Chairperson: Yes.

Mr. Goertzen: Thank you very much, Mr. Chairperson, for allowing me the floor. I would wonder if it's the will of the committee. I know this committee has some powers amongst its own provisions to set some of its rules. We are about to enter an election for Vice-Chairperson, which I think will be important.

The Minister of Justice (Mr. Chomiak) has set forward a number of committee hearings next week, including one that I disagree with, interrupting with

the visit of His Royal Highness, the Prince Edward, who will be coming and we'll be, all of us as members, I suppose, we'll be sitting here and missing that important occasion.

In this particular regard, with the Vice-Chairperson, we need to know that the person who is elected as Vice-Chair would be able to fulfil the role in the times that are committed. We also need to know that they are properly qualified and that they have all of the qualifications we would want as legislators, because ultimately, it is not my Vice-Chair who will be elected, it's all of our vice-chairs who will be needing to serve the needs of all of us as committee members. That's why I think it's important that we have this bipartisan election, that we have a number of different members representing different parties nominated. It would be, I think, useful for committee members, for myself and others to hear them give a short speech in terms of why they feel that they would be appropriate to fill this high position.

I know I certainly have confidence in the members that I've seen nominated from our side. I'm not as familiar, obviously, with the record and the background of Mr. Altemeyer—

An Honourable Member: It's stellar.

Mr. Goertzen:—I'm sure that there is merit to his nomination. I'm sure that he could advise me of the importance of his nomination and how he'll fulfil this important role. I wonder also, Mr. Chairperson, if there might be then leave during those five or maybe ten minutes' comments from each of the individual speakers who have been nominated to become the vice-chairs to determine—*[interjection]* and certainly if members opposite would like to speak, I'd yield the floor to them. But, if there's will then to hear some background in terms of, if they are free next week to fulfil those roles. Perhaps some have decided that they want to go and hear Prince Edward, they'll need to, really want to see His Royal Highness's visit. I certainly would be among them.

I didn't nominate myself or ask to be nominated as Vice-Chair of this committee, although I think, personally, and I don't mean to blow my own horn, Mr. Chairperson, but I do think that I would be a fine Vice-Chair. I think I would fulfil the role honourably and, well, the Member for—

An Honourable Member: Wolseley. It's in the city.

Mr. Goertzen: —Wolseley (Mr. Altemeyer), thank you, suggests that I nominate myself. I'm sure that

somewhere in the rules that's probably not allowable but I'm open to suggestions, if it's advisable. But the reason I didn't ask to be nominated or asked to have this high office, Mr. Chairperson, was because I couldn't fulfil the role. I need to be here, and so I might be away on a couple of other days, and so it's difficult.

The minister might want to know when exactly I'm away, but I won't be able to always fulfil the role of Vice-Chair, and I think in support of their dedication that the individual who takes that role is always here for this committee and acting in a bipartisan way. With that, as I conclude my comments, unless there's a will for me to go on, I want to say, Mr. Chair, that you have fulfilled your role as Chair admirably. I think that all of us can look to you at this stage of the committee as an example of how a Chair should be operating a committee. I think you've been balanced in your decisions and exercised them with wisdom.

*(18:10)

You're fortunate to have, on your right-hand side, a man, Mr. Yarish, who also has significant wisdom and knowledge of our procedures and our rules. I know you rely upon him for his sage advice when you're exercising your office, and I think that all of us could learn, who might become vice-chairs of this committee now or in the future, from the way in which you've been able to, with a steady hand on the rudder, I would say, Mr. Chairperson, guide this committee ship through rough waters. We're early in the process, very early, I would say. We have probably barely started this process in terms of examining Bill 37 and other bills, and so we can all take a comfort in knowing when we come to this committee that you are here to guide us.

You know, we've seen some of the people who are close to you come and present here at committee, people you know from your past, and I think we understand why you have that level hand, Mr. Chairperson, by some of the people who have been associated with you over the years. So we appreciate you, and we hope that whoever is elected as Vice-Chair can learn from your example. We hope that it continues on. We know it will continue on with confidence as this committee process proceeds. So I'm just asking for all-party agreement.

I probably went on longer than I should because it's really a non-issue. I can't imagine there's anybody who wouldn't want to have public speakers or the people who are nominated have a short speech to

give their qualifications and their availability for the role. So this may have been a little more than what was needed, Mr. Chairperson, but we'll just quickly get the approval of all members who believe in democracy, and then we'll move on to have those five- to 10-minute speeches from the Vice-Chair nominees and then make a decision I'm sure that'll serve all of us well in the hours ahead on this committee.

Mr. Chairperson: Thank you, Mr. Goertzen. I just want to rule on the point of order, but first I want to share some information with committee members.

I must inform you that the only business we may consider at this time is the election of a Chairperson or a Vice-Chairperson. Our rule 7(3) states: During the election of a Speaker there shall be no debate. As Marleau and Montpetit state on page 797, committees are extensions of the House, and our rule extends to the election of a Chairperson, a Vice-Chairperson in our standing committees. Therefore, any and all other matters must wait until the election of the Chairperson or Vice-Chairperson has been concluded.

So, therefore, I must rule that there is no point of order.

* * *

Some Honourable Members: Question.

Mr. Goertzen: I just want to say that I appreciate your ruling, and I respect it, Mr. Chairperson.

Voice Vote

Mr. Chairperson: We have three individuals who have been nominated for the position of Vice-Chair, the first one being Mr. Altemeyer.

All those in favour of Mr. Altemeyer as Chairperson, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In the opinion of the Chair—perhaps we should do a count, a recorded one.

Formal Vote

Mr. Chairperson: All those in favour, should raise their hands—that is what I should have said—in favour of Mr. Altemeyer as Chairperson.

A COUNT-OUT VOTE was taken, the result being as follows: Altemeyer 6, Driedger 2, Eichler 2.

I declare that Mr. Altemeyer has been elected as Vice-Chairperson.

* * *

Mr. Chairperson: This meeting has been called to consider the following bills: Bill 14, The Criminal Property Forfeiture Amendment Act; Bill 26, The Legal Profession Amendment Act; Bill 35, The Statutes Correction and Minor Amendments Act, 2008; Bill 37, The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act; Bill 39, The Court of Appeal Amendment Act; Bill 40, The Drivers and Vehicles Amendment, Highway Traffic Amendment and Manitoba Public Insurance Corporation Amendment Act.

As was agreed in this House on May 27, this committee will sit this evening until midnight. Also, for the information of all in attendance, it was announced earlier today in the House that, if necessary, this committee will also meet in this room on the following occasions to consider these bills: Monday, June 2, 2008, from 9 a.m. until 12 noon; Monday, June 2, 2008, at 6 p.m.; and Tuesday, June 3, 2008, at 6 p.m.

We have a number of presenters that are registered to speak this evening listed on the sheets before each of the committee members and are also posted on the notice board at the entrance to this committee room.

Before we proceed with presentations, I will ask for your patience as we do have a number of small items and points of information to consider.

For the information of all presenters, while written versions of presentations are not required, if you are going to accompany your presentation with written materials, we ask that you provide 20 copies. If you need assistance with photocopying, please speak to the staff at the entrance to this committee room and we'll assist you in that regard.

As well, I would like to inform presenters that in accordance with our rules, a time limit of 10 minutes has been allotted for presentations with an additional five minutes allowed for questions from committee members.

Also, in accordance with our rules, if a presenter is not in attendance when their name is called, they

will be dropped to the bottom of the list. Further, if the presenter is not in attendance when their name is called a second time, their name will be removed from the presenters' list.

Written submissions on Bill 37 from the following have been received and distributed to committee members. I believe you'll find a copy of that submission in front of you.

Candace L. Bishoff, does the committee agree to have this submission entered into the *Hansard* for this committee hearing?

Mr. Goertzen: Hang on now, let's not rush to judgment here. I'm just looking at the submission by Mrs. Candace L. Bishoff, noting on the submission she's a private citizen, and received on May 29, so today's date, Mr. Chairperson.

It appears to me, at least on my perusal, that at the top of that submission, it indicates that there's a submission for Bill 37, and then there are some words below that. Just so you can reference it, at the end it says: I would like it to be recorded as being against the passage of this bill in its current form.

Then below that, Mr. Chairperson, members of the committee will see there's a bold line that says, Bill 38, The Balanced Budget, Fiscal Management and Taxpayer Accountability Act. If you look at the bottom of that submission, just as a point of reference, it says: Shame on you, Gary Doer, for doing this to our province. That's the part that I'm referring to. It seems to me that there might be a mistake or I'm confused. I want to ensure that—well, I don't mind, I suppose, if the "shame on you, Gary Doer, for doing this to our province" is entered into the record under Bill 37, but I believe the author of this submission probably intended that it be actually as part of the Bill 38 submission. So maybe the best way to handle this is maybe it should be removed from the bottom of our submission. Perhaps it could be recopied and redistributed for the committee members, because, otherwise, it seems it would be actually including a Bill 38 submission into a Bill 37 hearing presentation.

Mr. Chairperson: I've been advised that this submission was received from Ms. Bishoff and that she has asked that this information be presented to both committees, to allow for the information applicable to each bill to be entered into that committee's records for the bill before it.

So Bill 37 submission would be entered into the *Hansard* of Bill 37 of this committee proceedings,

and Bill 38, if it's accepted in that committee, would be entered into the *Hansard* of the committee that's hearing presentations on Bill 38, and it's my understanding that it has been accepted.

Mr. Goertzen: Just to clarify, then, Mr. Chairman, you said that the submission on Bill 38 has been accepted in the other committee?

Mr. Chairperson: That's my understanding, yes. That's what I've been advised.

Mr. Goertzen: Okay. I was just concerned perhaps that we would have had inequitable treatment between the two committees, and I don't think that would serve the purpose of these committees well.

* (18:20)

I wonder, perhaps, as you put your question, there might be a will of the committee—I see a spirit of co-operation here tonight—we could perhaps read into the record this submission, the reason being, I think, is I know that there are some presenters who will be speaking soon, and they might actually find a benefit of the comments by Mrs. Bishoff. Just as a quick perusal, I see there are a number of significant suggestions that she makes regarding this omnibus bill. She considers it an exiguous sum of money in the overall scheme of things; and it's an astronomical sum. Some of the comments by Mrs. Bishoff, that she makes, I think, would be beneficial, not only for committee members to hear tonight, but, also, for presenters that we have prior to their presentation. It may be helpful in them crystallizing their own comments.

So I wonder, perhaps, if there's leave of the committee for me to read into the record Mrs. Bishoff's submission. If there is leave, I may also—there are a number of other committee presentations I know that over the days have come and been entered into the record, but wouldn't have been of benefit to those who are here to present tonight, so perhaps I could also read those into the record with leave of the committee, which I'm sure will be granted shortly.

Mr. Chairperson: On the request to have leave to read into the record the presentation by Candace L. Bishoff regarding Bill 37, the member does not need leave to read that into the record, even though hard copies have been distributed to all committee members.

The member is only bound by the time limit of 10 minutes. Each member of the committee is

allowed and may use that 10 minutes if he so chooses to read this into the record, although committee members already have it, and, if there's leave of the committee, this information will be entered into the record, the *Hansard* record of the committee.

Mr. Goertzen: I'll take your wisdom. Maybe there's a rule that I'm not aware of. I'm relatively new, I suppose, to this process. I can arbitrarily or decide to just read this into the record? Is that what you're suggesting?

Mr. Chairperson: It will be entered into a part of the *Hansard* record if the committee gives leave for that to happen. Failing that, without leave of the committee, of course, any member of the committee could read it into the record as it currently exists as part of the ongoing debate for which the member's 10-minute time limit would apply.

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): It's interesting, of course, Mr. Chair, is that this committee is quite prepared to have the letter submitted and, as a result, form part of the official *Hansard* that's created as a result of this proceeding. I think it's kind of an indictment on the shallow and callous disregard the Conservative Party has for the environment. They would prefer to have a letter effectively be recorded in *Hansard* twice, wasting more of Manitoba's precious resources.

So I think if the letter is going into *Hansard* which, I think, this committee will give leave to immediately, that will do, and Ms. Bishoff's comments will be forever in the permanent legislative record of this province, but only once.

Mr. Goertzen: I'm going to take your advice, Mr. Chair, not your advice, I shouldn't say, but your allowance for me to read this short one-page record. I guess I could also read the other ones, but I see the sensitivities about that for time, and I think we'll begin our presentations right after I have the opportunity to read Mrs. Bishoff's submission into the record, I think, for the benefit of those who are here with us tonight in committee rooms.

This is submitted by Candace L. Bishoff, a private citizen—I'm going to omit the phone number—May 29, 2008, via e-mail: Bill 37, The Lobbyist Registration Act and Amendments to the Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act. I am against passage of Bill 37 as it is flawed to its core. It was tabled

without public consultation or without consultation with the opposition parties. It embodies omnibus changes to several other acts making it difficult to respond effectively and efficiently. It is hard to separate out the good from the bad from the indifferent. The intent of this bill flies in the face of democracy and is a blatant paternalistic attempt to control messaging by opposing political parties at taxpayer expense. It is offensive to me, as a taxpayer, to have money taken from me against my will to bolster the purses of political parties. The foundation of a taxation system is not to supplement the coffers of a political party against the will of the taxpayer. Choice of support to a political party ought to be a fundamental freedom that is free from political interference. While a \$1.25 may seem to be an egregious sum of money, in the overall scheme of things, the philosophy behind it comes at an astronomical sum.

Point of Order

Mr. Chairperson: Mr. Swan, on a point of order?

Mr. Swan: Now that my friend is in full fun; I hate to break him up, but perhaps he could at least read the letter correctly. "Exiguous" is not a word that I've even come across in my legal career, but I believe the word is "exiguous," whatever that means.

Mr. Goertzen: In fact, it is exiguous, and why I'm tempted to start over again, I will take my colleague at his word. I appreciate his correcting me, and I'll be more careful as I try to represent Mrs. Bishoff correctly. While I consider—

Mr. Chairperson: Order, please. I have to rule on the point of order.

Mrs. Myrna Driedger (Charleswood): On that same point of order, I wonder if somebody could tell me what the definition of "exiguous" is.

Mr. Chairperson: I'm not sure that's appropriate at this time, and will add to the debate. But perhaps that's an item that members of the committee might want to talk privately with each other about a little bit later.

On the point of order, it's a dispute over the facts and, therefore, there's no point of order.

* * *

Mr. Goertzen: Thank you. I'll just continue on representing this private citizen and reading her comments.

When I consider a political contribution, I do so carefully, and to force me to pay a party based on some arbitrary criteria is unacceptable. While there may be some positive aspects to this bill, such as the fixed election dates, the negative ones overshadow, and for that reason I would like to be recorded as being against the passage of this bill in its current form.

Bill 38, The Balanced Budget, Fiscal Management and Taxpayer Accountability Act. I am against Bill 38. Like Bill 37, this bill has not received appropriate opportunity for the public or opposition parties to be consulted. My concern with Bill 38 is that it does not respect the spirit of fiscally responsible government, which, by current law, is measured by consequences flowing from not balancing the provincial budget.

Bill 38, if passed, will allow for a government of the day to incur deficits in its operations without consequence to that government. It may open the door for government to return to deficit financing which cannot possibly be good for Manitobans. We seem to always be reaching with our collective fingernails to scratch our way out of the have-not status that our neighbouring western provinces have been able to achieve. Fiscal responsibility begins at home. That is a message that my parents taught me.

What Bill 38 does, it allows the government of the day to open up yet another line of credit or use another credit card once it fills the current one up in order to manage its expenses. Such fiscal irresponsibility. It sends out a loud message to all Canadians which is that Manitoba is willing to compromise and mortgage its future because it cannot control its present. Shame on you, Gary Doer, for doing this to our province.

I hope, Mr. Chairperson, that I've done Mrs. Bishoff due credit. I appreciate her sentiments and that she took the time to present a written submission. I hope it was to the benefit of presenters here tonight and for those who might read the *Hansard* in the days ahead.

Mr. Chairperson: We're ready then to—oh, I'm sorry, Ms. Howard.

Point of Order

Ms. Howard: It's not likely a point of order, but just for the information of all honourable members here, the word "exiguous," I'm not sure I'm pronouncing it right, it's an adjective, and it means extremely scanty.

So, if nothing else, we've all learned something tonight.

Mr. Goertzen: On the same point of order.

I appreciate Ms. Howard bringing forward the true definition of the word. It is, perhaps, why I nominated her to be Vice-Chair because she demonstrates, I think, many of the characteristics and capabilities of someone who would, at some point in the future part of her political career, be a good Vice-Chair for a standing committee of the Legislature. I'm sure that's one of the high roles that she ascribed to when she ran for public office against many qualified candidates such as—[interjection] Well, some of whom have been here, in fact, if they're still fighting democracy, even though their name is not currently on a ballot, Mr. Chairperson.

But I appreciate the Member for Fort Rouge (Ms. Howard) bringing forward the proper definition. It probably could be applied in a number of different scenarios. I was interested, I would've thought it was something more along the lines of insignificant or meaning something analogous to what the true definition is.

* (18:30)

But I do appreciate the diligence which the Member for Fort Rouge has done. I would, perhaps, in the future, nominate her again to be the Vice-Chair of a standing committee and, maybe at that point, she'll feel more emboldened and confident to accept the nomination.

Mr. Chairperson: Mrs. Driedger, on the same point of order?

Mrs. Driedger: On the same point of order, Mr. Chair. I would note that, while the definition may be that it's a scant amount, it should be noted that what Ms. Bishoff was also saying, it is referenced as seeming to be a scant amount in the overall scheme, but the philosophy behind it comes at an astronomical sum, as it takes away my freedom to withhold my hard-earned money from political parties. I think her emphasis is more on while it seems to be just a small amount of money, it actually has affected her democracy. That comes at an astronomical amount.

Mr. Chairperson: I thank the advice of committee members on the point of order, but I must rule that there is no point of order.

* * *

Mr. Chairperson: I'd like to thank the patience of committee and the public. Just prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in this committee. The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA in the committee or a presenter from the public, I first, as chairperson, must say the name of the person. This will allow and be a signal to the *Hansard* folks sitting directly behind me here to turn the microphones at the podium and the committee table, turn those microphones on and off. Thank you for your patience, and we'll now proceed with public presentations.

Bill 37—The Lobbyists Registration Act and Amendments to The Elections Act, The Elections Finances Act, The Legislative Assembly Act and The Legislative Assembly Management Commission Act

Mr. Chairperson: The first name we have on the list for Bill 37 is Howard Rybuck. Mr. Rybuck, good evening, sir. Thank you for your patience. Do you have a written presentation?

Mr. Howard Rybuck (Private Citizen): No, just a bunch of notes and a little bit of ad lib in between.

Mr. Chairperson: Please proceed when you're ready, sir.

Mr. Rybuck: Thank you for the opportunity, and I was happy to see that somebody's presentation was read. I would encourage this committee to read every presentation possible. I mean, a lot more learned people than I have spent a lot of time preparing presentations, and, for whatever reason, weren't able to attend. I think it's not fair that they are not read. I don't see the need to hurry up these standing committees to get to some date.

I heard Mr. Ken Waddell last night talk about how, you know, legislation is a lot like putting down concrete. It's going to be there for a long time so you've got to think long and hard and not rush to do it. With that in mind, you know, I sat here Monday night watching the discussion on allowing presentations to be read in these hearings only to watch our Premier, Gary Doer, and Justice Minister Chomiak smirk and almost laugh out loud at what I thought was a pretty important discussion. I found it despicable and arrogant of them to just make a comedy of that whole discussion. I think if more

Manitobans witnessed the comedy of these guys or the comedy of the question and answer period, some of these officials would never be re-elected.

You know, I learned tonight that this committee is going to continue into next week, and I would ask that this committee keep in mind that people work during the day, and you just can't leave your job to come here between 9 a.m. and 10 a.m. or to stay up on a weeknight till midnight to be heard. We're all scared that we're going to miss the opportunity because if we can't be here on an evening and then we can't be here on Monday, we don't have our opportunity to say our piece. The committee has to be respectful of people's time and give them a little notice as these hearings are continued. They should be respectful of the MLAs and other people's time as well, I think. If the event going on Monday night with Prince Edward, why rush? Why rush to get through these hearings?

I'm here today because I'm outraged with Bill 37. To see such an incredibly undemocratic bill no longer surprises me from this government. You know, I'm in favour of fixed election dates, but not fixed elections. Manitobans already contribute enough dollars to every election. I believe it's about \$4 million, and to think of taking more money out of my pocket or any other Manitoban's every year is undemocratic, and pretty much theft. This government can't fool citizens of Manitoba any more. Manitobans must be able to dictate where their money is spent and with which party. This government's already gone too far to censor Manitobans by gagging their chosen parties. The idea of gagging my party of choice or having the NDP's long-time bedfellows run political ads or allowing Crown corporations to run political ads—it's criminal. I daresay this committee would look a little different today if the NDP didn't have \$2 million roughly of political ads that were run prior to that last election.

I believe Bill 37 will force Manitobans to financially support parties they want nothing to do with. Furthermore, Bill 37 will seriously limit necessary advertising. Three years ago I moved my fiancée to Manitoba from south of the border. She's a doctor of veterinary medicine, and she came here looking for a better life than New Orleans offered. And she's a professional, a needed professional in this market, and here we are, three years later, and the NDP have done nothing to make her want to stay here. Life's no better here than it was there, and that's pretty sad to say. You know, with the queues for

health care, broken promises and hallway medicine, gag laws, a worthless Kyoto Bill 15, these bills are about all one can stomach. I'm going to be forced now to maintain a residence in two cities, and I would rather support the economy that I grew up in. Shame on Gary Doer and his party for even thinking Manitobans would stand for this type of legislation. I believe this bill must not pass. That's all I have to say.

Mr. Chairperson: Thank you very much for your presentation, Mr. Rybuck. Questions for the presenter?

Mr. Ralph Eichler (Lakeside): Thank you for your presentation. I know that through your tone, of course, and I think that you're a businessman as well, whenever you make business decisions when it comes to advertising. We have been allocated a small amount of money each year to try and get our message out, and we have been allocated, I believe, \$75,000 per year in order to try and get our message out. You reference some \$2 million; I think it's probably substantially a lot more than that, and I know that you, as a businessman, have to make decisions based on your ability to be able to go out and raise money to promote your product and so forth. How do you see the government's reaction? Do you feel they should have a cutoff period before they're allowed to spend money prior to an election?

Mr. Rybuck: Well, I mean, first of all, it's got to be fair for all parties. They should all be able to spend the same amount, and one party shouldn't have the advantage over another by having unions or Crown corporations run ads. It's got to be fair, and it's got to be measurable. The present system does not work, and this bill just encourages a present system that doesn't work.

Mr. Eichler: You also had referenced the time which you waited, and we thank you for your patience and perseverance in order to stay and make a presentation here tonight. When were you first contacted by the Assembly in order to make a presentation? And is there a situation you'd like to see changed in order to not take so much of your time? Because I know you are very busy.

Mr. Chairperson: Mr. Rybuck, you have to wait, sir, until I recognize you to allow your microphone to be turned on.

Mr. Rybuck: Thank you. I was notified Monday night that I should be here, even though, as it turned out, once I arrived I was much further down the list,

and I've been popping in every night because you really have no way of knowing how it's progressing. I thought it would progress much faster than it has, and, you know, as I came tonight, I found that, great, I'm first up.

Now, I also want to address Bill 38, but that's another hearing. I have no idea when that's going to be, but, you know, we all have lives. We have families; we have jobs, and we have sometimes other events going on. It might be a baseball game, and to suddenly find out that, well, I can't come Monday morning, and I can't come Monday night, it's unfair, and it's kind of like two strikes and you're out. If you miss your call and you're not there the next time, you don't get your chance to speak, and I think that's just not fair. So I just ask that this committee be respectful, give people a lot of notice and time. I wouldn't go to midnight ever. I think it's unfair to expect people—you know, if I had to tell Nancy that I was going out at 10:30 at night to make a presentation, you know, she might not believe me. And last night—I work 12-hour days most days, often seven days a week, and so to come after a day's work and sit till 10:30 at night to say a few words, it's pretty hard to stay awake sometimes.

* (18:40)

Mr. Kelvin Goertzen (Steinbach): Thank you, Mr. Rybuck, on a number of different levels. First of all, for your contribution to Manitoba. I know you're working hard and, while your heart is in Manitoba, some of the competitive issues in our province, I know, pull you in other directions. I also appreciate your comment on reading into the record written submissions. I think we probably should be doing that all the time and should have done it earlier, and I'm glad to hear that the Manitobans believe as well that what we tried to fight for early on in this committee process.

You mentioned that this committee process isn't very efficient, and I would tend to agree with you there. The way it works is essentially the first ones who call in registration, you get a higher position on the list and then if there are 200 people on the list the first day of committee, all 200 are advised to come when there's no fathomable way that all 200 could possibly get through in a night or two, or even three nights. So I agree with you the change needs to happen. You might be surprised and hopefully don't become cynical to learn that sometimes, I believe, this government's tactic might be to run committees at strange hours, like till midnight or in the mornings,

or sometimes even through the night to either prevent Manitobans from hearing the debate or to try to knock them off. As you say, the two-strike rule.

One of the things that happens federally, and I've had some experience with their committees, is they actually slot in particular times when individuals will present. So, for example, a committee might be held and you'd phone into that committee, and just because you're the first one to phone in doesn't mean you're first on the list. But you say, you know, I'm actually available in the evenings, and so they'll try to slot you into the evening and give you a specific time. Then you can come for the whole day if you'd like or you just come at your time.

Do you think that that would be a more efficient way for Manitoba committees to run, and to not run past 9 o'clock, and to not run in the mornings?

Mr. Rybuck: Absolutely. You know, I think it's unfair to ever go past 9 or so at night, and if we could give people a pretty certain time that they would get to make their presentation, then they can say, yes, I will be available Thursday night or, you know, I'm going to have to try for another night next week. Again, I'll say there's no point in rushing. You know, there are some good things possibly in the bill and there's a lot of bad things, but without a lot of time to consult people and put a lot of thought into these bills—just because the House wants to quit sitting on, you know, June 10th or 12th, or whatever the date may be, why rush to get this bill passed? Let's just continue it in the fall. There's no urgency in my mind.

Mr. Goertzen: Thank you very much, Mr. Rybuck. I agree with you. We have a hard time ourselves trying to determine what the urgency of the government is. Some, with more suspicious minds than myself, might think it would be the \$250,000 that this government stands to gain of taxpayers' money through the vote tax in this particular piece of legislation. I hope not to grow that suspicious in my days ahead, but some have certainly suggested that here, at this committee.

Would it surprise you to learn—and I know you have connections in other provinces—that there is some legislation that's come forward to limit third-party advertising in British Columbia? There's a very strong backlash to that. In fact, a certain group has said that it's unconstitutional, that it's not fair, that it's not just, or it's not right. Would it surprise you to learn that the group that's fighting so hard to stop

third-party advertising restrictions in British Columbia is the B.C. NDP party?

Mr. Rybuck: It wouldn't surprise me that it's the B.C. NDP party that's opposing third-party advertising. I personally am in favour. You know, it should be allowed. I've thought myself, quite often, that maybe I should get a group of businessmen and we should run our own advertising campaign. The trouble last year was that the unions and Crown corporations bought most of the advertising time, and so even for people who wanted to run business ads, there was nothing available.

Mrs. Myrna Driedger (Charleswood): Thank you, Mr. Rybuck, for being here.

Last night, we heard from some young university students who called this bill dangerous legislation, and they really felt that it was a slam against democracy. Would you have those same kinds of feelings about this legislation?

Mr. Rybuck: Absolutely. I said right at the beginning of my address, it was an undemocratic bill. It's a joke. You know, we're trying to mix too many things into one bill and that just makes anybody suspicious. It's a bunch of smoke and mirrors. If you want to fix election dates, fix election dates and just do that. Don't try and do all these other things.

Mrs. Driedger: Part of the legislation, and others have mentioned that, too, saying that instead of having an omnibus bill and trying to squeeze everything in there so that you're burying a lot of bad stuff in amongst some possibly good stuff really just muddies the water, and that's the intent obviously of the legislation. It's to confuse the public. We saw it even in how the NDP introduced this legislation and they got their bang for their buck when they introduced it late in the day. They got their late news and early-morning newspaper coverage with one aspect only of the bill, and that was fixed election dates. But the part that they deliberately were able to keep out of it was the fact that it was more like trying to fix elections than just dates, and that's certainly coming across in a lot of the presentations here.

One of the things the government is attempting to do through this legislation, too, is prevent me from holding them accountable as I would send mail to my constituents, and what it is going to do to me, basically as an MLA, is prevent me from holding a government to account, and as an opposition member, that's my job.

So how do you think I can do my job if this government is going to prevent proper advertising to tell the public how they're doing? They're not going to allow me to contact my constituents unless they have a look at my direct mail first, and then, you know, a government majority of NDP can tell me what I can and cannot send out to my constituents. Do you feel that that is really cutting me off at the knees from being a good MLA to my constituents?

Mr. Rybuck: It's unconscionable that this government would try and control you in that way. Just nowhere else would you ever see something like that. You know, all we're going to do is we're going to drive every business and Manitoban out of this province.

The bill cannot pass. We have to make sure it's stopped.

Mr. Chairperson: Thank you very much for your presentation, Mr. Rybuck. Time has expired.

Next name we have on the list is Michael Richards. Good evening, Mr. Richards. Welcome. Thank you for your patience.

Do you have a written presentation, sir?

Mr. Michael Richards (Progressive Conservative Party of Manitoba): I do not have a written presentation.

Mr. Chairperson: That's fine. Please proceed when you're ready.

I note, for the record, I forgot to indicate, Mr. Richards, that you're representing the Progressive Conservative Party of Manitoba.

Mr. Richards: I am, indeed. Again, for the record, my name is Michael Richards, as you say Mr. Chair, I am the president of the PC Party of Manitoba.

I recognize the Chair and all of the committee members. I certainly thank you for the opportunity to address all of you on this important, important proposed piece of legislation this evening.

Ladies and gentlemen, I come before you, clearly, as a partisan, but I intend to address you on matters of principle.

Bill 37 engages fundamental principles of our society. Those aren't coloured or bound by political affiliations. We're talking about equality, freedom of conscience, freedom of speech, freedom of association, and this bill undermines the commitment to democracy and democratic freedoms which,

frankly, is the envy of the entire world and which we enjoy in Canada. We live and are blessed to live in a free and open society where we foster vibrancy and creativity through the marketplace of ideas. That's what we enjoy as Canadians and as Manitobans, and those cherished principles are imperilled by this bill, and those stakes, those consequences demand sober second thought. They require thoughtful reconsideration irrespective, ladies and gentlemen, of political stripe.

* (18:50)

I want to begin with the less offensive aspects of this bill and the flaws in this bill. I'll begin with the concept of setting fixed election dates. Now, I'll be the first to acknowledge that that concept is sound. It's a good idea, and frankly, that's why the Progressive Conservative of Manitoba has called for it for some time. All right, there's a little bit of partisanship there, I acknowledge that. But there's a simple flaw in the way this subject, this important subject upon which the parties agree is being implemented. The flaw is very simple. Why delay the effect of the bill? There's one problematic phrase in Bill 37, that portion dealing with fixed election dates. You'll find it in section 49.1(2)(a). This is the phrase, not even a full sentence: unless a general election has been held between the coming into force of this section and June 13, 2011.

Eighteen words, ladies and gentlemen. I'm not sure what we should call this. The Premier's (Mr. Doer) side step, the Doer dodge, but it is clearly his out clause. There can be no argument about that. I totally appreciate that the government is late to the party when it comes to fixed election dates, but you might as well come through the door. That's what's required to cure the bill, deletion of those 18 words.

I'll be happy to deal with some specific questions why the other provisions certainly permit that and permit the discretion that must be required or must be maintained for the Lieutenant-Governor. Perhaps that's better dealt with in questions because I want to deal with the other less offensive aspects and then get to the more fundamental aspects of the bill that do violence to our democratic principles.

Let me briefly touch on lobbyist registration. Here the problem again is very simple. Concept is sound, but the proposed registrar reports to the Cabinet, which means this is the same flawed federal model that attracted so much criticism in the Gomery commission process and recommendations. The

target of lobbying regulation is to prevent undue influence. Well, who has more influence than the Cabinet? Why would you place the Cabinet in charge of the regulatory process to stop undue influence? That aspect of the bill is flawed.

Let me now deal with the more flagrantly offensive aspects of the bill because these are truly repugnant to the lofty principles of which I spoke of earlier and which all of us should hold so dear. Let me start with spending limits. Context here is critical. We live in a world where there exist extensive government advertising and communications. The government is neither meek nor modest. The government trumpets its good work as it sees fit virtually all the time. Consider the range of government communications that we live with as Manitobans: news releases, newsletters, glossy pamphlets and periodicals, billboards, bus advertisements, bulk mail-outs, and, of course, the government's Web site and all of its departments.

Let's put this into some order of magnitude: \$3.1 million were spent in the 2005-2006 fiscal year on government communications and advertising. That included the famous Manitoba Means Business campaign, promotional campaign, in the year prior to the last election, \$340,000 strong. Now, it had a laudable object to tout and promote Manitoba's export industry, but the ads only ran in Manitoba, which is a rather curious way to promote the export industry of Manitoba, not very well targeted. But that is just one small sampling of the range, the power, the influence of government advertising.

Now, against this entrenched advantage, this advantage of incumbency, what can a registered political party spend? Specifically, what can an opposition party marshal against this all-powerful, all-intrusive government spending? Mr. Chair, \$75,000 in a non-election year and \$150,000 in an election year. And even that is caught by an expanded net of eligible expenses which undermines the supposed increase in the election year spending proposed under this bill.

Now, proponents have said, and will doubtless say again, that this is somehow offset by some reduction in government advertising. Well, that provision applies 60 days prior to polling day and, if we assume an average 30-day election cycle, that's what? A freeze on government spending for 30 days pre-writ? And that's just in the election year. What about the other four months pre-writ of an election year? What about the three years prior to that?

The lip service of the government reduction on advertising in relation to the cap and the infringement on political party spending boggles the mind. To suggest that it is an unfair or unlevel playing field is an insult to playing fields. It does violence to any sense of fairness or proportionality.

The next element that I want to address is the tax on votes, the direct subsidy. Now this, mind you, exists on top of already existing public subsidies. Every election, a \$4 million in the form of tax credits and rebates, that's not enough. Apparently, political parties also now need a \$1.25 per vote, which, coincidentally, will mean \$250,000 a year, indexed to inflation for the governing party.

What's wrong with self-sufficiency? Isn't it enough to already have two components of taxpayer subsidies? Why do we need more? Surely, with the advantage of incumbency, government MLAs can raise their own money. Why the offensive extra tax grab?

Now, defenders have said this is necessary to promote free speech. I see the Member for Fort Rouge (Ms. Howard) is here today, is part of this committee. I was fortunate enough to hear the Member for Fort Rouge on the radio today. The member said on a CJOB program that it's fundamental in a democracy to allow opinions to be expressed, even those we don't agree with. That was the rationale offer for why we need direct voter subsidizing of political parties. That was offered in support of the \$1.25 per vote. That is a fine principle, affording free speech to those we don't agree with. I struggle with the application of that to the vote tax, but I'm in full support of that when it comes to spending.

How do we square this circle, ladies and gentlemen? How is free speech a laudable public policy objective in a free and democratic society for the purposes of subsidizing voters and enabling free speech but somehow, when it comes to an opposition political party, free speech doesn't apply? It's much less noble, much less sacred, much less sacrosanct. That is irreconcilable.

We don't live in a society where free speech is fine provided you're the government, and then we can do so and promote free speech on a massive scale but not if you're in opposition. Surely, free speech is not any less important. I'm sure the Member for Fort Rouge would agree that, irrespective of our affiliation, whether you agree

with them or not, our citizens are entitled to free speech, as are our political parties.

They ought not to be sacrificed—free speech ought not to be sacrificed on the altar of political expediency and advantage. There are words for this, ladies and gentlemen; none of them are pretty or elegant: hypocrisy, repugnancy, indecency. Those are the words applicable to a selective application of free speech.

Speaking of which, let us turn our attention now to the proposed changes to the Legislative Assembly Management Commission. More sacrifices at the altar of hypocritical expediency.

How can the government answer Manitobans in good conscience on this point? Where is the devotion from the government members to free speech in the censorship that drives these changes? Does the government have no shame? Would it be any less offensive if the government members were in opposition? How would they feel, then, about that form of censorship where the roles were reversed?

There is an opportunity for redemption. I have some sympathy for many of the government members. I suspect they had little opportunity to reflect and consider, but now is their moment. Do the right thing. Irrespective of political stripe, stand up for those lofty principles. Do the right thing.

* (19:00)

Mr. Chairperson: Thank you very much for your presentation, Mr. Richards. Questions for the presenter?

Mr. Goertzen: Thank you, Mr. Richards, for your presentation and for your work on behalf of not only our party but, I think, in democracy in general and Manitobans overall, regardless of their political affiliation.

I think we all agree that those who work for political parties or volunteer for political parties, in your case, do all democracy a service, regardless of the party that they represent.

Can you indicate for me, Mr. Richards, in your role as president of the PC Party of Manitoba, has that party ever asked for a vote tax to be applied in the province of Manitoba?

Mr. Richards: No, sir. To my knowledge, that is not the case.

Mr. Goertzen: Are you aware if, at this stage, we're seeking to have a vote tax? Are we quite willing, as a

party, to go forward and raise money individually, based on our policies?

Mr. Richards: I'm sorry, Mr. Chair. Let me be clear. We do believe in the Progressive Conservative Party of Manitoba in free speech. We believe that parties should be self-sufficient; parties should raise their own money. Parties should be allowed to spend as much as they want. It's up to Manitobans to judge.

We have a tremendous luxury in this society. We have a fully engaged political process; we have competitive political parties. In my view, we can't have too much democracy.

What's wrong with political messaging? Why do we value so little the judgment of Manitobans? By all means, the party should be self-sufficient. They shouldn't be hindered by spending limits in non-election years or in the pre-election period. Let me be clear. Obviously, there is good, sound, policy sense for election caps—spending caps rather—during the actual election cycle itself, but not otherwise.

Mr. Goertzen: Two more questions, Mr. Richards. Perhaps, both in your role as the president of the PC Party of Manitoba and in your role as a lawyer of some renown in the province of Manitoba, you will know from the question I asked from a previous presenter that the New Democratic Party in British Columbia has launched a constitutional court challenge on the restriction of third-party advertising in that province.

What do you think the chances of that constitutional court challenge are of succeeding? Would you recommend something here in Manitoba as well, if this law passes the Legislature?

Mr. Richards: I'm not familiar enough with the details—I'm putting my lawyer hat on now, Mr. Chairman—of the British Columbia challenge.

I think the concept is certainly sound. I wish that the applicants in that case would have a discussion with their Manitoba cousins about the importance of free speech. That might be a lesson that the government would be well-advised to consider.

I think there's an excellent constitutional basis for such a challenge. There's an even sounder constitutional basis for a challenge of this legislation and I daresay if I could offer a fearless forecast, I suspect there will be a constitutional challenge to this particular bill as being offensive to the Charter of Rights and Freedoms, being unconstitutional,

specifically with respect to section 2(b) of the Charter of Rights and Freedoms.

Mr. Goertzen: Thank you for that legal opinion. I'm confident it wasn't a billable moment, Mr. Chairperson.

When the NDP government brought in legislation to restrict contributions by corporations and unions to political parties, despite the fact, I know, the NDP tried to skirt that legislation through a process known as bundling, the youth wing of the NDP at that time described that legislation as the screw-the-Tories bill.

Obviously, over time, the party that you represent has been able to find a way to do quite well in fundraising.

Do you see this, though, referring back to the NDP youth classification of the first bill as a screw-the-Tories bill, that this is the sequel to that bill?

Mr. Richards: I do believe it is, indeed, the sequel. It's the nightmare—Freddie comes back, part 2.

First, let me say I think it was courageous on the part of the NDP youth to offer that very candid assessment of the bill. Our youth in our society have high regard for principle and they're not afraid to speak on principle. I think all of us should learn those lessons and look at the wisdom of some of our young people when they say that.

I think this, Mr. Goertzen, if I may, this proposed bill is, indeed, the sequel. In my view, it's another illustration of the goal post being moved. The original 1999 legislation was designed to create a politically advantageous situation for the NDP, there's no question, and, as the Progressive Conservative party has adapted very successfully to that new reality, the NDP has now seen fit to try and move goal posts again—again for competitive advantage. They're not comfortable, frankly, relying on the citizens that elected them to fund them directly through voluntary contributions. Instead they have to tax them and mandate that they be supplied with additional working funds to sell their ideas, on top of the tremendous incumbent advantage they have through government advertising. And through their friends—we all know in this province there are very sympathetic third-party groups who advertise and campaign very aggressively in a government-friendly way. That's about as neutral language as I can employ.

Mr. Chairperson: Thank you.

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): Yes. Mr. Richards, it's always a pleasure. We don't often agree on political matters, but you never have trouble advancing what you want to say. I know that you wore another hat in 2006 when you ran for the federal Conservative party against Anita Neville. You did very well, and I believe you got somewhere—it was over 10,000 votes, I'm quite certain. And as a result of that, you received—you got your deposit back so you got half of your campaign expenses. Your supporters got tax credits. And of course, until the next election is called, Mr. Harper and the federal Conservatives will be getting \$1.75 per year for every one of the votes you got, which is indexed to inflation.

Now, I was interested in your campaign. I don't recall you campaigning in any way to do away with any of those three public tranches of contributions to you or to your party.

Mr. Richards: Mr. Swan, with all due respect, you ignore the other half of the argument. Your argument is the sound of one hand clapping. What the Conservative and what the federal regime doesn't also include, and what Bill 37 proposes, is a corresponding limit on spending. There are not the same limits on spending in non-election and pre-writ cycles that you have here. The federal dynamic is much different. A Liberal government brought in, in 2004, the—*[interjection]*

Mr. Chairperson: Order, please.

Mr. Richards: The federal Liberal Party, as you'll be aware, Mr. Swan, was the governing party that brought in that legislation in 2004 that added a third tranche, to use your word, of public support.

Manitoba is a have-not province in confederation as it relates to physical transfers. Our taxpayers are burdened enough. We have enough shortages. We are a net recipient of transfer dollars. Our citizens are burdened and they ought not to be burdened again more on a third level for additional political funding that benefits your party, respectfully, the governing party, more proportionately than it does the other parties. That's unsound. So that's the other half of the story, the federal portrait that you didn't quite paint.

Mrs. Driedger: Thank you, Mr. Chair, and thank you, Mr. Richards, for being here.

We were looking at this legislation the other day, and I would ask you, would you be at all surprised or

even shocked to know that in the lobbyist registration component of this, that there is very broad language used by the government which exempts unions from the same rules that others have to follow. Businesses have to report but unions don't. The government has managed to get around that by choosing to use some very, very broad language about administering contracts versus just negotiating contracts. So what they've done is basically opened the door very, very, widely so that they can speak with unions at any given time, and those unions are not required to live by the same rules as anybody else. Do you think that's a fair way to move forward with this lobbyist registration act?

* (19:10)

Mr. Richards: Thank you, Mr. Chair. Shortly stated, absolutely not, and you're quite right, Mrs. Driedger, to point out the deficiencies in that aspect of the bill. One wonders why all of this had to be lumped together, frankly, and presented on the last available day for the presentation of bills in this session in an omnibus fashion. Doesn't make much sense.

The drafting, and I say this respectfully to the Legislative Counsel branch, is very sloppy. My impressions of The Lobbyists Registration Act were that it was a rushed job, very sloppily done, and that's no disrespect to Legislative Counsel or the drafting. I suspect that the policy direction, the political direction, applied by the government and the minister's and Premier's (Mr. Doer) office, are responsible for that. That's just my speculation, but I struggle to otherwise make sense of the holes in how it is selective to the partisan advantage of the governing party.

Mr. Chairperson: Thank you, Mr. Richards, for your presentation here this evening. Time has expired.

Mr. Richards: Thank you, Mr. Chair, and members of the committee. Thank you.

Mr. Chairperson: Next presenter we have on our list is Al Krahn. Is Al Krahn in the audience this evening? Al Krahn. Al Krahn's name will be dropped to the bottom of the list.

Next name is Don Bruce. Don Bruce. Don Bruce's name will be dropped to the bottom of the list.

Next name is Wayne Anderson. Wayne Anderson. Wayne Anderson's name will be dropped to the bottom of the list.

Next name is Gordon Gillies. Gordon Gillies. Gordon Gillies' name will be dropped to the bottom of the list.

Next name is Kelly de Groot. Kelly de Groot. Kelly de Groot's name will be dropped to the bottom of the list.

Next name is Greg Georgeson.

Mr. Eichler: I was just wondering, Mr. Chair, if we should take a five-minute recess and see if the closed building sign is on. We've had two presenters that have come forward and, to my count so far, we have one, two, three, four that have not been able to be present. So we might want to have a plan of making sure whether or not they are—

Mr. Chairperson: I'm sorry to interrupt you, sir, but this matter is under advisement with the Speaker. I think it would be inappropriate for us to discuss it at this point and, in particular, in this committee while it is in the Speaker's office under review. So, with all due respect, I have to say that we should not be discussing it here at this time until at least the Speaker's had a chance to rule on the matter.

We do have a presenter who is here with us this evening who has responded to the call of the Chair to make a presentation and, with the will of the committee, I'd like to proceed.

Mr. Georgeson.

Mr. Greg Georgeson (Private Citizen): Yes, that's me.

Mr. Chairperson: Welcome, sir.

Mr. Georgeson: Thank you.

Mr. Chairperson: Thank you for your patience. Do you have a written presentation, sir?

Mr. Georgeson: No, I'm just going off some notes that I had received about this bill.

Mr. Chairperson: That's fine, please proceed when you're ready.

Mr. Georgeson: All right. Well, my name is Greg Georgeson. Good evening, comrades. I'm saying that because this particular bill makes me very nervous of the slope that we're going on. Things seem to get more and more one-sided with our government every day. It scares me because, again, I worry not only for myself, but my children and what they're going to have to deal with in generations to come.

Give you a little bit of history about myself. My father worked for Labatt Breweries for 17 years. He was the local president with the brewers' union. He was also the national vice-president of the brewery's workers' union. Very, very strong NDP party member, right to the point where we used to have, on an occasional basis, Mr. Schreyer over at our house for barbecues. He passed away, but one of the things I remember about those days—I asked him about all these meetings he used to go to. Again, I was a young, you know, a younger fellow at the time, and he always seemed to be going off to meetings as well as work. I asked him: Well, what do you do? And he says, well, you know, I'm working with the NDP government. I asked him, I says: Well, what does NDP stand for? He said: New Democratic Party. Well, new, I understand; party, I kind of understood; so I asked him what democratic meant. What he explained to me was, basically, free and equal.

I'm looking at this Bill 37, or these notes for it, and this is definitely not an equal bill by any stretch of the imagination. It really concerns me. The first part of this, No. 1, is the limits on spending. In particular, with me personally, I don't understand a lot about third-party spending restrictions. My interpretation of that as just a regular citizen is that, if I had a million dollars and I wanted to go out and buy a whole bunch of, I don't know, "Gary Doer Sucks" T-shirts and here's why and pass them out during the election time, I'm under the understanding that I wouldn't be allowed to do that.

I don't know, I thought we had rights to free speech in this country. That definitely would impede them. I think basically with people that want to support our government or a political party. If they want to contribute to that, they should be free to do that without restriction.

The other one that really concerns me is the vote tax. I don't understand why we need a vote tax. With the way the system works right now, I'm under the understanding that if people make contributions to political campaigns and stuff, they get tax refunds. There are plenty of other ways of financing these types of things.

The other thing with the vote tax is how it's distributed. Again, getting back to what I was saying before about equality and everything being democratic, if you're going to collect a vote tax and you're going to divvy it out, then if you're going to do that you have to make it fair to every political

party in my opinion. So if you collect a million dollars and there are four political parties, every one of them should get \$250,000. It's simple as that. Even the Green Party. That in my opinion is taking that money and spending it fairly. Where was I with this—oh yes, yes I'm pretty upset about this.

Advertising limits, again, and how those advertising limits are not only financial but again managed, and again I'll read right off of this Bill 37, it allows Cabinet to define the rules of lobbyists registration and appoint the registrar. Well, that's basically saying, well geez, you know what? I don't really like what you have to say. I don't think that you should be allowed to do this. My interpretation of this bill as it's written is exactly that.

Yes. I don't think it's fair and that's about all I have to say on this.

Mr. Chairperson: Thank you very much for your presentation, Mr. Georgeson. Questions of the presenter?

Mr. Eichler: Thank you, Mr. Chair, and thank you for your presentation. You had talked a little bit about the \$1.25 vote. As you know, in the province of Manitoba, we have a hard time getting the percentage of voters out to vote. Do you think the \$1.25 will be an incentive to encourage people to get out and vote or do you think that the actual percentage will be going down as a result of \$1.25 tax that will be imposed on each Manitoban that does vote?

Mr. Georgeson: You know what? I don't think it would be an incentive at all; like, I mean, what's the difference, \$1.25 or no \$1.25? If I'm the average Joe sitting at home watching in front of the TV and I don't feel like going out to an election. You know, I don't think that's going to persuade me. One thing, however, that would persuade me is a little clearer information on how laws are passed.

One thing that was mentioned earlier about regulating, I think it was this lady here that talked about her communications to her constituents. I found out about all of this second-hand. I had no idea that parties like this exist—or committees like this existed. I bet you if you walked out on the street and asked 100 different people, you know, what would you do if you wanted to fight a bill, nobody would know. I think basically if you want to motivate people, get them more involved in the political process, I think more communication with your constituents would be warranted as opposed to

restricting that by cutting down the amount of funding that they're allowed.

* (19:20)

Mr. Eichler: Thank you. I also wanted to get your opinion. I know that you had talked about public awareness and how a committee system works. Do you feel the government's doing their job and opposition's doing their job with the availability to get their information out, so that people like yourselves that are not in the day-to-day political realm can, in fact, have the information that they need in order to try to make intelligent decisions based on the bills as they come forward, rather than just relying on the media to take the spin to whatever's given to them for those tools in order for you to make those decisions?

Mr. Georgeson: Absolutely not. I live in the St. Norbert area, so Ms. Brick is our MLA. Periodically, I open the correspondence that comes through. The last one that did come to our house, again, it was just the one-page leaflet, was basically on the environment and the green policies. I was a little bit disturbed. Looking at the back of this, for instance, there was a bunch of references to Mr. Al Gore. I don't know if anybody has done any research on the movie that he made, but it's been pretty much proved to date that everything, or most of the stuff, although it's not completely untrue, is very heavily exaggerated.

So that being said, I think all our MLAs have to pick up their socks a little bit and, No. 1, double-check their information that's coming out and, No. 2, if you're going to have the government monitoring all this correspondence that's coming out, then again, maybe we should make it fairer and have the Progressive Conservatives monitor all the NDP stuff that's coming out and vice versa.

Mrs. Driedger: Thank you for being here tonight and presenting your views on this.

Would you be surprised to know that the government spends between \$10 million and \$15 million a year on advertising, whereas what they're trying to do with this legislation is basically force the opposition to only live with spending \$75,000 a year? How do you think that creates a fair playing field when they can spend \$10 million to \$15 million, be very, very selective in the information that they put out there to make it look like they're doing such a good job and yet disallow us from spending any more than, right now, \$50,000? Do you

think that does any good for democracy or fairness or equality in this province?

Mr. Georgeson: Absolutely not. Again, every side in a political debate or an election or what have you, should have the right to an equal voice. When one party has structured the laws and that, they're allowed to put on multimillion dollar advertising campaigns where the other one is less than \$100,000. Absolutely not, that's definitely unfair.

Mrs. Driedger: We've been looking at some of the total costs that the government has spent on advertising since 2000. That was the year they brought in the cap that we could only spend \$50,000 a year. When we look at a six-year period, the government spent, pretty much, \$70 million on government advertising, while at the same time basically holding us to a \$50,000 cap. So it makes it very difficult for oppositions to hold a government accountable. The public has, on many occasions, and I think you've even made a small reference to it tonight, too, that we have to do a better job of informing the public about what's going on.

Do you think that by us being held back from being totally honest about what we are seeing and experiencing here is going to, basically, make it look like the government is doing an absolutely perfect job because they're going to be preventing us from criticizing them in any way? So in fact, they're really skewing the picture.

Mr. Georgeson: Oh, absolutely. Absolutely. Based on what I've read with this bill, I'm looking forward to the day that the NDP starts government television and restricts all the advertising onto the television, so that they censor it that way.

As things get more progressive on the left side of things, like I say, I personally think we're going to get to a point where it's going to take generations to get back to where we actually have some freedoms.

Mrs. Driedger: Would you be surprised to know that, when the NDP were in opposition, they sent out a lot of direct mail that actually—I have some in my possession too—was very partisan and actually pretty vicious in their attack on government? Now, what they are trying to do is exactly the opposite in this legislation.

Do you find that hypocritical of this government?

Mr. Georgeson: Absolutely. It is hypocritical. Again me, as a taxpayer, I feel that I have the right to know

what's going on in our government—the good, the bad and the ugly.

One thing that completely disgusts me is, when I am sitting there watching television and, for instance, seeing all this money wasted on this Spirited Energy campaign and everywhere I look I'm seeing these logos and stuff like that, I'm going, well, wait a minute, my wheels are falling off my car from hitting potholes. Why are we blowing all of this money on this?

Again, if there's going to be information coming out, I want to know—I don't want to know about all that kind of stuff. I want to know about this kind of stuff that's going to affect my rights and freedoms.

Mrs. Driedger: Do you think that, if the NDP were in opposition right now, they would support this legislation?

Mr. Georgeson: Definitely not.

Mr. Goertzen: I have two questions for you, Mr. Georgeson. Thank you very much for your presentation and for coming out this evening.

You mention that you weren't sure why the NDP government would bring in a vote tax in Manitoba. Would it surprise you to learn that, during their first five years in government, the NDP significantly out-raised, in terms of funds, the PC Party of Manitoba and only over the last three years has the PC Party of Manitoba started to raise significantly more than the NDP and that gap is growing?

Do you think that that might have something to do with the vote tax they now want to bring in to give themselves more money?

Mr. Georgeson: Well, absolutely. Through the election, they've earned their mandate to try to position themselves where they want to be. They're just trying to get as much money as they can to try to be competitive. Now again, personally, working in the business world, I think it should rely more on management, like good sound management, sales skills and fund-raising abilities, as opposed to making a law saying, everybody's got to contribute X number of dollars.

Mr. Goertzen: Opportunity to be here every evening for the presentations and heard virtually every speaker who's come before this committee, almost unanimously the presenters have said that they don't believe the vote tax—the \$1.25—is necessary, with three notable exceptions.

Three representatives of unions have come here, all saying the same thing, that they think actually the \$1.25 isn't enough, that the political parties should get more than \$1.25 per vote. That was only three unions suggesting that. Have you run across any Manitobans, just ordinary Manitobans, who have said to you that there should actually be more money given to political parties?

Mr. Georgeson: No, I've never heard that before from anybody that I've ever met.

I've talked about this one with my wife, my workmates; everybody is disgusted that yet, again, we're paying more tax. Again, inflation is creeping up. It disgusts me to think that, rather than really, really informing people on inflation and our taxes and how and why we're taxed, governments seem to just simply keep just like this, we write the rules.

* (19:30)

If you took 3 percent inflation now and 3 percent inflation on how it was written 10 or 15 years ago, with the way that they keep rewriting everything to make it sound and sugar-coat everything, no, absolutely not. I don't think anybody that I would associate with would agree to pay more tax.

Mr. Chairperson: Thank you very much for your presentation, Mr. Georgeson. The time has expired.

Mr. Georgeson: Thank you.

Mr. Chairperson: The next presenter we have on our list is Glen Cummings, private citizen.

Good evening, Mr. Cummings. Welcome back to the Legislature. Do you have a written presentation, sir?

Mr. Glen Cummings (Private Citizen): I don't have a written presentation.

Mr. Chairperson: That's fine. Please proceed when you are ready.

Mr. Cummings: Well, thank you, Mr. Chairman. I must admit that I have a bit of a dilemma in addressing this bill because I am in favour of set-date elections, but this is an awfully bad way to get to that end, in my opinion. If we are indeed sure that we want to have set-date elections, as I recall, one of the last bills that was debated about set-date elections comprised about half a page. That would have accomplished what we wanted to do with set-date elections in order to set the date and make it predictable.

This bill, being the omnibus bill that it is, is including so many things that it pretty well has a poison pill in it when it comes to set-date elections. That, in fact, bothers me very much because so many people have expressed their opposition. You are going to have to bear with me because you probably heard almost every comment that I'm going to make ten times over already, but I would submit that that probably makes it even more important that the government and the minister responsible take a careful opportunity to carefully reconsider where they are planning on taking this bill because one of the concerns that—I have two concerns that I see that encompass aspects of this bill, both matters of principle.

One is the way in which we might support political parties through tax money support, and whether or not there is really now going to be imposed a capacity for censorship on MLAs who wish to communicate with their constituents. It is, I think, one of the most important things that any elected body can do is to leave an opportunity for better government behind them, an opportunity to encourage intelligent, thoughtful people to seek elected office and to make it so that the government, when it is in place, can be seen to be fair and governing on behalf of the best interests of the public.

I'm afraid that putting this bill together in this manner does none of that because it leads to comments such as were heard yesterday on a call-in show and perhaps others in this room heard it, referring to national political parties, but it probably refers to others as well in the provincial setting where we are nothing more than multi-level marketing agencies. I think that's, frankly, how this bill tends to put political parties. It's about getting enough funding together to control the communication aspect and taking away the responsibility of actually communicating and being able to work with the general populace to get the support that they need in order to form government, and actually provide representation that would be useful and practical and apply to what the people of this province need.

I don't mean to make my comments sound anything more than a gut reaction that I and many others are having to this legislation of this nature, because it goes far beyond what I think most of the public anticipated would be, first of all, in setting election dates. Secondly, it goes against a principle that I personally hold. That is that there is a

responsibility on the part of politicians and political parties and their organizations in particular to be able to demonstrate that they can, in fact, get support from the public, not for monetary needs, and that when they communicate, the very nature of communicating political messages or communicating criticisms of a government can only be categorized as partisan. Very difficult to vision how you would write a letter or send out a mailer to a constituent criticizing the government for what it was doing and having it not called partisan.

It's the very nature of our democracy; it's the very nature of government proposing and the opposition opposing or proposing alternatives. It is a process whereby we criticize the actions of the government, if we are in opposition, or if we want to communicate, and the government is communicating what they would consider to be a non-partisan message. They're simply saying, this is what we are doing really for someone who does not support what that action might be. That's a partisan communication because they are not giving a balanced message which says, perhaps they should have done this or this is what could've been done to make it a more effective policy.

I just heard recently, a few moments ago, comments about the Spirited Energy campaign and campaigns of that nature. It was a piker compared to other feel-good advertisings that can come from government. That is the nature of government being able to put out messages to the citizens of the province, and that has and will continue to happen as governments use various means to try and get their messages out.

But why would any government that believes in democracy then turn around and use legislation such as this to try and limit the opportunity for those who want to propose an alternative or put out a critical message? Why would they attempt to make that impossible or restrictive or put a censorship on it? A censorship has a connotation, and I choose that word intentionally because while there may be people in this building who know what it will mean to have it vetted by a committee, it can be easily interpreted that committee will be able to be controlled, albeit from a distance, by the nature in which they are appointed, by the nature of the people who are put on that committee.

It seems to me that in any situation where you have an elected majority you know that the people that will be appointed will likely have an opportunity

to—well, there's no way that you're going to be able to have a vetting committee that will be a completely non-partisan operation. The very nature of censorship means that you do have to recognize that people, no matter how pure and honest they might be, come with their own biases, and you're inserting a judgement on an opportunity to communicate to the citizens of the province that simply should not exist.

It's the very nature of our legislative and parliamentary system, and if we have to throw the baby out with the bathwater, then we must withdraw this bill or send it out for further consultation. Obviously there are those who believe that they should have an opportunity to have their voice heard, but one of the very tenets of getting your voice heard, in my experience, is that you need to be able to demonstrate that you have people who are willing to join you in sending that message forward, which is the nature of a politician communicating and gathering information and gathering support for a point of view.

I am very troubled by the fact that we are now going down a path that appears to be dreamed up in the board room of those who are more interested in political stealth than they are in the promotion of democracy in this province. I really would encourage all members, and I know this is not my opportunity to ask questions, but I am sincerely concerned that the rumours are floating around out there that it would appear that many members of the NDP caucus were not aware of the implications of this bill or that it was going to be on the legislative agenda. If that's the case, then that makes this even more troublesome, and I don't want or expect an answer, but I want to raise that question in people's mind, and they can deny it if they wish to.

* (19:40)

But, Mr. Chairman, paying taxes to support election costs is already established in this province through the rebates that we receive. I received a good-natured gibe in the halls on Monday saying, don't worry; I know how much you got on a rebate. The fact is that we already are far enough into the taxpayers' pockets. I would hope that members of this Legislature would reconsider the intent of this bill, and, if it is going to go forward, that it should have further consultation, because, believe me, in the area that I am familiar with, you will get a reinforcement of the type of messages that you're getting to a large extent in this committee, and that

is, enough is enough, and we do believe that freedom of speech is not being enhanced by what's happening with this bill.

I have one other concern, and that is where are the Manitoba Elections and where are they in this process? This appears to be very definitely entering into the realm and potential responsibility that would be exercised by what is our independent governance of an election process. It seems to me that they may well have been bypassed as well.

I ask that we take a good look at this, and if we can't amend the bill in a very large way, then I would recommend that this bill be withdrawn and that we deal only with set date elections. I even taught myself to say set-date elections not fixed-date elections. Thank you.

Mr. Chairperson: Thank you very much for your presentation Mr. Cummings. Questions for the presenter.

Mrs. Driedger: Thank you, Mr. Cummings, for being here, and for your very compelling words about this particular legislation.

I know the NDP have a great deal of respect for you. I have heard a number of them make those comments over the years. It is not something, I don't think, any of them ever made lightly. There is a great deal of respect for the way you did your job as an MLA and for the thoughtfulness at which you always approached whatever you did as a politician. Based on that, I certainly hope that they are going to pay particular attention to what you're saying.

I would ask you, do you think that because of this legislation and the more the public becomes aware of it, particularly the vote tax aspect of it, do you think that over time, because I don't think the repugnant view that people have about the vote tax—I don't think that's going to go away; I think that's going to grow. I have a great fear that that is going to lead to a public backlash and perhaps even a greater number of voters staying home.

Do you think that could become a real possibility with legislation like this?

Mr. Cummings: Mr. Chairman, I am worried about the public apathy and the lack of public interest in participating in the democratic process in this province. While our turnout at the polls is reasonable, it does not necessarily bode well for the future in the turnouts that we get at the polls.

That becomes a worrisome matter in terms of introducing this type of legislation because it can have the result that you suggested, that people will become even more turned off because they may take the opinion, and I know some will take the opinion, that this is another way of politicians getting the taxpayer to pay for their activities.

It's really about whether or not the taxpayer believes they are getting value for money in the legislation and the type of government that is being delivered. This does not enhance democratic involvement in this province at all, in my mind.

Mrs. Driedger: There were some students here last night. I wish more people could have actually heard them. They're young university students, very excited at an opportunity to present here. It appeared they spent a lot of time putting their presentations together. They actually went as far as calling this a very dangerous bill and that it was a slam against democracy.

There is such creeping cynicism about politics as it is. I have great fears that we are going to see a continuing erosion in that area because legislation like this, especially the way it's being done by this government—you know, the manipulation of the public, of politicians, of the media, in trying to move this legislation forward is not going to do anything in Manitoba to promote the whole concept of democracy.

In a week where we had the President of Ukraine here, I would venture to say that, if he sat in here and listened to some of these discussions and heard some of these Manitobans talking so eloquently about their views and about principles which they believe in and about the significance of democracy, I think he'd be pretty appalled at what he is seeing and hearing here.

So, when we look at the name of the New Democratic Party, when they've actually now removed the democratic or democracy part of their title, I wonder what would you suggest their new name should be.

Mr. Cummings: This is probably one time I should not rise to the debate. There is a thought that comes immediately to mind when you described your thoughts just now because as it becomes a double-edged sword which I think a lot of us—I don't want to sound like an old codger, but I look like one, I suppose—but the fact is, the ability of MLAs to communicate has changed dramatically over the years. There are others in this room who have

experienced the same thing and know as much about it as I do, but I've become very concerned whether or not the nature of our communication is going to be controlled in such a way that it no longer provides the clarity as to what the actual position and thoughts of the MLAs and/or the government is, I suppose, to certain topics because no party ran with this as part of their platform. I paid fairly careful attention in the last election. No one had this as part of their platform.

There was the Conservative Party that wanted to have set-date elections, but the balance of the thrust of this bill was never debated during the election. So I'd suggest that there is plenty of sound reason, and I guess if I can make one truly non-partisan comment, I believe that governments too often don't recognize that they can get a lot of credit for being willing to change their position when it's been demonstrated that perhaps there was something wrong with the type of legislation that was introduced. To be honest, I probably carry a few scars from that same situation.

Mr. Eichler: Thank you, Mr. Cummings, for your words of wisdom. We certainly know that your passion for the issue is renowned around this building, that you actually brought a bill forward. In fact, I seconded that motion a couple of times for you.

My concern is that now that you have a little bit of extra time on your hands and you're out in the public and around the coffee shop and that, do you feel that the information that has been provided out there on set election dates that's been brought forward is simply just that, rather than the actual detailed information that has been brought forward in this bill, is not really out there for the public to understand? In fact, I think it's probably been labelled as a non-partisan bill, if you like, that says, look, we finally agree with the Conservatives. We need set election dates and we'll roll the rest of it into it.

Mr. Cummings: Well, in fact, my limited communication out in the hills where I am, when I first saw the headlines, I thought, wow, this is a change of direction, but probably a good one. I can support that. Maybe Mr. Doer and I are more on the same page than I thought we were. Then the rest of the bill started to spill out. Frankly, I wasn't motivated, to begin with, to come and participate in this manner, but I do feel that this is making a mess out of any possibility of bringing in set-date elections and changing what I think will ultimately be an

important way of involving people in the electoral process that we need to involve. Those who are there because they want to serve and those who have busy lives now and can start to plan in advance when they would work towards seeking nominations and participating in the process—the radio in my tractor and the radio in my barn are my sources of communication, by the way.

* (19:50)

Mr. Goertzen: I just have a comment more, perhaps, than a question. Thank you for coming, Mr. Cummings. As one of the younger members of our caucus, I was fortunate to serve with you for a short period of time. You've been well represented by your successor, but I appreciated the time I had to learn. Regardless of the motivation for the Premier (Mr. Doer) of bringing in set elections—and I think it was probably less of a conversion on the road to Damascus and more, as you suggest, perhaps, a convenient way to sell what's otherwise an unsalable package of legislation.

I do think that you should take pride in your role. There was never any question in our caucus, or I don't think in the Legislature generally, about your desire and strong motivation to have set election dates for all the right reasons and not, perhaps, for some of the wrong reasons that seem to be creeping up in this particular piece of legislation.

So, on behalf of our caucus, I would say thank you for your dedication and we'll see, perhaps, set election dates come forward maybe separately from this omnibus piece of legislation, but you should take heart in knowing that even though you're not here every day, you're still making a difference to the work that you made in the Legislature. Thank you very much.

Mr. Cummings: Thank you, and if I could make one quick comment. I actually want to credit the minister, having heard, I think, on the news that he was open to revisions or amendments. The only problem is, I think there are some pretty major ones that are needed.

Mr. Chairperson: Thank you very much, Mr. Cummings, for coming out this evening and for your presentation.

The next presenter we have on the list is David Keam. David Keam? Seeing that David Keam is not here this evening, his name will drop to the bottom of the list.

Next presenter we have on the list is John Krestanowich. I hope I've pronounced that name correctly. John Krestanowich. John Krestanowich's name will drop to the bottom of the list.

Next name we have on the list is Jim Huggard. I hope I've pronounced your name correctly, sir. Welcome. Thank you for your patience. Do you have a written presentation?

Mr. Jim Huggard (Private Citizen): No. I just have my own speaking notes.

Mr. Chairperson: Please proceed when you are ready, sir.

Mr. Huggard: Thank you, Mr. Chairman. Good evening, ladies and gentlemen. My name is Jim Huggard. I thank you for the ability to speak on Bill 37 before it is taken any further. If this bill is allowed to pass, it will place restrictions on many fundamental rights of Manitobans.

My understanding of this bill, the content that is below the slick exterior presented, is: more public funding of elections; imposed restrictions on advertising and mail-outs by MLAs; adjust limits on advertising before elections; and regulation on individuals and groups on how you may lobby the government. I would like to speak to some of these points.

I do not agree with any new tax dollars financing political parties whose policies I do not agree with. There are enough tax dollars spent today that are given to political parties. No more new taxpayer dollars should be given to any political party. If a political party wants more monies, then it's their jobs to bring forward policies and ideas that will gain support from Manitobans. People support parties when they agree with a political party's direction. Political parties should raise their own monies.

My question: why is the present government asking for these taxpayer monies? Because they're not able to raise enough funds through supporters that believe in their directions, policies and morals? Are the present government supporters seeing something they do not like in closing their chequebooks?

A very scary idea is allowing the ruling party to control the communication opposition parties may have with Manitoba voters. Why would you limit and censor the abilities of MLAs to communicate with Manitobans? Are we going to allow the control

of our freedom of speech to be limited? Why would you not allow any information of MLAs to be distributed? What evil is lurking in this building that we do not want people to hear, or exposure to?

If this bill is allowed to pass, what are the basic freedoms that will be infringed on next? Will we lose our ability to have association assemble unless it is approved by a ruling party?

How can you limit advertising expenses of a political party in a non-election year to far less than the cost of a stamp for each voter?

Although I have not spoken to two basic flaws in this—excuse me. Although I have only spoken to two basic flaws in this bill, this bill is a subtle method to muzzle opposition and strengthen the position of the ruling government. This is an uneven political playing field for any party that does hold office today.

In conclusion, if Bill 37 is so transparent, accessible and fair, why do I have so many questions on its intent today and future implications? Why does it seem so pristine in the way it's presented, but a little murky, a little foul, and a little sinister upon examination?

There was an earlier reference made here to a movie. Well, as I sat back there, there was a movie I came up with, and it was called *Ghostbusters*. I'm getting a little feeling that I'm getting a little slimed here.

Mr. Chairman, I tried to keep this very short and sweet, and that concludes my presentation. Thank you very much.

Mr. Chairperson: Thank you very much, Mr. Huggard, for your presentation. Questions for the presenter?

Mrs. Driedger: Thank you very much, Mr. Huggard, for coming out. I know you've been here—I think I saw you here more than just tonight. So you've been very patient in coming out and very well articulating your views on this.

Have you spoken with a number of people out there, and are you getting any sense of how much the public really knows about this particular legislation? Or are people more of the view that there's only this legislation out there that talks about setting election dates? Do you think there is, you know, enough knowledge out there for this kind of legislation to go forward?

Mr. Huggard: I find this, your question, kind of interesting because I've always believed that when you're very close to a source, you think everybody is aware of the source. On a personal basis, all I have been able to find is letters in the editorial section of the newspaper, the *Free Press*, and if you're so minded, you will stop there and read it. Today, also, while driving down Portage Avenue, I heard a bit of a talk radio show, and I believe there were two people, I guess I'll use the word "debating" the \$1.25 on the election situation, or the bill situation.

Mrs. Driedger: For a piece of legislation that is fundamentally going to change so much of the political process in Manitoba, do you think the government should do public consultations throughout the province? Should they take out, you know, some form of advertising? They don't seem to hesitate to spend, you know, \$15 million a year on some things like Spirited Energy, for instance. Maybe \$3-million worth of advertising on a bill like this, to inform the public about what's happening. Do you think those types of public consultations or passing on of information should be something that is happening with this particular kind of legislation that is so, so significant to the future of this province?

* (20:00)

Mr. Huggard: To speak to your question, I've never been to one of these things before, but this is the first time that I felt that I'm getting trampled and, for something of this major issue, I believe there has to be some time for at least the proper debating to happen. The people that are so inclined have the ability then to be able to work with it or discuss it.

To answer both of your questions, I don't believe if you went into a Tim Hortons at 10 o'clock, the majority of people there would be discussing this piece of legislation that is going to affect them today and in the future, if it passes.

Mr. Stuart Briese (Ste. Rose): Thank you for your presentation. I'm pleased to hear that you felt moved enough to come and make a presentation on this bill. It does certainly appear to be an assault on some of our democratic principles, and, definitely, it appears to be something that's placing censorship on the citizens of Manitoba.

The question I think I would like to ask you is what your view is of third-party advertising, political advertising.

Mr. Huggard: I guess your question is basically along the lines of—I believe in the last election there were numerous advertisements on the media that played one party ahead of another party or left the impression with somebody that there was something lurking in the closet of another party.

I guess the fear I have is if you have the ability to stack a deck, it leaves people with the—they don't have the ability to fight fairly and fight as best their abilities. The dollars that are spent—back to what I tried to say in my presentation—all I want is the fact that I want no more of my money spent by other people on things that I don't think they should be spent on.

Mrs. Mavis Taillieu (Morris): Thank you very much for your presentation. I was just noting your point on what could be next? Freedom of association. I think that when you talk about limiting political parties in their freedom of expression to their constituents, you do start on that slippery slope. You know, most times when you have legislation, there are people that say, we want something. I don't know, but I haven't heard anybody say, I'd like the government to tax me on how I vote or when I vote.

Now, I'd just like to ask you: Have you ever heard anybody say that?

Mr. Huggard: No, I have not heard anybody say that, but I'm going to try and say something here. I've always tried to, when I've got into a debate or in my business dealing with somebody—sometimes when I talk to my colleague or the person I'm trying to work with, sometimes we're so close to things that we stop seeing what's going on any more. So, if we are to take this into—what I guess is, what is an analogy that you can use to take this away from two bodies that are fighting against each other, and fighting may not be the right word, but in opposition to each other, but allow the clarity of this thing to come forward, I guess is what I'm trying to say.

Mrs. Taillieu: Thanks very much. You raise a point of when you're so close to something and you're in it, you don't really see it from a distance. From my previous professions in management, we term that "group think," in which a body was so close and so internal into what they were doing, they couldn't see beyond that.

I think that what we are seeing here is a government that's so entrenched in getting what they want and furthering their own political agenda at the expense of democracy, they can't really see what

Manitobans are saying, and they're not listening to what Manitobans are saying.

So I think you raise a very, very valid point, and I hope you take that out of this room to other people.

Mr. Chairperson: Mr. Huggard, did you wish to comment?

Mr. Huggard: I guess my fear in this country is—we can't turn on the TV set without the United States flag and their hand over their heart and all of this but, one thing sure about the country south of us, they take the democratic process pretty seriously.

Any time that I see something where we are going to have people—young people like my children, like my grandchildren—growing up, start to question the democratic process, we're in big trouble.

I'm just going to ask this question of this table, because you folks are in this business: Why do we have a turnout of percentages that we do at the polls? When you get the percentages so low that you are talking basically 50 percent of the people showing up at the polls to vote, we've got a problem.

Mr. Blaine Pedersen (Carman): Thank you for your presentation, Mr. Huggard. Unless the NDP are thinking they are going to be the Alberta dynasty of Manitoba where they've been in power for—what is it—30 or 40 years or whatever, and I really do think maybe this is what they're trying to do—build themselves into this dynasty, where they've shut everybody else out and they're the only ones in.

If the tables were turned right now and it was the Conservative party bringing in a bill like this, what do you suppose the NDP's position on this bill would be? Do think anybody would show up to hearings on a bill like this, if it was a Conservative party bringing this in?

Mr. Huggard: Sir, if you brought Bill 37 forward, I would probably be here, but I probably would be speaking the same way, because I'm not trying to be favouring any party at the present time. I just feel at the present time we have—this is an infringement on my rights.

Mr. Cliff Graydon (Emerson): Thank you very much for your presentation tonight. I really appreciate your non-partisan approach to the bill. You brought up a very good point about the very low voter turnout. The percentage is low and it barely

makes 50 percent. I'm sure too, my colleagues and the colleagues opposite, that that has to be a concern.

With the type of verbage in this bill, where one would be generating capital by the legislation rather than by solicitation, do you think that that would raise the turnout?

If you were a candidate, if you wanted to be an MLA, how would you want to raise your money? Would you want to look the person in the eye, or would you want to just sit in Tim Horton's and have somebody give you the money?

Mr. Huggard: Sir, back to what I tried to say in my presentation, I do not want any more money—my money, my friends' money—spent on political parties.

I'm going to take this out of the context we're in, and I use this analogy: I decide what charities I will support. My wife and I have sat down and we have picked our charities and we support them to the best of our abilities. The reason we have done that is because we believe in the concept, or believe in what they're trying to put forward.

* (20:10)

So it's my right in this province to write a cheque to whom I believe takes forward my basic views. I hope I've answered your question.

Mr. Chairperson: Thank you very much, Mr. Huggard, for your presentation this evening, sir, and for your patience. Time has expired.

The next presenter we have on our list is Dr. Robert Diamond. Is Dr. Robert Diamond in the audience this evening? Seeing that Dr. Robert Diamond is not here, his name will drop to the bottom of the list.

Next presenter we have on the list is Darrell Rankin, the Communist Party. Good evening, Mr. Rankin. Do you have a written presentation, sir?

Mr. Darrell Rankin (Communist Party of Canada-Manitoba): Yes.

Mr. Chairperson: Just give us a moment, then, so we'll distribute to committee members. Thank you for your patience, Mr. Rankin. You may proceed when you're ready, sir.

Mr. Rankin: Well, before beginning, I don't know if anyone did this last night, because I spoke at another committee last night, but would someone tell Hugh McFadyen that there's a Communist in the

Legislature again? [*interjection*] I know, I know, he's not here. I heard he was interested. Anyway.

On behalf of the Communist Party of Canada and Manitoba, I would like to thank this committee for hearing our views on the latest changes to election and lobbying laws in Manitoba, Bill 37.

Since 1921 the Communist Party has been in the struggle for jobs, education, peace and disarmament, full self-determination for Aboriginal and other nations in Canada, for the sovereignty of Canada and for socialism.

Election laws are a fundamental importance in a democracy, and they have a profound influence on society. This is the view accepted by the Supreme Court of Canada in the case involving the Communist Party's 10-year challenge to Canada's election laws, Figueroa and Canada, 2003.

Our experience with democracy in Canada goes beyond unjust election laws, which, in 1993 confiscated our assets and cast us into political limbo. We also experienced outright illegality, as in 1931, two years ahead of Hitler's ban on the Communist Party of Germany.

Some of our members remember when the mayor of Winnipeg banned *Eight Men Speak* from the Walker Theatre, a play about imprisoned Communist leaders, produced by Joe Zuken, and when the same mayor banned anti-fascist groups from renting halls for meetings.

The reality is that the working class, especially the most oppressed sections, has for centuries been downtrodden and forcibly held in a vice of poverty and ignorance. Workers are alienated from the present electoral system by a thousand humiliations and by prejudices, sexism, racism and other ills intimately associated with capitalism.

The bill before us today is not a shining Magna Carta striking a blow against absolute monarchy, a Declaration of the Rights of Man fuelling the French Revolution 200 years ago, or a Universal Declaration of Human Rights approved in 1948 by the United Nations after the great defeat of fascism. It is not a symbol of democratic renewal or change we can believe in. Bill 37 is nothing but a combination of mild reforms and regressive measures.

Sure, let's register lobbyists. It helps remove the appearance of corruption spreading across politics in both Canada and the United States. In our view, Aboriginal people, all of them, and their

organizations should be excluded from registering in section 3. The settler nation represented by Manitoba has no business making such an imposition on the citizens of occupied Aboriginal nations. I'd add here, section 3 of the lobbyist act also fails to exclude registered political parties, specifically. The Communist Party regularly tells the government what it should be doing, but I don't think it's right that we should be required to register. We're not on the list of excluded groups.

The election act is changed in section 49(c)(ii) by shortening the campaign period of non-fixed date elections from a maximum of 43 to 38 days. Election campaign periods have been made shorter and shorter over the last 20 years. This favours parties with more advertising money and discriminates against parties that rely on people power more than big budgets.

This is a regressive change. Elections should be a minimum of 37 days and up to 53 days long. We all know when a fixed date election will be held. The advantage of the longer undeclared election period is for voters to have more time to examine party platforms and candidates, and should be copied as much as possible for non-fixed date elections. Shorter campaigns harm the public's access to political information needed to make an intelligent decision on voting day.

The third main point I'd like to make is the amendment to election finances. Giving money automatically to a political party for absolutely no reason, it's a completely wrong step. For decades the larger political parties have gorged themselves while having a large part of their election expenses reimbursed by the taxpayer. No reason was ever given for this law which discriminates against smaller parties. The bill gives political parties the option to accept or reject the annual allowance of money. We say to you here that the Communist Party will accept the money each year under protest and only because not doing so will give an unfair advantage to the other parties who were passing this bill. It is a bad law just like the reimbursement that's already accepted by the larger political parties.

The Communist Party has a number of measures in mind to make Manitoba a more democratic province. Elections will be fair in Manitoba when Aboriginal peoples have full democratic rights and there is genuine equality among nations in Canada, when poverty is ended and everyone can participate fully in elections and the democratic process, when

the media are free of wealthy capitalists and when the right to a job and education is fully respected.

It is a democratic right for nations to decide their future. We need to respect and work for the full national rights and equality of Aboriginal peoples in Manitoba. It is a democratic right for voters to have a government that reflects their views. Political parties must be proportionally represented in the Legislature based on the number of votes they receive.

It is a democratic right to have a job and an education that develops the individual as fully as possible, allowing people to make the most intelligent choices when voting. Manitoba must take immediate steps to end poverty, give people what they need and create full employment so people can contribute to society what they can. As socialists, we realize this is impossible under the present capitalist system.

It is a democratic right to be able to fire your legislator. Manitoba needs to have legislation to recall MLAs by petition. It is a democratic right for people who have no taxable income to get the same benefit as those who can use the present system of political tax credits. The credit should be received even when a donor to a political party pays no income tax, for example as in Ontario. It is time to end this blatantly discriminatory law.

It is a democratic right to know your political representative is not seeking office to line her or his pockets. No member of the Legislature should be paid more than the average worker's wage in Manitoba. It is a fundamental right for democratic organizations to contribute funds to a party of their choice. We say lift the ban on unions and other groups from donating to political parties, but keep the ban on corporations.

Bill 37 stands up poorly when compared to these genuine reforms. I've been addressing the NDP's bill so I want to express some closing words about the Progressive Conservative Party. The idea of improving democracy in Manitoba is not part of the criticism levelled at this bill by the Progressive Conservative Party and its supporters. The PCs are opposing this bill only as a way to improve their electoral chances in the next election. Their opportunism only adds to the unchanging nature of political debate emanating from the Legislature. Thank you.

Mr. Chairperson: Thank you very much for your presentation, Mr. Rankin. Questions of the presenter?

Mr. Graydon: Thank you very much for your presentation tonight. A lot of thought went into that. You used the word "democratic" very often. I believe we all have an interest in the democratic rights of people, and perhaps our definitions may be different over time and on different things; however, I think we both agree and I think all parties would agree that the more participation we have in a democracy in our country, in our province, the better our government would be, the better their views, the views of all of the populace would be heard, and, since listening to your presentation, and I believe you would agree with that, how would you improve the turnout for elections if you had your druthers?

Mr. Rankin: It's a very good question. I think a longer election period would help because then people would realize that political parties are really trying to reach out to them. It's an issue where people would think that, well, the campaigns are too short now, and all they're trying to do is reach me by the TV or the radio and it turns people off from actually trying to meet a politician by going out to a meeting.

* (20:20)

I think that if people know that politicians are anxious to meet with them and they have a longer election period, I think that will go a long way to ending the doubts that people have about the kinds of political parties we have setting election rules right now.

Mr. Graydon: Then having said that—and that possibly is a remedy to the situation because the turnout is quite low—having said that, would you then agree that a bill such as this is fairly controversial in your mind? Controversial in my mind and for some, it satisfies. Would you say that that bill, this particular bill, should then be exposed to a lot more people than it will be exposed to in this short committee that we're in, in the last couple of days, and confined only to the populace of Winnipeg?

Mr. Rankin: This is a fundamental law of the province, and I think that the more hearings there are, the better, and the more opportunities people have to speak about it. It's just a natural thing. People do like to speak about the kind of political system they would like to have, of all kinds of bills before this Legislature. I don't think there was enough opportunity, quite honestly, for people to hear about this bill.

Mr. Goertzen: Thank you very much for your presentation, Mr. Rankin. You mentioned in your

remarks that the Communist Party is not seeking additional tax fundings and not looking to take the vote tax, which might lead some to believe that the NDP in Manitoba is even further left on the political spectrum than the Communist Party is, but your comments regarding taking the money seemed to be—or not wanting the money—seemed to be in contrast to what the Minister of Justice (Mr. Chomiak) and representatives from his party have been saying in that the vote tax they proclaim is supposed to help the small parties and that that was the rationale, one of the rationales, for the vote tax is to support the smaller parties. But you're saying here tonight that as a representative of the Communist Party, which, and no disrespect, would be classified as a smaller party in Manitoba, you are not seeking that additional money.

Mr. Rankin: We did say that we would accept it under protest because it would give an unfair advantage to the other political parties. We don't see that it's going to significantly affect our annual budget for the Communist Party in Manitoba. It's a small amount of money. We don't get the same number of votes as the larger parties do that would benefit immensely from the money for votes.

Mr. Hugh McFadyen (Leader of the Official Opposition): Thank you very much, Mr. Rankin, and I had heard that you were calling on me to be here, so I thought I would heed the call. I'm glad that I did. I'm glad I was able to just catch the end of your verbal comments and just have a chance to very quickly scan the written presentation. It seems to me there are some thoughts here, I think, that are put extremely well, which, I think, are going to have an impact on some of our thinking. Perhaps I may regret one day putting this on the record but there does seem to be some areas of common agreement between ourselves and yourself on some of the concerns about Bill 37, in particular, and similarly, I've made the comment that we will accept the grant under protest as well, given the dramatically unlevel playing field it would create otherwise.

I just want to ask. I've had occasion to spend some time in the Reading Room at the British Library where Mr. Marx did a lot of his writing and to read some of his works. I wonder if you can just comment on a more esoteric question relating to democratic values versus communist ideas, and ask if you can outline what the position of the Communist Party is on the question of private property rights, which is going to lead into a question

about the compatibility of that position with democratic values.

Mr. Rankin: I think that this is a very ideological question, but it's a very important one that, ultimately, people like to discuss, not just in this committee, but in coffee shops across Manitoba. I don't think you can be a socialist without being prepared to carry out the fullest democratic reforms in society possible, including, you know, things like banning the death penalty, you name it, any kind of democratic reform needs to be carried out if, especially—and the workers themselves who ultimately will lead a socialist society need to become involved in all these democratic struggles, to prepare themselves as a class to become the ruling class. A working class that isn't prepared through constant democratic struggles, struggles for all kinds of issues, will never be prepared to become our new ruling class. That's my view of socialism and democracy.

So, and private property rights. I think that private property rights have a place in any society, including a socialist society. It doesn't mean that the means of production will be protected in a socialist society. In fact, our platform always calls for the support and the continuation of the family farm, for example, real family farms, not farms employing a hundred or more people without any protection for their workers' wages. It means that we support mom-and-pop corner stores. It means that we support small enterprises.

But the biggest corporations and private industrial establishments in this country, in our view, are leading this country, environmentally, socially, into impoverishment and chaotic destruction. The same is going on the same way right around the world. I think that humanity is facing very important choices. These have become more and more clear and stark. The food crisis is adding to the problems around the world.

I think that the days of the globalized capitalist system are numbered.

Mr. Vice-Chairperson in the Chair

Mr. McFadyen: Thank you, Mr. Vice-Chair. Through you to the presenter. You have identified with your comments the threats posed by large concentrations of power and wealth. I think that's what you're referring to when you talk about large transnational corporations and the role they play.

But I'm curious as to how you reconcile your concern about concentrations of power and wealth in the hands of private corporations with a view that would seem to support such concentrations in the hands of government, which has an equally checkered past in terms of its abuse of high concentrations of power and authority in the hands of governments. What makes you think that that kind of concentration of power and wealth in the state is going to be any better than such ownership structures in the private economy?

Mr. Rankin: Yes, thank you. I am very optimistic about the future of socialism. I believe in an epoch of transition from capitalism to socialism that began over a hundred years ago. There've been mistakes and good things made in the history of socialism so far. My confidence in the future of socialism stems from the idea that the large majority of people who will end up creating a revolution, the overwhelming majority of the working class, once they take power as a class, if that power continues, if their consciousness continues, if they don't lose sight of the goal of a better society, of perfecting all the democracies that will create a classless society in the longer term, very longer term, then we will have the next wave of socialism, if you will, when it happens. And its starting, I think, in South America and other places like that, will be a much more powerful impulse for world change.

Mr. Vice-Chairperson: Honourable Mr. McFadyen, very quickly, if you can.

Mr. McFadyen: Thank you. It is a very quick and simple question. You've said that you're optimistic about the path of socialism. However, recent history has shown that, where socialism was attempted to be implemented in the former Soviet Union, it unravelled and that it was actually working people and regular people who wanted private property and freedoms and a relative level of economic prosperity who overthrew that form of government.

* (20:30)

So I wonder how you reconcile your optimism with recent history, and, in particular, the events around 1989, the collapse of the Soviet Union and the subsequent move toward private property, free markets and democracy in China and the former Soviet Union.

Mr. Rankin: I'm disappointed in the setbacks of socialism in the Soviet Union. I think that they were caused by failures in the ideological work of the

Communist Party in that country, big ideological failures, and it led to the collapse of confidence in the working class in that country in the Communist Party and to the rise of the capitalist class that was waiting in the wings, you could say, part of the bureaucracy of the state apparatus that I don't think was fully in touch with the working class in that country.

We can see the effects of those setbacks in the terrible conditions that the workers have now. I think the average male life expectancy is down to 57 years, and the number of people in Russia is declining. It's not increasing. It's very sad, and it causes setback to the working class, not only in that country but right around the world, a period of very reactionary measures and policies that took place in this country in the 1990s and so on.

Mr. Kevin Lamoureux (Inkster): Actually, a very short question. If this legislation were to pass the way it's currently written without any amendments, if the government was looking at closing down the Seven Oaks Hospital and I wanted them to send a letter to my constituents in there with a petition that said, WHEREAS the NDP are looking at closing down the hospital, THEREFORE BE IT RESOLVED that the NDP reconsider, and then I took an editorial comment to that effect published in the *Winnipeg Free Press*, this legislation would mandate a government committee to look at it and then they will turn it down and I would not be able to mail it to my constituents as MLA rights. Making that statement, how do you respond to that?

Mr. Rankin: I might've missed that in the reading of the legislation, but it sounds to me what you describe is very undemocratic. An MLA who is unable to communicate and become actively involved with the concerns of her/his constituents shouldn't be—well, it's wrong. If they fight for those rights, the legislator is doing the right thing.

Mr. Vice-Chairperson: Mr. Rankin, thank you very much for your time with us this evening.

The committee will now call Vinay Iyer. I hope I'm pronouncing that somewhat close to correctly, perhaps not. With the University of Winnipeg Student Association, Vinay Iyer. I'm not seeing any speakers. They'll now be dropped to the bottom.

Up next we call Don Halbert. Is Don Halbert available to speak to the committee tonight? Private citizen Don Halbert. No, I see Don Halbert was

called once previously, and so he will now be dropped from the list.

Calling Karen Dudeck, private citizen. Karen Dudeck. One last call for Karen Dudeck, private citizen, who was also called once and will now be dropped off the list.

Now calling Randy Bialek, private citizen. Is Randy Bialek available to present? Mr. Bialek was previously called and will now be dropped from the list.

Calling Melanie Sobering. Melanie Sobering, private citizen. One last call for Melanie Sobering, private citizen, who was also called once previously and will now be dropped from the list.

Now calling Nathan Peto from the Brandon Chamber of Commerce. Nathan Peto from the Brandon Chamber of Commerce was called once previously and will now be dropped from the list.

Now calling Tom Crockatt. Is Tom Crockatt available this evening to present? Not seeing Mr. Crockatt, he was called once previously and will now be dropped from the list.

Calling Gordie Dehnn, private citizen, Gordie Dehnn. Seeing no one, Gordie Dehnn will also now be dropped from the list as he was called once previously.

Now calling Larry Oakden, private citizen. Larry Oakden, private citizen. Seeing no one, they were called once previously and will now be dropped from the list.

Cindy Vandenbossche. Is Cindy Vandenbossche, private citizen, available to speak to the committee? Having been called once previously, Cindy Vandenbossche is now dropped from the list.

Now calling Scott Hayward, private citizen. Scott Hayward, private citizen. Seeing no one, they were called once previously, will now be dropped from the list.

Up next, Mitchel Tripple from the University of Manitoba Students' Union. Thank you very much for joining us this evening and for your patience.

Do you have a written presentation for the committee or oral?

Mr. Mitchel Tripple (University of Manitoba Students' Union): I'm afraid it's oral.

Mr. Vice-Chairperson: That's more than fine. Please begin when you're ready.

Mr. Tripple: I would like to thank the committee members for giving me a chance to present. My name is Mitch Tripple, and I'm the vice-president of Advocacy for the University of Manitoba Students' Union.

I come as a representative of 22,000 undergraduate students at the University of Manitoba to voice support for The Elections Amendment Act and The Elections Finances Amendment Act. Many of my comments tonight will echo the feelings of my colleagues in the Brandon University Students' Union and of the Canadian Federation of Students, but I feel they could still use some additional attention.

As an elected official of the University of Manitoba Students' Union, I have become very aware of the rules and regulations we have regarding our union's elections. As our union believes in fairness and opportunity, any member of the union can run for elected executive positions, but that's not enough. We also know that not every student has the financial resources to mount a campaign, that not every student can afford the cost of campaign materials that are required to run a competitive election campaign. So, to even the playing field, the University of Manitoba Students' Union covers the costs of the students' election campaign as well as setting caps on spending. That way, everyone interested has a fair chance.

Due to this, we support the amendment act. It is our belief that public financing of election expenses, in addition to the current limits on donations and spending, do much to create a more equitable environment for candidates and political parties in Manitoba.

The proposed funding model would provide necessary funds to marginalized but supported political parties in the province who are seeking a voice to be heard but are unable to do a lot of the intensive fundraising other parties are capable of, as they have work and children to look after and not funds enough to afford a babysitter, a day off work or a car.

Some have used the term "vote tax" to describe the \$1.25 levy that each party would receive for each vote they received. They decry the expense and say they shouldn't have to pay for political parties. Yet

this alleged tax is, in fact, a progressive funding model for parties.

Many presenters over the last three days have suggested that political parties should work hard and fundraise. Yet fundraising creates a real disadvantage for low- and middle-income Manitobans, especially students who don't have the financial resources to buy influence and political process.

By funding parties through voting, every voter gets to choose where their \$1.25 goes. Every Manitoban has an equal power of donation. Yet, while the power of donation is moved away from upper-income individuals, the system is still funded primarily by upper-income individuals, thanks to our province's progressive system of taxation, where those who earn more pay more, upper-income Manitobans foot the bill for much of this public funding, as they should, but without the power that is bought through large direct donations.

We can be confident this model will work as it closely represents the successful federal election funding model. Students support this progressive funding model and believe it will make great strides in improving the principles of democracy in the province of Manitoba.

* (20:40)

Now, I'd like to move back to my experience with my union's election policies. At the University of Manitoba Students' Union, we have very strict rules regarding partisan political advertising, especially around elections. Dates are fixed for election campaigning and advertising. On top of that, all materials that are to be displayed must be approved by the chief returning officer before they are displayed on campus. What the union is doing here is promoting honesty and proper representation. By having a neutral third party look over materials before they are put up, members of the union can rest assured that our by-laws are being respected by the candidates.

In turn, candidates can feel secure in the fact that nothing slanderous or in violation of by-laws will be posted in order to attack them. Regulations, like these, keep inappropriate or offensive materials from creating a hostile environment on campus.

By adopting the proposed limits on content and timing of advertising by MLAs using their constituency allowances, we believe the Province will be acting in the best interests of Manitobans. This way, only political parties can spend money on

partisan attack ads, rather than the people of Manitoba footing that bill.

Elections Manitoba and Elections Canada say that voter turnout has been on a steady decline for three decades or so, with one of the biggest losses being in young voters. I'm certain the government has seen the same results and is concerned by this troubling figure.

We believe that the introduction of fixed election dates creates a unique opportunity to begin addressing the decline in youth voter turnout. Fixed election dates create a situation where student associations can work together with Elections Manitoba to build awareness among students of the importance of voting.

We've seen the effect in this election, organizations and students working together recently in Ontario. Elections Ontario worked closely with the Canadian Federation of Students and student associations across the province on a campaign to increase youth voter turnout, including establishing polling stations on college and university campuses. These campaigns were highly successful in getting student voters involved by showing the campus populations how important their voice is in determining the direction of the government.

Given recent successes in Ontario, the introduction of this amendment provides a unique opportunity to expand on their successes. Students support fixed election dates but, in order to reach the students, it is important that election campaigns and voting take place while students are studying on campus and not during exam period.

Were this change in election dates to take place, Elections Manitoba and the students associations in Manitoba would have time to sign up students to vote and encourage students to take part in the electoral process.

We urge this committee to add a provision to the Elections Amendment Act, to place both election-day polls and advance polls on all university and college campuses to allow students to vote in their home riding from the convenience of campus, rather than limiting it to just students who live in their campus ridings.

I would like to share a personal example of why campus polls play such an important role in making elections more accessible. For the past six years, I worked full-time at the grocery store while going to university. As someone who's had to work 40 hours a

week while attending classes, it is difficult to study and sleep without that added hassle of getting to the correct polling station to vote.

Consider students like me who use public transit. If you've ever had to take two buses from home to work, then two buses from work to school and then after that having to take another two buses back home, you would cringe at the thought of having to get back on the transit system to go to some community centre, at least one bus transfer out of the way, to go vote.

So I would urge the committee to establish polling stations at all college and university campuses, as we believe these measures will be integral to stemming the decline of youth voting in Manitoba.

I would like to thank the committee for giving me the time to speak tonight, and I would be happy to take any questions.

Mr. Vice-Chairperson: Thank you very much, Mr. Tripple. I have three names on the speaker's list, starting with Mr. Goertzen.

Mr. Goertzen: Thank you, Mr. Tripple, for your presentation. I was pleased to see a representative from my former alma mater where I received my degree, three degrees actually—I was indecisive—but I do appreciate you representing the students at the university.

Two questions. One, you represent or you make the claim that the vote tax, as it's become to be known, would even the playing field. I'm assuming you mean by that that smaller parties would have an easier ability to participate because they'd receive funding where they don't now. Yet, the smaller parties that we've heard from—the Communist Party representative before you—have indicated they don't want the funding. Even some of the smaller parties that I've talked to, which might have been inclined to take it, say that there should be a much smaller cap, perhaps at the \$50,000 or \$40,000 range.

So it seems counter-intuitive to me that the smaller parties that you might say this would help by evening the playing field aren't in favour of it, as it now stands. Perhaps you can explain that.

Also, just in terms of your students, you represent 22,000. I know when I was out in the campus, there was—sometimes, the student union would poll us in different sorts of ways to get our

opinions. I haven't really come across many U of M students who support the vote tax. Can you tell us how you polled your students to determine that they are in favour of it?

Mr. Tripple: Yes. I'm just quickly collecting some notes.

Well, as someone who supports parties organizing and collecting their own donations, I figured that you would be in support of parties who get fewer votes getting a lesser share of this pie. So what this vote tax does, as you've called it, or the vote levy, as it is, would do is, it would give these smaller parties who do not have access to funding at all, some funding. I mean, as we look at some of these smaller parties, I understand a lot of these people do not have large business interests. They do not have friends with large chequebooks. So, by giving them even a small amount, it would help significantly to increase the abilities that they had to campaign, therefore reinforcing the democratic principles I believe Manitoba was built on.

As far as polling on the university campus, we went around and we actually have a researcher who does a lot of this polling. I don't get involved in the specifics of polling, as I believe it is my duty to represent students and speak to them about their individual concerns rather than go round with a sheet of paper saying yea or nay. Thanks.

Mr. Vice-Chairperson: Quite an extensive list. Keep it brief, please.

Mr. Goertzen: Just a short follow-up, but thank you for your indulgence, Mr. Vice-Chairperson.

I guess I'm just not certain of the inconsistency you suggested that would help small parties, but small parties don't seem to want the funding. That's why I'm sure of the inconsistency there. But I'll leave that point.

So you're indicating, then, that a poll was done of the students at the University of Manitoba, and that poll indicated that the students there want the per vote levy or the vote tax applied.

Mr. Tripple: The exact poll or how the information was collected was not presented to me. So I do not know the exact way in which this poll was taken, but I do understand that the information was gathered.

Mr. Eichler: Just further to that, thank you for your presentation. It's good to have the young students come out and make their presentations known.

Twenty-two thousand members is a significant number, and I'm very concerned about the position that you've taken on this bill and, in fact, whether or not there has been proper consultation with your organization that you're representing here tonight.

I was wondering if you could provide us, or some type of background, with respect to how you gather that, rather than just based on a survey that was gathered by a few, it seems like to me. Is that correct?

Mr. Tripple: If I can pose a question back: How many people do you represent in your riding?

Mr. Eichler: Twenty-three thousand.

Mr. Tripple: Thank you. Have you done a poll to see what they feel about this bill right here?

Mr. Eichler: Yes, I have. In fact, my numbers are quite a bit higher than yours.

Mr. Tripple: Yes, an additional thousand is a great number. I would love to see the results of that poll.

Ms. Jennifer Howard (Fort Rouge): I just want to thank you very much for your presentation here tonight. I also was a former student leader, and I know how well and how hard a job it is to represent students, and I certainly trust that you do that to the best of your ability.

I just wanted to see if there is anything else you had to share with us about how we can encourage voter turnout among young people. The constituency I represent has a great number of students. This last time we experimented with these things sort of called super polls where you could go and vote no matter what constituency you lived in, at places like the airport and shopping centres. I just wonder if you could reflect on how useful that was.

* (20:50)

The other thing I want to assure you is that we remain very open to discussion about when the timing of a fixed-date election should be. It's something we want to be able to accommodate, you know, students and other people who are coming forward to tell us June might not be the best date. So we remain open to that discussion.

Mr. Vice-Chairperson: Mr. Tripple, any comment?

Mr. Tripple: Thank you. It's very heartening to hear that the NDP is open to talks and considerations to the day of the elections because, as I stated before, most students are only in school on the university

and college campuses from September to April, and, during those times, especially like in December and April when exams are going on, that would be a difficult time for students to take place and vote, and June, as has been mentioned, would be very difficult as we have very few students on campus.

As far as my thoughts on encouraging voter turnout, especially in consideration to the super polls, I believe this would be a great advantage for encouraging students to go out there and vote. There have been a number of times where I've been going out with friends to different functions during voting day, and then I've realized, yes, it is now my turn to vote, and then go to the nearest polling station to find out that you can't vote here. A number of my friends have also found that out, and it's enormously frustrating when you want to be democratic and perhaps you're not the best organized and you have no way of voting at all.

I take transit. Unless I plan things out with my 13- to 16-hour days, I won't be in the right area of town to vote, so I believe these super polls would do a lot to encourage students to go out and vote. I believe it'd be very effective, and you'd get voters who aren't even students, voters that also have busy lives, voters that are perhaps working two or three jobs to sustain their family.

Mr. Vice-Chairperson: We have three speakers on the list. I'll ask each of them to try and keep their questions brief. Mrs. Driedger, then Mr. Lamoureux, then Mr. Pedersen.

Mrs. Driedger: I'd like to know what your view is on censorship.

Mr. Tripple: I think it's a rather broad question. Can it be a little bit more specific?

Mrs. Driedger: Just generally, I find that students are, you know, we heard a number of presentations from students last night, and I always appreciate their broad views on a lot of topics. I've always appreciated that. They have a lot of strong views, and I think we can learn a lot from what our young people say to us. So, just on a general basis, I'm curious what your views are on censorship. I guess I would say then censorship, maybe if it would make it just a little bit more clear, just censorship of comments. If I as an MLA were to want to talk to my constituents, should I be censored?

Mr. Tripple: As far as censorship in general goes, as a student that believes very much in academic integrity, I understand that it's necessary, in order to

perform proper research, that certain things are censored. You can't go out and say something without having the proper citations. You can't go and say that you have research done when it actually has not been performed, so I believe that censorship does have its benefits.

As far as talking to your constituents, I'm sure, as long as what the message is is non-partisan, there shouldn't be an issue with that.

Mr. Lamoureux: I want to pick up on the censorship. If you've been listening, I've been asking a number of questions in regard to censorship. I likely have a constituency, just over 20,000 people and a good number of them are university students, and I would have thought that a good majority of those students would support me in being able to circulate petitions in my constituency. An example I would give is I have constituents that have lost thousands of dollars in the Crocus Fund, and I have a petition that's written up. It's on my Web site. It talks about the NDP government's neglect, and I'm asking, on the petition, for the NDP to call a public inquiry.

Now, this government, if this legislation passes as it is, wants to see what I'm putting in my envelope, and if they see that, it will be disallowed. I won't be able to mail that to my constituents. I genuinely believe that a vast majority of the young people in my constituency want me to have the right to be able to do that. What do you believe the University of Manitoba students, the general body, would they believe, do you think, that MLAs should not have the ability to communicate with their constituents to that degree?

Mr. Tripple: I think with such a complicated question it'd be unwise of me to go and say what the majority of University of Manitoba students would think. But, if you give me some time, in the fall many of them will be back and I'll pose that question to them.

Mr. Pedersen: Thank you, Mr. Tripple. There was one term you used in your presentation when you were talking about student union elections and that was inappropriate advertising. Can you just give me an example of what inappropriate advertising would be?

Mr. Tripple: Inappropriate advertising would be anything that could be seen as—there are a number of different things, but it could be things that are as broad as being offensive to certain groups on

campus; it could be libel or slander. Those would also be offensive materials, just to sort of give you the broad strokes.

Mr. Vice-Chairperson: Mr. Pedersen, very briefly.

Mr. Pedersen: Mr. Vice-Chairman, you know I'm always brief. So, if I am going to send out advertising in my constituency that is critical of the government, who should be deciding whether that's appropriate or inappropriate?

Mr. Tripple: I believe a neutral third party would do a great job of deciding whether or not that's appropriate or inappropriate.

Mr. Vice-Chairperson: Mr. Tripple, thank you very much for your presentation this evening and for answering the committee's many and varied questions.

Committee will now call Trudy Turner, private citizen. Good evening, Ms. Turner.

Do you have a written copy of your presentation for the committee, or—

Ms. Trudy Turner (Private Citizen): No, I'm just oral.

Mr. Vice-Chairperson: That's fine. Please begin your presentation when you're ready.

Ms. Turner: Thank you for the opportunity to speak tonight. As many of you know, I have run in two elections as a candidate: in the civic election, in the Daniel Mac ward, I ran for City Council; and in the most recent provincial election, I ran in Riel. During that time, especially specifically with the civic election, there was no funding offered. You are on your own. You raise the money yourself to fund your own campaign, and I have to say it was probably the best part of my whole electoral experience. When you go to somebody and ask for their support and they choose to write you a cheque to support your efforts, basically telling you how much that they believe in you, it's extremely rewarding. And it's extremely rewarding for the people that are writing those cheques to have the ability to make that decision on their own. I think this conscripted support is detrimental to that.

I have to disagree with the previous speaker. I do not think that having a dollar twenty-five charge mandatory levels the playing fields, because basically it widens the gap. It makes the smaller party—the smaller parties get their funding, but they get a smaller amount, and the larger parties get an

even larger amount, and I think it just widens the gap. It doesn't narrow it.

Prior to running in the two elections, I have worked in the non-profit area. The majority of your work in a non-profit is raising funds, and you do that by writing grants and by hosting special events and by selling sponsorships. But, again, they're all funded by people who voluntarily give their money to support the causes that they choose to support. It's not conscripted.

* (21:00)

Because of my long history of working in the non-profit and my long history of fundraising, I can empathize with the present government and their struggle with raising enough funds to get by. But I can't see that the solution is to go to the taxpayers and tell them to make up for the shortfalls. I think that a very important part of the election process is to fund with people that support you. I really feel very strongly that the \$1.25 vote tax, or honourarium or whatever you want to call it, is detrimental.

I also think that, making it retroactive to the last election, the government should know better. I mean, the government runs the Lotteries Commission. You can't go into a 6/49 booth today and buy the ticket for the numbers that were drawn yesterday. That's just not done. You can't bet on a blackjack hand after the dealer has already revealed their hand. It's detrimental to the whole process. So that's basically what I have to say on that part of the bill.

The censorship that this bill is producing, I think, is also extremely undemocratic. Voters have chosen to vote for their MLA with a conscious decision. They want to hear what their MLA has to say, and I don't think it's anybody's right to censor anybody's communication. If your own constituents can't hear from you, it's a pretty dreadful situation. I think that it's very important that every MLA is able to correspond with their constituents in whichever way they feel like. They should be free to express their opinions, their pleasure and their displeasure, as should the constituents be free to express that.

I have to say, in talking to the many people that I've talked to over the last two weeks regarding these two bills—tonight, of course, it's Bill 37—people are really very unhappy about the heavy-handedness and the undemocratic way that this is being both introduced and pushed through as well as what the actual content of the bill is.

Finally, as far as the fixed election dates go, I say hurray. I mean, I truly believe in fixed election dates. I think that's a really important part of it, but I think they have to truly be fixed. You can't have them fixed except for the next one when we're in power and then we can make it whenever we want. I think it has to be fixed, period, and what's good for the goose is good for the gander. I think it has to be the same all the way through.

So I right now am involved in a non-profit organization and we do have financial struggles. We're working very hard at creatively figuring out solutions to those problems. I also have my own fundraising company that—well, my own consulting company that offers fundraising assistance. So, you know, if the government needs the help, I'm available for hire. Maybe we can come up with a more creative way than more taxing on the Manitoban budget. It doesn't benefit anybody and the ones that are—the people that are low income can't afford the extra weight of the tax dollars on their thing and the people that are high income should be able to choose where they spend their political dollars.

Everybody is not equal, and I know many from all walks of life that have many different beliefs. It is extremely unfortunate that we are legislating which way that they should—whom they should support by this system. That's basically what I have to say.

Mr. Vice-Chairperson: Thank you very much for your presentation, Ms. Turner. Questions for the committee? I have Mrs. Driedger.

Mrs. Driedger: Thank you, Ms. Turner, for being here and for your presentation and making the time to come out to talk about something that's as important as democracy.

You do spend a lot time within the multicultural community in Winnipeg and Manitoba. You do understand a lot of the reasons many of them have come to this country. For a lot of them, democracy has been a big reason why they have left the countries that they have left and come to Manitoba to live because, supposedly here, we have a free and democratic country where freedom of speech, freedom of thought, freedom of choice, has been something that has drawn them here.

How do you think a lot of these people, who have left so much struggle, where democracy was not part of what their country offered, and they came

here for that—how fair do you think this type of legislation is to people like that?

Ms. Turner: I don't think it's fair. One of the things that I hear most frequently, when I'm at many of the cultural events that I do attend, is that people are surprised and delighted that they can get close to a politician, that they can express their views without fear of repercussion, that they're amazed that MLAs can walk down the street without an armed bodyguard or a whole crew of armed bodyguards, as is the case, for example, in the Philippines. My Filipino friends have been telling me that it is a dreadful situation where they just can't express themselves; they can't even communicate with the people that are in power because it's just too unequal a system.

So I think anything that detracts from that freedom of communication and that two-way interaction is a very serious impediment to, especially, our new Canadians.

Mrs. Driedger: Manitoba has been working very hard, both the previous government and the current government, is making efforts to increase the number of immigrants that come to this province. My fear is that, once they come here, this is going to be such a slap in the face to a lot of immigrants who are fleeing the countries where democracy isn't cherished and valued.

I guess my question would be, what kind of disrespect, then, are we showing our many immigrants who are coming here thinking that they are coming to a country where censorship isn't on the table like this, or freedom of speech is impeded, where we see people that have talked about some of these proposals, in this legislation, as being indecent, sinister, dangerous—what kind of a message is this sending then to immigrants? How respectful is it, particularly, for people in those groups?

Ms. Turner: Well, I think that is a concern. Although this bill doesn't turn us into a third-world country, it does start a descent on a slippery slope. It's like we don't value, and this is the comment that I've heard from many friends in the cultural communities, that we don't value what we have. It's like when you have guests from another province that come to Winnipeg to visit you and you start showing them around your city, you get a whole different feeling for your city. It's like, wow, this place is really cool. We've got lots of great things to offer. But you didn't even realize that until you have

visitors with you. That's what we're doing is we're bringing in people, and we're trying to show them a democratic process that we really don't respect ourselves because we're letting it go. Bit by bit, we're letting it go.

* (21:10)

When you look in the media and you see the very negative writing news articles about what has been happening lately with these two bills, it sends warning signs up to all of the people that are new to the country because they're so new they don't understand the whole process. They just know that, hey, things are starting to go bad here and they get that kind of fear like, oh, no, what have I got myself into. So it's not good. I don't think it's good for anybody.

Mr. Lamoureux: A very quick question in terms of financing of a campaign. Right now there are spending contribution limits. No one can give more than a \$3,000 donation. Very specific question in terms of your own personal opinion: As a candidate, do you feel that you should be entitled to donate or loan your campaign as much as you would like to be able to?

Ms. Turner: That I should be able to loan my campaign or donate my own? Oh, that's a good question; I hadn't really thought about that. I sort of just accepted the way it was. I don't know. Part of me thinks that—I don't really know. I don't really know how I feel about that. I haven't had enough time to process it all. I'm sorry.

Mr. Swan: Ms. Turner, thank you for coming down today. I wasn't going to ask you a question, but Mrs. Driedger did ask about your work in the multicultural community. I know that you've attended a number of events on behalf of the party when they've been unable to find even a single Conservative MLA interested enough to attend, so I certainly commend you for that.

Are you still employed by or on contract with the Progressive Conservatives?

Ms. Turner: Yes, I am.

Mr. Vice-Chairperson: Ms. Turner, I need to say your name and then the answers just for *Hansard*. Sorry. So—

Ms. Turner: Sorry. Yes, well, actually, right now I am without a contract, but we are in the process of negotiations.

Mr. Eichler: Thank you for your presentation, Ms. Turner. Based on the \$1.25, we know that voter turnout is not as high as we'd like to see it. In your experience, when talking to people out in the various communities, do you feel, in your opinion, whether or not the \$1.25 would encourage or discourage people from voting?

Ms. Turner: I think it would—

Mr. Vice-Chairperson: Ms. Turner.

Ms. Turner: Sorry. I do think it would be a discouragement. When I say I think it would be, just from the people that I have talked to that are very angry about this have said they're not going to vote just in protest because they don't want their money going to whomever the government decides it's going to. So I think it would be a detriment to the voting.

I think we've got a real challenge in this province getting people out to vote, especially young people. I have two young voters of my own. My children are 25 and 22, and they were very upset with the fact that their money is going to go to a pre-plan, their campaign money, or their political contributions would be decided for them and they wouldn't be able to decide on their own. So it's not a popular decision.

Mr. Vice-Chairperson: Mr. Goertzen. Mr. Goertzen?

Mr. Goertzen: Oh, sorry, I was lost in thought which doesn't happen often, you know, I—comments I really like.

Ms. Turner, thank you very much for your presentation and for your contribution to democracy in running both in the civic election and in the provincial election. Contributions to democracy aren't only made by those who win the election; they are always made by those who participate in the election. We appreciate that.

Similarly to my colleague from Lakeside, but particular to, you mentioned that you work in the not-for-profit industry. I worry that it is difficult to get people to work in that industry as it is because it's challenging to raise funds. I know there are a number of other, you know, organizational challenges that often come.

Do you think that putting in \$1.25 vote tax to help political parties almost be lazy in their own political fundraising might breed cynicism among those in the volunteer sector? They look at government and say, well, you know, we ourselves

are having a difficult time raising money for good causes. Yet the NDP government, when they have a hard time raising their own money, they just simply tax it. Do you think there is a danger, particularly in the volunteer sector, that more cynicism toward politicians will be created because of this legislation?

Ms. Turner: I do think that, whether you work in the volunteer sector or whether you work in the for-profit, this is creating a lot of cynicism throughout the community. Non-profits work very, very hard. There are a lot of really great causes out there. Everybody's sort of fighting for those same dollars. It does seem a little unfair that, you know, you can just go ahead and award yourself a grant. There's a clause that's used in all of the grant applications where you need to avoid conflict of interest. I think, in this case, conflict of interest is not being avoided; it's being used right now. *[interjection]* Yeah. It does cause upset within the community.

Mr. Vice-Chairperson: Thank you very much for your time this evening, Ms. Turner.

Point of Order

Mr. Vice-Chairperson: On a point of order, Mr. Lamoureux.

Mr. Lamoureux: There was just something that occurred that I want to be a little sensitive to. The Member for Minto (Mr. Swan) posed the question in terms of if the member is receiving money or being employed—and I can't think exactly how the member put it. I think that we've got to be very careful that we're not trying to label someone for coming here and trying to maybe give the impression to committee members that they are here for some reason that they might not—I think there's a line. Are we going to then start asking presenters, are they members of what political party? I think that we've got to be very careful on that point.

It's completely up to you, Mr. Vice-Chairperson, but I know, myself, when I heard that particular—the way in which it was put across, it was to discredit, possibly, the presentation that was being made. I would suggest that we've just got to be careful, because it could very easily lead to, presenter, what party are you a member of? The public, when they come here, they take it at face value. They feel that they have to answer a question that's being posed to them.

It's just a slippery slope, and I say it for what it's worth.

Mr. Vice-Chairperson: Honourable Mr. Swan, on the same point of order.

Mr. Swan: Yes, well, certainly, I did not mean any offence to Trudy Turner, whom I have known for a long time. I raised it because Mrs. Driedger had talked about her work in the multicultural community. I think it is relevant for this community, for all Manitobans to know that Ms. Turner has been doing this because of a contract with the Progressive Conservative Party.

I don't think anybody should be surprised that we'd be able to ask that question. I think it is important. We've seen a number, a great number, actually a tremendous number of defeated Conservative candidates who've trooped before the committee, which is their right as Manitobans. It is their right to come forward.

But, certainly, I don't think members of the committee should be shut down from asking questions about their ties to the Progressive Conservative, or the New Democratic, or the Liberal Party, or the Greens, or the Communists. The fact that somebody is or has been working with and, as I understand, intends to keep working—and I wish her luck in doing that—that is relevant for this committee.

Mr. Vice-Chairperson: Mr. Goertzen, on the same point of order.

Mr. Goertzen: On the same point of order, Mr. Speaker, I believe that Ms. Turner was done her presentation. She is welcome to stay there to hear this debate if she'd like, but I don't want her to feel obligated to stand there and to hear some of the barbs that have been thrown her way.

There are a number of different things—*[interjection]* Well, you know, you are just making my next point of order, but thank you.

There are a number of different things that were raised, Mr. Vice-Chairperson, during the exchange that caused concern. One is certainly the Member for Minto's (Mr. Swan) assertion that members of the Conservative Party wouldn't attend events or didn't care to attend multicultural events. That, in and of itself, is a point of order, specifically to the one that was raised by the Member for Inkster (Mr. Lamoureux).

* (21:20)

The assertion that Ms. Turner, who I think is far better known in the multicultural community than the vast majority of members of this committee, and I

will certainly include myself in that, is only attending multicultural events because she, at one point, and may in the future have a contract with the Conservative Party is ludicrous.

I think it would be offensive to those in the multicultural community whom she has built strong and lasting bridges with long before her connection with the Conservative Party. I think if the Member for Minto (Mr. Swan) has the opportunity to visit—and I know he will—multicultural events, and he asks about the reputation of Ms. Turner, quite apart from any connection she has with our political affiliation, her reputation stands on its own; it stood firmly on its own long before she ever decided that she wanted to run for the Progressive Conservative Party. I think it's shameful that he would assert that the only reason that she's attending events is because she has some sort of a connection or some of a contract.

I would expect, and we've heard this at the committee before from the Minister of Justice (Mr. Chomiak) and the Premier (Mr. Doer) who've taken, I would consider to be, cheap shots at presenters because they knew that they had a personal political affiliation other than that of a New Democratic Party member. While the Premier hasn't had the, I would say, honour to withdraw or apologize for those comments, I will give credit to the Minister of Justice who did actually apologize a couple of days ago after a similar sort of attack just launched by the Member for Minto.

Perhaps at this young stage of his Cabinet career, he doesn't have the same honour to apologize to Ms. Turner, but I would certainly hope, Mr. Vice-Chairperson, that you would apply rule 820 on order and decorum in these committees to ensure that presenters who come here feel open, regardless of their political affiliation. We've had representatives from the Community Party; we've had representatives from unions, and nobody has attacked their integrity for coming to this committee because they might support the New Democratic Party or the Communist Party or the Green Party or the Liberal Party or the Conservative Party. They should all be respected as public members.

If the Member for Minto (Mr. Swan) had a degree of honour in his body, which I believe he does—I truly believe he does have honour because I've seen him express it before—he will apologize to Ms. Turner because he knows that she's a strong advocate long before in the multicultural community. I look forward to his unequivocal withdrawal of that

comment. I believe that he'll do it because I think he has the honour within him.

Mr. Vice-Chairperson: I want to thank the members of the committee for sharing their thoughts on the question before us. While it's not technically a point of order, I do want to take this opportunity to remind all members of the committee on all sides of a few basic procedures that go with the committee process.

One is that questions that come from committee members to presenters should be, for clarification, based on information that was contained in their brief. These questions should not be used to debate or argue with presenters or to be used as a vehicle to ask leading questions.

One additional thing, I'll add, that I just learned last night in the other committee room, is that members of the public, as presenters, are not, in fact, required to answer questions that are asked by committee members.

So, having shared these thoughts, I will rule that it is not a point of order.

* * *

Mr. Vice-Chairperson: Ms. Turner, would you care to say anything before we move on to the next presenter?

Ms. Turner: I did want to clarify that I have—

Mr. Vice-Chairperson: Ms. Turner, I'm sorry. It's for *Hansard*, I might add. Go ahead.

Ms. Turner: I did want to clarify that I have been working with the cultural community for almost 10 years now. I did six years at the West End BIZ and a few years before that with the Old St. Vital BIZ, which is where I developed my interest in all things cultural and all the different wonderful traits.

The West End BIZ cemented that with basically our "We are the World" theme, which I developed and worked very, very hard forming wonderful friendships within many different communities, friendships that I value very highly, that would continue regardless of what I did for a living. It is certainly not the reason that I am involved in the cultural communities in any way, shape or form. The two are really neutrally exclusive.

I've been involved in the cultural communities for years and years before I even became Progressive Conservative actually. Anyway, I just wanted to

clarify that because it really was not—it's not why I'm there, and I would be absolutely horrified if that went out into the cultural community that I am only there because of that. It would be very bad.

Mr. Vice-Chairperson: Thank you very much for your time with us this evening, once again, Ms. Turner.

Mr. Chairperson in the Chair

Mr. Chairperson: The next presenter we have on our list is Patricia Flaws. Patricia Flaws. Welcome ma'am. Thank you for your patience.

Do you have a written presentation?

Ms. Patricia Flaws (Private Citizen): No, I don't. Just my notes.

Mr. Chairperson: That's fine. Please proceed when you're ready.

Ms. Flaws: I find this bill very interesting, I must admit, a little bit scary. When I read the purpose of the bill, it says: The purpose of this Act is to recognize that (a) free and open access to government is an important matter of public interest; (b) lobbying public officials is a legitimate activity when appropriately conducted; (c) it is desirable that public officials and the public be able to know who is attempting to influence government; and (d) a system for registering paid lobbyists should not impede access to government.

Reading that, this bill is so broad and covers so many things I find it just a little bit incredible that so many things could be put together and passed as one bill when they're very—what's the word?—confining.

As far as having fixed elections, I think that's a good idea. I'm not sure that the second Monday in June is the greatest, as mentioned by the university students.

The part of the bills that really worry me, of course, is the vote tax. People might think that they have to go out and pay \$5 if they're going to vote in the next election by things that have been said in the media and brought out here tonight.

But I guess the thing that scares me the most is that the bill would enable the government in power, currently the NDP, to censor any mailing and to ensure that the mailing is informative only. Who makes that decision? That it should not be political advertising. Also, the fact that with that is the restrictions of money to be spent. There is a certain amount of money that's allowed to go out to mailing.

This is going to restrict that, too, I'm assuming. But this doesn't apply to the government. They can brag about all the wonderful things that they've done. They can use union advertising, as they did in the previous election, to people who support them. It's not your fault that the unions are pro-you, but that was something that, if the government can do it then why can't the other parties do it?

This is my first time to do presentations. I am just very concerned. This bill has got so many implications to it that are restricting that I felt it necessary to come and make it. I'm a proud Manitoban, but I am frightened by this bill. It will restrict freedom of speech and the right and responsibility of the MLAs to inform their constituents.

That's basically what I wanted to say. It's just very brief and to the point, I'm frightened.

Mr. Chairperson: Thank you very much, Ms. Flaws, for your presentation here this evening.

Mr. Eichler, questions for the presenter?

Mr. Eichler: Thank you, Mr. Chairman. Thank you, ma'am, for coming forward and speaking from your heart. Your views are very important to every Manitoban, and we congratulate you for coming forward on that.

I know that you're speaking from your heart as far as the \$1.25 and the misconception out there, that it could be any amount; use the number of \$5, when, actually, in fact, it's \$1.25 in the legislation, which could change from time to time.

Ms. Flaws: That's per year, though, isn't it?

Mr. Eichler: It could be indexed as well.

* (21:30)

My concern comes back to what I've asked some of the other presenters in regard to whether or not it's going to increase voter turnout or actually cause a decrease in voter turnout. In your experience and the people you talk to in your circle, how do you feel voter turnout will be, based on the \$1.25 vote tax?

Ms. Flaws: I don't think that it's going to make that much difference as far as voter turnout goes, unless they're annoyed with the government and they're not going to go out and vote as a result of that, but, really, it's one more tax that we're so used to being added on to all the time. It's probably not going to make that much difference.

Mr. Eichler: You also talked about information that's been sent out to you in order to make important decisions based on bills as they come forward, and information from us as opposition and that of government. It's very important for opposition to be good opposition, and that's to get information out to you in a timely manner.

As you know, our limits are very limited when it comes to that of what the government is. What are you hearing with respect to the limit that's been put on opposition, as far as costs are concerned, in order to get our message out to the public?

Ms. Flaws: People just can't believe that this is actually trying to be put into legislation. They're saying, just who do the NDP think they are? Why are they telling me what I should hear and what I shouldn't hear? When you first mention it to someone, they say, you're kidding. That can't possibly be in a government bill. My friends and family feel that way.

Mrs. Driedger: Thank you, Ms. Flaws, for being here tonight and presenting. As my colleague from Lakeside said, you did speak from your heart, and this is something that, you know, you felt strongly enough about to be compelled to be here for the first time. I commend you on that.

One of the words you used tonight, and it struck me because I haven't heard it that much from people, but it talks about the responsibility of MLAs to do their job and to communicate with their constituents. If my abilities to communicate with my constituents are taken away in the manner that the government wants to do it with this legislation, how do you think I will be able to communicate with my constituents? What, as an MLA, then, am I left to communicate with or about? What does that do to me being able to do my job and feel proud that I'm doing a good job because I'm going to be prevented from doing so by a government?

Ms. Flaws: This is the part that really scares me. I need to be kept informed. I'm an older adult and the way that I get information is either from the media, which is fairly often biased, or from the people in the government of Manitoba informing me to decipher what it is that's going through. As a regular, everyday citizen, the lingo and the information that's in these bills takes a while to read and to understand, and I like to feel I can go and get it interpreted for me.

Mrs. Driedger: Do you think government has a bigger responsibility to get out there and make sure

Manitobans know about what's in this legislation? Do you think that public consultations would be of benefit, considering that we're changing one of the most fundamental aspects of democracy in this province? Do you think that this government has more of a responsibility to show respect for Manitobans by going out and ensuring Manitobans know what is happening in this legislature?

Ms. Flaws: Absolutely. I think it's so all-encompassing. There are parts of it that are fine, but I think to try and bring in all these little bits and pieces, the censorship, the \$1.25, the allowing the MLAs to inform their constituents, it's sort of all wrapped into this. It just boggles my mind to think that the government thinks that they can tell us what we can read and what we can't read.

Mrs. Driedger: That might be the government's intent, to boggle everybody's mind, so that people are so confused that they can then quickly get this bill through. They seem to be quite desperate actually to push this bill through, and I think that the longer this bill is out there and being debated, the public is becoming more and more aware that it's a slam against democracy.

Do you feel that, in fact, this government has a bigger responsibility than what they've demonstrated so far in, you know, getting out there and showing more respect for Manitobans and having, you know, taking some more time to really look at this and maybe figuring a way to make this bill much more simple so that it isn't boggling everybody's mind, because it's boggling ours too?

Every time we read it we find something a little bit may seem innocuous that all of a sudden has a different interpretation. Do you think in fairness and in respect to all Manitobans that they owe us a little bit more than what they are trying to do?

Ms. Flaws: Yes, I do. But I also really feel that it wasn't thought through when it was put together, about just how restricting and how undemocratic the bill is. I really, honestly feel that we have to keep—to inform the provincial constituents all over. But is it because it was just not thought through, or is it because they are strictly trying to control us?

Mr. Briese: Yes, thank you, Ms. Flaws, for your patience. I saw you here, I think, from the moment I walked in the room, so you've sat for quite a while. We do appreciate you coming and making a presentation.

I find it quite strange that, on the \$1.25 vote tax, to raise the \$250,000 that the NDP would be able to raise would take about a \$7,000 donation from each of the sitting MLAs, \$3,000 of that would be 75 percent tax exempt. They're going to an awful lot of trouble to try and come up with that money.

What I would like to ask you is if you would be a lot more comfortable if this was actually broken down into five bills and presented that way. Would you be more comfortable if it went out—and I heard you say—to more public consultation, and broken down in five bills so that you can judge each one on their own merit?

Ms. Flaws: Yes I feel that way. It needs to be explained in far more detail, and having all five things in this one bill is just, just too much at one time.

Mr. Chairperson: Thank you very much, Ms. Flaws, for your presentation this evening and for your patience. Thank you.

Next presenter we have on our list is Nataliya Hryshko. Nataliya Hryshko. Nataliya Hryshko's name will be dropped to the bottom of the list.

Next name is Marni Larkin. Marni Larkin. Marni Larkin in the audience? Seeing Marni Larkin is not here, her name will be dropped to the bottom of the list.

Next name on the list is Gustav Nelson. Good evening sir, welcome, thank you for your patience.

Do you have a written presentation, sir?

Mr. Gustav Nelson (Private Citizen): No, I do not.

Mr. Chairperson: That's fine. Please proceed when you're ready.

Mr. Nelson: Thank you, Mr. Chair, and fellow committee members. My name is Gustav Nelson, originally from Gimli. I'm now residing in Winnipeg. This is my first time taking part in the democratic process, and I'm thoroughly glad to be here tonight. I very much enjoy politics and I do enjoy this process. I can remember it ever since I was kid, and I still bother my friends to this day harassing them about my views and bugging them about theirs.

* (21:40)

I have twice run for public office, once for a town council and once for MLA, and I enjoyed those very much, and, even more so, I enjoy freedom and liberty as a Canadian citizen. It was my objective

when I decided to run for both that I would stand up for, and defend, both of those, freedom and liberty.

Which brings me to why I'm here tonight. I do not feel that there is something right with these laws that are about to be passed—or these bills that could potentially be passed. I thoroughly object to Bill 37 and what it does to freedom, liberty and democracy here in Manitoba.

Where once we had the freedom to object and question, we find ourselves taking steps backwards. There are now human rights commissions, government controls and archaic laws that restrict our abilities to question and to raise our voice. Freedom, liberty and democracy are clearly becoming more and more a vestige of the past.

This law is probably, by far reaches, supposed to help democracy; however, I find and feel that the opposite rings true in that freedom and democracy are what are being inhibited. There are many things that I find flawed with this bill, limiting free speech, unconstitutionality, as well as inhibiting the political process, just to name a few.

To start off, it's been about nine years since the political process, contributions were strictly limited to how much one can donate and to how much a person can receive. It has severely limited individuals to participate in the political process by making it increasingly difficult to run in elections or to start a political party.

Despite that, at the very least, I could understand that we do not want certain individuals running away with an election or elections. However, what I fail to understand is how these new measures of subsidizing political parties with public money is supposed to help Manitobans.

Today hallway medicine is something that still plagues our hospitals. Manitoba's infrastructure still continues to crumble, and more and more Manitobans are relying on food banks for sustenance. Yet this government believes that approximately a half a million dollars a year can be better spent in the hands of those who don't need.

Political parties are able to fundraise into the millions of dollars, as the PCs have done to a tune of almost \$2 million, the NDP to almost \$1.5 million. So I have to ask, is this really a necessity that must pass?

It's my personal belief that taxpayer money should not be used on public expenses; however, it

should only be used on ones that are definitely needed by the taxpayers. Subsidizing political parties is not one of them.

I find it bad enough that taxes are forcibly taken from the citizens against their will.

I have tried to understand it, and I've come to the belief that this law is really about power. It is about desire and ability to maintain it. I see no logical reason as to why our votes need to cost \$1.25, of course, adjusted for inflation, other than that it contributes to expenses of the party in power.

As the public expense record shows, the NDP do not need another million dollars, nor do the PCs need another half million dollars, nor do the Liberals need another quarter of a million dollars until the next election. I see this vote subsidy as a theft of the public purse and money that could be better spent elsewhere.

My second quarrel comes with power. I believe it should be very limited and controlled. I very much support the idea of having fixed election dates as it takes power out of the Premier's hands to call an election on a whim and/or whenever he or she sees fit. As such, I believe the next election at hand should be under the same provisions as any other fixed election should be and not subject to the Premier's, or any premier's, for that matter, thoughts or beliefs.

Democracy is something that we should all be encouraged and allowed to prosper, and fixing all election dates would be a great start.

My last quarrel comes with the limiting of free speech. Our Constitution guarantees me the right to say whatever I want, whenever I want, as it does for yourselves here at this table and for everyone else here in this room tonight. That same right is extended to those who seek office who wish to make our province better, no matter what ideologue they may have.

One of the many reasons why our civilization has been allowed to grow and prosper as it has is because of our ability to communicate ideas. That's what a society should be. It's a marketplace for ideas to say what you see fit and to question and object. There is no reason why we should restrict those in office to communicate those ideas to the public, especially at a time when it's most needed, before an election, so people can chose with whom they would like to side.

Restricting people from doing so is against our constitution and it is against our rights. I believe increasing the amounts of money parties can spend on advertising to \$75,000 is a very small step forward but, however, I believe it is restricting our free speech by limiting how much they can spend. I believe that is a giant step backwards. We must ditch these archaic laws and bills to allow people to flourish as they see fit.

I see a great hypocrisy with this government as it tries to cling to power for another term for the next upcoming election. Allowing the government to do advertising for the party in power should not be allowed whatsoever no matter who it is. It doesn't matter if it's only restricted to 60 days before an election there is no reason as to why a government should give itself a proverbial pat on the back and waste taxpayer money.

Thomas Jefferson said that the course of history shows as government increases, liberty decreases. It is becoming increasingly more difficult to object, stand up and voice your opinion. Government is a public trust that should be limited and accountable.

Please stop this bill from becoming law and make laws that give back to the people what is naturally theirs, freedom and liberty.

Mr. Chairperson: Thank you, Mr. Nelson, for your presentation here this evening.

Questions of the presenter?

Mr. Eichler: Thank you for your presentation. I know that you're very passionate about politics. Obviously, when you put your name on a ballot civically and provincially, it certainly goes a long way to creating democracy in this province. To see somebody of your age take the interest is certainly very credible.

I do want to address the issue of the \$1.25 tax. In your circle of friends that you hang out with and consult with, what are you hearing as far as the \$1.25? Will that increase the voter turnout or hamper the voter turnout? What's your circle of friends telling you?

Mr. Nelson: Well, this is, of course, my non-scientific study, but, in talking with my friends, I know there are some there that are not as politically active as I am and they have voiced their concern that giving political parties this money will just further them from wanting to vote.

I know I still will vote. I know other members of my family will still vote, but that's only because we're a little more adamant about this political process. But those, I believe, who do not care about it as much as I do, I think they will abstain from voting and this will absolutely discourage them from doing so.

Mr. Eichler: As far as the date that's been selected, now it's set for the middle of June. How does that play with your circle of people as far as being a good time, or is there a better time that you feel would be more beneficial to increase voter turnout?

Mr. Nelson: As long as there is an election, I believe it's a good time. As long as there is a date set that people will know about, I think, will be beneficial to the people that want to vote and beneficial to those who do not typically vote because it gives them a certain time period that will allow them to know and concern themselves with what is going on and go out there and actually vote.

Mr. Lamoureux: When the government brings forward a budget every media outlet across the province picks up on it and they will talk about it, but, yet, immediately following the release of a budget, the government will go out and spend \$200,000 to promote the budget. In your opinion as a taxpayer, do you see any value to the government spending \$200,000 to tell people about the budget?

Mr. Nelson: Absolutely not. I don't believe that is what taxpayer money should be used for. If it's a person's will to want to find out what their government is doing, they should do so. I believe the knowledge should be available. I mean, I think it's increasingly more predominant that these things can become available with Internet and other ways of communication. So I think that going out and spending \$200,000 is not what government money should be spent for.

* (21:50)

Mr. Graydon: Thank you, Mr. Chairman, and thank you, Mr. Nelson, for your presentation tonight. The presentation was very well done and I congratulate you also for engaging in the political system at the age that you're at. We need to see more of that.

Mr. Nelson, because you lived in Selkirk and now you live in the city, and you probably have, as you pointed out, a lot of friends. How many of your friends do you feel—at your age, how many of your friends are familiar with this bill in any aspect, other than the one that you've explained it to?

Mr. Nelson: Well, for my friends that are still here in Manitoba, other than me, because I consider myself my best friend, but I don't think there's anyone else that knows about this bill that's about to be proposed. Even myself, finding out just became last minute because I heard this just was something that was pushed through at last minute and it was hidden deep within other measures and hidden deeply. To answer your question, I don't believe anybody else that I know knows about it.

Mr. Graydon: Thank you for that answer.

Just to help us as legislators, what do you suppose we could do to better engage people of all ages in this type of an exercise?

Mr. Nelson: To increase voters?

Mr. Graydon: To increase participation in the exercise that we go through tonight, in scrutinizing the legislation as put forward and then also in the election process for voting, yes, of course.

Mr. Nelson: I believe it's kind of a funny situation, because I think those who do want to get involved and those who are very interested, do so. I think it all depends upon how pressing the matter is, as well. I got involved myself coming here tonight because I think we are taking giant steps backwards—huge steps backwards—with these bills proposed. I think if I was an MLA and I was to want to communicate with my members, I would be restricted in doing so, and I don't believe that that is part of the fundamentals in which this country was built. That is basically what I stand for and I believe that I should stand up for those and try and defend them at all costs.

To increase voters, I think this whole vote tax has gone the wrong way. Through my recent studies in economics, the No. 1 reason why people do things is because of cost. If people—now I'm just saying this as just something that's completely hypothetical, but if people were to get paid for their vote, I think you'd see a huge increase of voters rather than people finding out that their vote that they give to a party is also going to get the money that is taken from them from taxes. So I think it's completely backwards and wrong.

Mr. Leonard Derkach (Russell): Mr. Nelson, thank you for your presentation. This bill, viewed by many as being very undemocratic, or sets up a very undemocratic process in terms of how those who represent constituents are treated in terms of the sanctions that are put on with regard to communication, not only constituents, but also with

other Manitobans. The opposition's role is to try to keep government accountable, and, in doing that, we have to be able to communicate not only with our constituents, but also with people in other jurisdictions.

As an individual who's out there in Manitoba, you probably want to have some connection with what goes on in government and, from time to time, would probably appreciate some literature from government. Do you think that it is appropriate, in a democratic society, for the government—the governing party—to be able to scrutinize what goes out to constituencies and to Manitobans in terms of direct mail and also in terms of communicating through other means?

Mr. Nelson: To clarify, you said, do I believe that should the governing party determine what is correct. Absolutely not. I don't believe that at all because that is, once again, restricting our free rights as individuals, as Canadian citizens, first and foremost. So I don't believe that any government should be allowed to oppress other people in that manner.

Mr. Rob Altemeyer (Wolseley): Thank you very much, Mr. Nelson. Good to see you again. I just wanted to commend you, once again, for coming down here to exercise your democratic right to participate and also provide you with some feedback. Your campaign in Wolseley, I thought, was run with integrity and people were impressed with the forcefulness that you brought to your arguments. So I just wanted to pass that on.

I happen to come back into the room just as you were talking about human rights or human rights commissions. I wonder if you'd care to expand a bit more on that. I'm sorry I missed your original thoughts on that.

Mr. Nelson: Well, thank you very much for your comments.

I know this is more of a federal matter in which there have been federal human rights commissions that have been set up to deem what may be hateful speech or what may be deemed inappropriate. But I believe if we are living in a true, free society that no matter what one person says should absolutely go. If I want to come up here and start swearing at all of you, which I would absolutely not do, but I believe that is my given right as a person to absolutely do that.

I don't agree with those measures that those commissions are taking. I believe that is just

censoring and restricting free speech amongst the people.

Mr. Chairperson: Thank you very much, Mr. Nelson, for your presentation here this evening and for your patience in sticking with us.

Mr. Nelson: Thank you very much.

Mr. Chairperson: Next presenter we have on our list is David G. Newman, QC, private citizen. Mr. Newman. I believe we saw him in the committee last evening, so I'm not sure if he's here this evening or not. Mr. Newman, if you're present, sir, could you please come forward. Mr. Newman does not seem to be present this evening, so we'll drop his name to the bottom of the list.

Next presenter we have listed is Del Sexsmith, private citizen. Good evening, Mr. Sexsmith. Welcome. Thank you for your patience. Do you have a written presentation, sir?

Mr. Del Sexsmith (Private Citizen) : No, just my notes, thanks.

Mr. Chairperson: Please proceed when you're ready.

Mr. Sexsmith: Good evening, honourable members of the committee and ladies and gentlemen. To introduce myself, my name is Del Sexsmith, a citizen from North Kildonan in Winnipeg.

I'm here tonight to speak in opposition to Bill 37. It's a complicated piece of legislation and, before providing my comments, I would like to tell you about my background so that you might appreciate my perspective. For the past 40 years, I've been gainfully employed in the business we might generally refer to as the media and communications. For 21 years, from 1970 until 1991, I was associated with and helped to manage CJOB, Winnipeg's news-talk radio station. For the past 19 years, I have been associated with advertising and public relations with several firms. Currently, I'm the general manager of a Winnipeg media buying firm, which is to say an advertising agency.

In my years of voluntary service, I have been the president of the Winnipeg Press Club, the president of the Broadcasters Association of Manitoba and the president of the Eric and Jack Wells Foundation, which honours excellence in journalism. I've also been associated with public relations and advertising efforts to further the cause of children and adults with disabilities, in particular, intellectual disabilities.

I mention these things to show that I have a great deal of experience dealing with the media, advertising, public relations and the people that become a part of this work. In my remarks tonight I do not represent the views of any of these firms or organizations in any official capacity. I'm speaking as a private citizen who has seen a great deal happen in the past 40 years.

* (22:00)

I am alarmed at what I see in Bill 37. In particular, I am alarmed at what is referred to as schedule E. It opens with the disturbing phrase: The commission must as soon as reasonably practical after the coming into force of this section, establish criteria or guidelines in order to ensure that the following are not partisan. A list then follows referring to printed material, electronic material and various forms of advertizing. Not partisan. What an ominous phrase. Does anyone really want to say this? Isn't the essence of a functioning democracy all about partisan views? Isn't this what the public expects to read or hear from their elected representatives? Isn't that why they elected MLAs in the first place?

No, I don't think a commission should be given the power to determine what is partisan in a document or similar announcement provided by a member of the House of the Legislature. I don't think so because of these clear reasons: (1) it opposes the tenets of free speech; (2) it interferes with the normal course of democracy; (3) it prevents the public from hearing all aspects of a debate; (4) it denies a voice to those marginalized by society; (5) it restricts the media from performing the normal duties of covering the issues; (6) it is unwieldy for a commission to manage; (7) it invites national and international ridicule.

Let me speak to each one of these reasons, why I believe that Bill 37 should eliminate this schedule E.

First: The tenets of free speech allow that the public and it's representatives have a right to speak out when they feel they are not being heard, or simply need to be heard on an issue. Free speech is not always pretty. It is not always full of the things that you might agree with, but it is the canvas upon which we all frame our decisions. The opposition may have things to say to its constituents that seem odd to the government of the day, or plain wrong. But, in my experience, the public has always been able to sort these things out, even when they are presented in a brochure or an advertisement that you

find unflattering. In short, people can see through partisan points of view and get to the nugget of the truth they are seeking all on their own.

Two: The normal course of democracy includes rallies, petitions, special meetings, hearings, even the many partisan exchanges during question period and open debate in the Legislature. Partisan publications are merely an extension of these things. I do not see how it is sensible to ban their production and distribution without restricting the nature and the spirit of democratic debate.

Three: The public needs to hear all sides of a debate. In the modern media sound bites are edited to seven seconds, headlines are usually only a few words and there are so many issues to follow. There isn't always enough detail in these heavily edited stories for the truly interested constituent to find the information they seek. A direct approach to constituents no matter how partisan can be effective in helping the public to understand all sides of an issue.

Four: Marginalized members of our society, the poor, those with disabilities and those whose legitimate concerns have gone unheard, often rely on partisan views to have their story told. Ask someone with a disability or their family members what their views are on euthanasia, or forced sterilization or the level of financial support they receive from the government. I've heard their views. In many cases, it was only through the partisan support of an elected representative that historic injustices were corrected and proper legislation was created, even when it made the government of the day uncomfortable in the early going.

Five: The media needs opposing views to draw out the many aspects of an issue. Sometimes, it is only through a partisan publication that it can find the means to approach a story or an issue and help provide progress on an issue. Silencing the opposition silences the news of the Legislature, including the work of the government.

Six: The unwieldiness of this type of censorship needs to be considered. A determined opposition might generate many different partisan pieces just to test the system, creating an unworkable process and an oppressive backlog. All of which would speak to an Orwellian style of mind control on the part of the commission and the government.

Seven: For all these reasons, I would suggest that schedule E opens itself to national and

international ridicule. One day our province is proud to speak of the Canadian Museum of Human Rights. The next day it denies its elected members the right to speak to their constituents. This raises the spectre of an obsessive government afraid of public comment by members of its own House of Assembly. Canadians have always opposed this type of rule.

Finally, to those who prepared this legislation, I say, do not invite comparisons with undemocratic regimes because most of all you are above this. You can do better. Manitoba deserves better.

In conclusion, I hope you will withdraw this bill and eliminate the contentious section on schedule E which attempts to block the partisan voice of every member of the Manitoba Legislature. Thank you.

Mr. Chairperson: Thank you very much for your presentation, Mr. Sexsmith.

Questions of the presenter? Mr. Eichler?

Mr. Eichler: Thank you for your presentation, very well done.

I was wondering if you would be good enough to just highlight a little bit more of what you were talking about in regard to silencing the opposition, you silence the government. That rung a bell with me as far as us being able to do our job as opposition and certainly that of holding the government accountable.

How do you see that playing out in the long term as far as governments are concerned, down the road and in the current government?

Mr. Sexsmith: Well, the purpose of having a voice in the Legislature, all 57 voices, is to draw attention to the work of the government. In general, the government is both parties, both sides of the House, so to speak, introducing bills and leading to legislation that affects the lives of every Manitoban. When you silence the opposition, you prevent their ability to introduce ideas that may improve government legislation. You prevent their opportunity to introduce a way to delay procedures that the government may reconsider and want to review and produce a different way.

Also, if you silence the opposition, you create something that's called silence, basically. Nothing. There is no news in that. Eventually, the media tires of news releases. Eventually the photo sessions become ignored and all of the work of the

government is more or less forgotten. I think that's a bad thing for society as a whole.

Mr. Eichler: Thank you. In regard to voter turnout, what do you see this bill doing as far as increasing voter turnout or worst case scenario, having the voter turnout even less than what it is now?

Mr. Sexsmith: Well, it definitely will feed on the momentum to have fewer voters that currently is occurring in society. Voters need to be animated and there's many points of view that are usually brought forward to animate people, to cause them to want to go to their ballot box and either stand up for or stand against something. The more people you silence in the whole political process, the less reasons there is for anyone to show up and vote.

Mr. Lamoureux: Mr. Chairperson, I did have a question.

I want to give a specific example in terms of the issue of censorship. I just handed you a business card and below my name in large print, you'll find the smallest font where it says Deputy Leader of the Liberal Party. If I was to put that card—if this legislation was to pass as it is without amendment, and I put that card in an envelope, because it says Deputy Leader of the Liberal Party, and I was to include a petition that I table every other day inside the Chamber, the petition would say, in essence, the NDP was negligent with the Crocus Fund fiasco, and then at the end, BE IT RESOLVED that there be a public inquiry regarding the Crocus, then I was to take, let's say a Vic Grant Excuse Me, where somewhere in his dialogue he made reference to NDP or PC or Liberal, any one of the three, and I was to print that off and then put it in the same envelope and then write a little note saying, please, if you're interested, return the petition to me. That group of people, that now would be able to censor it, would rule that as being too partisan and they would not allow me to circulate that to my constituents or any other individual maybe that's lost thousands of dollars; that's a guarantee if this legislation was to pass.

I'm interested in knowing how you would respond to that.

Mr. Sexsmith: Well, I've already said that I believe the intent of this legislation is to suffocate the voice of the media and prevent it from its work being given a wider distribution. Whether it's done on a partisan basis or not, the media gives its view independent of those things. Very often, it's used as third-party

testimonial for all points of view and for all political parties. But to attach a label of partisanship and then refuse its use, I think is unconscionable.

Mr. Lamoureux: So you would be of the opinion, then, that I should be allowed to put my business card in as it's printed there. As I say, it was ruled out because it had deputy leader, not because there's a Liberal logo on it or anything that, because I use the term deputy leader. My petition was ruled out because it had NDP on it. The comments from any editorial, I can only use if they do not put NDP, Liberal or PC or Green Party. They can't mention a party. That content would be disallowed by this government.

Mr. Sexsmith: Well, it's clearly wrong. The media didn't write it in order to promote you, but they did write it because they felt the public had a right to know. You have a right to distribute that information without changing it.

* (22:10)

Mr. Lamoureux: Thank you.

Mr. Briese: Thank you, Mr. Sexsmith. Glad to hear you here making a presentation.

I know you stuck to mostly section E of the bill, but would you have any comments on the \$1.25-vote tax?

Mr. Sexsmith: In general, direct taxation to be used to support political parties, I think, is incorrect. It's the first step, because all we're arguing about here is the amount. I think anyone could make a representation to you from the advertising industry; \$1.25 is not a lot. You'd usually spend 10 times that much and not accomplish a whole great deal.

So, before you know it, you've pretty much guaranteed that the two greatest winners in the recent election, whatever that election may be, will be the greatest recipients and, in a very short time, you've got a two-party state. I don't know why that idea was introduced, but to me it seems we're on a path towards that, just through this legislation.

Mr. Graydon: Thank you, Mr. Sexsmith, for your excellent presentation tonight.

Being as you are in the advertising business, it would almost make sense that the more money that any party has the happier you would be in your business. I would suggest that most of the money in a political race or in an election goes to advertising.

My personal view is that the money that's being raised for the advertising should be done on a face-to-face basis, and it should be done on voluntary contributions, not on the masses by legislation. However, how do you feel about the current funding that political individuals get under the current system of getting back 50 percent of their election expenses after the election?

Mr. Sexsmith: I find that acceptable. After all, you're rewarding the ability of candidates to go out and find support which can be measured in a tangible way, which is through donations and contributions. Ultimately, that's how I personally feel a party should be supported is by direct contributions as opposed to taxation. If there is to be a system that rewards that, the same as charitable donations, then I support that in principle.

Mr. Graydon: Then, and I'm sure that you understand that all candidates get that, not just the winning candidate, but all candidates get that, correct?

Mr. Sexsmith: Yes, I understand that.

Mr. Graydon: Thank you very much.

Mr. Chairperson: Thank you very much for your presentation this evening, for your patience in sticking with us.

Mr. Sexsmith: Thanks very much.

Mr. Chairperson: Time has expired.

Next presenter is Andrew Basham, Green Party of Manitoba. Good evening, Mr. Basham. Welcome. Thank you for your patience.

Do you have a written presentation?

Mr. Andrew Basham (Green Party of Manitoba): No, just oral.

Mr. Chairperson: Please proceed when you're ready sir.

Mr. Basham: Thank you.

Okay, well, I guess I'm probably the first small-party person to come forward and support the legislation. I think that it's good in some respects and bad in others, like most things in the world.

I definitely support the allowances for political parties, of course. Federally, we have this and it's helped the federal Green Party a lot. I would be failing in my duty if I were to not support it as it will help my party, which could use this support. Most

democracies in the world have this public financing of political parties. I recently went to the Global Green Congress in Sao Paulo, Brazil, where all the Green Parties in the world met. Most of them were shocked to find out that the Green Party of Manitoba does not receive any funding or support from the government of Manitoba. They wondered how do you operate.

Well, we hold fundraisers all the time and that takes away from the time we could be working on legislation, on developing real sustainable policies for Manitoba, which is what we want to do. We don't want to be out asking people for money all the time. We're actually holding a fundraiser tonight, and I'm going there right after this is done, just to give you an example. And we're not lazy—there are some suggestions that political parties are lazy and they just want free money. No, that's not true at all. Well, maybe in some cases, but, I mean, I think that all people who join political parties, they want to work for the public good.

There's not really any business other than politics that is explicitly for the public good. So I commend all politicians for working for that because that's what we're all here for. We may disagree about what is the public good, but that's what we do, and we need the voters who vote for us, are supporting us and they want us to have some money to do those things.

These people are voting for you to have maybe \$80,000 salary a year. I don't think they would be concerned about \$1.25. More importantly, not everyone has the opportunity to give large donations to their candidates and their parties of their choice. So, to say that everyone can give, that's not the case. I know the Democrats have worked for some of the lower-income peoples of society for a long time, and that's something to be respected. That's part of the reason I think they're needing this money, as are other parties, like the Greens. So I support that provision.

Other provisions in the act, the provision on the Legislative Assembly Management Committee, the LAMC, I thought that was ludicrous. Why would you put forward a section in this bill like that? Don't you see that you will be in opposition again one day? If they proposed this and you're on the other side, you would be lining the place up with your supporters and screaming foul, just as the Conservatives—and that you'd be right, just as they're right now.

I thought there was the statement from the student of UMSU, yes, a management committee is good for a student union, but we're all adults here. You don't need daddy or mommy telling you what to tell your constituents. You should be treating them with respect, and I'm sure you do. I think that that LAMC part in this oversight that should be scrapped. Get rid of that. That's unpopular. I don't think most people want that.

That will make this bill a lot more palatable because I think the party allowance section is a democratic move. It's something that increases democracy at—doing a little bit of research I'm preparing here—the European Commission for Democracy through Law, they have guidelines on political party financing. Public financing is No. 1; private financing is No. 2. We could take a cue from other countries which have much higher turnouts in elections than we do; 70 percent is normal, and more.

You are not here to legislate the truth with the LAMC. You are here to legislate what's justice, and I think that \$1.25 per vote is a form of justice. It's equality of opportunity to donate. I think this proportional financing is a first step to something towards maybe proportional representation, which also would increase voter turnout because people feel that their vote is counting for something. I think in the next election if this legislation goes through, you'll probably see an increase in voter turnout because people will know that their vote at least is giving \$1.25. I know lots of people who have said to me as a Green, with this new federal legislation, I at least know you are going to get that \$1.25, and that makes me happy. I know that my vote is doing something.

It's not 600,000 Canadians voting for us so that we have no seats and no money, or \$25,000 a year, which is what we were operating on before. Now we'll have a lot more. It helps us do activities across the country and we employ people with that money. The Green Party will be spending that money very wisely. We have an ethical purchasing policy. We require local purchasing. That money will be spent well.

Just in terms of the idea of getting more people to be involved in the process, you want more consultation on the electoral process. The whole process of democracy, really, I think there's sort of rumblings across the country that there's a need for some electoral reform. Certainly, in B.C. they have had a Citizens' Assembly on Electoral Reform, and,

in Ontario, they've also had the citizens' assembly. In both those jurisdictions, the referendums that came out of them failed, but what didn't fail was engaging citizens. They engaged randomly selected, ordinary citizens from their province in discussing democracy. I think that a citizens' assembly in Manitoba is something that we need, to look at all the aspects of democracy in Manitoba.

* (22:20)

So I would encourage you to look at—if you are interested, I have a petition with over 300 signatures on it from Manitobans calling for a citizens' assembly on electoral reform. We used to have proportional representation in Manitoba from 1920 to 1958. I think the only reason it was gotten rid of was political opportunism on the part of Douglas Campbell, but it backfired and he lost the election. So we would still have proportional representation if it wasn't for Mr. Campbell thinking he could get more seats. It didn't work. Maybe there's—there's a good reason, I think, that proportional representation was instituted in the first place after the 1919 strike, and I think that we need to revisit that. Our voter turnouts are abysmal. The City election is even worse, but, provincially, we're not doing as good as we could. I think a citizens' assembly is something that might engage more people.

That's pretty much all I had to say so, if you have any questions, I'll—

Mr. Chairperson: Thank you very much, Mr. Basham, for your presentation this evening.

Questions of the presenter?

Mr. Lamoureux: I appreciate the presentation.

Maybe just a couple of quick questions. You're familiar in terms of the manner in which the legislation came into being. Do you feel, generally speaking, that before you bring in election act changes or finance act changes, there should be some form of consultation done with all political parties before legislation is brought in?

Mr. Basham: Yes, I certainly do think that that kind of consultation is important; hence my proposal of the citizens' assembly for Manitoba. Yes, it is unfortunate the way the legislation was brought in. I mean, you're not breaking any rules getting it in the way it was.

I think the retroactive aspect of it is justifiable because it's unjust not to be having that kind of support for political parties. So, if you're passing

retroactive law, in a sense, to rectify an injustice then that's acceptable. But I think that, yes, there should be more consultation before electoral laws are changed or brought in.

Mr. Lamoureux: Elections Manitoba, I believe, actually made reference to the fact of fixed elections in their last report, or it could have been the Auditors—I'm not too sure—one of the reports talked about fixed elections.

There is an advisory committee that Elections Manitoba has, and quite often—[interjection] You're familiar with it. Quite often Elections Manitoba will attempt to work within that group to figure out how it should change laws. Would you or your party be in favour of any modifications to The Elections Act having to have to go through that particular committee before it could actually come to the Legislature?

Mr. Basham: Yes, and I know that there are some Elections Act advisory committee and Elections Finances Act advisory committee meetings scheduled for June, so I believe that this bill will be top of the agenda there. I think that's going to happen, actually, before it reaches the Legislative Assembly itself, but I don't know how fast it's going to be in the Assembly.

Mr. Briese: I think I heard you say, the part that basically—do you see signs of, I guess, censorship in this legislation? I think I heard you say that you're very opposed to that. Would you be more comfortable if this was broken down into five different bills and presented that way, where we could actually talk about each section of this omnibus bill individually?

Mr. Basham: I think that would take a lot of time. Certainly, I'd like to see the party allowance section going through quickly. I can say that, but the section on censorship, it should just be scrapped. I mean, why is that being proposed at all? Yes, there should be a limited budget so people know what they have, because there's not unlimited money anywhere, including in the government. So people know they need to ration their literature and not waste it with overly partisan comments, which are justifiable. We're all party members, or you're all party members. I think that part of the thing should just be scrapped. If you want to put it on its own, you should just delete it from the legislation. One of you should make an amendment and delete it so that you don't need to deal with embarrassing presentation after presentation and calling you draconian and what not.

So I don't have an opinion on whether you want to break it up or not. Just scrap it. Scrap that one part.

Mr. Briese: I'll assure you, Mr. Basham, we will be trying to make those amendments.

One part that you didn't touch on was the election dates. What's your feeling about that?

Mr. Basham: Well, speaking as a representative of the Green Party of Manitoba, we've had a policy favouring fixed election dates since 2004, so the Green Party of Manitoba is in favour of a fixed election date.

Mr. Eichler: Thank you for your presentation. Based on the increased funding that you're going to get as a result of the \$1.25, how do you see that increasing voter turnout, not only just for your party, but as the province as a whole?

Mr. Basham: Well, I think people will see that their vote does count. Like I mentioned before, people will come up to me and say, with this \$1.75 at a federal level, I feel that my vote is going somewhere. I know that you guys are at least going to get a little bit of money to help you do what you're doing which I support and that's why I'm voting for you in the first place. So I think that you might see voter turnout increase.

You might even see more people, more candidates, more people running in the election, more people going out to get the vote because it provides the candidates and the parties with an incentive to get more votes. So your party is going to be pounding the pavement trying to get more people out to vote 'cause you'll get \$1.75. The NDP will be doing the same. We'll be doing the same.

So I think the voter turnout perhaps might go up. I know it went up 5 percent from 2003-2008. I would hope that we could continue that trend and maybe there are other mechanisms that could be used to increase the turnout as well.

Mr. Eichler: Again, coming back to the same issue, with grassroots funding from donations from other sources for your particular party, do you see that having to become a non-issue now that you'd be able to be funded by \$1.25 per vote?

Mr. Basham: No. Certainly, our grassroots private funding, which is the only type of funding you can get today, will definitely not become a non-issue. It's still important. Our office, it costs us about just under \$10,000 a year was our expenses last year, you can see in Elections Manitoba on-line. That money goes

to maintaining our office, maintaining our Web site, holding our general meetings and saving a little bit for election, holding events, where we can, presenting information, going to conferences.

This money will only help the Green Party of Manitoba grow—don't be too scared, everyone. This will help us grow. So we'll be able to do more activities and actually we're making plans for how we might be able to use this in holding community consultations or community forums in different neighbourhoods around the city and getting more people's views on sustainability and what kind of policies could be brought about to have a sustainable Manitoba.

Mr. Graydon: Thank you very much for your presentation tonight. It's great to see the young people that are stepping up to the plate in the political arena, and sometimes when you do step up to the plate in a small organization or a small party like you are, it takes a lot more courage, and for that I think you should be applauded.

I've heard tonight a number of times that there just isn't enough engagement by voters, and you being the young individual you are, and there's a lot of white hair around here, and some lucky to have hair at all, we haven't been able to increase the voting population. If you had this extra funding how would you go about encouraging more people other than the fact that they're going to give you money or that you'll have more money, how do you encourage the people throughout Manitoba? How do you encourage them, the young people to take that interest that you have?

* (22:30)

Mr. Basham: One of the problems with a small party is funding—because most of the voters live in Winnipeg. That's a fact. But we do have a regional advisory committee in the Green Party of Manitoba and seek to involve people outside the province. One of the things we will almost certainly do, if we receive this funding, is hold an annual general meeting outside of the city so we can start to touch base with members that we have who are outside the city, who want to participate, but the costs are prohibitive to drive into the city, necessarily, for a general meeting. So we'd like to take our show on the road, so to speak, and we have a travel fund and we would be contributing to that.

As I mentioned, we also want to hold community consultations. One thing we've been

talking about is buying a little digital projector, so that we could show PowerPoint presentations of our program to communities, gather their input and engage people that way, on an intellectual level, because we look really at politics as an educational process, a dialogical process, not just us going out saying, this is what we're going to do and this is why it's right, but this is what we want to do; what do you think?

Then we hear what people say, because we don't look at it as we're just going out there to get your votes. We're going out there to change things and change the way politics is done, so this will help us.

Mr. Graydon: Thank you for that answer. I really appreciate the enthusiasm that you have for the party that you represent.

The NDP had that option to take bills, such as this, outside this room, outside the city. They have the opportunity to present this in a large, wider base to people that have no idea what this is all about. I give you credit. You do know, but I'll bet you that you haven't got 10 close friends that do know. Outside the city, any of your colleagues don't know.

Would you suggest that, because of the complexity of this bill and the importance of it to your party, it should be taken outside the city, that there should be wider consultation?

Mr. Basham: First of all, I'd like to say that our members outside the city are not unaware of the bill. We do have a list serve; we have members outside the city participating in it, so that's one way the Internet is a great way to keep people connected and to share information. So our members outside the city are aware of this bill.

Yes, it would be great to do more consultation on the bill but the thing is it's such an obvious step to have public financing. Like I mentioned, in Europe, the standard is public financing; private financing is secondary. So, really, I don't think you need a lot more consultation on that. It's like sometimes you consult things to death and, really, this bill—I'm not going to say it's been consulted to death, because it obviously hasn't had tons of consultation—but I think that it's obvious enough, it's a good enough public policy that it should just be passed at this point.

I think the Legislative Assembly, the LAMC section—that can't go through—but most of the rest of the bill, I think, is basically sound and so—

Mr. Chairperson: Mr. Graydon, one last question, please.

Mr. Graydon: Just wanted to talk briefly about the censorship now—you're happy with one part of it, but you're not happy with the other. Only you had the opportunity tonight of your party and your colleagues, even though they know about it, they're not going to be happy with the censorship either.

Mr. Basham: No.

Mr. Graydon: So that's why it's important to broaden the scope and broaden the opportunity for people to participate and engage in democracy. I think you'll agree with that, wouldn't you?

Mr. Basham: Certainly, I agree it's important to have more people participate in a democracy. There are many areas of government decision-making that no one has participation in—the Premier's Economic Advisory Council, the economic strategy of the province.

You need more involvement of ordinary, randomly selected Manitobans, not just a bunch of people who are in the know and are coming up and saying things. We need people who are randomly selected. That's why I support a citizens' assembly on electoral reform or, even just more broadly, democratic reform, to talk about democracy in Manitoba.

I don't know when the last time anything of that nature has been conducted in Manitoba, if ever. I think that would be a real opportunity to get more people to discuss this, because they could pass this bill tomorrow and it's not going to—you can still change it later, right? You pass a law; it's not forever. So pass this law; get the public financing established. It's a good public policy in my view. Pass that part, get rid of the LAMC part and then hold a province-wide citizens' assembly, and I'll present my petition to you or anyone who would like to present that to the Legislative Assembly. That is a way of engaging more Manitobans in a broader discussion of democracy, not just the vote tax, or the \$1.25. I mean, it's not a vote tax, but you know what I'm saying. We want to involve them, not just in this specific bill but in the whole range of what is democracy in Manitoba. So I don't think that spending tons of money on a consultation process on just such a specific bill would be a good use of taxpayer money or a good use of your time either.

I think that it would make more sense to do it on a more broad-based level where Manitobans will feel

like they have more to say, more to give you, more possibilities for engagement, because just focussing their consultation on such a narrow scope, it's not doing them a service really.

Mr. Chairperson: Thank you very much for your presentation, Mr. Basham. I appreciate you taking the time and come out to talk and make a presentation to our committee.

Committee Substitution

Mr. Chairperson: For the information of the committee members we have a substitution: Mr. Bjornson for Mr. Chomiak.

* * *

Mr. Chairperson: The next presenter we have on our list is David McLelland, who had been previously called. David McLelland for the second call. David McLelland, second call. David McLelland's name will be dropped from the list.

Next individual is Roméo Lemieux. Roméo Lemieux had been called previously. Second call for Roméo Lemieux. Roméo Lemieux's name will be dropped from the list.

Next name is Jag Malik. Jag Malik had previously been called. Jag Malik's name will be dropped from the list.

Dale Lund. Dale Lund had previously been called. This is the second call for Dale Lund. Dale Lund's name will be dropped from the list.

Lillian Kelbart. Lillian Kelbart, name had previously been called. This is the second call for Lillian Kelbart. Lillian Kelbart's name will be dropped from the list.

Next name is Suzanne Adkins. Suzanne Adkins had previously been called. This is the second call for Suzanne Adkins. Suzanne Adkins's name will be dropped from the list.

Next name is Linda Ward. Linda Ward had previously been called. This is the second call for Linda Ward. Linda Ward's name will be dropped from the list.

Next name is Tony Balian. Tony Balian's name had previously been called. This is the second call for Tony Balian. Tony Balian's name will be dropped from the list.

Beverley Ranson. Beverley Ranson's name had previously been called. The second call for Beverley

Ranson. Beverley Ranson's name will be dropped from the list.

Next name is Nelson Dolff. Nelson Dolff had previously been called. This is the second call for Nelson Dolff. Nelson Dolff's name will be struck from the list.

Next individual on the list is Art Oscar. Art Oscar had previously been called. This is the second call for Art Oscar. Art Oscar's name will be dropped from the list.

Next name is Dianne Lambert. Dianne Lambert's name had previously been called. Second call for Dianne Lambert. Dianne Lambert's name will be struck from the list.

* (22:40)

Next name is Cliff Zarecki. Cliff Zarecki's name previously had been called. This is the second call for Cliff Zarecki. Cliff Zarecki's name will be dropped from the list.

Next name is Bruce Dwornick. Bruce Dwornick's name previously had been called. This is the second call for Bruce Dwornick. Bruce Dwornick's name will be dropped from the list.

Next name is Dave Henderson. Dave Henderson's name previously had been called. Second call for Dave Henderson. Dave Henderson's name will be dropped from the list.

First call on Kevin McPike, private citizen. Kevin McPike. Kevin McPike's name will be dropped to the bottom of the list.

First call for Brian Higgins. Good evening sir, thank you very much for your patience. Sorry it took us so long to get to you.

Mr. Brian Higgins (Private Citizen): So am I. It's past my bedtime.

Mr. Chairperson: You're a very patient man. Do you have a written presentation, sir?

Mr. Higgins: No. It's just my notes, humble as they are.

Mr. Chairperson: Please proceed when you're ready.

Mr. Higgins: I wish to register my objection to Bill 37 in total. I believe it's a blatant attempt by the government to subvert democracy. It makes the Sokolyk vote-rigging in, not quite a number of years ago in one Aboriginal riding, look like amateur hour.

This is a cold, deliberate attempt to rig the electoral process. It's just a way of keeping the NDP in power.

As far as funding political parties on the basis of votes attained in a prior election or any election, I do not agree with it. I do not—I really object to my tax dollars going to fund political parties. I'm fundamentally opposed to it because my dollars could be going to fund a party that I am opposed to. I just disagree with it in total, even federally, but what are you going to do.

And the committee review of MLA material which is sent out to their constituents, I think this is unacceptable. The committees would be dominated by the government in power and I do not think it's a democratic process at all. If the government can control what the opposition sends out, it's really not good.

As far as restricting the money spent by political parties in advertising, I do not believe that is acceptable either. The government can send out lots of things, advertising, newspapers, whatever, as well as the householders that extol their virtues and what they've done that's so good for Manitobans. It's not an even playing field. Even with the opposition being able to do what they can with no obstruction, it will never be an even playing field because the government always is top dog. But that's life. What's fair?

I recommend that Bill 37 be withdrawn in total. I can see that this is going to end up in the Supreme Court eventually. Someone is going to take it to the top, highest level. It's fundamentally undemocratic. It's taken the democratic out of the New Democratic. Tommy Douglas and Woodsworth would be spinning in their graves. It's just not acceptable at all. As a private citizen, I really don't want my tax dollars being thrown away, the way that this is going to lead to.

If you have any questions, go ahead.

Mr. Chairperson: Thank you very much, Mr. Higgins, for your presentation. Questions to the presenter? Mrs. Driedger, did you have your hand up first, and then I'll get to Mr. Eichler after you.

Mrs. Driedger: Thank you, Mr. Chairperson, and thank you, Mr. Higgins, for being here tonight and staying with us the whole evening. It's been a very, very long evening for you and we sincerely appreciate it. I think in a very succinct way, you have repeated what we have heard over and over again, and I think you summarized it all very, very well

tonight in the few words that you have put forward. I really would hope that the government would take heed of what you've said.

I think there were a couple of things in there that I just want to focus on. Part of it is the amount of money, the \$1.25, that is going to end up going into the coffers so that we're going to see ordinary citizens having to be taxed again after we're paying substantial taxes here in this province. We're still a have-not province. We're the highest taxed west of Québec, and it goes on and on.

We're seeing a growing elderly population, as well, in the province because our baby boomers are hitting that stage. There are going to be a lot of baby boomers, a lot of elderly people who are on fixed incomes. Do you suspect that what we're going to see, because of that—and we're already seeing it now with Pharmacare deductibles having been raised another 5 percent in this past budget. So under this government, it's been raised 34 percent in total. Again, our seniors are being hit from different angles. Vehicle registration, again, up. It's sort of coming at us from every angle.

Do you think that this vote tax is just another very, very disrespectful way for a government to treat its citizens?

Mr. Higgins: It is really.

Mr. Chairperson: Mr. Higgins, please proceed, sir. I have to recognize you so our folks can turn on your microphone.

Mr. Higgins: My income has not gone up in six years. Everything else is going up. Now, why the hell would I want another tax? It doesn't make a lot of sense to me. The medicare deduction, it goes up every year. The only time it didn't go up was during the last election. Was that a reason for that? Could be, I don't know. It makes you scratch your head, yeah. But I just don't want to see another dollar going out of my pocket for taxes. It's bad enough, the gas.

Mr. Eichler: Thank you for your presentation. Thank you for your patience. You spoke from your heart passionately, and I can certainly appreciate where you're coming from having parents about your age, as well, and I know how passionate they feel about parting with their dollars as well.

But you talked about the opposition being able to get their message out and the censorship that's been brought forward in this bill as well. We're very limited when it comes to funds at the best of times,

even through our constituency allowances and through raising money through the political process.

What's your position as far as us being able to get our communications out to the voter populace, so that they can make the intelligent decisions they need to when it comes to information on bills?

Mr. Higgins: The mail the MLAs send out, this has to be sent out without any restriction on content, I would think. What's the point? You say you can't have partisan politics in the householders. That's what this place is about. It's partisan. Everything you guys do is partisan, really.

* (22:50)

Mr. Chairperson: Mr. Lamoureux, or Mr. Eichler, did you have further questions?

Mr. Eichler: Yes, I did.

Mr. Chairperson: Okay. Sorry, I didn't see your hand.

Mr. Eichler: Thank you for that. Also, in regard to voter turnout, whenever we look at trying to increase voter turnout, we've seen that no matter what we do, we see a decline. I know that your population, a lot of them fought in the war for democracy and for the ability to be able to place their X on the ballot.

Do you see this bill enhancing voter turnout in any way, that we might be able to see a dividend being paid as a result of Bill 37 the way it's been proposed?

Mr. Higgins: I really doubt it. I don't see the fact that the Progressive Conservative or the NDP getting a dollar and a quarter would drive people in a stampede toward the ballot box. It just doesn't seem too logical.

Mr. Lamoureux: The only part of the legislation that you really didn't comment on and I'd be interested, do you have a problem with having a fixed date for an election, or does it really matter to you?

Mr. Higgins: It doesn't matter to me. A fixed date is, it's quite acceptable to me. It doesn't matter. It may—let's face it, you're campaigning the minute the votes have been counted.

Mr. Chairperson: Any further questions?

Thank you very much then, Mr. Higgins, for your patience and sticking with us, coming out this evening and making a presentation. We appreciate it.

Mr. Higgins: Thanks to David Newman for not being here. I'm 15 minutes ahead. Good night.

Mr. Chairperson: Good night, Mr. Higgins.

Mr. Goertzen: Mr. Chairperson, I have a motion for this committee.

I move that this committee recommend to the House that the honourable Member for Minto (Mr. Swan), be censured for his disrespectful treatment of public presenters at committee.

Motion presented.

Mr. Chairperson: The motion is in order.

Mr. Goertzen: Thank you very much, Mr. Chairperson, for the opportunity.

I don't take any pleasure in moving this particular motion. I want the committee members to know that I didn't do it without a great deal of thought and consideration. Indeed, I think that members of this committee attempted to find a way to prevent this particular motion from coming forward by giving the Member for Minto more than adequate opportunities to ensure that his conduct to public presenters was appropriate for the level of this debate, here, at the committee.

I think it's been stressed, over the last number of days, that it's important that people do come forward and present. We know that there are already challenges the way this committee is structured. Certainly, many presenters have said that there would be a better way to have public presentations in the Legislature or beyond the Legislature. Certainly, we are open to those discussions about reform of this particular committee and committees in general in the Legislature.

But we are living under the current system of committees, and we need to respect those individuals who come forward to present. Certainly, we know that, when they do have the opportunity to present, they need to be treated respectfully. We may not always agree with the committee members. We've heard many, many presenters who've disagreed with the government's position on Bill 37 and other bills, and there's certainly been a few, although very few, who have supported the government. But those very few who did support the government, I believe that members of our party treated them respectfully, listened to their presentation and asked some thoughtful questions, and, at the end of those presentations, sometimes you simply agree to disagree.

But there are three specific things that have concerned me about the actions of the Member for Minto (Mr. Swan) over the last couple of days. One, which was raised yesterday, Mr. Chairperson, is in regard to the actions he took to prevent the Member for Radisson (Mr. Jha) from speaking at this committee. We know that the Member for Radisson is often a strong-minded and individual person. We've seen that demonstrated in the House sometimes where he's sort of stood up wanting to answer a question in question period—even though it was directed at a minister—about the Member for Radisson.

He's wanted to speak, and it's not the first time the Member for Minto has had to reach and pull him down, but yesterday, you know, at a public committee, at a public committee, there is an opportunity for the Member for Radisson to, and any member of the government and certainly there haven't been many members who've wanted to put words on the record or ask questions, but when one finally did come forward and say, you know, I've got a question that I want to pose to a presenter, the Member for Minto was quick to say no, you can't ask that question and shut him down. That is particularly concerning for any member.

I don't find it awkward to have to stand up and try to defend the freedom of speech for the Member for Radisson or even any government member. I would do that for the Member for Fort Rouge (Ms. Howard). I would do that for the Member for Wolseley (Mr. Altemeyer). I would do it certainly for any of the members here tonight to defend their ability to ask questions of presenters in a respective way. None of them, almost none of them have mustered the desire, I suppose, to actually ask any questions tonight, but had they had that desire, I suspect they may have also faced the same treatment that the Member for Radisson did yesterday.

I also witnessed yesterday, and I understand the Member for Minto (Mr. Swan) was in other committees during the week and refusing to allow even a reasonable amount of leave for presenters who are trying to finish their presentations or perhaps taking questions, and you know, we open—well, we're supposed to open our building here for presenters to allow them to come in and to make presentations to us as a committee. Some of them, because of the archaic nature of our rules, have to sometimes wait a long time or come back on different days than they may have thought they were going to present, and I think, to allow them an extra

three or four minutes wouldn't be unreasonable, Mr. Chairperson. Yet the Member for Minto seems to disagree in his behaviour in this and other committees.

I actually appreciated the Attorney General (Mr. Chomiak) yesterday doing the right thing and calling the member to order and saying, no, we should allow this individual to speak a little longer even though, had it been left only to the understanding of the Member for Minto, he wouldn't have allowed that to happen.

You know, there have been lots of debate about accessibility for presenters to come forward and to have their views heard. We heard in the House, and I'm not going to comment, obviously, on the issue of the matter of privilege, which is before the House, on the closed sign being on the building. That question about whether or not it would violate some members' privilege will be decided by the Speaker, but there's no question that the sign was there. That question is not in dispute. Both the Minister of Justice acknowledged that along with all the members who debated that issue. That is not in dispute, so I believe I can comment on the fact that the sign was there but not specifically if it is a matter of privilege for a member that the sign was there.

The mere fact, the undisputed fact, that a closed sign was there does call into question how accessible these committee hearings have been, Mr. Chairperson, whether or not members of the public truly have had an unfettered ability to come and to register and to say, we disagree with this legislation. Maybe there would be a few more, though I suspect only a few more, who would say that they do agree with the legislation.

Certainly, I didn't hear the Member for Minto (Mr. Swan) tonight suggest that we should allow for registrations to continue because of the fact that the closed sign was on the building. He could have had an opportunity, I think, to cover himself in glory by making that argument, but he chose not to.

Perhaps the most egregious thing I've seen at committee from the Member for Minto, and the reason really that I bring forward this resolution, and again, not easily. I have a respect for the Member for Minto, and I believe earlier this evening when Trudy Turner came to the mike to make a presentation and the member made a particular statement, I thought he would apologize. It's not unbelievable or unusual that, in the context of a six-hour committee hearing, and I believe we've sat these committee hearings for

close to 24 hours now this week, over four days—that, sometimes, in the heat of the moment, members will say something that is inappropriate.

* (23:00)

In fact, it happened with the Minister of Justice (Mr. Chomiak) a couple of days ago when he attacked an individual presenter, attacked their credibility, attacked their intentions for coming to committee, and he apologized and I thought that was the respectful thing to do. The Premier (Mr. Doer), unfortunately, has also come and attacked members who've been making presentations and he hasn't had the same sense of dignity and decorum to apologize, but I suppose that opportunity will still exist for him.

But, when Trudy Turner came to the mike to make her presentation, of course, she didn't agree with the government's legislation. I don't expect that the members opposite thought that she would be agreeing with them, but she didn't have to endure the sort of comments from any member of this committee that were put forward by the Member for Minto (Mr. Swan). He indicated to her that she wouldn't have attended multicultural events had it not been for the fact that she had—[interjection] well, he can review the *Hansard* and we can have that discussion.

Well, it's certainly what the presenter believed was said, and certainly members of the committee, I believe, in reviewing *Hansard* will see the words were put on, the insinuation that the member—or Ms. Turner wouldn't have been attending multicultural events had it not been for the fact that she had or may have in the future a contract with the PC Party of Manitoba. He had the opportunity to correct the record and he chose not to, at that time, because I made these very same comments at that time. The Member for Minto then sat silently and didn't want to correct the record then.

So I find it a little disingenuous and, now, all of a sudden, he has a different interpretation of history and the comments that he made at that particular time. But to insinuate that somebody like Trudy Turner, whose reputation, I think, is unchallenged in the multicultural community—she indicated herself that she's been attending and working with the multicultural community for over 10 years, over a decade, longer than most of us, not all of us but most of us have been here in the Manitoba Legislature, long before she's had a contract with the PC Party of Manitoba, long before she was a candidate either for

the civic election or for our party in the last provincial election.

I would challenge the Member for Minto (Mr. Swan) and any member of this committee to go into that multicultural community, and some will have very strong connections in parts of those communities, and ask them about her reputation. I think you'll find that almost unanimously those communities will say that Ms. Turner has been there to not only come to events, and that's only a small part of working with and supporting different ethnic groups, but being there to listen to the concerns of those groups and trying to work with multicultural organizations so they can achieve their goals here in Canada.

I think it was beyond the pale for the—I know I have one minute left and I thank you for that, Mr. Chairperson. I also understand that every member of the committee will have—or all MLAs will have up to 10 minutes to speak to this resolution. In fact, I understand it's debatable and so the members can actually speak twice if they like, if I read my rule book correctly. So I look forward to hearing other committee members talk about this but more than anything, I want a strong caution left for all members that we need to treat the public respectfully when they come here.

They come here with different backgrounds, I know, and they come here with different life experiences, but I think they all come here with the right intentions, all the best intentions, to give us their advice on how legislation should proceed in the Legislature regardless of their past political affiliation.

With those comments, Mr. Chairperson, I look forward to comments from my colleagues on this motion.

Mr. Ron Schuler (Springfield): Mr. Chair, I do want to put a few comments on the record reflecting on what took place at this committee.

I look across the table and other than you, Mr. Chairman, I have been here longer than any of the members here. When I started in 1999, it really was a different era. We certainly didn't have the kind of rules that we have today. Committees certainly sat a lot longer. We didn't have beginning and end dates. I got to know this very committee room extraordinarily well the first session that I was in. In fact, I was in Estimates with the Department of Labour in this very room, at this table, for six weeks

with, at that time it was Minister Becky Barrett, who was the Labour Minister.

I can remember we went till August 19 because the government had brought in incredibly severe and draconian legislation. I don't expect the new members on the other side to remember that. The Chair certainly would.

I had the opportunity to sit with an MLA—she had been elected at the same time—the member at that time from Fort Garry, Joy Smith. There was an education bill which was very controversial, lots of presenters, lots of division. Both sides of the issue were being presented, and it was hot in this room. I can remember the windows were wide open, and, at one point in time, a bat flew in. The mosquitoes in this room were appalling. After that, they actually put screens on the windows. Moths flew in. That was before they had screens on the windows in this committee room. It was just one of the most ghastly experiences you could ever go through.

I can remember how uptight we were getting, and I can remember how cantankerous things got. Yet, there was a lesson that we all could have learned from Joy Smith, is that whether somebody got up and tore a strip off the government or whether they tore a strip off the opposition for something they may or may not have done, she always treated the individual who was speaking with the utmost respect. It's as if it was yesterday. I can remember her always saying: I, first of all, would like to thank you for coming to this committee and making a presentation. Keeping in mind, it was stifling hot that summer. It was the end of July, beginning of August. It was sticky in this room, and we were swatting mosquitoes. It was disgraceful what we were putting ourselves through. Yet, every presenter, 1 o'clock in the morning, 2 o'clock in the morning, 3 o'clock in the morning, we went till 5 o'clock in the morning, every single presenter was treated with respect.

Then we had Bill 44, and I sat in this room till 5 o'clock in the morning. We finally rose about 5, 5:30, and every single presenter—and there were some that came in here and tore a strip off of me for something that I had nothing to do with. I'd only been elected in '99. But every time they finished, I took the way Joy Smith treated presenters as my benchmark. I said to myself, no matter what they have to say or where they're going with their presentation, we must always, always, treat the public with absolute respect because, folks, when we, as politicians, start fighting

with the public, it really means our careers are coming to an end.

They are actually the voters. They have a right to be here and they have a right to be heard. I look at the committee room. It's cool in here. It's pleasant in here. There's no 80, 90 degrees and swatting mosquitoes. There's no reason, really no reason, for anybody to treat a member of the public disrespectfully, and if your comments were taken the wrong way, then the least you could do is say, I'm sorry, that's not the way I meant it; I would like to apologize. It doesn't take a lot.

I would say to you, Mr. Chair of this committee, you should be vigilant on that. You should be watching for that. We are in a different era now. We don't seem to have this mad-hatter kind of way of running committees all night, I hope, punishing the public that way. It also makes us, as politicians, short. There is no reason to take on a member of the public. So what if they disagree with us?

I mean, we had a member of the Communist Party standing here. He has as much right to be here and to stand and make a presentation as the next person. I know that at our side of the table, he was treated with respect, and as the caucus whip, if I were to hear that one of our MLAs was treating the public poorly, I would go and visit my colleague and say, that is not acceptable. I'm sorry, that is not something we'll tolerate. I hope that the caucus whip of the NDP pulls his members aside and says, that is not acceptable. We cannot go into committee and start fighting with the public. We can't impugn somebody's reasons for being here or not being here. That's not our job. We're here to listen respectfully. We are here to ask some questions. Perhaps get a bit more information, and then we move on to the next presenter.

* (23:10)

But this kind of behaviour—and it's not the first time it's happened in the last week, that members of the government have taken on members of the public. In fact, they're taking on their own members on the committee. That shouldn't happen. This is a very open and democratic process, and you know what? If we have something to say to each other, that's a different matter. We say that to each other, we're elected officials. But the public, the public should be considered absolutely and completely off limits no matter what they have to say. When Bill 44 was on, I sat hour after hour after hour, and there were some that agreed with our position and there

were some that were vicious the way they attacked myself and positions my party had taken. Do you know what? I looked at them, and I thought, you have a right to be here, you have a right to voice your opinion, and you have a right to be treated respectfully.

I would caution, through you, Mr. Chair, I would caution all committee members. Let's be careful. Let's not hold committees, not like what we hear and then start fighting with the people that we've invited here in the first place. Committee here in this room is where people come and have their say, and they must, and I say they must be treated with respect. We should not be impugning the reasons for coming. We should not be challenging them and accusing them of things that may or may not have happened. We should ask them respectfully, you know, do you have an opinion on this part of the legislation? Do you have a comment on that part of the legislation? We should try to glean whatever information we can from them, and then we let them go and we move on to the next presentation.

I would like to close by saying, colleagues, all of us, let's not begin with challenging and fighting the public. That's not the way to run this committee. I leave those few comments to you, Mr. Chair, and perhaps there are a few other colleagues that like to put a comment on the record.

Mrs. Driedger: Mr. Chair, I have to say that I was very, very disappointed tonight to hear the Member for Minto (Mr. Swan) make the comments that he did towards a presenter. It was earlier in the week where I also raised the issue of the behaviour of the Attorney General (Mr. Chomiak) in this room and the Premier (Mr. Doer) because, after spending hours and hours in this room and watching their attack, basically on presenters that were coming here, was, I think, a real low. As I'd indicated at the time, I don't think in my 10 years of politics I had ever, ever witnessed the Premier of the province or a Minister of Justice do what they had done.

Then, now again tonight, we see the Member for Minto do exactly the same thing. I have to think that when you see your Premier behaving in that fashion, he sets the bar very low for everybody. We've seen that bar set low on more than one occasion by the Premier of this province. We see it when he doesn't expect certain behaviours from his Cabinet minister.

I can recall when we were in government, and if the media were looking for a Cabinet minister to comment on some pretty significant issues, the

Premier of the day expected his Cabinet ministers to be available. He felt that was their job, their responsibility, and he expected them to live up to that responsibility. We see, with this government and this Premier, the lowest expectations I've ever seen at that level, where his ministers a lot of the time are MIA. I've never seen so many spokespeople speaking up on issues. They're not elected, they're not responsible, and yet they are the ones—we've kept track of that over time and then it reached a point where it was happening so often that we didn't even have to continue to track that anymore, it was just so obvious.

But, you know, I have to feel that, when we see more and more members behave this way, I have to believe that the Premier of this province has just set the bar really low. I wasn't surprised to hear the Attorney General quickly pick up on it and start to do the same. It was not only attacks that were just sort of serendipitous, they went out there and very, very deliberately, with tone and with words, tried to provoke the presenters.

The Attorney General (Mr. Chomiak) did the same to me when I became his critic the first time around and I have to recall that—I've been in politics a few years; I figured my skin grew a new layer every year so that it became a little bit thicker as time went on. But I can recall after a few days of being, what I would say, bullied by him, I went home for a weekend and I thought, I don't need this garbage. I sat all weekend and I said, you know what? I didn't get elected to be treated this disdainfully in this environment. And I thought, should I stay in politics or should I get out? I just found that kind of behaviour so offensive and it was bullying.

Then, over that weekend, I thought about it, and I thought, you know something, I really like this job. I like the opportunities I have to make things different and better for people, and I thought, no darn way is that minister of Health, at the time, going to bully me anymore. I'm not going to allow that to happen. And I don't like to see what we've seen here in this past week because that, in fact, was what it was in tone, in innuendo, and it was a form of bullying, I believe. And I think that we, as politicians, need to rise above it.

Somebody tonight talked about the museum of human rights going up in this city and this province. And I thought, you know, isn't that ironic. We are here dealing with democracy. We had the President of the Ukraine here who really was a fighter for

democracy. We have a bill before us that is going to trample democracy. We had a reminder that we are going to have a museum that is going to be built that is going to celebrate democracy, and then here we have this horrible behaviour of a presenter tonight by the Member for Minto (Mr. Swan). Ms. Turner wasn't forced to be here. Nobody wrote her speech. She came because the legislation that is before Manitoba, and she's been a candidate before so she appreciates what this legislation is trying to do, and so she came here of her own free will.

Many people that have come here for the first time are very nervous, and I don't doubt that she was, too. I'm not sure that many of them are necessarily going to want to come back because of how some of them have been treated here. She looked devastated. I saw her face; I looked at her face. It's nerve-wracking enough to stand before a table of MLAs and I saw her face, and she was devastated by the innuendo of the attack, which almost, in a sense, was an attack against her integrity. This woman has been committed, and I've been to some events with her, and she is committed to the people in a lot of these communities, these multicultural communities. They love her in some of those communities. And so for the minister to comment and offend her in that way that, you know, she was here tonight because she had ulterior motivation to be here, and then when he knew that she had been around multicultural communities for far longer than she had been involved as a Tory candidate, I think was extremely, extremely offensive.

I have seen this Member for Minto (Mr. Swan) in other committees and I think he gets sent in as an enforcer from time to time. We've seen what happens in hockey teams, and there is a different name in a hockey team for players like that, that come in and flex their muscles a little bit. And we've seen that behaviour from this member before. I'm disappointed because he hasn't been around that long; I didn't think he would fall into this trap so quickly and I'm disappointed that we saw that kind of behaviour tonight.

* (23:20)

I'm very disappointed this week to see presenters of the public, no matter whether we agree with them or disagree with them, no matter if they're Liberal, NDP, Progressive Conservative, Green, Communist, whatever group that was presenting, we have to be much more respectful of our presenters.

I just wanted to say that I'm extremely disappointed at the disrespectful treatment that has occurred in this committee. It's embarrassing, as an MLA, to watch that happen by colleagues of mine in this Legislature. I'm very, very disappointed.

I think it's a sad day when we see the kind of behaviour we've seen but, when we have a premier that has set the bar so low, I guess I shouldn't be so surprised to see that kind of behaviour happening in his caucus. Thank you, Mr. Chair.

Mr. McFadyen: It would probably be fair to say that it pains nobody in this committee more than me to have to support the motion put forward by my friend the Member for Steinbach (Mr. Goertzen).

I've known the Member for Minto (Mr. Swan), I think, since 1982, which is now 26 years longer, perhaps, than anybody else in this room. So I have a history with the Member for Minto that I think provides me with some perspective that others may not have.

I've always known him to be competitive, articulate; he's got deeply held beliefs. In addition to that, I've always known him, or I did know him, as somebody who was good-natured, a warm sense of humour and fair-minded, even though from time to time he may have respectfully disagreed with perspectives that I and other classmates and friends of ours may have had.

What is more disappointing than anything else is to have seen some kind of an evolution in some of the behaviour of the Member for Minto since he got caught up in the system and became closely associated with this government. I think it's become even more acute since he was appointed to Cabinet than prior to that.

The Member for Fort Rouge (Ms. Howard) is chalking this up to jealousy. I see it more as a function of somebody whom, I think, is caught up within a system and a Cabinet where, as the Member for Charleswood (Mrs. Driedger) said, certain standards are set. There's an old saying that the fish rots from the head down. I think that could apply to this Cabinet, as well as to any other organization.

So some comments have been made about some of the conduct of the Premier (Mr. Doer) and some of the over-the-top tactics that he'll use from time to time on those who have the temerity to disagree with him on a point. What saddens me is to see some of that behaviour reflected in some of the more current

behaviour which we've seen on the part of the Member for Minto.

When I think back to our days in high school at Silver Heights Collegiate, the Silver Heights Collegiate that closed under his watch, regrettably, just last year and to think that he would bring in the bill, it almost looked as though it was orchestrated. He closes the school; then he brings in the bill to prevent any schools from closing.

In any event, I think back to our years at Silver Heights Collegiate and we had a teacher there by the name of Jim Coutts. Jim was a Liberal—I'm sorry, John Coutts—Jim was his cousin. It's true.

John Coutts was and is an outstanding teacher. Jim Coutts, his cousin, was a senior official in Pierre Elliot Trudeau's Liberal federal government.

John Coutts, our teacher, was an ardent Liberal, and he used to make provocative and interesting comments in class from time to time. I remember that, notwithstanding the differences of opinion that were expressed within that classroom, the Member for Minto at the time was as true a believer then as he is now in the ideology that he holds. I don't begrudge him that.

John Coutts, who was a dyed-in-the-wool Liberal, and I, who occupied the Progressive Conservative perspective, there was vigorous disagreement, but it never crossed the line from disagreement over ideas to personal attacks on one another or attempts to impugn one another's motives. What I've seen more recently has been, I think, not so much a source of anger but sadness for me to see the evolution in some of the conduct by the Member for Minto.

He is somebody with great intelligence. I think he scored about as highly as one could score on his LSAT admission test going into law school. He had so many gifts and to see them misused in the way that they've been misused in some respects is a shame, and it diminishes the work that all of us do here in the Legislature.

So, when we think about what kind of conduct we might expect from a member of the Legislature, I think we have to think about, and ask ourselves questions about, what would fair-minded and reasonable people in the community think, not just those of us engaged in the partisanship of provincial politics. What would Jim Coutts think? What would Dennis Schroefel think?

An Honourable Member: John Coutts.

Mr. McFadyen: John Coutts. What would John Coutts think? What would—

Some Honourable Members: Oh, oh.

Mr. Chairperson: Order, please. Mr. McFadyen has the floor.

Mr. McFadyen: So, when I think about all of this, it saddens me to have to add to the comments that have been made. My understanding is that, while the Member for Minto may have had disagreements with some of Ms. Turner's comments, there was no basis to go over the line and to suggest improper motives on her part, given her outstanding track record.

I contrast that with what was an excellent exchange in the other committee room tonight between the Minister of Finance (Mr. Selinger) and the former minister of Finance Mr. Manness, who had greatly different perspectives but had a very respectful disagreement and engagement on the issue of Bill 38.

But what we see happening here, and I think it seems fair to characterize the Member for Minto as something of an enforcer now for the government caucus. There's something of a reign of terror that takes place when the Member for Minto comes into committee; you can see the members tense up when he walks into the room. It's almost palpable to see the change in the atmosphere.

Many of us had hoped that with the Premier being absent, there might be a thawing in terms of the engagement on the part of government members at committee. But any hope we had for some openness, for some thawing in terms of the attitudes, was dashed when the Member for Minto walked into the room and quite clearly, I think, sent a message and a chill through the government side in terms of their right to speak out.

I know that the Member for Wolseley (Mr. Altemeyer), for example, is a person who likes to express himself as freely as he possibly can, and to think that the Member for Wolseley spent the last six hours and didn't say a word in committee in terms of questions—[interjection] Well, we'll go back and read *Hansard*. I ventured a guess. I ventured a guess that the contributions made were nothing close to what he would've wanted to make if he had been given the opportunity.

It concerns me that the Member for Minto is having that effect within this committee. We all are—

when we get into partisan politics—we all, well the Member for Minto used to be a football player. He used to play for the St. James Rods and he would strap on his equipment and he would play hard as we do here in the partisan arena, but I never knew him to run off to the sideline and knock down a spectator, somebody who wasn't actively engaged in the game. We would take hard shots at one another as elected politicians, and that to me seems fair. But to go deliberately off the field, over the sideline, and knock down an innocent bystander in the way that he attempted to do with somebody who's not an elected official but who came here as a member of the public expecting respect, expecting the right to speak freely, I really believe is well beneath the Member for Minto.

What I hope is that the Member for Minto won't force us to a vote on the resolution brought forward by the Member for Steinbach (Mr. Goertzen). What I sincerely hope is that he won't put us in the position of having to support this resolution. What I hope is that he'll sincerely and earnestly apologize, retract the comments that were made, acknowledge with humility the error of his ways, and allow all of us to move forward in a spirit of competitiveness as between all of us who are elected officials, but respect and decency when it comes to members of the public who wish to come and appear before this committee.

* (23:30)

It's a shameful display when members of the public who wish to show up to present here, first, facing a closed sign on the door and, if they managed to get past that door, come in here and face verbal bullying in the form that they've faced. It's not the way it's supposed to work. I'd sincerely hope that the Member for Minto (Mr. Swan) will withdraw his comments, and until such time as that happens I will have to, with regret, support the motion of the Member for Steinbach (Mr. Goertzen). Thank you, Mr. Chairperson.

Mr. Lamoureux: I do have a number of thoughts that I would like to be able to express at this time in regard to the motion that the Member for Steinbach has brought forward.

Mr. Chairperson, as everyone knows, I sit at the end of the table very close to the presenters. When I had initially heard the line of questioning or the comments from the minister of Minto, I truly believe that Ms. Turner was quite hurt by those comments. I had a choice. I could have raised a point of order

right then and there, and normally that's what you would do in order to be in proper order. But I didn't want to disallow Ms. Turner the opportunity to be able to respond or disrupt or interrupt that whole five minutes thing. Instead, what I chose to do was to wait until it was over, her opportunity to speak, and then raise it as a point of order.

I think that if you review points of order that I have raised in terms of the past, in regard to something of this nature, that you'll find that it's very few and far in between. Quite often, we'll hear very strong political allegations that will be raised. Sometimes a presenter will be very emotional and sometimes they can be very, very political. In that sort of a charged way, emotionally charged way, at times, I can understand and appreciate why it is a government member or a member of the opposition might say something that might be perceived as being aggressive.

What I thought was really unique in this particular presentation was the manner in which Ms. Turner was making her presentation. I didn't see her trying to take cheap shots in any fashion. Something that *Hansard* really doesn't show are the mannerisms, the facial expressions, the way in which someone is actually making the presentation. It just shows the content, the actual wording.

I was watching the Member for Minto and I was watching Ms. Turner, and I just felt very uncomfortable with the way in which it occurred. I think that if you did a *Hansard* search, I don't believe to the best of my knowledge, where I've ever raised that type of an issue before. When I brought up the point of order, the issue that I thought that took me most by offence was the fact that to what degree do we have a right as legislators, as MLAs, to ask someone what political party are you from, or to impute a motive as to why it is that they might be making their presentation.

Most people that have come here, especially if they're not familiar with the system, Mr. Chairperson, they honestly believe that if they're posed a question, much like in a court of law, that they are obligated to answer it. I think that Ms. Turner was concerned in terms of—especially when you heard her response, that she wouldn't want anyone to believe that she came here because she was affiliated with the Conservatives in any fashion. This had nothing to do with political motivation in terms of why it is that she goes to these cultural events. That's what, ultimately, brought her here. She

looked horrified with the thought that that's what some people would have believed. She got that thought because of the statement from the Member for Minto.

I can tell you, I know Ms. Turner. The reason why I know her is because I do see her at quite a few events. I can honestly say, never have I ever been to an event that I can recall where I've heard her talk about the Conservative Party, or being introduced as the Conservative representative, Mr. Chairperson. I know there are other people inside this room, including the Member for Minto (Mr. Swan), that have been at events where Ms. Turner has been present. You know, if I'm wrong, if he can indicate one event where she was introduced as a Conservative candidate after the last provincial election. Well, Mr. Chairperson, I'm just saying in terms of the events that I've been to, and I look forward to the Member for Minto in terms of his comments on this. I took Ms. Turner at her word in terms of her concern in regard to this particular bill. I was—like I am impressed with everyone that makes their presentations. I think it's wonderful. We all say what a wonderful system we have.

But I'll tell you, if we cross the line, and I believe the line was crossed this time, we put into danger how our system will function into the future. We want members of the public to feel comfortable in being able to come here and be able to make a presentation as to what it is that they think, and what it is they believe on the legislation that's before the committee. They shouldn't be made to feel intimidated in any way, Mr. Chairperson. Really, the people that I'm talking about, more so, it's not necessarily the Sid Greens. You know, the Sid Greens and so forth, they can take care of themselves. They're familiar with the process and so forth. We have many individuals that come here for the first time, many individuals that it takes a great deal of courage for them to make their presentation. I hate the thought that members of this committee feel that they can just say, well, are you a member of the Liberal Party? Or, are you a member of this party?

You know, I think there was, a number of years ago—and the Member for Minto would know because I know he's really into history—where that was a real issue in the United States. There was a public review through the Senate committee in regard to labelling. We shouldn't be asking presenters and trying to read as to why it is that they might be here to make presentation. Some came in support of the

legislation. Some came in opposition of the legislation.

The Member for Minto—and then I'll be really, really short—I raised this yesterday and *Hansard* will show it. I was in the other committee the other day and the Member for Minto took a very hard line in terms of presentations and questions and answers. So then, when I was in this committee, who shows up but the Member for Minto. This committee was going along quite well. There was all sorts of discretion, Mr. Chairperson, that was being given. It's interesting, the Member for Russell (Mr. Derkach) was in the other committee when I was there, when the Member for Minto was saying—I believe what he said in the other committee, and the Member for Russell and the Member for Minto can correct me if I'm wrong, but the essence of it was: Well, we won't give leave unless we can include the five minutes of the question and answers. Otherwise, no, no, no, no chance on leave. That was the approach that he took in that committee. That approach wasn't being handled in this committee all the way up to that point. It wasn't until the—and I was sitting here, and then the Member for Minto comes in here and then he tries to invoke the very same principle in here. I'll tell you something, if it wasn't for the Minister of Justice (Mr. Chomiak), it would have been enforced. He would have succeeded because it required leave.

Again, you know, we have to recognize that the opportunity for committees to use discretion is critically important. I wasn't here when they changed—at least I don't think I was here, maybe I was—when they changed the rule to prevent people from being able to speak unlimited presentations, and you could have an unlimited number of questions. For those that will recall, I can remember final offer selection. What a heated debate that was. We'd get people up here standing for great lengths of time at one minute left.

* (23:40)

The bottom line is that we've been changing to try to accommodate. We don't need to get so uptight whether I'm on the government side, so that means we have to push everything through so quickly. It's critically important that we give respect for the democratic system and the way in which the committee operates.

In the last couple of days, the Member for Minto (Mr. Swan) has not done, I believe, well in terms of ensuring that the committees will function to the way

in which they should be functioning, Mr. Chairperson, and I'll conclude with this remark. I agree with the Opposition House Leader—

Mr. Chairperson: I'm losing a little bit of control here in the committee. I would really appreciate if I could have the co-operation of all members of the committee in allowing the person who has the floor to add their comments to the record on this, so that I might be able to make a decision with respect to this motion. So, please, just—I know we have a few minutes left in this committee this evening. I ask for your co-operation to allow us to hear the folks that want to add their comments to this, please. Proceed, Mr. Lamoureux.

Mr. Lamoureux: I will conclude my remarks, Mr. Chairperson, by echoing—[interjection] Well, I've only got one minute left.

Mr. Chairperson, I will conclude my remarks by echoing what the Leader of the Official Opposition (Mr. McFadyen) said. There's a number of us, including myself, that have a great deal of respect for the Member for Minto (Mr. Swan). I sat on a political panel, as the Member for Steinbach (Mr. Goertzen) did. The Member for Steinbach earlier talked about asking for an apology. I think that the Member for Minto would do everyone a service by apologizing, for what it is. We all make mistakes. Acknowledge it and then maybe we can move on. I truly do believe that the Member for Minto is above it. Thank you.

Mr. Eichler: I was here when Ms. Turner was doing her presentation and I saw the look on her face when the Member for Minto posed the question to her in regard to her employment with the PC Party of Manitoba. I know the Member for Steinbach took great consideration when he looked at bringing the motion forward that he did, and I know the members that have already spoken, the Member for Springfield (Mr. Schuler) talked about how we sometimes tire and sometimes say things that we wish we wouldn't have said.

I know the Member for Minto is a very honourable member, and I know that he will do the right thing in the end and certainly try to make amends. I hope that he does show the leadership that we need to show in this House that's so important, that we show the respect, the honour that is supposed to be bestowed on these presenters as they come forward.

It's a big task. In fact, it can be very intimidating for someone to make a presentation to committee. I know that we want to encourage that by each and every member that comes forward. We heard one of the last presenters tonight that had waited for a number of hours that we did hear. He was very concerned about the presentation that he made. He wanted to make his points clear.

We have a couple of other bills that we haven't even gotten started on, one which is Bill 17. As of today, we had 385 presenters that signed up for that bill. If we're tired after Monday, Tuesday, Wednesday and a little bit of Thursday, by golly, I'll tell you, we got to pull our socks up, boys and girls. If we're going to let our fuses run a little short, then we're going to be in big trouble because it's not going to be acceptable, at least from me. I won't be part of it. I saw the look on Ms. Turner's face today, and I will not put up with that in this House as a member of this Assembly and have a presenter be insulted the way she was.

The way it was dealt with, the Chair at the time should have took the leadership and had Ms. Turner some way or another so we could debate this in the time at which we are now, and, unfortunately, that didn't happen.

Mr. Chairperson: Mr. Eichler, could I stop you there for a moment, sir? I think, according to the rules that we have in place, I caution you to be very careful when you pick and choose your words, because you're coming, I think, dangerously close to reflecting on the Chair itself. I urge you to stay away from those reflections and caution you in that regard, but I'll let you proceed with your comments.

Mr. Eichler: Thank you. The procedure is what we're talking about here, and that's what's so important, and the respect we need to show to the presenters, as we have presenters come forward, whether they're a professional presenter, people that's been around the game before. I'm certainly a very new member, as the Member for Minto (Mr. Swan) is, as well, and we lack some of that experience. We need to look to some of the older presenters around, the older people sitting around, as the Member for Springfield (Mr. Schuler) talked about being here until five in the morning. I mean, that took great courage, great wisdom, and also we need to make sure that those people have the opportunity to be heard even at five in the morning.

I don't think it's the right process and we know that the process that's being put forward now, even

sitting until midnight sometimes puts a vision on our decisions that need to be made. Every presenter has to make sure that their voice is heard so we can bring in the proper amendments to the legislation that, as we see, as it needs to be brought forward. Sometimes that's not until the last presenter. It might be the first. It might be in the middle but until those peoples' voices are heard that is unfair and we have to make sure we do everything we can to encourage those presenters to bring their opinions forward, and actually, they are the ones that are paying our salary in this building.

They trusted us to make sure that their voices would be heard and their democratic voice would be then brought forward. So, with that, I hope that the Member for Minto will do the honourable thing and send a letter of apology. I know that this would be dealt with tomorrow in the House and, hopefully, the Member for Minto will do the right thing and say sorry.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Chair, I must start by saying that I have a tremendous amount of respect for my colleague, the Member for Minto (Mr. Swan). I had the opportunity to canvass door to door with my colleague during the by-election that first brought him to this Chamber and the victory speech that he gave was an incredibly inspiring speech and I have the utmost respect for my colleague and I was thrilled that he is a member of the Cabinet table as well.

Although I was not here when the incident allegedly occurred, having listened very closely to the comments made by the members opposite, I'm compelled to reply, and I do have something to offer to this discussion and certainly am speaking against this motion.

Some of the comments that I've heard as they relate to—there is some suggestion that we've demonstrated disdain for the public. Well, as a history teacher, I would like to give a little bit of my own personal history about the disdain that I felt had been taken by the government—the members opposite—when I entered my profession as a teacher. It was a very proud moment for me to receive my teacher certificate which had been signed by the Member for Russell (Mr. Derkach). *[interjection]*

That's right, the Member for Russell signed my teacher's certificate. Since I was appointed minister, however, I've replaced that with a teacher's certificate that the certification branch had given me

with my own signature on it, which I thought was pretty cool. At any rate, it was a proud moment for me, and when I first entered the profession, I spent the first five years not knowing if I would be gainfully employed because of the way the members had governed the Department of Education and the lack of funding and the lack of support, and I remember in May of 1995 when over 240 teachers were given a pink slip. Fortunately, I survived that cut.

I remember Bill 72, if you want to talk about disdain for a profession where, through a process that had served our profession well, that had served the education system well, had been stripped of all the collective bargaining rights in one foul swoop of legislation which, thankfully, was repealed when our government took office in 1999.

I remember being locked out, and it was a divisive bill, Bill 22. It gave school divisions the option of locking teachers out. That way they could pick and choose their battles. My division chose, over two years, to lock us out for 18 days. So, as a young teacher trying to make ends meet, pay off my student loans because my tuition had gone up considerably during that time as well, I was really quite upset about that, given the fact that I was being cut. My salary was being cut by one two-hundredths every day that I was locked out, so I lost a considerable amount of money. I didn't have the opportunity for professional development. It was a perfect storm of things that were being done by the government of the day that said, we don't value you as teachers. So I got involved politically, as a local teachers association president, and when I did go to express my voice in this Chamber and showed up in the gallery, the minister of Education at the time pointed to us and said, those aren't real teachers; those are union bosses. It was on television, frankly. It was on television. Those are the words.

*(23:50)

So I, as well as many of my colleagues, quickly went to a store and purchased I Am a Real Teacher T-shirts, and I wore that proudly for the next few years, as long as the T-shirt lasted. You talk about disdain. I truly felt a victim, and I, quite frankly, thought that I would teach until it was time to hang up the chalk. I really enjoyed doing what I did, but the first time I felt valued as an educator was in 1999 when I saw a government that started to make a difference for education, started to invest in the

system, that repealed Bill 72 and that invested in the education system.

Now, I have a tremendous amount of respect for this institution. I had the opportunity as a teacher to participate in the Teachers Institute on Canadian Parliamentary Democracy in Ottawa, where I had an opportunity to witness how government worked, or, quite frankly, to witness how government doesn't work sometimes. I bring with me a tremendous amount of respect for this institution, and to be lectured by members opposite about our conduct collectively, I find quite insulting.

Because, in the short time that I've been here, I have seen members attack the Auditor General in the Chamber. I've seen opposition members attack the Auditor General. I've seen the opposition members question the integrity of the Clerk's table with the bill being issued, and the integrity of the Clerk's table was brought into question. I have seen disdain for the general public. To be sitting in this committee hearing and have the members speak for two and a half hours, while there are 100 people sitting waiting to give their views on important pieces of legislation, and keeping them waiting for three and a half, four hours over the period of the last 24 I think demonstrates a tremendous lack of respect for the public.

I'm aware of some situations that have occurred in this process in the committee hearings where a member of the opposition made the Clerk cry. I'm aware of a note that was left on a table that really showed a lack of respect for the public. I'm aware of the content of that note. So for members opposite to sit here and lecture us about respect or lack thereof, I find quite insulting.

I think we have a very important job to do. I know members would rather go visit with the Prince on Monday. I would rather see us get to work, roll up our sleeves and get some legislation passed, and I would like to see the—[interjection] Excuse me, but I did listen to your comments over the course of the evening, Mr. Schuler. I would like to see us get to work and get the job done on behalf of Manitobans, and I think we can all do that in a respectful manner. If members opposite, though, lecture us on respect, perhaps they should look in the mirror.

Mr. Briese: Thank you, Mr. Chair. I probably won't need seven minutes. I'm, as you all probably know, fairly new in this House. You may have noticed I may not look like one of the young ones in here, but I certainly am. It's been aging me quite a bit.

I do recall making presentations at these committee hearings over the years. I would come in here, and I remember the first time I did appear at a committee hearing. I have no idea if tonight was Trudy Turner's first trip to a committee hearing or not, but my mouth was dry and my knees were a little weak and I was quite intimidated when I looked at this table and saw a dozen or more MLAs sitting around this table. That was the first trip. The next trip was a little easier, and after that it got to be old hat. I have talked to people, suggesting that they should take more of an interest in what's going on with the legislation in this province. And what I've said to them is this is no big deal. It's a little nerve-racking to start with. We saw some very young presenters here in this last week, and you could hear that little tremble in the voice and stuff, but they've done a marvellous job of making those presentations.

I had a common theme when I talked to people about possibly presenting here and that theme was, it's really no big deal. Think about what you say, speak from the heart, and you're going to talk for 10 minutes.

I also told them that, when you come here as a private citizen—and it was my observation over the years that when you came as a private citizen, these committees were very kind to you. If you came as the head of a law firm or the head of a large organization, these committees would be just a little tougher on you. But, as a private citizen, these committees had a lot of respect for the private citizens that came to make presentations here.

I was here tonight when Trudy Turner made her presentation, and I could tell she was somewhat nervous. I know Trudy has been at mikes before and made presentations before, but I could tell that she was a little unnerved, looking at the table with a dozen MLAs sitting there, some looking back, some doing other things. She did make a presentation, I think, from the heart. I don't think she was off on too many partisan or political tangents in it.

She did mention that she did work with, in answer to a question, a lot multicultural groups in the city and also mentioned that she'd worked with them for over 12 years, something that I know she's very proud of; she's proud of the relationships she has there.

I have also, since I've been in this House, observed various people in here and watched the interplay between different members of this House

and the different attitudes that different members have in here.

Last fall, in the sitting, it was pretty easy to pick out people with a lot of ability. I noticed the Member for Minto (Mr. Swan) whom I'd known for several years—not a lot of years, but several years—and have a great deal of respect for and has, in my view, a great deal of ability. You heard our leader speak earlier tonight about his abilities in school.

I did notice quite a change in attitude when he became appointed a Cabinet minister. I thought, this'll take a little while; the maturity in that position will come, and I am sure it will. This is an honourable person with a great deal of ability, but I do think that the comments he made tonight, or the question he asked of Trudy Turner was inappropriate. I think it was disrespectful, and it offended me to some degree.

As I said, I don't have the history of a lot of my colleagues. I can't sit here and talk about something that happened last year, 15 years ago or five years ago, but I do think I have a pretty good judgement of people. I think Trudy was truly hurt by that question tonight, and I think it would be appropriate that an apology be made, even an apology simply to Trudy Turner.

I know, in the heat of what goes on in here, the heckling that goes back and forth and the comments that are made, that sometimes inappropriate statements are made. I'm sure I'm going to make a few of them in the process; when I do, I hope someone will remind me of them and suggest that I take appropriate action—

Mr. Chairperson: Order, please.

I'm interrupting these proceedings. The hour is the time appointed by the House, and I'm interrupting these proceedings with the understanding that, when this committee meets again, Mr. Briese will have three minutes remaining in his time to add his comments and also, with the understanding that this matter is still unresolved and will be dealt with at that time, which will be Monday morning at 9 a.m.

Also, for the information of committee members, if you have bills that you could leave behind for us that would assist with subsequent committee meetings, we would appreciate that.

The hour being past 12 midnight, committee rise.

COMMITTEE ROSE AT: 12:01 a.m.

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