



First Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(HANSARD)**

39 Elizabeth II

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARR, James	Crescentwood	Liberal
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHEEMA, Gulzar	The Maples	Liberal
CHOMIAK, Dave	Kildonan	NDP
CONNERY, Edward, Hon.	Portage la Prairie	PC
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Clif	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Liberal
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
HARPER, Elijah	Rupertsland	NDP
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	NDP
MANNES, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold, Hon.	Rossmere	PC
ORCHARD, Donald, Hon.	Pembina	PC
PENNER, Jack, Hon.	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, November 16, 1990

The House met at 10 a.m.

PRAYERS

ROUTINE PROCEEDINGS

MATTER OF PRIVILEGE

Mr. Steve Ashton (Opposition House Leader):

On a matter of privilege, Mr. Speaker, I want to indicate, in accordance with our rules, my matter of privilege will be followed by a motion.

Yesterday, Mr. Speaker, in the House, the Minister of Consumer and Corporate Affairs (Mr. Connery) was recognized by yourself, was called to order in terms of comments he was making in the House, resumed his seat and made what I consider to be gestures that were totally uncalled for and were totally undignified, that had the character of threatening gestures towards yourself.

In fact, I was able to confirm this with other Members of the Legislature and—

Point of Order

Mr. Speaker: The Honourable Member for River Heights, on a point of order.

Mrs. Sharon Carstairs (Leader of the Second Opposition): What the Member for Thompson (Mr. Ashton) is doing is one of the most serious events to happen inside this Legislature. I think there should be absolute order.

* * *

Mr. Ashton: Mr. Speaker, I was able to confirm that fact after Question Period in talking to both Members of the Legislature, members who had been in the gallery, members of the public. The Minister also made comments outside of the House indicating that—confirmed that while he denied making gestures with his clenched fist—he had made gestures towards the Speaker in terms of pointing his finger at the Speaker, which many of us in this House saw, and stated that he was not given the opportunity to finish and further that he thought that was wrong, in explanation for his conduct.

* (1005)

Mr. Speaker, a matter of privilege has a number of other requirements in addition to being finished by a motion. It must be raised at the first opportunity and it must be of sufficient importance that it establishes a prima facie case of privilege, therefore being able to have precedence over other matters before the Legislature. I would suggest, and I will just go through some of the citations in terms of privilege, that it is indeed a prima facie case of privilege.

Beauchesne's is very clear in terms of reflections on the Chair, reflections on the Speaker in particular, being matters of privilege. It relates, Mr. Speaker, to the fact that essentially a matter of privilege is one of contempt of Parliament. In particular, it relates to the fact that privilege is a reflection of the collective rights of Parliament, in particular to have its ability to discipline Members and provide for an orderly functioning of the House.

In fact Beauchesne's, as I said, is very clear. Beauchesne's Citation 168 states very clearly that reflections on the character and actions of the Speaker are clearly a matter of privilege. I want to indicate that the Manitoba precedents are also clear on this matter. September 5, 1986, Speaker Phillips cited that particular section of Beauchesne's; March 25, 1987, Speaker Phillips also cited that citation in Beauchesne's. So it is clearly a matter of Manitoba practice that reflections on the Speaker are a question of privilege.

I would suggest, Mr. Speaker, that the actions of the Minister in the House and the statements made by the Minister outside of the House were a clear reflection on the Speaker.

Beauchesne's does state, and I want to deal with the other aspects of privilege here, that statements made outside of the House are not subject to a matter of privilege. I want to submit to you, Mr. Speaker, that I am raising this as the first opportunity both in terms of not just the statements made outside of the House, but the conduct of the Member inside the House.

I also wish to point to a number of citations in Beauchesne's which indicate that in regard to reflections on the Speaker, there have been

precedents, certainly in the House of Commons, where press statements, particularly press statements made by Members against the House, have been considered in terms of a matter of privilege. Beauchesne's Citations 71(3) and 71(4) specifically cite press references in terms of matters of privilege that have been raised involving comments by Members and reflections on the Chair.

In fact, Mr. Speaker, there is Manitoba precedent for this. On March 16, 1886, the House dealt with comments that were made by a Member, a previous Member for Portage, outside of the House. In fact that Member was brought forward before the House on a matter of privilege and required to explain his comments, comments which were reflections on the Chair. More recently there have been a number of similar cases in the House involving press statements, but in both cases they were ruled out of order, largely because the Members had apologized, referring to a 1970 decision by Speaker Hanuschak and by Speaker Phillips, March 24, 1987.

In both those particular cases an apology had been given for the statements before a final ruling was required in terms of a matter of privilege. In fact I would suggest, Mr. Speaker, before I do move my motion, that that opportunity is now open to the Minister of Consumer and Corporate Affairs (Mr. Connerly) to provide that apology to the House.

I would also indicate that there is very little doubt of the importance and the need for the Chair to be able to exercise his or her authority without such challenge. In fact the Member for Portage (Mr. Connerly) should well know that because he was ejected from the Chamber July of 1986 after reflecting on Speaker Phillips at that particular point in time. I would hope that the Member would reflect on that and perhaps consider an apology before this House.

I would submit then that the evidence establishes that a prima facie case of privilege does exist. As Members will be well aware, our procedures, our rules and Beauchesne's provide that where a prima facie case does exist, it is then put forward to the House. Mr. Speaker, I believe that unless the Minister does apologize, we indeed do have to deal with this particular matter because you, Sir, cannot function with the kind of challenge, reflection to your authority, that took place in Question Period yesterday, and took place again outside of the House.

So I therefore move, seconded by the Member for St. Johns (Ms. Wasylycia-Leis), that this House censure the Minister of Consumer and Corporate Affairs (Mr. Connerly) for reflecting on the Speaker and that this House direct the Member to apologize for his actions.

* (1010)

Hon. Clayton Manness (Government House Leader): Mr. Speaker, this is a very serious matter that the Opposition House Leader (Mr. Ashton) brings before the Members of the House. Before you rule I would ask you to take into account certain matters of information and, in my mind, fact.

I believe that the matter of privilege that the Member has brought forward fails in two respects. First, the House Leader of the Opposition indicates that this is the first opportunity to bring forward the issue. Mr. Speaker, that is incorrect. The first opportunity to do so was yesterday during the time when this alleged event occurred. Members at that time—and I will move into the alleged offence, to use the word—Members opposite, when it occurred, were laughing. They were making merry of the situation and did not at any point take that particular alleged action seriously.

Mr. Speaker, that is a fact but, more importantly, as to the behaviour of the Members opposite, is the fact that at that time, if they thought it was so serious, should have risen in their place and stated their matter of privilege. They failed to do so.

Second, Mr. Speaker, with respect to a prima facie case, Beauchesne's 31(1) says: "A dispute arising between two Members as to allegation of facts does not fulfill the conditions of parliamentary privilege." What we have here is the interpretation of Members opposite as to a certain action of a Member of the Government. They do not know on what basis a certain physical display was made. They do not know the intent behind it. They do not know what was in the mind, indeed, of the acts behind the action.

Mr. Speaker, they claim they saw a physical reaction to you. Let me say, I did not see that. You may have; I did not. I would think for the Opposition House Leader to quote precedent by way of Beauchesne's that third parties somehow can bear witness to an action in this House is out of order and really has no presence on the decision.

Third, Mr. Speaker, Beauchesne's Rule 31(3)—and it was referred to by the Opposition

House Leader (Mr. Ashton)—said “statements made outside the House by a Member may not be used as the basis for a question of privilege” are self-explanatory. I would say that that information, whatever it is that the Member for Portage (Mr. Connery) may have said outside of the House on this issue, has to be discarded and cannot be taken into account in any respect with regard to your ruling.

So, Mr. Speaker, on those three points I would claim that the matter of privilege is not supportable by the arguments put forward by the Opposition House Leader and that indeed he has not brought forward this issue at the first opportunity and that a prima facie case has not been made.

* (1015)

Mr. Speaker: I want to thank both House Leaders. This, as was quite—order, please.

This is indeed a very, very serious matter. Numerous precedents were quoted, and I will take the opportunity to reserve my decision and come back with a ruling at a subsequent sitting. It will give me an opportunity to peruse Hansard and check out the different parliamentary rule books that we do have available and we will come back to the House with a ruling.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Mrs. Louise Dacquay (Chairman of Committees): The Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the Honourable Member for La Verendrye (Mr. Sveinson), that the Report of the Committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Glen Findlay (Minister of Agriculture): I would like to table the Supplementary Estimates of the Department of Agriculture.

Hon. Gerald Ducharme (Minister of Urban Affairs): I have the pleasure of tabling reports of the Department of Urban Affairs and of Manitoba Housing for '90-91.

Hon. James McCrae (Minister of Justice and Attorney General): I am tabling today

Supplementary Information for Legislative Review for the 1990-1991 Departmental Expenditure Estimates for the Department of Justice.

INTRODUCTION OF GUESTS

Mr. Speaker: Prior to Oral Questions, may I direct the attention of Honourable Members to the Speaker's Gallery where we have with us this morning the Honourable Dr. David Carter, the Speaker for the Alberta Legislative Assembly. Also we have Mr. Alex McEachern, who is the MLA for Edmonton Kingsway for Alberta. Also we have with us this morning Laura Lee Swain, who is a high school student from the Swan Lake School who was a recipient of the Royal Bank Award for her work in 4-H.

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

Also with us this morning we have from the R. B. Russell Vocational School thirty-five Grade 11 students. They are under the direction of Jerry Hays. This school is located in the constituency of the Honourable Member for Point Douglas (Mr. Hickes).

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

ORAL QUESTION PERIOD

Rafferty-Alameda Dam Project Government Action

Mr. Gary Doer (Leader of the Opposition): Manitoba has had a history of standing up for its water quality and quantity. We have been very successful in the Garrison Diversion project. We are still facing challenges on Shoal Lake, which the Premier is addressing today in Ontario. We have been set a major setback in terms of the court decision in the Province of Saskatchewan yesterday.

We had urged the Government to ask the federal Minister to withdraw the licence four weeks ago. We had urged the Government to join in the court decision so that the Manitoba environmental impact of the Rafferty-Alameda dam would be considered by the courts in Saskatchewan. Instead we have a decision yesterday on the injunction, ruling that construction costs will be a priority over and above the environmental concerns, particularly of Manitobans, Mr. Speaker, who were not even represented in the court in the last four weeks.

My question to the Minister is: Given that he said that he was taken back by this decision, what action is he now going to take to stand up for water quality and quantity in Manitoba in light of the recent court decision that was handed down yesterday?

Hon. Glen Cummlngs (Minister of Environment): You know, Mr. Speaker, for a Leader of a Party that has just made a very strong case in their mind on protocol and proper process in this country, he has now chosen to reflect on the ruling of a judge of this land.

The fact is that Manitoba has taken considerable effort on behalf of this province. We have a number of options that are still available to us in dealing with the Rafferty-Alameda situation. We have said consistently that the environmental process needs to be respected. To have it respected will give us protection that we are seeking for our water quality and quantity.

We have written to Ottawa in regard to the flowing of funds. We have written to Ottawa and we have been consistently in contact with the Minister of Environment's office regarding his position in the courts and the prevalence of the federal environmental process. The Member need not reflect on the judge. What he needs to reflect on is, what do we do now?

* (1020)

Licence Withdrawal

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, I am reflecting on what this Government has done for the last year. I am reflecting on the fact that this Government did not even prepare and intervene in a court case with water quality and quantity in Manitoba at stake. They sat back as an accomplice with the Devine Government in Saskatchewan. Now we have had no representation in court, and we have had no protection of the Manitoba interests.

I want to table a letter, Mr. Speaker, from the former head of the Garrison Diversion project, who is now the co-ordinator of special projects in the Department of Natural Resources, who identifies a number of water quality and quantity concerns. This should have been part of an affidavit filed in the Saskatchewan court.

My question the Minister is: Will he ask the federal Minister to withdraw the licence now so that Manitoba's water quality and quantity will be

protected or continue to just pay lip-service to this project and go along with whatever Grant Devine does in terms of Manitoba's water quality and quantity on the Rafferty-Alameda dam?

Hon. Glen Cummlngs (Minister of Environment): Well, Mr. Speaker, the Member refers to lip-service and actions of this Government. He has not been listening too well to the actions that we have taken. Precisely, the removal of the licence has been one of the issues that we have been discussing with the department. The fact is that when we go to court, you do not line up the warm bodies and count them to make a ruling, you use the information that is presented in the courts.

The position of this Government has consistently been that the federal authority must exercise that authority. It must be seen to be respected. They must use the full force and all of the available resources that they have, including the backup of this Government and the information that we have on our concerns to make sure that they fully enforce their environmental assessment requirements.

The Member chooses to reference Shoal Lake. The fact is, his administration is the one that left us with the responsibility of doing something about that water quality.

Mr. Doer: I think all Manitobans hope the discussions go well on Shoal Lake, Mr. Speaker.

Government Action

Mr. Gary Doer (Leader of the Opposition): My question is to the Minister.

The Premier (Mr. Filmon) would not even walk across the street to discuss this issue with Grant Devine when he was in town this week, Mr. Speaker. He would not go to Saskatchewan to discuss Manitoba's issues with the Premier of Saskatchewan. We would not file an affidavit in court. We have not yet asked the federal Minister to withdraw the licence. How can the Minister stand in this House and tell Manitobans he has done anything when he has not?

He struck out on the affidavit in the court in Saskatchewan. They have struck out in terms of representing Manitoba in Saskatchewan with our Premier meeting with their Premier. They have struck out in terms of asking the Government to withdraw the licence. What action is this Government finally going to take to protect Manitoba

water quality and quantity, given the decision yesterday?

Hon. Glen Cummlings (Minister of Environment): Mr. Speaker, I indicated clearly a few minutes ago that there are a number of options, one of which is that we have already asked that the federal Government withdraw the availability of funds under international agreement where those funds have to be part of an international agreement as opposed to a lower jurisdiction.

We have also indicated that the options that are available to the federal Government are in fact that they appeal this ruling. We are waiting for a response from the federal Minister of Environment as to what his course of action is. I understand that he will be making a statement very shortly, and I fully expect that he will be acknowledging those concerns and issues and taking a position on behalf of the province.

Agricultural Assistance Government Progress

Mr. John Plohman (Dauphin): Mr. Speaker, I have a question for the Minister of Agriculture.

Over the past year or so the Minister has touted the GATT talks, and a successful resolution of the GATT talks is the salvation for farmers. However, we have made statements and are of the belief that the GATT talks would not be the panacea, that they would not result in a solution for farmers and in fact that they were failing. We have demanded that the Conservatives take action on the domestic front to deal with the crisis facing agriculture at the present time and with the two principles of cost-of-production pricing and guaranteed income for farmers.

Now, given that this Minister, Mr. Speaker, said that the safety net is the answer, I want to ask the Minister today whether in fact he has some positive news to report to the farmers and rural Manitobans with regard to the meetings that took place over the last couple of days in dealing with this agricultural crisis?

Hon. Glen Findlay (Minister of Agriculture): I thank the Member for the question, because indeed there is an economic crisis in agriculture and it is brought about to a large extent by an international trade war which in the long term we can resolve in GATT.

I am still a hopeful and an optimistic person that resolution can occur in the longer term, and we are talking over a course of 10 years. The meaningful effect of that will probably not occur until the last five years of that 10-year span. In the shorter term, there is need for some additional support for the grains and oil seed sector of western Canada in order to be able to compete in the export market.

The safety net proposal has been designed over the past year by a task force of federal-provincial officials and farmers—and 19 of the 33 people on the task force were farmers—a safety net process consisting of GRIP and NISA and the transitional program for 1991 which we discussed at some length over the past two days.

I can report to the Member that all provinces have generally agreed with the principle of that process and the ongoing discussions as to how to enact the mechanism of having it in place to help the farm community, particularly in '91, but beyond '91.

* (1025)

Debt Restructuring

Mr. John Plohman (Dauphin): Mr. Speaker, we were led to believe that there would be specifics coming out of this meeting, and there has not been, and the Minister has failed in that regard at the last meeting.

I ask another important question dealing with this issue. Given that the income crisis has led to a debt crisis in agriculture, with one-third of the farmers carrying the vast majority of the debt in this province, mostly younger farmers, what specific action can this Minister report to the farmers of Manitoba with regard to action that will be taken on the debt restructuring, on the issue of write-down, set-asides or debt moratoriums with regard to the debt crisis that exists in the agriculture community?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, clearly there is a problem of debt. As I have told the Member before, some of that debt is because the farmers paid too much for land in the past. Through the Manitoba Mediation Board we have put a lot of effort in, and some good resolutions have been attained for many farmers. Farmers that enter that process have virtually no net position on their farm, and when they leave that process they have a substantially improved net position. Over half of them that go through the process stay farming. A lot of money is put behind guaranteeing those

resolutions. The farmers who get restructured, in many cases—in fact two-thirds of the cases—do not have to draw on the guarantees that are put there to support them. The process has been very good in terms of doing the best that is possible with restructuring debt in the Province of Manitoba.

I can also tell the Member that in the course of our discussion that is ongoing, there is going to be further discussion on the phasing in of the costs between the various participants of the safety net proposal, and also there will be discussion of a third line of defence to help the farm community through this crisis. Part of that third line of defence may well be further considerations of mechanisms of debt restructuring.

Mr. Plohman: Mr. Speaker, I would urge the Minister to deal seriously with the issue of debt restructuring.

Federal Responsibility

Mr. John Plohman (Dauphin): I would ask the Minister, will the Minister now admit that the federal Government, with regard to the discussions that are taking place, is attempting to offload its responsibilities onto the provinces with regard to the cost-sharing formula that is taking place? Will this Minister now take the gloves off, enlist the support of all Parties in this House and the people of Manitoba and put pressure and demand that the federal Government live up to its responsibilities to pay its share, historic share, of the costs of supporting grain production in this country?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, that has been the essence of the discussion over some period of time, which means that it is still ongoing. I said there is discussion on the process of cost-sharing and phasing in that is going on. Manitoba and Saskatchewan have had clear recognition of our fiscal capacity being much less than the other provinces and having a greater burden of the responsibility of supporting the grains and oil seed sectors. The traditional shares that have been in place have been about 45 percent by the producer and about 45 percent by the federal Government and 13 percent by the provinces. The traditional share is going to be recognized in some major fashion in the eventual resolution of that cost-sharing that is going to take place in the next few years.

Conawapa Dam Project Environmental Impact Study

Mr. Paul Edwards (St. James): My question is for the Minister of Environment.

The Saskatchewan Court of Queen's Bench said yesterday that too many millions of dollars would have been lost by Saskatchewan to force them to at this point seriously consider the environment.

Mr. Speaker, the total value of the Rafferty-Alameda project was some \$154 million. Yet the Manitoba Government too is proposing spending in excess of \$150 million on Conawapa before completion of an environmental assessment on it.

Mr. Speaker, will the Manitoba Government be looking for the same type of it is too-late-to-stop-now judgment from a Manitoba court in the event that the environmental review of Conawapa does not go exactly as planned?

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, I am quite surprised at the nerve of this Member to rise in the House today on an environmental question after the faux pas he pulled yesterday, trying to fool the House and the members of this public into thinking that Manitoba was ninth in an area, and in fact we have been rated as No. 4 overall on environmental issues in this province.

* (1030)

Mr. Edwards: Mr. Speaker, it is in black and white. The only province they are ahead of is Saskatchewan. We know Saskatchewan's record; we know it full well today.

It has been very hard to follow the flip-flops of this Government on the Rafferty issue.

My supplementary question is: Can the Minister tell us what he meant when he said on June 27, 1989, in Melita, that nothing short of a full environmental impact review will answer all of Manitobans' questions about the Souris River dams?

Is he willing today to do just that and demand that this licence be revoked by his federal counterpart and have the Manitoba Clean Environment Commission take a look at the impacts in Manitoba for the very first time?

Mr. Cummings: Mr. Speaker, again the Member chooses to pretend not to understand what he has in front of him. The words that I put on the record at

Souris are in fact what I said. I meant it and this Government meant it.

The process that we have embarked upon to get the best quality and quantity of water and protect the quality and quantity of water for this province is as I outlined to the previous Member who asked this question. The fact is that Ottawa must be pushed to respect and to enforce its jurisdictional responsibilities. The fact that one court has not accepted their arguments means that they should now proceed to the next step to make sure that is done or we will have environmental chaos in this country.

This province's record, Mr. Speaker, has been fairly clear. If the Member wants to ask another question, I will put a lot more of the information from the Ottawa Citizen on the record.

Mr. Edwards: The unfortunate part is that this Government has had two and a half years to act, and all they have ever done was put words on the record.

Will the Minister admit today that what he should have done and what he was advised to do by this side of the House on July 27, 1988, two and a half years ago, was to authorize a made-in-Manitoba impact study on Rafferty, one which has never been done? Will he commit today to never again abandoning the protection of Manitoba's environment to the U.S. Corps of Engineers and joining his bumbling counterparts, both in Regina and Ottawa?

Mr. Cummlings: Mr. Speaker, this is quite amusing that the Member for St. James is now purporting to say that the Manitoba Clean Environment Commission could enforce regulations in the Province of Saskatchewan. That is precisely why we are using the federal authority to make sure that Manitoba's interests are guaranteed. We are doing every other possible means of protection that we can short of going to war with the Province of Saskatchewan.

For goodness sake, Mr. Speaker, we get our water from the south. We get it from the United States. The fact is that river quality and that river water quantity is very much controlled downstream by the Americans.

This is one more additional impact that we have to have that larger authority involved in. To indicate that somehow this province in two and a half years has not taken some large environmental strides

means there is no recognition on his part that we have gone from No. 10 to No. 4 in two years.

Department of Agriculture Staff Layoffs

Ms. Rosann Wowchuk (Swan River): Mr. Speaker, my question is to the Minister of Agriculture. On November 5, this Government sent layoff notices to four employees of the Soils Branch of the Department of Agriculture.

Considering the fact that rural Manitoba is in a serious crisis and conservation of soil and soil management is a priority for all of us, how can this Government cut staff in a branch whose work is so necessary for effective land planning, drainage and soil management?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, in the course of the past year we have added five positions as soil conservation specialists across the Province of Manitoba. We have put an emphasis on conservation and environmental orientation.

We are trying to do the best for the farm community to conserve our soil. We have put those conservation specialists in place, plus we have structured 42 soil conservation associations across the province consisting of farmers coming forward and working with those conservation specialists to do the right things for conserving Manitoba soil.

Ms. Wowchuk: This is the worst drought we have had in many years in Manitoba. How can the Government lay off long-time, experienced staff at a time when we are going to have serious soil erosion and water problems throughout the province and farmers need support in these difficult times?

Mr. Findlay: Farmers need support. We have just increased our budget by some \$40 billion to help the process of farmers.

The Member says this is the worst drought we have ever had. As I recall, the drought was in '88 and '89, and 1990 has been a bumper year of production—a bumper year of production—because the rainfall was appropriate at the right time.

We spent the money to support the farm community. We worked with the farm community in a very aggressive and pro-active form, not like the

former Government who ignored the farm community totally and utterly.

Ms. Wowchuk: Mr. Speaker, my question is: Why are you laying off staff? I have a form here I would like to table that there are staff that have experience of up to 33 years, and all they have received is a callous generic notice and nothing further. This staff is needed at this time.

Point of Order

Hon. Clayton Manness (Government House Leader): On a point of order, although I know Members opposite believe that the hiring of staff can somehow prevent the soil from blowing, I would like to indicate to the Member and to you, Mr. Speaker, that very same question was asked in the first two questions posed by the Member. I would say it is repetitive and should be ruled out of order.

Mr. Steve Ashton (Opposition House Leader): On the same point of order, I hope the Government House Leader will recognize that it is difficult for Members—and the Member did not comment on the fact that she had not received an answer, which is against our rules—but it is difficult when a question is placed and the kind of answer that is requested is not received, instead rhetoric is received in regard to other issues.

I believe the intent of the Member was simply to ask a very straightforward question, why these people were laid off, and as such would be in order.
-(interjection)-

Mr. Speaker: Order, please; order, please. On the point of order, the Honourable Member's question is repeating in substance a question which was previously asked. Therefore, would the Honourable Member kindly rephrase her question, please.

* * *

Ms. Wowchuk: Will this Minister reverse the decision of laying off this staff?

Mr. Findlay: Mr. Speaker, as I told the Member when she asked the question the first time, we have added five new people, five soil conservation specialists, and set up 42 soil and water associations to deal with exactly that. We have brought on five. Five minus four is plus one. That is called an increase in staff.

Prairie Places Funding

Ms. Becky Barrett (Wellington): Mr. Speaker, since February 1990 Prairie Places has provided licensed 24-hour community residential service for three women with mental and physical disabilities. Their start-up funding from the Manitoba Marathon and the CEIC job strategy fund expires March 31 of next year.

I am tabling six letters from Prairie Places written to the Minister of Family Services over the last 18 months and a letter from a Family Services staff person recommending that since projections for funding for Prairie Places had been made in 1989 that the money actually be spent.

My question for the Minister of Family Services is: Why, when the province states over and over its commitment to community based services and when the per diem rate for Prairie Places is \$89 versus \$140 at the Manitoba Development Centre, has this Minister of Family Services not supported this project with money, not just empty rhetoric?

Hon. Harold Gillehammer (Minister of Family Services): The Member is correct that the funding for Prairie Places came from the Manitoba Marathon and the Canada Employment and Immigration Commission. I understand that they provided the start-up funding and the continuing funding.

At this time there are no funds available in the 1990-91 budget to provide either operating or support staffing costs for new residential beds.

* (1040)

Ms. Barrett: Mr. Speaker, can the Minister of Family Services explain to the Members and the representatives of Prairie Places who are in the House today why his department has recently hired a full-time staff person whose job is to find alternate sources of money outside the provincial Government for these community resource services, funding which should be provided by his department?

Mr. Gillehammer: Mr. Speaker, to address the long-term solutions in the community living area the previous Minister struck a working group on community living who will be looking at this entire area and reporting later this year on any long-term solutions that we can put in place.

Ms. Barrett: Is this Minister of Family Services aware that this staff person hired recently refers

groups like Prairie Places to the Manitoba Community Services Council, funded by Lotteries money, and that the council will not even consider these groups' funding applications without a commitment of funds from this department? What are these groups to do?

Mr. Gilleshammer: Mr. Speaker, I would remind the Member that when the Welcome Home Program was put in place there was a distinct lack of planning, and we are still struggling with the results of that.

The previous Minister has put in place the working group on community living, which is going to study the situation and find these long-term solutions, not implement a program without the whole picture. So these long-term solutions have to be put in place. We will be looking at this when they report in December.

Sexual Assaults Sentence Lengths

Mrs. Sharon Carstairs (Leader of the Second Opposition): Mr. Speaker, my question is to the Minister of Justice. Unlike the Member for Wellington, I would like to congratulate the Minister for his initiative yesterday to study all aspects of domestic violence in order to direct the system in a positive way, to address the needs of women and families in our society.

However, like all parents I am once again dismayed at a sentence which clearly implies that sexual abuse of children is not considered a serious offence. Can the Minister give us assurances in this House today that a sentence of two years probation for a sexual assault on an 8-year old girl, which resulted in her being given a sexually transmitted disease, will be appealed?

Hon. James McCrae (Minister of Justice and Attorney General): Yes, Mr. Speaker.

Mrs. Carstairs: I thank the Minister for that.

Family Violence Crimes Against Children

Mrs. Sharon Carstairs (Leader of the Second Opposition): Is there at the present time in the department a study being conducted comparing the sentences of children who have been sexually abused with other violence such as man against man, woman against woman, woman against man, so that we can develop and define whether there is

a pattern which seems to be emerging that children's issues are not taken seriously enough?

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, I can answer today that our department is undertaking a domestic assault tracking project, which will give us the kind of information the Honourable Member is talking about with respect to domestic violence, and I will ascertain whether that includes crimes against children.

Mrs. Carstairs: Again, I thank the Minister. If it does not include crimes against children, will he give assurances to this House that it will be extended to cover crimes against children within Manitoba?

Mr. McCrae: I will accept the Honourable Member's question as a positive representation and consider the question carefully.

Videon Cable TV Negative Option Sales

Mr. Jim Maloway (Elmwood): My question is to the Minister of Consumer and Corporate Affairs.

Mr. Speaker, on June 20, 1989, Videon Cable TV announced a new package of sports, news and entertainment which was available to subscribers on a negative option basis. The Minister's Research and Planning Department is investigating negative option offers. Can the Minister report on the progress of this investigation?

Hon. Edward Connery (Minister of Cooperative, Consumer and Corporate Affairs): The Member knows very well in Estimates last night when they asked me a question on the philosophy or policy of the department that I was in a conflict of interest because I am a shareholder in a cablevision company.

Videon Cable TV Negative Option Sales

Mr. Jim Maloway (Elmwood): Well, in that case then, which Minister on the other side will answer that question?

Hon. James McCrae (Acting Minister of Cooperative, Consumer and Corporate Affairs): Mr. Speaker, I took the place of the Minister last evening in response to a question put by the Honourable Member for Crescentwood (Mr. Carr) and made the point that there have been a handful of cases dealt with by the Consumers' Bureau

dealing with this particular matter, dealt with satisfactorily, and that the Department of Cooperative, Consumer and Corporate Affairs continues to monitor the situation with regard to this type of arrangement the Honourable Member refers to.

Fuel Price Increases Price Monitoring

Mr. Jim Maloway (Elmwood): I would like to direct a supplementary then to the Minister of Consumer and Corporate Affairs. The Corporate Affairs Minister's answer to the increasing gas prices has been to simply monitor the prices. Will the Minister at this time explain to the House what exactly is involved in the monitoring process?

Hon. Edward Connery (Minister of Cooperative, Consumer and Corporate Affairs): Mr. Speaker, that question was answered last night in the Estimates process.

It was answered that we have two and one-half people in our department who on a part-time basis, two and a half staff years, are doing that monitoring, and they are doing the monitoring on an ongoing basis. The question was answered last night for the Member for Elmwood.

Regulations

Mr. Jim Maloway (Elmwood): Well, the number of people was one and one-half last night, and now it is two and one-half this morning. He obviously picked up another person overnight.

Mr. Speaker, lately the Premier (Mr. Filmon) and his Minister have been bumping into one another backtracking on whether to place gasoline prices before the Public Utilities Board for review. How long is this ministerial buck passing going to continue and will the Minister agree that regulation is imminent?

Hon. Edward Connery (Minister of Cooperative, Consumer and Corporate Affairs): Mr. Speaker, it is rather ironic that a Member from the NDP would be asking a question or making some of those silly statements that he has made.

As you know, they had a review done by a member, Mr. Costas Nicolaou, that had to be tabled by our Government. Let me tell the Members opposite that this week we sent a letter to all of the gas companies requesting a meeting with them. We followed that up with a phone call, and this coming

week we will be meeting with all of the major oil companies to discuss the gas pricing. The concern that we have as the department is that the consumers are treated fairly in the pricing of gas when we have a crisis in the world on the price of crude oil.

Archeological Assessments Payment Responsibility

Ms. Jean Friesen (Wolseley): My question is for the Minister of Culture, Heritage and Recreation (Mrs. Mitchelson). The Acting Minister? -(interjection)- The Acting Acting.

The spirit and letter of The Heritage Act of Manitoba indicates that archeological impact assessments are the responsibility of the proponent. This is equally applicable to public and private development and to Crown corporations.

I would like to ask the Minister again, is she paying the bill for the archeological assessment in the R.M. of Arthur in the constituency of the Deputy Premier?

Hon. Glen Cummings (Minister of Environment): I will take the response to that as notice on behalf of the Minister. The Acting Minister is also absent.

Ms. Friesen: Mr. Speaker, my second supplementary is to ask whether the Minister will be compensating the City of Winnipeg for any impact assessments it is currently undertaking or that it will be required to undertake in the future.

Mr. Cummings: I will take that as notice as well, but I would indicate to the Member that these might be very appropriate questions for the Estimates process, which is coming up immediately.

Ms. Friesen: Mr. Speaker, my third supplementary is to the Minister of Culture, Heritage and Recreation (Mrs. Mitchelson) as well.

I would like I think to suggest that the provisions of this Act are not unique in North America, and I would like to ask whether the Minister is going to undertake to inform the various jurisdictions in the Province of Manitoba to ensure that they understand that this is an Act which provides for equitable treatment, that it gives us access to the heritage of aboriginal peoples in this province and that it provides for I think public responsibility in the development of various parts of this province.

Mr. Cummings: Mr. Speaker, I will also take that as notice.

* (1050)

* (1050)

St. James-Assinibola School Division Provincial Auditor's Report

Mr. Dave Chomiak (Kildonan): Mr. Speaker, my question is directed to the Minister of Education.

According to media reports, officials of the St. James-Assinibola School Division have apparently concluded that the principal at John Taylor Collegiate was somehow responsible for padding of figures. Yet it appears almost impossible that officials of the school division itself could not have known that these figures were inaccurate. Therefore, I am asking the Minister if the Auditor's review will also do a review of the official action at the St. James-Assinibola School Division.

Hon. Clayton Manness (Acting Minister of Education): Mr. Speaker, the Government tends to act on factual information that comes forward rather than outside, third-party reports. I want to indicate though that the auditor has been given a very broad mandate to inquire as to what may have occurred. Indeed, if he finds anything untoward outside of the accounts, even in the methodology brought forward as to how the numbers came into being, he will be given licence of course to delve further if he so wishes.

Mr. Chomiak: Mr. Speaker, my supplementary is to the same Minister. Since the school division has put a muzzle on teachers and staff and not allowed them to talk to outside officials, can he indicate to me when the Auditor's Report will be forthcoming so that these individuals who may have been given accusations in the media can defend themselves properly?

Mr. Manness: Mr. Speaker, I cannot give the Member any indication as to when the Provincial Auditor may be reporting. I know that the Provincial Auditor will be reporting to the Legislature as to the Annual Report or as to the accounts of the province hopefully before Christmas. If we have a public accounts meeting slightly before or into the new year, maybe the Member would like to be in attendance and pose that question at that time.

Sexual Assault Police Reporting Guidelines

Mr. Dave Chomiak (Kildonan): My final supplementary is directed to the Minister of Justice.

Mr. Speaker, in light of the alleged child molestation incident occurring at Tuxedo recently, can the Minister outline for this House what the police practice is with respect to notification of persons in authority of incidents of this kind?

Hon. James McCrae (Minister of Justice and Attorney General): I do not mind, Mr. Speaker, inquiring of the Winnipeg City Police on behalf of the Honourable Member to obtain that information for him.

Natural Gas Pipeline Consumer Protection

Mr. Jerry Storle (Flin Flon): Mr. Speaker, my question is to the Acting Minister of Energy and Mines.

Mr. Speaker, the National Energy Board has preapproved the construction of a pipeline to TransCanada Pipelines. That approval follows on the heels of a decision as well by the National Energy Board to allow consumers to be charged for the construction of this pipeline which will benefit largely the northeastern portion of the United States.

My question to the Acting Minister is: Will this Government intervene in the PUB hearings which will deal with this matter to ensure that Manitoba consumers are not charged for the implications or the ramifications of the Free Trade Agreement?

Hon. Glen Findlay (Acting Minister of Energy and Mines): Mr. Speaker, I will take that question as notice on behalf of the Minister of Energy and Mines.

Mr. Storle: This Government has had an opportunity to intervene on many occasions, including in the court decision that was just rendered in Saskatchewan.

My question is: Will this Government actively pursue the interests of consumers in the Province of Manitoba when it comes to natural gas? Will the Minister assure this House that they will be interveners when this matter comes before the House?

Mr. Findlay: Mr. Speaker, I will also take that question as notice on behalf of the Minister of Energy and Mines, but I can assure the Member that as Government we will be pro-active in the interests of protecting the consumers of the Province of Manitoba.

Mr. Storle: Mr. Speaker, it is nice to hear the word pro-active come from the benches opposite.

My question is to the same Acting Minister. Can this Minister table any information that is being made available to himself, to Cabinet, to the Minister of Energy and Mines, coming from the energy policy section in the Department of Energy and Mines, which indicates that this decision is justified or that the decision of the National Energy Board to pass this price on to Manitoba consumers is justified?

Mr. Findlay: Mr. Speaker, I will take that question as notice also on behalf of the Minister of Energy and Mines.

Portage Avenue Commercial Vacancy Rate

Mr. James Carr (Crescentwood): Mr. Speaker, I have a question for the Minister of Urban Affairs.

Should any Winnipegger or Manitoban take a walk down Portage Avenue from Main Street to Memorial Boulevard they would find an incredible proliferation of for sale and for lease signs.

Does the Minister of Urban Affairs have any plan at all to begin to mitigate the effects of the North Portage Development Corporation and the ensuing number of square footage which is vacant, for sale or for lease?

Hon. Gerald Ducharme (Minister of Urban Affairs): Mr. Speaker, if the Member would not only have just walked down that particular avenue but if he walked down any suburban area in the City of Winnipeg, he will find vacancies in the whole area. If he wants to go to other cities, that is the way commercial space is. If he wants to go to any city on the North American continent he will find the same thing.

However, there is a pro-active study going on with north of Portage. They have the south side being studied at the present time, Mr. Speaker. I will give him all the information of what has been going on in the past year to help with that situation when we get to the Estimates.

North Portage Development Corp. South Portage Initiatives

Mr. James Carr (Crescentwood): The Minister is making us feel better because there is more vacant space somewhere else than there is on Portage

Avenue, which has five times as much vacant space today as it had a few years ago.

The North Portage Development Corporation has within its budget \$1.2 million to help the merchants of the south side. Could the Minister tell us how much of that \$1.2 million has been spent?

Hon. Gerald Ducharme (Minister of Urban Affairs): Mr. Speaker, first of all the north side of Portage has been carrying on their study. They have a report. They have gone through that.

I will give the information to the Member during the Estimates process.

Portage Avenue Commercial Vacancy Rate

Mr. James Carr (Crescentwood): Mr. Speaker, a number of months ago we had offered the suggestion to the Minister that if Government is considering centralizing some of its Winnipeg operations, for example the Manitoba Telephone System, or looking for a home for Government employees, Portage Avenue would be a very good place for the Government to look.

Can the Minister report any action at all which would move Government employees to Portage Avenue?

Hon. Gerald Ducharme (Minister of Urban Affairs): Mr. Speaker, this Member or this Government do not have to apologize for any construction north of Portage.

The Member I guess forgets very quickly when he wrote an article in the Free Press several years ago asking for urbanization north of Portage. This Member and this Government has been very, very forward and very progressive on that matter.

Mr. Speaker: Time for Oral Questions has expired.

ORDERS OF THE DAY

House Business

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I would have you call Bills 12 and 6 in that order. I believe that will consume the normal Friday morning sitting time. However, as I indicated yesterday, we will be considering Estimates this afternoon.

However, before I make an announcement with respect to the Estimates, I would like to formally announce that the Standing Committee on Public

Utilities and Natural Resources will sit Tuesday, November 20, I believe is the accurate date, at 10 a.m. to consider Manitoba Hydro. That same committee will sit Thursday, November 22, at ten o'clock, also to consider Manitoba Hydro, and that same day, Thursday, November 22, the Standing Committee on Economic Development will sit to consider McKenzie Seeds, 10 in the morning.

Mr. Speaker, because I made a formal motion yesterday, I will probably require the leave of the House to alter some of the order with respect to the Estimates.

I seek leave to change some of the Committees of Supply to the following: that in the House, once the Supply Motion is called, whether that is before the hour of 12:30 or indeed at one o'clock, that in the House today we will consider the Department of Heritage, Culture and Recreation, and that in committee we will consider Workers Compensation Board under the Minister of Consumer and Cooperative Affairs, to be followed thereafter by the Department of Family Services.

Mr. Speaker: Does the Honourable Government House Leader have unanimous consent to alter the sequence?

Mr. Kevin Lamoureux (Second Opposition House Leader): Mr. Speaker, my understanding from the House Leader and the House Leader of the official Opposition (Mr. Ashton) was that we would go into Family Services, Workers Compensation. This is the first that I have heard of it. We would be unable to go into Workers Compensation.

Mr. Manness: Mr. Speaker, I had erroneous information. I was led to believe that the Liberal Party could accept going into Workers Compensation Board. It was my error obviously, and consequently we will go directly to Family Services in the committee.

Mr. Speaker: Does the Honourable Government House Leader have unanimous consent to alter the sequence for the Estimates? That is agreed? Agreed.

DEBATE ON SECOND READINGS

BILL 12—THE LABOUR RELATIONS AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of Labour (Mr. Praznik), Bill 12, The Labour Relations Amendment Act; Loi

modifiant la Loi sur les relations du travail, standing in the name of the Honourable Member for Point Douglas (Mr. Hickes). Stand. Is there leave that this matter remain standing? Leave.

* (1100)

Ms. Judy Wasylycia-Lels (St. Johns): Mr. Speaker, I enter the debate on this Bill, Bill 12, The Labour Relations Amendment Act, with a great deal of regret. All Members on this side of the House in the New Democratic Party regret very much that this Government has chosen to reintroduce a Bill to repeal final offer selection against the wishes of the majority of people in Manitoba.

It is indeed regrettable that we must repeat history, that we must use the valuable time of this House to put on record again the opposition of Manitobans everywhere to any attempt to repeal final offer selection.

Mr. Speaker, it is but a few months ago, six months ago, that this Government heard from a widespread cross section of Manitobans about their views on the usefulness of final offer selection as a labour relations mechanism, as a labour dispute mechanism.

Just about every presentation made to this Government demonstrated support for final offer selection. Every organization representing working people, every organization representing women of this province, every organization representing progressive minded, community minded individuals, expressed their support for final offer selection as an effective labour dispute resolution mechanism and expressed their vehement opposition to this Government's determined effort to repeal such an effective labour dispute resolution mechanism.

That kind of decision on the part of a Government to ignore the sentiments of the people, to consult, to receive the views, and then to deliberately act in contrary fashion is that which contributes to the cynicism on the part of so many people in our electorate today. This comes at a time when Canadians and Manitobans are facing a similar—although some would argue a far worse deliberate slap in the face to the people of this province and this country by way of the federal Government's decision to move on the GST.

(Mrs. Louise Dacquay, Deputy Speaker, in the Chair)

Although we are dealing with two different areas of policy, and although there are different effects for different parts of the population by these two policy decisions, the pattern is the same. The process is the same and the end result is just another contributing factor to people's mistrust of politicians and people's cynicism about Governments representing their wishes.

For, Madam Deputy Speaker, it is clear the people of Manitoba have a vision and an insight about what is needed in the 1990s and beyond. The people of Manitoba have indicated their strong support for any kind of forward-looking mechanism that will ease labour management tensions in this province. Despite that, this Government has chosen deliberately to ignore that input, to ignore those views and has rejected out of hand and in a most arbitrary fashion the feelings of the people of Manitoba.

It is a shame that we must put on record again the views of all of those Manitobans, that we have heard put to us so eloquently over the past year in the discussions around the forerunner to this legislation Bill 31, also an attempt to repeal final offer selection, a failed attempt to repeal final offer selection.

Madam Deputy Speaker, I want to reflect and put on the record again some of those views expressed because it is obvious that the Government of the Day was not listening to the people of Manitoba when they stood and spoke up about the necessary policy tools and actions required for their own situation and for the good of their community as a whole.

Madam Deputy Speaker, presenter after presenter, throughout the hearings on Bill 31, raised the strongest possible objections to any repeal of final offer selection, and presenter after presenter indicated how final offer selection had worked well in their own individual workplaces and circumstances and was indeed a model in the area of labour dispute and labour resolution mechanisms.

The umbrella group for labour in this province, the Manitoba Federation of Labour, expressed in a very clear, concise way the benefits of final offer selection and called upon this Government to come to its senses and let that effective dispute mechanism continue on to ensure peaceful, harmonious labour relations in the Province of Manitoba.

I can recite statistics about the numbers of days lost as a result of strikes and lockouts, but Members opposite, Members of the Government, are fully aware of the benefits of final offer selection and how that most progressive labour dispute mechanism has actually reduced days lost in this province through strikes and lockouts and Members opposite, Members of the Government, know deep down in their hearts that final offer selection has contributed a great deal to a more peaceful approach to labour issues in the Province of Manitoba.

They are, however, bound by a very strong alliance with the business community of Manitoba and that, Madam Deputy Speaker, for them becomes the dominant factor in their decision-making.

Now, Madam Deputy Speaker, we can all understand alliances, coalitions, and liaisons but when that liaison or that relationship becomes the prevailing reason for action, when that relationship on its own determines one's course of action, without consideration to substance of the issue at hand, without consideration to the impacts of that decision that came about as a result of a particular liaison or relationship, then we must all stand up and voice our concerns and register our opposition.

* (1110)

The pattern is becoming clear. It is not simply a case of one particular piece of legislation that this Government has made a commitment on to the business community of Manitoba. This consistent and repetitive effort to repeal final offer selection is now very clearly a part of a much broader agenda to work in very close collaborative ways with the business sector in Manitoba.

It is becoming abundantly clear that kind of collusion is one of the prevailing themes, one of the prevailing agenda items, of this Government. One only has to turn to the developments as presented by the Government of the Day over the past several months. Let us look at the indication by this Government of its intentions to review labour law in this province.

Madam Deputy Speaker, it would be much more satisfying to know that reference to labour law review in the Province of Manitoba was based on the gaps in our laws today and the need to upgrade and revamp our legislation in the employment and

labour areas of this province in order to bring them more in line with the realities of the 1990s.

We know that there are clear areas requiring change and action. We know that our labour laws and our employment legislation have not kept pace with the changes of the working family in our society today. We know that there is a need for a Government of the Day to act with respect to parenting responsibilities, parental responsibility leave provisions, to improve maternity and paternity provisions, new approaches to the work week, and to new ideas around helping families combine their work and parenting responsibilities.

If there was any sense or any notion that this Government was looking at labour law review, with respect to bringing our policies and our legislation in the labour and employment sectors of this province up to date with those changes, then we would certainly have offered our appreciation and congratulations to the Government of the Day.

However, it is clear that the intention of this Government to review labour laws in this province is not to go forward, not to improve our laws, but indeed to go backwards, to move towards more regressive provisions around labour law in this province.

That reference by this Government, in the Speech from the Throne, to review labour law can only be interpreted as a signal by this Government to introduce regressive changes in a very critical area. That has further been reinforced and given more credence by more recent actions of the Government of the Day.

I think of the Premier's (Mr. Filmon) statements of just a couple of weeks ago when he suggested, during the debate on his Estimates, on the Estimates for Executive Council, that he was looking at the use of the notwithstanding clause in the Charter of Rights and Freedoms to be used in cases where, in his view, workers needed to be legislated back to work.

Madam Deputy Speaker, that was another signal of this Government's intentions and long-term agenda when it comes to labour issues in the Province of Manitoba. When it comes to presenting and encouraging the interests and needs of the business community, that has us very worried.

We have not seen a single indication from this Government that it is prepared to address the needs and issues of working people in this province. It has

made to date no announcement on increasing the minimum wage to reflect cost of living. It has made no attempt to extend pay equity to health care professionals in all facilities beyond the 23 health care institutions that reached an interim pay equity agreement.

It has rejected out of hand any extension of pro-active legislative pay equity into other sectors of our economy, into our school boards, our municipalities, our external agencies and the private sector.

To me, Madam Deputy Speaker, and to all Members on this side of the House in the New Democratic Party, that is a further indication of this Government's anti-working-people agenda and its pro-business strategy.

This Government has also not proposed a single strategy, a single idea, a single program that addresses the concerns of workers at a recessionary time in our economy, at a time of unprecedented layoffs, at a time of incredible plant closures in the Province of Manitoba. At that very time, when workers and working families in the Province of Manitoba turned to the Government of the Day for leadership, for direction, for innovation, for creative proposals, this Government has been silent, silent on the issues facing working people, silent on the issues of workers in Manitoba.

While it has been silent on any of the demands, concerns and needs of working families and workers and labour in this province, it has been very vocal, very up front, very direct about responding to the needs of business. It has been very one-sided. All of the Government's initiatives on the economic front, on the budgetary front and on the labour front have been very positively responding to the demands of business in this province, the Chamber of Commerce, the large corporations.

Whether one looks at the tax provisions and the budget that we have just voted on, and the \$8 million tax relief for the business sector in Manitoba, whether we look at their employment or their economic strategies which clearly focus only on the competitive free market interests of the business sector of Manitoba, or whether we look at Bill 12, another attempt to repeal final offer selection, it has clearly been a point of contention in the business community, in the corporate sector for many years.

There has been no support, no encouragement from that sector of our economy for innovative

approaches to labour relations in the Province of Manitoba. From Day One, there was a hue and outcry from the corporate sector in Manitoba, from the Chambers of Commerce about the attempts by this political party, the New Democratic Party, when in Government, to forward such progressive legislation and introduce such a new and innovative and creative approach to labour relations in the Province of Manitoba.

* (1120)

Without considering the record, which very clearly demonstrates the positive impact of final offer selection, without listening to the working people and families of this province, this Government has once again chosen to act only on the basis of its relationship with the business and corporate sectors of this province.

As I said earlier, one respects, and I certainly respect, alliances and cooperative action with groups where there is some similarity of beliefs on philosophy and long-term plans and intentions. One understands that. We understand the need on the part of this Government to respect and listen to the people that it is philosophically aligned with, and from which it gets considerable support, financial and otherwise.

As the expression goes, "you dance with the one who brung you." I think we are clearly seeing that, Madam Deputy Speaker.

An Honourable Member: Talking about grammar in this House.

Ms. Wasylycia-Lels: The Member for Crescentwood (Mr. Carr) has commented on the grammar of that expression, but I remind the Member for Crescentwood I was certainly quoting from a -(interjection)- but I was using a well-known expression. I think it is appropriate in this case, because we have seen time and time again the level of contributions on the part of the business sector in this province to the Progressive Conservatives across the way.

I think it is clear that for Members opposite and the Conservative Government, they are going to dance with the one that brung them. I also want to say that with respect to—since the Member for Crescentwood (Mr. Carr) has entered this debate, I think that colloquial expression holds true very well for the Liberals in this Chamber.

Madam Deputy Speaker, let us not fail to make the connections between the Liberal Party's

approach to Bill 12 and formerly Bill 31, attempts to repeal final offer selection, with the level of financial support they receive from members and companies in the corporate sector. In fact, let us not forget that the Liberal Party gets even more of its contributions from the business and corporate sector than do Progressive Conservatives in the Province of Manitoba. So when one is making this connection between one's actions and financial support and the source of one's financial support—

Madam Deputy Speaker: Order, please; order, please.

Ms. Wasylycia-Lels:—let us not fail to make that connection for both the Progressive Conservatives in this Chamber and the Liberals in this House. Let us not fail to acknowledge that their responses to final offer selection and to the question of repeal of final offer selection are really, in the final analysis, very similar.

There is no question in my mind, Madam Deputy Speaker, that for both the Conservatives and the Liberals in this Chamber their commitment is first to the people who back them financially and secondly to the people of Manitoba, when it comes to labour laws in this province, and when it comes to employment standards.

If one can separate—if it was possible for the Conservatives and the Liberals in this Chamber to separate their financial backing from the substance of the issue, then I think both political Parties and the representatives of both political Parties in this Chamber would come to the conclusion that final offer selection has worked very well in the short time that it has been with us and that it is indeed worthy of an extension in Manitoba today.

I think if they could somehow separate themselves from their commitments to the business and corporate sector of this province, they would indeed have heard the voices of working people who came to the hearings day after day last spring and appealed in very emotional, human terms to representatives around that committee table to stand up and represent their interests and ensure that final offer selection was kept in place as a most useful, creative, progressive labour dispute resolution mechanism.

Some Honourable Members: Oh, oh!

Madam Deputy Speaker: Order, please.

Ms. Wasylycia-Lels: Madam Deputy Speaker, let me try to categorize the presentations made to us

at that time and still with us today. The feelings are as strong today if not stronger.

Let us look first at labour's broad concerns and working peoples' presentations and representations to all of us over the last six months or more. Labour, representing working people everywhere in this province, came armed with the statistics, came armed with the evidence that final offer selection was indeed working and there was no reason to end, to terminate, to rid our legislative books of such an effective policy tool, of such an effective labour dispute resolution mechanism.

I refer Members again to some of those statistics and those appeals made by many of labour organizations and individual working people's presentations to us at that time. I want to single out a couple of those presentations and a couple of the views articulated at that time.

The Manitoba Federation of Labour came forward with a very thoughtful brief and a very well researched position. I do not think there has been any dispute of the facts as presented by the Manitoba Federation of Labour, that clearly stated in its paper entitled Brief to the Legislative Review Committee, Legislature of Manitoba, Bill 31, an Act to repeal final offer selection—I quote now, Madam Deputy Speaker: The Manitoba Federation of Labour represents and speaks on behalf of 85,000 workers and their families in Manitoba, the province's largest labour organization. (end of quote)

The Manitoba Federation of Labour applauded the enactment of final offer selection provisions within the Manitoba Labour Relations Act in January 1988. Its objectives were simple and straightforward: Provide an innovative method to encourage good-faith bargaining and the settlement of collective agreements. It enhanced the list of bargaining aids already provided for in The Labour Relations Act such as conciliation and mediation.

* (1130)

The MFL is convinced the experience under final offer selection has met the expectations that the labour community had for it before it was proclaimed into law, and Department of Labour statistics bear that out, end of quote, Madam Deputy Speaker.

Referring to, singling out some of those statistics, it is clear that we have the data, we have the information, and we have the statistics. There is no need for further study of the effectiveness of final

offer selection. There is no need to pay any heed to the position presented by the Liberal Party of Manitoba in this Chamber for another study to a well-documented situation.

Let me quote again from the Manitoba Federation of Labour's paper at the committee hearings: Of the 58 FOS cases disposed of by the Manitoba Labour Board, the vast majority, 49, or 85 percent of applications, resulted in two parties reaching agreement on a new contract before the selector appointment decision stage was reached or the applications were withdrawn.

As the MFL said at that time: "This statistic, more than any other, makes the case for final offer selection's positive impact on the collective bargaining process. It clearly shows that faltering negotiations can be, and are, revived by the presence of final offer selection bringing good-faith bargaining back to the negotiation table."

Finally, the MFL said in this context: "Contrary to the expectations of some FOS critics, it has not resulted in intentional foot dragging at the bargaining table in anticipation of having an agreement imposed later by a third party."

That view was repeated over and over again. It was repeated by the Manitoba Food and Commercial Workers Local 832 in another excellent brief to the committee. I also want to quote from their brief to all of us last spring. That brief states: "There are no logical reasons to eliminate final offer selection from The Manitoba Labour Relations Act. The doom and gloom predicted by employers when it was introduced and now echoed by the Manitoba Chamber of Commerce never materialized.

"There is not one single example of an employer being put out of business, or suffering in any way, as a result of final offer selection existing in the Province of Manitoba. There is not one single example of an employer being compelled to accept a selector's decision which detrimentally affected his business."

I could go on with documentation to back up those statements, but Members opposite, Members of the Conservative Party and the Liberal Party, have heard these arguments and seen the facts.

Given that, it can only be said that the approach of the Government of the Day, in its decision to once again attempt to repeal final offer selection, is based on illogic. It is based—as I said earlier—on the overriding, ever-present need to adhere to and jump

to the wishes of the Chambers of Commerce in this province, business and corporate sector in Manitoba.

Madam Deputy Speaker, the same can be said about the Liberals in this House. The promise was made very clearly by Liberals in this Chamber, by the Leader of the Liberal Party (Mrs. Carstairs) early on in the whole process of final offer selection to respect and jump to the wishes of the Chamber of Commerce and the business and corporate sector in this province.

If one looks at the statistics and one listens to the impact that final offer selection has had on the lives of working people and their families in this province and comes to the conclusion, has to come to the conclusion, that there are no logical reasons to eliminate final offer selection from the Manitoba Labour Relations Act, then we can only come to the conclusion that the actions of Conservatives and Liberals in this House are illogical.

Madam Deputy Speaker, if the statistics around fewer days lost as a result of strikes and lockouts do not mean anything to Members of the Conservative and Liberal Parties in this House, if the feelings of working people and the organizations that represent them do not mean anything, then let me appeal, as I have done in the past, to Members in the Conservative and Liberal Parties in this Chamber to listen to the voices of women.

If they will not listen, if they have these blinkers on when it comes to labour, when it comes to working people because of their ideological beliefs and their commitment to act in tune with business, then I say, listen to the women of this province who have said time and time again, we need in this society a cooperative community, collaborative approach to all kinds of decisions in the Province of Manitoba. They have said to this Government, they have made briefs to this Government, that final offer selection is one example of a co-operative, peaceful, collaborative approach to an otherwise very difficult decision-making arena.

If the Liberals and Conservatives in this House are not interested in listening to working people and labour, then I say, listen to the good advice and the vision of women in this Province of Manitoba and keep in place something which has proven to bring peace and harmony in Manitoba today.

Mr. Gulzar Cheema (The Maples): Madam Deputy Speaker, I am pleased to rise and speak on this Bill.

I will be very objective and be very honest, because we have heard many things about this Bill. I think this is a Bill which has been most widely criticized by various Parties, various organizations. Above all, the people of Manitoba were not given a chance to scrutinize this Bill, because it is very complicated.

* (1140)

I want to just start by saying that we support the repeal of final offer selection. -(interjection)- The Member for Flin Flon (Mr. Storie) is saying, that is right, but I think you must understand that at least in this House, when we all came during the last Session, everyone made a commitment to their constituents that they would listen to the people, and that is what we did. For three weeks, what you guys did was to maneuver the House, maneuver the political process for your own political gain. You were almost, in a technical sense, bought by some people. They were pulling the strings, and you were playing for them.

Madam Deputy Speaker, we have never heard—it makes common sense that you have a trial of three years of a particular Bill. You do not want to study it. If you think of that, that this is a very essential matter, it is one that is lifesaving. -(interjection)-

Madam Deputy Speaker: Order, please.

Mr. Cheema: Madam Deputy Speaker, basically, I will give you a simple example. If it is a simple, lifesaving drug and you wanted to experiment for three years, do you not want to study the results? Simply, we are not asking you to blindfold and follow somebody's suggestions. We are simply asking you to study it and make—

Point of Order

Madam Deputy Speaker: The Honourable Member for Flin Flon, on a point of order.

Mr. Jerry Storie (Flin Flon): I am wondering if the Member for The Maples (Mr. Cheema) would allow me a question on his analogy.

Madam Deputy Speaker: Does the Honourable Member for The Maples agree?

Mr. Cheema: No, I do not, Madam Deputy Speaker.

Madam Deputy Speaker: The Honourable Member for Flin Flon does not have a point of order.

* * *

Mr. Cheema: Madam Deputy Speaker, if they had adhered to questioning and answering—I do not think they need to question me now.

A simple thing, Madam Deputy Speaker, I was saying that you do not want to study after three years of experiment. Simply, if they had followed our advice, we could have achieved the same thing now as what they have done for short-term political gain, what they did, because a very complex matter was given to political people. It was said that the Liberals are antilabour, antiworker. That is not true. The only people who are not thinking about the public is the New Democratic Party in this House.

I want to be very clear. I have never been critical of a political Party to that extent. This issue, they have exploited to their best, and they were successful to some extent. They were successful to some extent, because once you have a number of organizations sending their message clearly to the public and saying that a political Party is opposed to workers, I think the worker definition has been abused by this Party. If they think that every other person who does not support this Party is not a worker, I think they are fooled. -(interjection)-

Madam Deputy Speaker: Order, please.

Mr. Cheema: We are workers also, Madam Deputy Speaker. Everyone works for their living, so that worker definition must go away from their own political spectrum.

Madam Deputy Speaker, I want to go back to that three weeks of public hearings. Most of the presentation they made -(interjection)-

Madam Deputy Speaker: Order, please.

Mr. Marcel Laurendeau (St. Norbert): Madam Deputy Speaker, if you could ask some order in here, we are really having trouble hearing this enlightening speech from the Member for The Maples (Mr. Cheema). If you could please bring this House to order.

Madam Deputy Speaker: Thank you. Order, please. I have requested "order, please" on several occasions, and I would appreciate the cooperation of the Members of the House. I am experiencing difficulty hearing the Honourable Member for The Maples.

Mr. Cheema: If my speech is hurting a particular Party's emotional feeling, so be it. We want to just make some facts very well known, because it was

only a three-week period. There were a number of organizations who made their appearance, and some of them made very valid points, but you do not listen to one side of a story. It was very well planned to make sure that every person who was supporting the final offer selection was on that list, and that is not the way to do public business. -(interjection)- Well, you must go to the public at large.

Madam Deputy Speaker, if they had followed our amendment, today we would have a study. We could have been studying today and that study could have impact on the future, but the NDP lost their part too, and the only gain was made by the governing Party and their agenda and they have not lost anything. The people who have lost is the workers of Manitoba. I am not saying that everything is wrong with final offer selection, but why not study the experiment that you did for three years?

Madam Deputy Speaker, I just wanted to go through some of the press clippings that are very important: The Winnipeg Sun, February 14. The headline is that the MFL had warned the Liberals. Madam Deputy Speaker, no person should be warning or threatening people to make a decision. Because we do not agree with the policy, that does not mean that you are going to warn them and also threaten them.

Madam Deputy Speaker, the Member from Concordia is right. We lost few seats, but 28.6 percent vote does not mean that they are Government in waiting. It does not mean that some of their Members are becoming very arrogant, and I think that is not right, because ultimately the same thing could happen to them.

We suffered a loss and we know that there were some deficiencies, but at least we were honest and we will be honest. In this house -(interjection)- No, I am just putting the facts on the record, and I am reading from the clippings from the presentation from some of the Members who spoke very well from their philosophy. I respect their point of view, but you must listen to what other people have to say.

Simply, I am quoting a Winnipeg Sun story from February 14 saying that if you do not vote for this we are going to punish you. Madam Deputy Speaker -(interjection)- When you have a special group, a number of individuals who are going to work for a particular Party—and I want to discuss something that the Member for St. Johns (Ms. Wasylycia-Leis) said, and she said that the big corporations are

supporting Liberals and the PC Party, but she forgot that the major organization in this country supports only one party. That is the NDP. If you count, not the financial things, but count the people who take leave of absence, who get paid leave to come and work on campaigns, and it was in this year's campaign too. So if you think that giving one month of their livelihood or one month of their job is not a donation, I think you are just dreaming.

An Honourable Member: Working people support the NDP.

Mr. Cheema: What do you think, we are not working people? Absolutely, absolutely nonsense.

An Honourable Member: What does Dave say about that? Does Chomiak agree with you? What does Dave Chomiak say about that?

Mr. Cheema: Madam Deputy Speaker, I am having some difficulty because the Member from Concordia (Mr. Doer), whom I like very much personally but not some of the issues they have been dealing with recently -(interjection)- absolutely.

I just wanted to go back to the speech made by the Member for Lakeside (Mr. Enns). He is one of the Honourable Ministers whom I always listen to very carefully, and he said something which I am always going to keep in mind. He said you should be honest. What promise you made with the public in the campaign, keep that promise. They kept their promise, but this Party made their promise, but the men who played it, when they had the chance to achieve something for the worker, they did not. There was a short political coup. It did work for a short time, but for the long run it will not work, because people are not stupid. They know exactly. If you look at the polls, why do they not like politicians? That is one of the examples.

History will tell you in 40 years time, it is not going to be the two parties, right and left. Many people right now just want to have somebody who will listen to them, and the balance of power will be kept by the people who are middle of the road. We are going to be here for a long, long time. So I think it is important, even though we have suffered a defeat, but in the long run we will gain.

Madam Deputy Speaker, I want to go back to that one blue book they call the Rules of the House. That book, the Rules of the House, the previous Member for Churchill, Mr. Cowan, a good Member, a good parliamentarian. He almost manipulated the whole

system in a way to make political gains. It was three weeks of maximum media exposure and that worked very well. You know the headlines, the Liberals flip-flopped, they are anti-worker and they are anti-union. -(interjection)- That is not true. In my constituency I have a fair number of people who are working for CN, CP and many other organizations and they worked on my campaign too. So, somebody who says that we are not for workers, that is not true.

* (1150)

Madam Deputy Speaker, I want to go to something that the Member for Concordia (Mr. Doer) always says, it is a sweet deal for a doctor, the binding arbitration. I think there is a basic difference between binding arbitration and arbitration of final offer selection, and in any negotiation there is always the possibility of a failed deal but no rights and wrongs. Final offer selection always produces rights and wrongs and winners and losers, and that is not right.

Madam Deputy Speaker, FOS clearly produces winners and losers and those are not right in labour negotiation. You must try to achieve a common cause, a common goal, because without good companies we will not have jobs, and if you are going to push people because of a stupid legislation that does not mean you do not want to work. It is a very simple analogy. -(interjection)- Well, you can manipulate the way you want it. I am not going to be manipulated; I am not going to lie here; I am not going to be dishonest. I am telling you exactly. -(interjection)-

Madam Deputy Speaker: Order, please.

Mr. Cheema: Madam Deputy Speaker, I am having a tough time to speak because there are a lot of Members screaming and shouting in this House. -(interjection)- The Member for Concordia (Mr. Doer) is saying that the big unions are going to come after me. So be it. I will work for my constituents and all the people of Manitoba, but not for one group of people. I will not work for a special group of -(interjection)- my job is to work for all people, that is our philosophy. -(interjection)- It is not a question of voting for the Tories, it is a question of voting for the general public and if you follow our advice now, at least change your mind and follow our amendment and make sure that—

An Honourable Member: You did not vote for the amendment when it came to the Chamber or it

would have been enacted. We would have that process in place right now. -(interjection)- In committee he voted for it, but when it came to the Chamber—

Mr. Cheema: Madam Deputy Speaker, I want to go through an article of December 16, 1988. The article is written by a very well-known assistant professor of Economics. That article tells you many things and one of the factors clearly outlines that FOS in the present form—if many of the people see it is working, why not study it? Why not study it and make sure that if the workers will get benefits, why not?

You know, we have to be very objective. We cannot have two policies, one inside this House, one inside the caucus, and one inside the committee room, one inside at some other meetings, Madam Deputy Speaker. That is not honesty.

We have to be very, very honest and that honesty must come because as the Member for Lakeside (Mr. Enns) said, if we are not honest, we will not be back in this House. We should not be here then, we should do something else.

Madam Deputy Speaker, as the Member for St. James (Mr. Edwards) the other day was saying—and he said it very well. I do not think I can say it the same way because he is a very good speaker. He said that the philosophy of our Party is to listen to people, have a public hearing, and that is what we did on Meech Lake. That is what we did on this very important legislation if it is supposed to be working for people.

At the same time, the New Democratic Party, within 10 minutes on the final days of the last Session, they changed their mind. They had champagne and they said, you know, the big victory for the 12 Members, and they just screamed in this House without realizing that they were hurting workers. Ultimately workers were the losers. It just turned them—the Member for St. James (Mr. Edwards) is anti-worker; the Member for Inkster (Mr. Lamoureux) is anti-worker. That was a big lie. It should never be said. There must be some facts. Well, you know, the short-term pain for a long-term gain, who will take that kind of pain?

Madam Deputy Speaker, it is very clear, we have two Parties. One Party is being run by the Chamber of Commerce, the other Party by the unions. We are the only Party that is run by the workers of the people of Manitoba, workers of people.

An Honourable Member: Try to walk down the middle and you get run over.

Mr. Cheema: The Member for Burrows (Mr. Martindale) is saying that people who run in the middle, they are run over by the cars. Madam Deputy Speaker, any person, it does not matter which Party they are, if they are honest, they will always be in the middle of their own political spectrum. It is very easy to be extreme left and extreme right, but it is very, very difficult to be extreme middle. It is very easy to be a common-sense middle. Common-sense middle is not a difficult thing to do.

So, Madam Deputy Speaker, I just want to reaffirm our support of the repeal of final offer selection. I want to make it sure that if the NDP followed our advice, we could have the process in place now after three years' experiment. Then we may have a chance in the future to look into this very serious matter. I hope that the Government of the Day will change their mind if they have the interest of workers on their minds, because they have their own specific ideology. They have some Members who are very extreme and they want to not care for some of the workers.

Basically, Madam Deputy Speaker, I will end my remarks with that. At committee time we will hope that the two other Parties will follow some of our amendments, so that we can achieve what is best for the people of Manitoba, but not necessarily what is best for one or the other Party in this House. Thank you.

Mr. Kevin Lamoureux (Inkster): Madam Deputy Speaker, it was not my intention to speak today on this particular Bill, but my colleague for The Maples (Mr. Cheema) has inspired me to put a few remarks on the record in regard to final offer selection and the repeal of it through Bill 12.

I will say from the onset, Madam Deputy Speaker, that I will be supporting Bill 12 and will be voting in favour of it.

The Leader of the Third Party has said on numerous occasions, while the Member for The Maples (Mr. Cheema) was standing up giving his remarks, that the Liberal Party is the Party that is doing the damage to the workers in the Province of Manitoba, that it is the Liberal Party's fault for the demise for the final offer selection.

It is quite the contrary. In fact, if we take a look at it, you will find that it is the New Democratic Party

that has put the final nail in the coffin on final offer selection. I will tell you why. The New Democrats had an opportunity to ensure that there would have been a study, so that there would have been some hope for final offer selection to come back in.

* (1200)

We had proposed an amendment after hearing extensive public hearing process. We sat through hours, the then critic of Labour spent hours, and so did the Government and the New Democrats in committee listening to what the people of the province had to say. We were criticized for listening to what the people had to say.

We brought forward an amendment that could have done just service to the final offer selection. What I find the most ironic thing about it all, Madam Deputy Speaker, is how the New Democrats have been playing politics when it comes to final offer selection because when it came up during committee, our critic at the time, the Member for St. James (Mr. Edwards) proposed a legitimate amendment, and the New Democrats supported the amendment when it came into committee.

They said that they could not support the repeal of final offer selection, but they recognized that what the Liberal Party was proposing, something that they never even took into account, they suggested final offer selection come in, serve for five years and after five years, who knows what was going to happen. The Liberal Party suggested that there needs to be a study, that we have to look at final offer selection from an independent body to take a look at final offer selection and to come up with something in terms of recommendations that would make it finer, a better piece of legislation.

The New Democrats recognizing the fact that, yes, they made a mistake when they did not have any study agreed with us in the committee. They said, yes, we will vote and, in fact, they voted for our amendment in the committee.

Then what happens, Madam Deputy Speaker? We come into the Chamber and we have a—you know the Premier sometimes amazed me in some of his changes of mind. In a short period of time, we had a somersault, flip-flop like I have never seen before. We had the New Democratic Party in the Province of Manitoba play politics on final offer selection by voting against what they voted for in the committee hours previously.

As a direct result, Madam Deputy Speaker, because we have the Bill before us currently, final offer selection is going to come to an end. It is going to come to an end, and there is not going to be any study.

Had the New Democratic Party been consistent, we would have at least had a study. We would have had a mandate for that group, for that independent body to bring back the study and the results to the Chamber so that Manitobans would have known if final offer selection is a good Bill, if final offer selection could have worked in the future. The New Democratic Party in this Chamber destroyed the opportunity for the workers of this province to be entitled to hearing that.

The New Democrats should be ashamed. We have to ask why final offer selection came into being in the first place. Many in this Chamber will say it is because of an individual—I often heard the Minister of Health (Mr. Orchard) refer to Bernie Christophe, Bernie Christophe's legislation.

I am not one to question if it was, in fact, Bernie Christophe, but I have to take some of the remarks from the Government when it comes to final offer selection at face value.

Madam Deputy Speaker, the current Leader of the New Democratic Party (Mr. Doer), responded to the demands of a few individuals in bringing forward final offer selection. They did not go out to find out what was important. They did not go out to all of the unions to find out what they thought of final offer selection. No. They listened to a few select people in the union movement and brought forward final offer selection. If they had any integrity at that time, they would have listened to hear what the union leaders—not just a few select union leaders—but the large component, all of the union leaders had to say.

I say that because when final offer selection was introduced, the then and current Leader of the Liberal Party, the Member for River Heights (Mrs. Carstairs) had union representatives banging at the door saying to oppose final offer selection, that it was not in the unions' best interests. We had unions like CUPE, MONA. We had individuals—I believe the past president of the New Democratic Party resigned in shame saying: Why did they bring it forward? Why did they not consult with all the unions? Why did they have to listen to a few select people in the union movement?

They should be ashamed of themselves and to say that they represent the workers of this province—I have a very tough time believing that, especially when you take a look at their actions.

We do not need to just talk about final offer selection. We brought forward an amendment on the budget that we suggested “ignored the need of a Manitoba labour adjustment strategy in the wake of the Free Trade deal”. Did they support it? No! No, they do not think Free Trade is going to have an impact, at least the way they voted on this particular amendment. They failed to address the need of the skilled work force, failed to take any measure that would lead to job creation, so we can retain Manitoba jobs for Manitobans. They voted against that. Why did they vote against it, Madam Deputy Speaker? Because they felt it was in their political best interests, not the best interests of the workers of this province. They felt it was in their own selfish political best interests to vote against an amendment that was justified. That is the only thing that the New Democratic—or the official Opposition—can operate.

Madam Deputy Speaker, the Leader of the New Democratic Party likes to consider his party as the Government in waiting. I would suggest to you that .62 percent does not make you party in waiting. Let us not forget that 28.10 percent of the Manitobans selected the Liberal Party, and 28.72 percent of the people selected the New Democratic Party. If you take a look at the City of Winnipeg, I believe you would place third. This does not make the New Democratic Party the Government in waiting, and thank goodness for that, because if they were ever restored into office in the Province of Manitoba, once again the biggest losers will be the workers of the Province of Manitoba. We need moderation. We need to have in the Province of Manitoba a Government that is going to listen to all sides, that we are not going to be in -(interjection)-

Madam Deputy Speaker: Order, please. I know the Honourable Member for Inkster wishes to continue debate, but it is very difficult listening to it.

Mr. Lamoureux: Madam Deputy Speaker, I am hoping it was difficult to hear because of the noise not because of the content of the speech. It is time in Manitoba to have a Government of moderation, a Government that will provide honesty, a Government—the Leader of the New Democratic Party (Mr. Doer) says “where?”. I would suggest that he look just to his left over at the Liberal Caucus as

a real alternative to the current Government. I think we have seen in terms of the past performance of the now official Opposition, or lack of performance from the official Opposition since the election. When FOS was introduced there was a lot of controversy. Now that FOS became law, we felt that it was in Manitoba's best interests to listen to the public hearings process—and the Member for St. James (Mr. Edwards) and the Member for The Maples (Mr. Cheema) had commented on it—and that is that we have to listen to what Manitobans say. That is in fact what the Liberal Party did. We did not go into the public hearings with closed minds. If all of us, if all three Parties, went into the public meetings with closed minds, then what is the sense of having the public meetings in the first place?

* (1210)

We took the responsible road and listened to what the presenters had to say about final offer selection. I believe all of the presenters were speaking from their hearts. They believed what they were saying. The Member for St. James (Mr. Edwards), who at that time was the critic, I believe was there for virtually every committee meeting, because he was very sincere in trying to come up with a compromise that would be able to serve not just the union movement or the Chamber of Commerce or big business, but rather would do the workers of the province justice.

I must say, my and my colleague's hat is off to the Member for St. James (Mr. Edwards) for coming up with an amendment that unfortunately was not passed in the Chamber, even though it did pass the committee, because a great deal of time and effort was put into it. It enabled the legislation to survive. It would have allowed final offer selection to come to an end at the end of this year. Then a study would have been commissioned, at which time we would have had a report back to this Chamber, I believe, within four months.

Then we would have had an opportunity as legislators to review the recommendations from this committee and, unfortunately, we will not get that chance. Now we have to rely on the current Minister of Labour (Mr. Praznik) and the Government to come up with some type of a study of sorts.

I hope that this Government has not completely given up on final offer selection, that in fact they will study the results. Then, if they can—I would suggest

they should—bring back to this Chamber some type of report on how well final offer selection worked.

Madam Deputy Speaker, I know, or at least I would be encouraging my current colleague to suggest that we once again do amend this Bill. I believe it does need to be amended and it should be repealed, but it should be studied. I believe that the Member for The Maples (Mr. Cheema) will do us good in terms of bringing forward an amendment that will allow for this Bill to be studied in the future, so it does not have to die in the fashion in which both the Conservative Government and, I would argue, that the New Democratic Party want it to.

(Mr. Speaker in the Chair)

The key is that in the amendment it said three years. The reason why we will vote for this particular Bill or the repeal of final offer selection is because during the three years, between 94 to 96 percent of all the unions will have been given an opportunity to use final offer selection. So there is some logic to using three years as that trial period, if you will, Mr. Speaker.

When the New Democrats had brought in the legislation under five years, one questioned, why five years? I could not come up with anything.

An Honourable Member: It came out of the air.

Mr. Lamoureux: The Member for St. James (Mr. Edwards) suggests, it came out of the air. I think it likely did come out of the air or maybe it was something that Mr. Christophe felt was in his best interest so he could possibly get in a couple of contracts. I am not too sure.

There is good reason that final offer selection, if it is going to be repealed, it be repealed at the three-year point. This way you are allowing each, or 96 percent of the unions to at least have had access to it at one point or another.

What I find most ironic about this Bill that we have before us today, is when will final offer selection actually be repealed? What will happen to final offer selection?

Some Honourable Members: Oh, oh!

Mr. Speaker: Order please; order, please. Order.

Mr. Lamoureux: Mr. Speaker, we had an opportunity, as I was saying, to bring forward and pass our amendment straight through. Now, what is going to happen to this particular Bill 12? When will final offer selection be repealed?

I do not believe that the Conservative Government will be getting it repealed by the end of the year and I do not believe that there is going to be any study unless, now that it is a majority situation, it is going to be awfully tough to convince some of the Conservative backbenchers to support our amendment to have a study. -(interjection)-

The Minister of Highways and Transportation (Mr. Driedger) says three months, but we have hope. We have not given up on the public hearing process. I would suggest to the Minister of Highways not to underestimate the capabilities of the Member for The Maples (Mr. Cheema) because you will find that his arguments can be very persuasive. I would suggest that the backbenchers listen to what the Member for The Maples has to say because after all the majority only being 29 and there is a total Opposition of 27—at least I take it the New Democrats will attempt at being somewhat consistent and will vote for us on the amendment to have a study—safe to assume?

An Honourable Member: Do not assume anything.

Mr. Lamoureux: The Leader of the New Democratic Party (Mr. Doer) says, do not assume anything, but, Mr. Speaker, let us hope that they will vote with us for the amendment and then this way all we would really have to do is see if we can work on a couple of the Conservative backbenchers. The Member for Assiniboia (Mrs. McIntosh) I think would be a likely candidate.

I do believe that there is a lot of sincerity in that back bench and that the Member for The Maples, (Mr. Cheema), through his convincing arguments, might be able to get a couple of the Members to vote with us on the amendment. Or maybe better yet the Government might in its own wisdom feel that, yes, there is some justification to have a study of this legislation. I would be very encouraged and first to my feet to congratulate the Government, if it did just that.

Mr. Speaker, the Conservative backbenchers, or the Conservative Government does have one Member of the caucus who was very active in the union movement. I would suggest to my -(interjection)- and he says, if I sit down, he will talk on it.

If I could be assured that he would speak on it, I would be more than happy to sit down at this point and hear what he has to say about it.

I am sure the Member for The Maples (Mr. Cheema) will definitely be in contact with him to talk to a couple of his colleagues because he too was an active member in the union movement. I know that is kind of scary for the Leader of the New Democratic Party (Mr. Doer), to see a Conservative on a union.

I did want to conclude by saying that the Member for The Maples will be bringing forward an amendment. I do believe that it is in all of Manitobans' best interests that we give serious thought to this amendment, that we should not rule out final offer selection.

* (1220)

We should not be playing the political games that we have witnessed over the past couple of years, when it comes to workers' rights and what is in the best interests of the Province of Manitoba and, hopefully, that common sense will prevail and an amendment of this nature will pass. We will propose it, and we will see what happens at that point.

I think for the first time, I encourage the two extreme Parties, especially the New Democratic Party to think about the workers and to stop playing politics on such an issue that affects so many Manitobans across the province.

Mr. Speaker: As was previously agreed, this matter will remain standing in the name of the Honourable Member for Point Douglas (Mr. Hickes).

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I imagine there is probably a desire to call it 12:30, unless somebody else wants to speak on this Bill, but before we do, I would formally like to move the motion to take us into Committee of Supply so that at one o'clock this afternoon Members may consider the Estimates of the departments that I indicated earlier on.

Therefore, Mr. Speaker, I move, seconded by the Minister of Highways and Transportation (Mr. Driedger), that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty and that that occur at one o'clock.

Motion agreed to, and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty with the Honourable Member for St. Norbert (Mr. Laurendeau) in the Chair for the Department of Family Services; and the Honourable Member for Seine River (Mrs. Dacquay) in the Chair for the Department of Culture, Heritage and Recreation.

Mr. Speaker: The hour being 12:30 p.m., this House is now recessed until one o'clock, at which time Madam Deputy Speaker will be in the Chair.

Legislative Assembly of Manitoba

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