



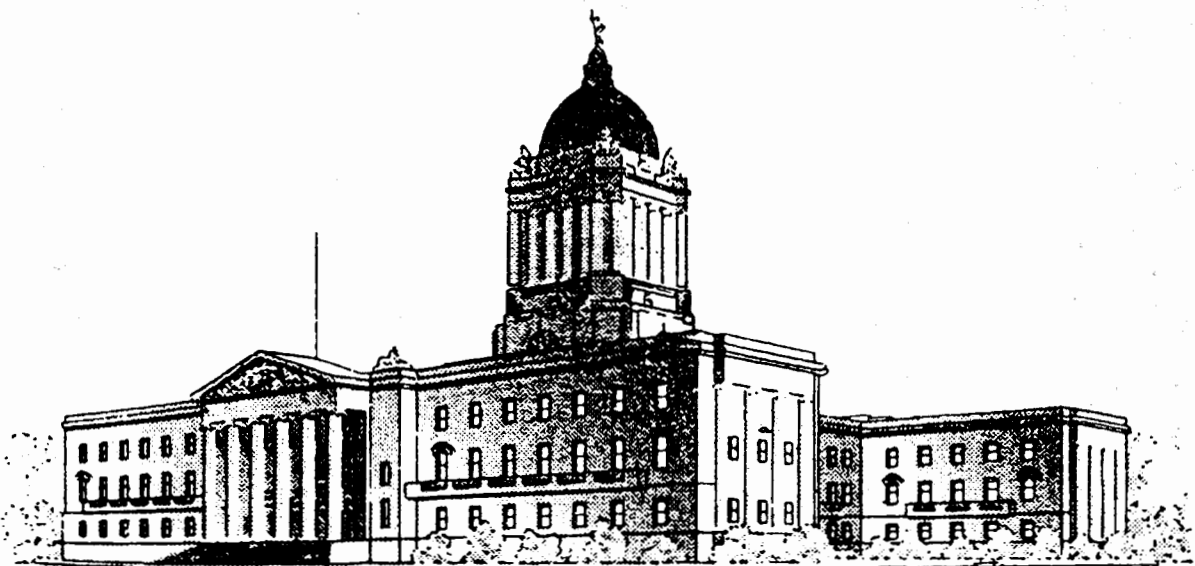
Second Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(Hansard)**

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authority of
The Honourable Louise M. Dacquay
Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim, Hon.	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David	Riel	P.C.
PALLISTER, Brian, Hon.	Portage la Prairie	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 7, 1996

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Manitoba Telephone System

Mr. Doug Martindale (Burrows): Madam Speaker, I beg to present the petition of Kathy Schantz, E.A. McDonald and Jean Jurek requesting that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

Selkirk and District General Hospital

Mr. Gregory Dewar (Selkirk): Madam Speaker, I beg to present the petition of Blair Jackson, Darlene Zuke, Jack Fryatt and others praying that the Legislative Assembly of Manitoba urge the Premier to halt the proposed nursing deletions at the Selkirk and District General Hospital.

Manitoba Telephone System

Ms. MaryAnn Mihychuk (St. James): Madam Speaker, I beg to present the petition of Joe Konkin, Andrew Veremco, Patricia Ross and others requesting the Premier withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

READING AND RECEIVING PETITIONS

Guaranteed Annual Income

Madam Speaker: I have reviewed the petition of the honourable member for Burrows (Mr. Martindale). It complies with the rules and practices of the House (by leave). Is it the will of the House to have the petition read?

An Honourable Member: Yes.

Madam Speaker: Yes. The Clerk will read.

Mr. Clerk (William Remnant): The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT in 1976 Canada signed the United Nations Covenant on Economic, Social and Cultural Rights which recognized the right of everyone to make a living by work which is freely chosen, recognized the right of everyone to an adequate standard of living, including adequate food, clothing and housing, recognized the right of everyone to enjoy a high standard of physical and mental health, and provided for the widest possible protection and assistance to the family; and

THAT poor children and adults in Canada continue to die at a higher rate and earlier age than people with adequate incomes; and

THAT Bill 36, The Social Allowances Amendment Act, will create even greater poverty among the poor in Manitoba by eliminating government responsibility to ensure that everyone who lacks adequate food, clothing, housing and health care has these needs met; and

THAT the bill proposes to punish people by cutting them off from social assistance or reducing their benefits if they fail to meet employment expectations; and

WHEREFORE YOUR PETITIONERS HUMBLY PRAY that the Legislative Assembly of Manitoba urge the Minister of Family Services to consider withdrawing Bill 36 and replacing it with improved legislation which provides for a guaranteed annual income that allows people to have adequate food, clothing, housing, child care and health care and that this annual income increases as prices increase and that this new legislation also provides for the creation of real jobs with the goal of creating full employment so that individuals on social assistance can find safe, meaningful work of their own choosing that allows them to meet their needs and the needs of their families.

Madam Speaker: I have reviewed the petition of the honourable member for Burrows (Mr. Martindale). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Madam Speaker: Dispense.

THAT in 1976 Canada signed the United Nations Covenant on Economic, Social and Cultural Rights which recognized the right of everyone to make a living by work which is freely chosen, recognized the right of everyone to an adequate standard of living, including adequate food, clothing and housing, recognized the right of everyone to enjoy a high standard of physical and mental health, and provided for the widest possible protection and assistance to the family; and

THAT poor children and adults in Canada continue to die at a higher rate and earlier age than people with adequate incomes; and

THAT Bill 36, The Social Allowances Amendment Act, will create even greater poverty among the poor in Manitoba by eliminating government responsibility to ensure that everyone who lacks adequate food, clothing, housing and health care has these needs met; and

THAT the bill proposes to punish people by cutting them off from social assistance or reducing their benefits if they fail to meet employment expectations; and

WHEREFORE YOUR PETITIONERS HUMBLY PRAY that the Legislative Assembly of Manitoba urge the Minister of Family Services to consider withdrawing Bill 36 and replacing it with improved legislation which provides for a guaranteed annual income that allows people to have adequate food, clothing, housing, child care and health care and that this annual income increases as prices increase and that this new legislation also provides for the creation of real jobs with the goal of creating full employment so that individuals on social assistance can find safe, meaningful work of their own choosing that allows them to meet their needs and the needs of their families.

Manitoba Telephone System

Madam Speaker: I have reviewed the petition of the honourable member for St. James (Ms. Mihychuk). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Madam Speaker: Dispense.

THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America and thousands of jobs and keeping profits in Manitoba; and

THAT MTS contributes \$450 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and

THAT MTS, with nearly 4,000 employees including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms, headquartered in Manitoba and is committed to Manitoba; and

THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

* (1335)

Madam Speaker: I have reviewed the petition of the honourable member for Thompson (Mr. Ashton). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Yes.

Madam Speaker: Yes. The Clerk will read.

Mr. Clerk: The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America and thousands of jobs and keeping profits in Manitoba; and

THAT MTS contributes \$450 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and

THAT MTS, with nearly 4,000 employees including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms, headquartered in Manitoba and is committed to Manitoba; and

THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

Selkirk and District General Hospital

Madam Speaker: I have reviewed the petition of the honourable member for Selkirk (Mr. Dewar). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Madam Speaker: Dispense.

THAT on at least six occasions during the 1995 provincial election the Premier promised not to cut health care services; and

THAT in the first issue of Health News the Minister of Health stated that they must continue to meet the needs of Manitobans and their families today, tomorrow and in the coming century; and

THAT the residents of the communities surrounding the Selkirk and District General Hospital vitally depend on the services at this hospital; and

THAT further nursing cutbacks to the Selkirk and District General Hospital will jeopardize the quality patient care and safety we are now receiving; and

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba urge the Premier to halt the proposed nursing deletions at the Selkirk and District General Hospital.

Manitoba Telephone System

Madam Speaker: I have reviewed the petition of the honourable member for Broadway (Mr. Santos). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Madam Speaker: Dispense.

THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America and thousands of jobs and keeping profits in Manitoba; and

THAT MTS contributes \$450 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and

THAT MTS, with nearly 4,000 employees including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms, headquartered in Manitoba and is committed to Manitoba; and

THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) and withdraw Bill 67 and not sell the Manitoba Telephone System to private interests

Madam Speaker: I have reviewed the petition of the honourable member for The Pas (Mr. Lathlin). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Yes.

Madam Speaker: Yes. The Clerk will read.

Mr. Clerk: The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide

service, some of the lowest local rates in North America and thousands of jobs and keeping profits in Manitoba; and

THAT MTS contributes \$450 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and

THAT MTS, with nearly 4,000 employees including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms, headquartered in Manitoba and is committed to Manitoba; and

THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Standing Committee on Industrial Relations Second Report

Mr. Mike Radcliffe (Chairperson of the Standing Committee on Industrial Relations): Madam Speaker, I beg to present the Second Report of the Committee on Industrial Relations.

Mr. Clerk (William Remnant): Your Standing Committee on Industrial Relations presents the following as its Second Report.

An Honourable Member: Dispense.

Madam Speaker: Dispense.

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

Your committee met on Thursday, October 24, 1996, at 7 p.m. on Tuesday, October 29, 1996, at 6:30 p.m. in Room 255 of the Legislative Assembly, on Monday, November 4, 1996, at 6:30 p.m. in Room 254 of the

Legislative Assembly, and on Tuesday, November 5, 1996, at 3 p.m. and at 6:30 p.m. in Room 255 of the Legislative Assembly to consider bills referred.

At the October 24, 1996, meeting your committee elected Mr. Radcliffe as its Chairperson and Mr. Dyck as its Vice-Chairperson.

At the October 24, 1996, meeting your committee agreed, by motion, on a voice vote, to establish a time limit of 10 minutes per presentation, with 5 minutes for questions and answers.

Also at the October 24, 1996, meeting your committee agreed to the following motion:

THAT the Committee assess the time the Committee will sit to at midnight, and that nobody drops off of the list after midnight.

At the October 29, 1996, meeting, your Committee elected Mr. Laurendeau as its Vice-Chairperson.

At the October 29, 1996, meeting, your committee agreed, on a voice vote, to the following motion:

THAT the Committee hear from all those persons present at the meeting who wish to present, as presented on the List of Presenters.

At the November 5, 1996, 3 p.m. meeting, your committee elected Mr. McAlpine as its Vice-Chairperson.

At the November 5, 1996, 6:30 p.m. meeting, your committee elected Mr. Dyck as its Vice-Chairperson.

Your committee heard representation on bills as follows:

Bill 17—The Government Essential Services Act; Loi sur les services gouvernementaux essentiels

*Dave Tesarski - Canadian Federation of Labour
Rob Hilliard - Manitoba Federation of Labour
John Sinclair - Manitoba Health Organizations
Peter Olfert - Manitoba Government Employees Union
Catherine Holmes - The Tache Family Association
(Tache Nursing Centre)*

Bill 26—The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail

Al Mackling - Private Citizen

Chris Hicke - Souris Valley Teachers' Association

Randy Bjornson - Manitoba Association for Rights and Liberties

Ross Martin - Brandon and District Labour Council

Keith Hills - Private Citizen

Dave Tesarski - Canadian Federation of Labour

Bernard Christophe - United Food and Commercial Workers Union Local 832

Frank Thomas and Dave Martin - Manitoba Building Trades Council

Brian Timlick - Private Citizen

Paul Moist - CUPE - Manitoba Division

Sydney Green - Private Citizen

Bob Stevens - Manitoba Restaurant and Food Services Association

Maureen Hancharyk - Manitoba Nurses' Union

Rob Hilliard - Manitoba Federation of Labour

Greg Patterson - Private Citizen

William F. Gardener, Jr. - Winnipeg Chamber of Commerce

Dan Kelly - Canadian Federation of Independent Business

Lance Norman - Manitoba Chamber of Commerce

Diane Beresford - Manitoba Teachers' Society

Alan Borger, Jr. - Private Citizen

Gerald Joyce - Private Citizen

Bryan Walton - Canadian Council of Grocery Distributors, Canada Safeway

Eduard Hiebert - Private Citizen

Patrick Martin - United Brotherhood of Carpenters and Joiners of America, Local 343

Thomas Henderson - Canadian Auto Workers

Brian Hunt - United Steelworkers of America

Theresa Ducharme - Private Citizen

Peter Olfert - Manitoba Government Employees Union

Mario Javier - Private Citizen

Cy Gonick - Private Citizen

Kenneth Emberley - Private Citizen

Darrell Rankin - Communist Party of Canada

Reg Cumming - Canadian Auto Workers, Local 2224

Heinrich Huber - Private Citizen

Caroline Stecher - Private Citizen

Iris Taylor - Private Citizen

Robert Zeigler - Private Citizen

Carolyn Ryan - Private Citizen

Mark Sahan - Private Citizen

Victor Vrsnik - Manitoba Taxpayers Association

Claudette Chudy - Private Citizen

Ken Nickel - Private Citizen

Cindy Garofalo - Private Citizen

Jack Samyn - Private Citizen

Buffy Burrell - Private Citizen

George Anderson - Local 50021, Union of Taxation Employees

Phillipe Trottier - Private Citizen

Heather Grant - Winnipeg Labour Council

Jorge Maldonado - Private Citizen

George Harris - Private Citizen

Gill Gagne - Private Citizen

Bob Desjarlais - Local 6166 United Steelworkers of America

Written Submissions

Chris Lorenc - Manitoba Heavy Construction Association

Allan Finkel - Manitoba Fashion Institute

Grant Nordman - Assiniboia Chamber of Commerce

John Triplett - Teachers for Excellence in Education

Yvonne Campbell - Public Service Alliance of Canada, Local 50021 (Deer Lodge Centre)

Jim Silver - Choices

Bill 50—The Remembrance Day Amendment Act, Loi modifiant la Loi sur le jour du souvenir

Brenda Stamm - Private Citizen

Ken Emberley - Private Citizen

Your committee has considered:

Bill 301—The Native Alcoholism Council of Manitoba Incorporation Amendment Act; Loi modifiant la Loi constituant en corporations "The Native Alcoholism Council of Manitoba"

Bill 302—The Grand Lodge of Manitoba of the Independent Order of Oddfellows Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation "The Grand Lodge of Manitoba of the Independent Order of Oddfellows"

and has agreed to report the same without amendment.

Your committee has also considered:

Bill 17—The Government Essential Services Act; Loi sur les services gouvernementaux essentiels

and has agreed, on a counted vote of 6 Ayes, 4 Nays, to report the bill with the following amendments:

MOTION:

THAT the following be added after section 16:

Rules of the Labour Board

16.1 The Manitoba Labour Board may make any rules of practice and procedure that the board considers necessary to carry out its responsibilities under this Act.

MOTION:

THAT clause 17(b) be amended by adding “at the request of The Manitoba Labour Board,” before “providing”.

MOTION:

THAT Legislative Counsel be authorized to change all section numbers and internal references necessary to carry out the amendments adopted by this committee.

Your committee has also considered:

Bill 26—The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail

and has agreed, on a counted vote of 6 Ayes, 4 Nays, to report the same, with the following amendments:

MOTION:

THAT subsection 72.1(1), as set out in section 14 of the Bill, be amended

(a) in the English version, by striking out “after the commencement of” and substituting “during”; and

(b) by renumbering the subsection as subsection 72.1(2).

MOTION:

THAT the proposed subsection 72.1(1), as set out in section 14 of the Bill, be amended in the French version

(a) by striking out “que l'intérêt des” and substituting “qu'il est dans l'intérêt public que les”; and

(b) by striking out “serait mieux servi si leur était donné” and substituting “aient”.

MOTION:

THAT subsection 72.1(2), as set out in section 14 of the Bill, be amended

(a) by striking out “or after”; and

(b) by renumbering the subsection as subsection 72.1(1).

MOTION:

THAT the proposed subsection 72.1(5) as set out in section 14 of the Bill, be amended in the French version by adding “qui participent au scrutin” after “des employés”.

MOTION:

THAT the French Version of the proposed subsection 76.1(2), as set out in section 15 of the Bill, be struck out and the following substituted:

DROIT de l'employé de s'opposer

76.1(2) L'employé qui s'oppose à l'utilisation de ses cotisations syndicales à des fins politiques peut en aviser le syndicat par écrit et peut exiger que celui-ci remette à un organisme de bienfaisance qu'il désigne toute partie de ses cotisations destinée à de telles fins, auquel cas le syndicat remet annuellement ces cotisations à l'organisme que désigne l'employé.

MOTION:

THAT subsection 18(1) of the Bill be struck out and the following substituted:

18(1) Subsection 130(1) is amended by adding "concerning the dismissal or suspension for a period exceeding 30 days of an employee or concerning any other matter that the board considers to be of an exceptional nature" after "thereunder".

MOTION:

THAT the following be added after subsection 18(2) of the Bill:

18(2.1) Clause 130(5)(a) is repealed and the following substituted:

(a) shall appoint an arbitrator to hear and determine the matter arising out of the grievance, who shall be

(i) the arbitrator provided for in the collective agreement if that arbitrator is available within the time periods prescribed in this section, or

(ii) if no arbitrator is provided for in the collective agreement or if that arbitrator is not available within the time periods prescribed by this section, an arbitrator from the list of arbitrators under subsection 117(2).

MOTION:

THAT the following be added after section 132.4, as set out in section 19 of the Bill:

Employee may request information from union

132.4.1 Nothing in this Part prohibits an employee in a unit of employees for which a union is the bargaining agent from approaching the union directly requesting a financial statement or compensation statement of the union or further information about a financial statement or compensation statement of the union.

MOTION:

THAT the proposed subsection 132.6(4), as set out in section 19 of the Bill, be amended by adding ", subject to section 132.6.1," after "the board shall".

MOTION:

THAT the proposed subsection 132.6(5), as set out in section 19 of the Bill, be amended by adding "or the

portion of the amount, as the case may be," after "the amount".

MOTION:

THAT the proposed subsection 132.6(6), as set out in section 19 of the Bill, be amended by adding "or a portion of union dues" after "remit union dues".

MOTION:

THAT section 19 of the Bill be amended by adding the following after the proposed section 132.6:

Consideration of professional, insurance and other benefits

132.6.1 If, in the case of a particular union, the board is satisfied that a portion of the union dues deducted from the wages of employees in a unit of employees for which the union is the bargaining agent is used to maintain the professional status of those employees or is used in respect of pension, superannuation, sickness, insurance or other benefits for those employees, the board shall limit an order under subsection 132.6(4) to apply only to that portion of the union dues that is not used for such purposes.

MOTION:

THAT the following be added after the proposed section 132.8, as set out in section 19 of the Bill:

Extension of time

132.8.1 Notwithstanding section 132.2, the first disclosure may be made at any time before February 15, 1997.

MOTION:

THAT section 21 be amended by striking out "January 1, 1997" and substituting "February 1, 1997".

MOTION:

THAT Legislative Counsel be authorized to change all section numbers and internal references necessary to carry out the amendments adopted by this committee.

Your committee has also considered:

Bill 50—The Remembrance Day Amendment Act; Loi modifiant la Loi sur le jour du souvenir

and has agreed, on a counted vote of 6 Yeas, 4 Nays, to report the same, with the following amendments:

MOTION:

THAT section 7 of the Bill be amended by adding the following after the proposed subsection 3.1(2):

Exception re C.C.S.M.c.L160

3.1(3) Subsection (1) does not apply in relation to the admission of members of the public to, or the sale or offering for sale of liquor, or goods of a type ordinarily sold or offered for sale at retail in connection with the sale of liquor, in,

(a) a liquor store or licensed premises as defined in The Liquor Control Act; or

(b) premises in relation to which an occasional permit is issued under that Act.

MOTION:

THAT the following be added after section 8 of the Bill:

Consequential amendments, C.C.S.M.c.L160

8.1(1) *The Liquor Control Act is amended by this section.*

8.1(2) *Section 1.2 is repealed.*

8.1(3) *The definition "holiday" in section 1 is amended by striking out ", Remembrance Day".*

8.1(4) *Subsection 54(1) is amended by striking out "or" at the end of the clause (a), and by adding the following after clause (a):*

(a.1) earlier than 1:00 p.m. on Remembrance Day except when it falls on a Sunday; or

8.1(5) *Subsection 71(6) is amended by striking out "other than Remembrance Day".*

8.1(6) *Clause 72(3)(c) is amended by striking out "other than Remembrance Day".*

8.1(7) *Subsection 72(5) is amended by striking out "other than Remembrance Day,".*

8.1(8) *Clauses 73(4)(c) and 74(4)(b) are amended by striking out "other than Remembrance Day".*

8.1(9) *Subsection 76(10) is amended*

(a) in clause (c), by striking out ", on Christmas Day or on Good Friday" and substituting "or a holiday"; and

(b) in clause (d), by adding ", whether or not it falls on a Sunday" after "Remembrance Day".

8.1(10) *Subsection 76(11) is amended*

(a) by striking out "other than Remembrance Day"; and

(b) by adding ", but when Sunday is also Remembrance Day, liquor may only be sold or served starting at 1:00 p.m." at the end.

8.1(11) *Subsection 76(12) is amended by adding ", but when Sunday is also Remembrance Day, liquor may only be sold or served starting at 1:00 p.m." at the end.*

8.1(12) *Subsection 84(1) is amended by adding the following after clause (c):*

(d) from 2:30 a.m. until 1:00 p.m. on Remembrance Day, except when it falls on a Sunday.

MOTION:

THAT the title be struck out and the following substituted:

**THE REMEMBRANCE DAY AMENDMENT AND
CONSEQUENTIAL AMENDMENTS ACT**

MOTION:

THAT Legislative Counsel be authorized to change all section numbers and internal references necessary to carry out the amendments adopted by this committee.

Your committee recommends that the fees paid with respect to the following Private Bills be refunded, less the cost of printing:

Bill 301—The Native Alcoholism Council of Manitoba Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation "The Native Alcoholism Council of Manitoba"

Bill 302—The Grand Lodge of Manitoba of the Independent Order of Oddfellows Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation "The Grand Lodge of Manitoba of the Independent Order of Oddfellows"

Mr. Radcliffe: Madam Speaker, I move, seconded by the honourable member for Morris (Mr. Pitura), that the report of the committee be received.

Motion agreed to.

* (1340)

TABLING OF REPORTS

Hon. Rosemary Vodrey (Minister responsible for the Status of Women): Madam Speaker, I am pleased to table the Annual Report for the Status of Women.

ORAL QUESTION PERIOD

Manitoba Telephone System Privatization—Plebiscite

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, my question is to the First Minister.

This government is proceeding with legislation to break its election promise and sell the Manitoba Telephone System. It has no democratic mandate to do so. They have no independent study that they can produce for this Legislature. They only have studies of their brokers who will make tens of millions of dollars on the sale of this corporation.

They have major amendments that they are dropping in the House literally hours before the scheduled vote and asking members of this Legislature to deal with these amendments without any study, without any thought.

They have brokers that are now being investigated by the Securities Commission, based on how this government is handling this major, major issue.

I would like to ask the Premier again if he will take a deep breath, remember what he promised in the election campaign and give the people of Manitoba a vote on their telephone system, allow the people of Manitoba to have a plebiscite as they are democratically entitled to have, Madam Speaker.

Hon. Gary Filmon (Premier): The member opposite continues to play fast and loose with the truth, and I reject most of the preamble.

Point of Order

Mr. Doer: On a point of order, the Premier is impugning motives. It is the Premier who made the promise in the election campaign. It is the Premier who is breaking the promise today. All we are asking to do is trust the people. If he does not trust the people, he should say so without insulting people in this Chamber.

Madam Speaker: On the point of order raised by the honourable Leader of the official opposition, I would remind all honourable members to pick and choose their words carefully.

The honourable First Minister, to complete his response.

* * *

Mr. Filmon: As I indicated, I reject most of the preamble of the Leader of the Opposition. He makes statements to the effect that the Securities Commission is investigating brokers because of the actions of this government. The fact is, they are investigating brokers because of the actions of the brokers, and that is the truth.

I repeat that the member opposite and his entire support network and indeed all of the individuals who sit with him want to put their heads into the sand and ignore reality. We have evidence upon evidence of all of the major changes that are taking place throughout the world, the tremendous pressures of change that are on the telecommunications industry, the most rapidly changing technology of any area of our economy, that is going to

require massive infusions of capital in the known future. Probably a half-billion dollars is the best estimate of the money that must be risked if we keep it in the public sector. Add that to \$800 million of debt that we currently guarantee, the highest debt-equity ratio of any telephone company in Canada, 70 percent of its revenues in competition with the private sector.

All of those areas would indicate that we have a major risk by keeping it in the public sector and, in fact, we restrict it in its ability to compete because they cannot make decisions as rapidly as they should in order to compete.

For all those reasons, as we have said before, the telephone system will be better off in private hands, Madam Speaker. That is why there are at the present time only two telephone companies in Canada that are in public ownership. All the rest are in private.

I have already indicated to the members opposite that rate comparisons do not seem to reflect any advantage to publicly or privately owned. The fact is that we have many privately owned companies that have lower rates than the Manitoba Telephone System, particularly for rural and remote areas.

For all those reasons, we are proceeding with what is right for the future, what is right for the people of Manitoba.

Mr. Doer: Again, the Premier did not answer the question. I asked the Premier to have a plebiscite of the public of Manitoba. Why does he not trust the people? Why does he have such contempt for the people? If these facts that he is alleging are true, surely the people will vote with him. If they are not true, surely the people will vote against them. What is he afraid of? He never answered the question.

Privatization—Pension Plan

Mr. Gary Doer (Leader of the Opposition): I would like to ask a further question to the First Minister. The pension plan was unfunded in the late '60s with the former Roblin government and, in the mid-80s, we started paying back the employee portion and employer portion of the pension plan, as did the government opposite—a point which I have credited to the government

in the past as well as the previous government. That plan is apparently close to being fully funded now but it is a major asset of the Manitoba Telephone System.

I would like to ask the Premier, can he table today the plan to deal with the Manitoba Telephone System pension plans? Can he table the specific plan to deal with the 20 percent that is going to be removed from the superannuation fund, the amount of money from the existing pension plan from the telephone system that will go into the pension plan, the participation of employees, the decision making? Can he table today the exact and specific plan, or are we going to have this written on the back of an envelope like we see so many other things with our Manitoba Telephone System?

Hon. Gary Filmon (Premier): With respect to the preamble, governments are elected to make decisions, to exercise judgment. We do not have a history of governing by plebiscites in this province. We have a history of the parliamentary democratic system. Madam Speaker, that is precisely what we are doing. We are governing and exercising judgment as we have been given a democratic mandate to do so.

Madam Speaker, with respect to the question of pension funds, those funds, in my understanding, will be transferred in full, including surpluses in the plans with the new pension. They will be subject to probably one of the most heavily regulated areas of our whole society, that is, that of pensions. There are strict rules of governance to ensure that those funds are protected for the benefit of the people for whom they were invested.

The member opposite is right. This government took a pension fund that was largely underfunded and almost fully funded it over a period of the last eight and a half years while we were in government, and so that is something that obviously we are not going to let in any way deteriorate, diminish or not accrue for the benefits of the workers, the retired workers who have earned those pensions.

The member opposite knows that a proposal—he has a copy of the amendments that have been shared with him. He also knows that in accordance with, I believe, the wishes of his caucus and his colleagues, the minister and colleagues are meeting right now with the representatives of the retired pensioners and the unions to try and further

clarify to their satisfaction the issues surrounding the pension funds.

* (1345)

Mr. Doer: Of course, these are amendments that this Premier wanted to ram through at three o'clock in the morning. Thank goodness somebody stood up. The Premier knows there is no specific plan because pension assets can be used both for the investors and the workers, and we want to ensure there is a specific plan. We are not going to give this government a blank cheque, let me guarantee you that, Madam Speaker, in terms of those workers and those investors in the Manitoba Telephone System.

Madam Speaker, the Premier mentioned plebiscites. He will note that Elections Manitoba in their annual report stated that they are working to implement plebiscite and referendum legislation pursuant to the balanced budget legislation. So let not the Premier pretend he cannot have a plebiscite or referendum. It is only because he has contempt for the public that he will not have a referendum.

Privatization—Prospectus

Mr. Gary Doer (Leader of the Opposition): In light of the fact that it is the Premier, Jules Benson and Tom Stefanson who work with the brokers on this MTS issue, the brokers that are leaking all over this province, and in light of the fact that Section 37(1) prohibits a company, which would be the Premier, and agents of the company from releasing this information prior to the approval of a prospectus by Manitoba Securities, who is going to investigate the Premier, the minister responsible, Jules Benson and Tom Stefanson for these leaks about the cost and the values of the shares? Who is going to investigate the Premier on this matter?

Hon. Gary Filmon (Premier): Madam Speaker, as I have indicated before, it is not in our interest to release any information prematurely. I have declined to—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Filmon: If the member opposite has any specific allegations and evidence to substantiate his allegations,

let him put it on the table; if not, let him just simply try and stick to the truth, Madam Speaker.

Manitoba Telephone System Privatization—Prospectus

Mr. Steve Ashton (Thompson): Madam Speaker, we wish the Premier would stick to the truth, to what he said when he said he would not sell MTS in the election.

We have seen that the government has an undemocratic agenda for this province with MTS. They said they would not sell it. They have not had a vote since; they have not had a single public meeting. What is increasingly clear and what is really sad is the unethical way in which they are selling off a fine, publicly owned corporation like MTS.

I want to ask the Premier, in regard to this prospectus issue, since he said yesterday it was being investigated by the Securities Commission, since there are only two sources for this leak, either the government or the investment brokers, will he now indicate if he has received any indication where this leak came from and will he ensure that either he fires the investment brokers or takes action against the people in government that are responsible for this completely unethical leaking of the information and possibly illegal leaking of the information—

Madam Speaker: Order, please.

Hon. Gary Filmon (Premier): Madam Speaker, I indicated yesterday the matter is being investigated and looked into by the Securities Commission and I will await their report and response.

Madam Speaker: The honourable member for Thompson, with a supplementary question.

Mr. Ashton: Madam Speaker, people are being deluged with information from brokers pushing the sale of MTS—

Madam Speaker: Order, please.

* (1350)

Mr. Ashton: I would like to ask the Premier why he will not take immediate action to deal with the fact that brokers right now are contacting Manitobans based on

the information that was leaked all over the front pages of the newspapers. When will he get some ethics and some control back and ensure that this kind of unethical and possibly illegal trading in the shares of a company that has not even been voted upon in the Manitoba Legislature stops? We have not sold off MTS.

Mr. Filmon: Madam Speaker, we have not come to a final conclusion in this Legislature. We obviously have a democratic process, a process which I respect.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Filmon: Madam Speaker, if there are any accusations of breach of The Securities Act or the requirements of the Securities Commission, I would hope that members opposite would phone the Securities Commission, as we have done, to pass along what information we have.

Madam Speaker: The honourable member for Thompson, with a final supplementary question.

Privatization

Mr. Steve Ashton (Thompson): A final supplementary, Madam Speaker. I would like to ask the Premier, when the final prospectus is released, will he ensure that a notation is included in the prospectus to indicate that the people of Manitoba did not agree to the sale and that many Manitobans, including the New Democratic Party, are committed to ensuring that if there is any way possible, MTS will be brought back under public ownership immediately following the election of the next government in this province, as soon as we throw out the Conservative government? Will he ensure that the investors know that—

Madam Speaker: Order, please.

Hon. Gary Filmon (Premier): Madam Speaker, I am sure that I do not have to assist the members opposite in publishing their next election platform.

Teaching Profession Collective Bargaining

Ms. Jean Friesen (Wolseley): Madam Speaker, the deliberate destruction of free collective bargaining in

education has brought a strong response from Manitobans such as the Assiniboine South Teachers' Association who told the minister, surely no government wants to go on record as being the author of such undemocratic legislation, or the Agassiz Teachers' Association, which said that Bill 72 is an affront to teachers and anyone who is committed to strong education. It cannot be allowed to become law by any government that calls itself democratic.

Will the Minister of Education tell us how it benefits our province, our community, our education system to dictate to and to bully Manitobans in the manner of this government?

Hon. Linda McIntosh (Minister of Education and Training): Madam Speaker, of course, I do not agree with the preamble. The member knows absolutely that the government embarked upon this particular bill in an attempt to rectify and correct some of the things that had crept into the process of binding arbitration over the years, to restore in fact to its original purpose the ability of school boards and teachers to be able to bargain together in a way designed to allow the school boards to be accountable to the public and provide fairness and protection for teachers. We have gone back to that original premise, which had changed in the last 12 years.

In fact, I would like to table a letter sent by the Manitoba Association of School Trustees contradicting and addressing many of the points that the member has raised and that teachers raise, a letter from the trustees indicating that they wish to disassociate themselves from those kinds of comments which appeared, incidentally, in an ad recently in the Free Press. It may help the member understand there are two sides to every story.

Madam Speaker: The honourable member for Wolseley, with a supplementary question.

Ms. Friesen: Would the minister, who refused day after day, evening after evening, to listen and to heed the words of thousands of Manitobans on Bill 72, listen to the words of a resident of Oakbank who said, I am ashamed to admit that I worked two decades for a political party who has become arrogant in government. Having discredited my profession, the government now feels the time is right to bring in dictatorial legislation in Bill 72.

Will she heed the words—

Madam Speaker: Order, please. The question has been put. The honourable member has exceeded the time allowable.

Mrs. McIntosh: I would like to correct for the record some of the things the member alludes to in her preamble which are incorrect. She indicates that we did not listen. Indeed, Madam Speaker, we listened. We listened to many thousands of people. I suppose if we want to go on anecdotal statements, I could bring in anecdotal statements, too. But the point is that trustees had indicated that they could no longer function as binding arbitration crept more and more into management functions, indeed began to see on the table things that actually appear in the act as management functions and duties of trustees.

Madam Speaker, they asked for some ability to have their ability to pay at least considered. That we have given. The teachers asked to have the ability to pay, which they did not want to see in the collective agreement, but if it was going into the act, if it was going to be in there, they asked to have certain definitions around it, which we included. I think we listened and reacted and responded to both.

* (1355)

Ms. Friesen: Would the minister, whose major contribution to Manitoba education has been to set the stage for several years of conflict and confrontation and who is publicly referred to as a bully by the Free Press—and the Premier (Mr. Filmon) tells us yesterday is always right on these things—will the minister acknowledge and act upon the advice of the teachers of Morris-Macdonald, who said that the government needs to become consensus builders, communicate instead of dictating? You were not, they said, elected to become dictators.

Mrs. McIntosh: I wish to indicate to the member that I agree we were not elected to become dictators. We were elected—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mrs. McIntosh: We were elected—[interjection] Nor were they elected to be rude.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable Minister of Education, to complete her response.

Mrs. McIntosh: Thank you very much, Madam Speaker. I say that we were not elected to be dictators as the member alludes, but we did, during the election, have as a major topic of conversation, dialogue and debate the entire subject of arbitration, because the previous minister, Minister Manness, had at the response of two resolutions passed by trustees who were elected by all the people in Manitoba and hence represent all the taxpayers of Manitoba, in two successive years had asked to have this broken wagon fixed and Minister Manness had promised that he would address the situation.

It was the subject of an election debate. It was the subject of conversation. We had promised during the election that we would address the whole problem of binding arbitration, so we are showing the leadership that we promised we would in the election, and we have done it in consultation with both teachers, trustees and others as well. The member is wrong.

Regional Health Boards Authority

Mr. Dave Chomiak (Kildonan): Madam Speaker, this government broke its promise to have elections for boards and instead appointed regional health boards chock-full of Tory appointees. There are no programs that have been given to these boards; they are told they are going to have to make \$100 million in cuts. When the people from The Pas complained, the minister says, go to the board. The board does not even know what the mandate is. In one region if they want to talk to their board, they have to fax to Texas to find out.

My question to the Premier, who I think is the most undemocratic Premier in the history of this province, can the Premier explain how this system they put in place even closely resembles any kind of a representative accountable health care system?

Hon. James McCrae (Minister of Health): Madam Speaker, under the Constitution of Canada, the provision

of health services is the responsibility of provincial governments, and through various programs in the system, provincial governments delegate certain authority to other players in the health system—in the past, for example, hospital boards, community health centres and other agencies like that—and carries forward the work that way. The ultimate responsibility and accountability rests with the government of the day, that being in this legislative Chamber.

The honourable member will recall, as we went through over 50 hours of review of the Estimates of the Department of Health earlier this year, the honourable member talks about democracy, that is what democracy is, working within the Constitution of Canada, delegating authority where that is appropriate. That is the kind of regime that we have in this province, like we have in provinces right across the country.

* (1400)

Mr. Chomiak: Madam Speaker, can the minister explain how he can set up boards full of Tories and exclude women, exclude aboriginal people, exclude any kind of representation from the community and expect them to deliver the cuts the Tories are delivering?

Mr. McCrae: The problem with the question is its premise. If you look at 1995 over 1994, you will see that spending in the Department of Health was up by \$60 million. Indeed, since 1988, when this government took office, we were up in spending nearly \$600 million on an annualized basis, and \$600 million may ring a bell with you, Madam Speaker, because it sure does with me. Coincidentally, that is about how much money this government has to fork over to the creditors of Manitoba, thanks to the spending habits of honourable members opposite when they were in office.

I wish I had that \$600 million to spend on health services and on family services and on education services, because those reflect the priorities of Manitobans. Nonetheless, we do reflect those priorities in our spending year over year.

Mr. Chomiak: Madam Speaker, can the Minister of Health, who recently signed an agreement with all the faith institutions in Winnipeg, this great democrat, or the Premier (Mr. Filmon) explain how they can sign an

agreement and say in this agreement that the provision and the establishment of the superboards that was not even planned, was not promised, was not studied, that is being put in by this government, is non-negotiable and all the provisions, under the way these superboards are going to be functioning, are non-negotiable to the citizens and to the institutions in the city of Winnipeg? How do these great democrats—

Madam Speaker: Order, please. The question has been put.

Mr. McCrae: In view of the very, very significant history of service to the people of Manitoba provided by faith-related organizations in Manitoba, it is a particular pleasure and honour for me to be able to follow through on a commitment this government made to faith-related organizations with respect to the future of health services in Manitoba. It is a model for other provinces that have gone ahead with their changes without the same regard for faith-related organizations.

The faith-related organizations which have joined with us in this agreement recognize the requirements of the government, just as the government recognizes the requirements of the faith-related organizations, and that is what you will see in the agreement.

I am delighted that we have been able to bring that about, and I will be pleased to look forward to working with faith-related organizations in the future.

If it was left to honourable members opposite, there would be no relationship.

Premier of Manitoba Leadership Style

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I listened to the member for Kildonan (Mr. Chomiak), the member for Wellington (Ms. Barrett) and you hear words of the Premier being arrogant, the Premier being a dictator. Well, it makes me be somewhat nostalgic. I can recall the Premier in 1988, a Premier that was prepared at least to work with the opposition members, work with the public. In fact, you had the New Democrats supporting the government at the time. A lot has changed. In fact, we have a Premier who is arrogant,

who has shown a dictatorship-style of democracy, if you like—

Madam Speaker: Order, please. I would remind the honourable member for Inkster to pick and choose his words carefully. All members in this Chamber are honourable members.

The honourable member, to pose his question quickly.

Mr. Lamoureux: Well, Madam Speaker, even though all members of this side of the House would agree with that particular statement, out of courtesy, out of respect of your ruling I will withdraw the word “dictatorship” but still ask the Premier, what is this Premier prepared to commit in terms of, as we come to an end of this particular session, what is he prepared to do to try to bring back the old Premier of 1988 where we saw more consensus building, where we saw more working with Manitobans and lose the arrogant style of—

Madam Speaker: Order, please.

Hon. Gary Filmon (Premier): Madam Speaker, I think that might fall in the category of a question that provokes debate. I want to assure the member opposite that, as fundamentally opposed as he may be to some of the things that we are doing in government, we accept our responsibility very, very seriously, our responsibility to govern, to make decisions and to take action where it is appropriate on behalf of the people of Manitoba.

I know that the member opposite has not had the opportunity to be in government and to be held accountable, and I know that when you are in opposition, it is easy to be on all sides of the issue, to say, on the one hand, that you support the privatization of Crown assets, but you do not like this particular deal on Manitoba Telephone System—[interjection] Well, that is his Leader—on the other hand, to say that you support health care reform, you just do not like this particular plan.

On the other occasion, you say you support the reform of education or the changes in education; you just do not think that this is the appropriate policy direction, and so on and so forth. We talked this morning about whether or not you can have it both ways or all ways, and I know that is a luxury that is afforded those who are in

opposition and those who do not have the responsibility to make choices and to govern.

I could start talking about his colleagues in the federal government and their choice to cut \$230 million a year from health, education and social services in this province and the onerous responsibility that that has put upon us to try and govern under those circumstances. I could talk about their lack of commitment to many of the things that are important to the people of Manitoba. I could talk about GST and all the other promises that his colleagues made and what they are doing when they are in government. I do not want to embarrass him, though. I do not want to embarrass him.

Point of Order

Mr. Steve Ashton (Opposition House Leader): Madam Speaker, Beauchesne is very clear in terms of answers—on a point of order—that answers should be—questions should be as brief as possible, deal with the matter raised and should not provoke debate. I would suggest that the Premier is neither being brief and indeed is engaging in debate. I ask that you call him to order.

Madam Speaker: On the point of order raised by the honourable member for Thompson, I would remind all honourable members that we all know the rules full well, and there is a lot of deviation from every member in this House on several occasions.

* * *

Madam Speaker: The honourable member for Inkster, on a supplementary question.

Mr. Lamoureux: Will the Premier commit to working with the public, working with the average Manitoban, when it continues to do things such as health care reform, when it continues to look at the idea of privatization of other Crown corporations like Manitoba Hydro? Is the Premier today prepared to make the commitment to start working with Manitobans in the future in terms of working and consulting?

Mr. Filmon: I think that one of the hallmarks of this administration is that we have continued to listen to the people of Manitoba, continued to work with the people of Manitoba. We continue to have caucus and cabinet

meetings outside of this building where we go out and interact with the public—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable First Minister.

* (1410)

Mr. Filmon: We continue to go out to seek the views and the opinions, to listen to the priorities, to the dreams and the goals of Manitobans. In so doing, we know that Manitobans want us to act in their best interests, they want us to act to ensure that this province gets stronger, has jobs and economic opportunity, investment and opportunities to continue to improve all of the public services that we have a responsibility for as guardians of the public purse.

Madam Speaker, the member opposite ought to know that, during the first six months of this year, he and many of his colleagues, for instance, appeared with groups who were telling us to save the Seven Oaks General Hospital. There was one of probably a hundred different reports and recommendations that was the basis upon which they stirred up all sorts of fear and anxiety on the part of the—

Madam Speaker: Order, please. The honourable member for Thompson, on a point of order.

Point of Order

Mr. Ashton: On a point of order, I want to make it clear, Madam Speaker, it is in relation to the Premier, not other members of the Legislature, the point of order, and I am raising again Beauchesne Citation 417 that answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate. I would like to ask if you could rule in regard to the Premier once again breaking the rules of the House, and would you ask him to please come to order.

Madam Speaker: The honourable First Minister, on the same point of order.

Mr. Filmon: Madam Speaker, with all due respect, earlier in this Question Period, members opposite, particularly the Leader of the Opposition (Mr. Doer) and

the member for Thompson, were allowed to have postambles, preambles, engage in debate on issues, constantly make slanderous remarks and all sorts of exaggerated breaches of the rules of this House. What is sauce for the goose is sauce for the gander. If members opposite want to abide by the rules of the House they should look in the mirror and start with themselves.

Madam Speaker: The honourable member for Thompson, on the same point of order, again.

Mr. Ashton: On the same point of order, Madam Speaker, in his—[interjection] The Premier does not run the operation of this House. He may run the government, but he is not going to lecture to any member of this House. I am rising on a point of order. The Premier stood in his place—

Madam Speaker: Order, please. The honourable member for Thompson raised the point of order, and I have not dealt with the point of order raised.

Mr. Ashton: Well, I am trying to provide more advice, Madam Speaker.

Madam Speaker: I thank the honourable member, but I was about to make a ruling when the honourable member stood on his—

Mr. Ashton: I will rise on a separate point of order after this. Thank you.

Madam Speaker: Order, please. I recognize emotions are running high, but an awful lot of latitude has been allowed to every member of this House this afternoon, and I would ask for the co-operation of all honourable members in completing the last two minutes of Question Period.

Point of Order

Mr. Ashton: On a point of order, Madam Speaker, I raised the question about one member of the House who was breaking the rules, the Premier (Mr. Filmon). He, in the subsequent discussion on the point of order, made all sorts of comments which show once again that this Premier seems to think that he runs this House, that he runs this province. He does not. He is the Premier. He

is the temporary trustee of this province, and I ask you as our Speaker to ask him to follow our rules.

Madam Speaker: On the point of order raised by the honourable member for Thompson, I will take it under advisement and report back to the House.

* * *

Madam Speaker: The honourable member for Inkster.

Mr. Ashton: Madam Speaker—

Madam Speaker: The honourable member for Inkster was on his feet prior to the honourable member for Thompson and the honourable member for Inkster was duly recognized.

The honourable member for Inkster.

Mr. Ashton: On a point of order.

Madam Speaker: The honourable member for Thompson, on a new point of order.

Point of Order

Mr. Ashton: On a new point of order, Madam Speaker, I would raise a point of order again in regard to the Premier's comments. I raised a point of order and I will raise a new point of order in regard to his references to slanderous remarks being made by members of the Legislature. I would like to ask whether you will at least rule on that now. It has been very clear that the Premier has not been following the rules of this Legislature and I would appreciate a ruling now on his comment, not on the other 56 members of the Legislature, on the Premier's comments. Will you please—

Madam Speaker: Order, please. The honourable member for Thompson stood on precisely the same point of order he rose previously regarding comments made by the Premier, and I indicated I would take it under advisement.

* * *

Mr. Lamoureux: Madam Speaker, my question to the Premier is, will the Premier acknowledge that the type of consensus building that he has accomplished over the last year in terms of the hog industry, vertical integration,

privatization of MTS, health care reform, education changes, has been the furthest thing away possible from consensus building? Will he acknowledge that and that he is going to see to it that that is not going to happen again in the new fiscal year?

* (1420)

Mr. Filmon: Madam Speaker, I appreciate the entreaties of the member for Inkster and indeed oftentimes we have issues that take on a controversial nature as a result of decisions that government makes.

I am glad that he raised the issue of the dual marketing of hogs, because I can tell him that even within the past few weeks I had a letter from an individual who was out in the halls berating me about the dual marketing of hogs, who came here day after day and said things like liar and so on, wrote a letter of apology—[interjection] Thanks for the applause—wrote a letter of apology to me, saying that now that it is implemented he can see that Manitoba Pork is as strong as ever, if not stronger, and that he has options now that he did not have before, and that he recognizes the wisdom of the move that we made in government, and that is exactly—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable member for Burrows, with a very short question. There is approximately 30 seconds remaining.

Bill 36 Justification

Mr. Doug Martindale (Burrows): Madam Speaker, when Bill 36 went to committee the presenters told the Minister of Family Services that the bill violates the United Nations covenant on economic, social and cultural rights. It violates the Charter of Rights and Freedoms of Canada and is akin to an abusive relationship.

I would like to ask this minister and her government, why is she bringing in such undemocratic legislation? Why is she abusing the poor, as the presenter said? Why is this government proceeding with this kind of legislation that is clearly an attack on the poor?

Hon. Bonnie Mitchelson (Minister of Family Services): I do thank my honourable friend for that question, although I do not thank him for the manner in

which he put the question forward. But I would like to indicate to all Manitobans what we have said many, many times before, that the best form of social security for Manitobans is a job. What we have done as a government over the last eight years in office is set the economic climate for investment in Manitoba so that jobs can be created and Manitobans can work. We want to help as much as possible those people that have become dependent on social allowance as their only hope, to change that dependency and make them become independent, productive members of society with our assistance, and Bill 36 will help to facilitate that process.

Madam Speaker: Time for Oral Questions has expired.

House Business

Hon. Jim Ernst (Government House Leader): Madam Speaker, I wonder if I might have leave prior to Orders of the Day for a matter of House business?

Madam Speaker: Does the honourable government House leader have leave on a matter of House business? [agreed]

Mr. Ernst: Madam Speaker, I wonder if there might be leave to sit a committee of the House concurrently with the House this afternoon?

Madam Speaker: Is there leave of the House to sit in standing committee concurrently with Orders of the Day? Leave? Is there leave of the House to sit in standing committee concurrently with the House in Orders of the Day? [agreed]

Mr. Ernst: In that case, Madam Speaker, the committee on Public Utilities and Natural Resources currently considering clause by clause of Bill 67 will sit again at 2:45 p.m. until 5:30 p.m.

Madam Speaker: The Standing Committee on Public Utilities and Natural Resources will commence at 2:45 this afternoon until 5:30 p.m. to continue to consider the clause-by-clause consideration of Bill 67.

MEMBERS' STATEMENTS

Invest Manitoba

Mr. Mike Radcliffe (River Heights): Madam Speaker, yesterday, the second annual Invest Manitoba

forum was held in Winnipeg. It is an event that matches entrepreneurs with investors. Invest Manitoba is one of a handful of developments that have taken place in Manitoba over the past several years that have created a better environment in which small- and medium-sized businesses can grow and access capital.

The president of Infohighway Onramp Centre Incorporated was one of 14 entrepreneurs who made pitches for up to \$1 million in capital to a group of potential investors. He told the forum that he plans to someday issue initial public offering and list the company's shares on the Winnipeg Stock Exchange.

Tom Waitt, the chairman of the Winnipeg Stock Exchange, also spoke at the event. Actually, just last Friday, the Winnipeg Stock Exchange executed its first electronic trade on its newly installed computerized trading system. Mr. Waitt was speaking to the forum about the new opportunities the revitalized Winnipeg Stock Exchange holds for the kind of business people who were at the forum.

* (1430)

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. I am experiencing difficulty hearing the honourable member for River Heights, and I would remind all members that this is private Members' Statements.

Mr. Radcliffe: I would not want any of my colleagues on the other side of the House to miss a syllable, so I will attempt to enunciate with clarity. Our government has just passed legislation that will revise several regulatory items handled by the Manitoba Securities Commission. The legislation will effectively make it easier and less expensive for Manitoba companies to undertake either public or private placements of capital. This is good news for our entrepreneurs. In fact, in the past five years manufacturing capital investment was up 135 percent, the best in the country. Madam Speaker, thank you for this opportunity.

Manitoba Telephone System

Mr. Steve Ashton (Thompson): Earlier today I raised the concern of many Manitobans about the illegitimacy of

the sale of MTS and particularly Manitobans who are saying that we should buy back MTS. I want to read into the record a resolution that should be noted. The resolution was passed by the New Democratic Party, and its conventions should be noted in the prospectus.

The operative sections are: THEREFORE BE IT RESOLVED the New Democratic Party commit itself to maintaining the public ownership of the Manitoba Telephone System; and

BE IT FURTHER RESOLVED that if the Conservative government sells off the Manitoba Telephone System or any other Crown corporation without the agreement of the people of Manitoba that the next New Democratic Party government will take back our public assets by repurchasing the company at a price no higher than that paid by the purchasers; and

BE IT FURTHER RESOLVED in taking back any shares which may be issued by the present government in MTS or its successor companies, the next NDP government shall reduce or deny compensation to shareholders by the extent to which they have privateered; and, without limiting the generality of the expression; and

It shall consider shareholders to have privateered where there are reasonable grounds to believe that:

- (a) shares have been tendered to the public for a price below the net asset value of MTS or its successors; or
- (b) assets in the privatized company have been sold in a manner detrimental to the future operation of MTS or its successors; or
- (c) service rates have been raised more than was warranted by the investment needs of MTS or its successors; or
- (d) profits have been realized through wage reductions, layoffs or unfair labour practice; or
- (e) profits have been realized through rate rebalancing or other measures with the effect of limiting service to rural areas of the province; or

(f) profits have been distributed to shareholders by dividend or other means in a manner detrimental to the future operations of MTS or its successors; or

(g) direct payments, assumptions of corporate debt or other government subsidies to MTS or its successors have been used to benefit shareholders rather than being reinvested or used in the public interest; or

(h) corporate funds or assets distributed to shareholders have been obtained through borrowings or asset sales detrimental to the future of MTS or its successor.

The bottom line with this resolution and the views of many Manitobans, Madam Speaker, is the sale of MTS is not legitimate. The government did not promise it; they do not have support for it. They should warn anybody who buys shares that that is the position of many Manitobans, that it is not legitimate to sell, and we should try and buy it back. Thank you.

Legislative Assembly Staff

Mr. Gary Kowalski (The Maples): Madam Speaker, this session of the Legislature, as it draws to a close, I think we have to recognize that it has been a heavy legislative agenda and sometimes we take for granted many of the people who work in this building and assist us, whether it is everyone from the security staff here that have had trying days during this session, to the staff in Hansard, to the Pages, we should appreciate them all.

Of special note are the people that have stayed until late in the evening, assisting the committees to function, and I think all members would join in recognizing Judy White, Patricia Chaychuk, the Sergeant-at-Arms Dennis Gray, Deputy Sergeant-at-Arms Garry Clark, gallery attendant Mark Pittet, and message room attendant Denise Abgrall who have put in many long hours here, staying here sometimes until two, two-thirty in the morning and are here bright and early the next day. I think all members of this Chamber should be thankful to the staff for all the efforts they put to allow us to do our job here as legislators.

Aboriginal Justice Inquiry Report

Mr. Eric Robinson (Rupert's Land): Madam Speaker, this week, under immense public pressure from Grand

Chiefs Ovide Mercredi, Phil Fontaine, and many other First Nations leaders from across Manitoba, along with more than 250 northern Manitobans, the provincial government finally acknowledged that there are many ways in which the justice system is failing aboriginal people. The marchers came here asking not just for justice for the family of Dorothy Martin, they came asking for justice for aboriginal people across this province.

Aboriginal people have been waiting for justice for many years. The AJI was commissioned by the former NDP government because it acknowledged that the system was not working. The murders of Helen Betty Osborne, J.J. Harper and the incarceration rates of aboriginal people amongst many other issues are all pointed out as the need for change. The AJI report was released in August of 1991 after listening to more than a thousand presenters at some 30 communities in Manitoba. The recommendations were widely praised across the country which were promptly put on a shelf and forgotten by two successive ministers of this government.

Today, more than five years later, the government, in duress, has now made commitments that should have occurred more than five years ago. These commitments are a step forward. The government says it will now work with the AMC on justice issues, from TAs to youth gangs, aboriginal policing and violence against women, amongst other issues. We welcome this new policy position of this government and will do everything we can to ensure that, unlike the many other broken promises of this government, the commitments made today to the aboriginal people of this province will be upheld. Thank you.

Manitoba Telephone System

Mr. David Newman (Riel): Madam Speaker, I did not intend to speak today, but in light of the honourable member for Thompson's (Mr. Ashton) statement and reading into the record a resolution, I felt constrained to do so. You know, we have spent now, since 1988, in this province, in an effort to overcome the ideology which governed this province for far too long, to gain respect in the national and international community and amongst Manitobans, in the sort of environment we create for private sector enterprise, and for people to run their own

lives as they deem appropriate within the values, the general guidelines of the laws.

Today, we have heard a statement that would send a chill to any self-responsible entrepreneur in this province, in this country and in this world. It is like a threat that they are going to expropriate this private sector MTS when it begins to operate, and for less than fair market value maybe. It is quite a statement. It is a statement which should be broadcast far and wide because that is the warning to anyone that expects to continue to do business in this province and to do business in the province in the future. It causes me grave concern. However, I have one comfort and that is that that sort of message is no longer respected in the province of Manitoba as generally as the opposition party seems to think.

Committee Changes

Madam Speaker: The honourable member for Point Douglas, with committee changes.

Mr. George Hickes (Point Douglas): I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Thompson (Mr. Ashton) for Flin Flon (Mr. Jennissen) for Thursday, November 7, 1996, for 2:45 p.m.

Motion agreed to.

* (1440)

ORDERS OF THE DAY

Hon. Jim Ernst (Government House Leader): Madam Speaker, would you call report stage for the bills as listed in the Order Paper.

REPORT STAGE

Bill 4—The Manitoba Public Insurance Corporation Amendment Act

Hon. Jim Ernst (Government House Leader): On behalf of the Minister of Environment (Mr. Cummings), I move, seconded by the Minister of Education (Mrs. McIntosh), that Bill 4, The Manitoba Public Insurance

Corporation Amendment Act (Loi modifiant la Loi sur la Société d'assurance publique du Manitoba), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 32—The Council on Post-Secondary Education Act

Hon. Linda McIntosh (Minister of Education and Training): Madam Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 32, The Council on Post-Secondary Education Act; Loi sur le Conseil de l'enseignement postsecondaire, as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

An Honourable Member: On division.

Madam Speaker: On division. Bill 32 was agreed to on division.

Bill 55—The Financial Administration and Consequential Amendments Act

Hon. Jim Ernst (Government House Leader): On behalf of the Minister of Finance (Mr. Stefanson), I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 55, The Financial Administration and Consequential Amendments Act (Loi concernant la gestion des finances publiques et apportant des modifications corrélatives), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 57—The Public Sector Compensation Disclosure Act

Hon. Jim Ernst (Government House Leader): On behalf of the Minister of Finance (Mr. Stefanson), I move, seconded by the Minister of Labour (Mr. Toews), that Bill 57, The Public Sector Compensation Disclosure Act (Loi sur la divulgation de la rémunération dans le secteur public), as amended and reported from the

Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 58—The Parental Responsibility Act

Hon. Jim Ernst (Government House Leader): On behalf of the Minister of Justice (Mrs. Vodrey), I move, seconded by the Minister of Agriculture (Mr. Enns), that Bill 58, The Parental Responsibility Act (Loi sur la responsabilité parentale), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 59—The Powers of Attorney and Mental Health Amendment Act

Hon. Jim Ernst (Government House Leader): On behalf of the Minister of Justice (Mrs. Vodrey), I move, seconded by the Minister of Urban Affairs (Mr. Reimer), that Bill 59, The Powers of Attorney and Mental Health Amendment Act (Loi concernant les procurations et modifiant la Loi sur la santé mentale), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 61—The Statute Law Amendment Act, 1996

Hon. Jim Ernst (Government House Leader): On behalf of the Minister of Justice (Mrs. Vodrey), I move, seconded by the Minister of Education (Mrs. McIntosh), that Bill 61, The Statute Law Amendment Act, 1996 (Loi de 1996 modifiant diverses dispositions législatives), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 75—The Commodity Futures Act

Hon. Jim Ernst (Minister of Consumer and Corporate Affairs): I move, seconded by the Minister of Agriculture (Mr. Enns), that Bill 75, The Commodity Futures Act (Loi sur les contrats à terme), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

**Bill 76—The Gaming Control
and Consequential Amendments Act**

Hon. Jim Ernst (Government House Leader): On behalf of the Minister of Finance (Mr. Stefanson), Madam Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 76, The Gaming Control and Consequential Amendments Act (Loi sur la Commission de régie du jeu et apportant des modifications corrélatives), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

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Mr. Ernst: Madam Speaker, I seek leave of the House to introduce for report stage Bills 17, 26, 41, 50, 301 and 302.

Madam Speaker: Does the honourable government House leader have leave to introduce Bills 17, 26, 41, 50, 301 and 302 under report stage? [agreed]

Mr. Ernst: Madam Speaker, I also seek leave to introduce Bill 73 for report stage.

Madam Speaker: Does the honourable government House leader also have leave to include Bill 73 in report stage? [agreed]

Bill 17—The Government Essential Services Act

Hon. Jim Ernst (Government House Leader): Madam Speaker, on behalf of the Minister of Labour (Mr. Toews), I move, seconded by the Minister of Education (Mrs. McIntosh), (by leave) that Bill 17, The Government Essential Services Act (Loi sur les services gouvernementaux essentiels), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

Motion agreed to.

* (1450)

**Bill 26—The Labour Relations
Amendment Act**

Hon. Vic Toews (Minister of Labour): I move, seconded by the Minister of Agriculture (Mr. Enns), (by

leave) that Bill 26, The Labour Relations Amendment Act (Loi modifiant la Loi sur les relations du travail), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

Motion agreed to.

Bill 41—The Fisheries Amendment Act

Hon. Albert Driedger (Minister of Natural Resources): Madam Speaker, I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), (by leave) that Bill 41, The Fisheries Amendment Act (Loi modifiant la Loi sur la pêche), reported from the Standing Committee on Industrial Relations, be concurred in.

Motion agreed to.

**Bill 50—The Remembrance Day
Amendment Act**

Hon. Vic Toews (Minister of Labour): I move, seconded by the Minister of Urban Affairs (Mr. Reimer), (by leave) that Bill 50, The Remembrance Day Amendment Act (Loi modifiant la Loi sur le jour du souvenir), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

Motion agreed to.

**Bill 301—The Native Alcoholism Council of
Manitoba Incorporation Amendment Act**

Mr. Leonard Evans (Brandon East): Madam Speaker, I would move on behalf of the member for Rupertsland (Mr. Robinson), and seconded by the MLA for Swan River (Ms. Wowchuk), (by leave) that Bill 301, The Native Alcoholism Council of Manitoba Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation "The Native Alcoholism Council of Manitoba"), reported from the Standing Committee on Industrial Relations, be concurred in.

Motion agreed to.

**Bill 302—The Grand Lodge of Manitoba
of the Independent Order of Oddfellows
Incorporation Amendment Act**

Mr. Leonard Evans (Brandon East): Madam Speaker, I move, seconded by the MLA for Swan River

(Ms. Wowchuk), (by leave) that Bill 302, The Grand Lodge of Manitoba of the Independent Order of Oddfellows Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation "The Grand Lodge of Manitoba of the Independent Order of Oddfellows"), reported from the Standing Committee on Industrial Relations, be concurred in.

Motion agreed to.

**Bill 73—The Construction Industry
Wages Amendment Act**

Hon. Vic Toews (Minister of Labour): I move, seconded by the Minister of Education (Mrs. McIntosh), (by leave) that Bill 73, The Construction Industry Wages Amendment Act (Loi modifiant la Loi sur les salaires dans l'industrie de la construction), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

Motion agreed to.

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Hon. Jim Ernst (Government House Leader): Madam Speaker, I seek leave of the House to introduce for third reading all bills considered in report stage today.

Madam Speaker: Does the honourable government House leader have leave to give third reading to all bills that just received report stage? [agreed]

Point of Order

Mr. Doug Martindale (Burrows): On a point of order. Could I just ask if the government House leader is referring to the bills in report stage on today's Order Paper, just for clarification?

Madam Speaker: The honourable government House leader, for clarification.

Mr. Ernst: Madam Speaker, no. It is the bills that were on the Order Paper plus the ones that were recently given leave for to introduce for report stage, that is, Bills 17, 26, 41, 50, 301 and 302.

Madam Speaker: And 73.

Mr. Ernst: The member gave leave for those to be read in report stage, and now require leave to get them into third reading.

Madam Speaker: Okay.

* * *

Mr. Ernst: Yes, Madam Speaker, would you call third reading for Bills 4, 32, 50, 17, 55, 57, 31, 58, 59, 61, 75, 76, 73 and 68.

THIRD READINGS

**Bill 4—The Manitoba Public Insurance
Corporation Amendment Act**

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Environment (Mr. Cummings), (by leave) that Bill 4, The Manitoba Public Insurance Corporation Amendment Act (Loi modifiant la Loi sur la Société d'assurance publique du Manitoba), be now read a third time and passed.

Motion presented.

Mr. Leonard Evans (Brandon East): Madam Speaker, I rise to say a few words on this particular bill. The amendment as such is relatively innocuous, and we do not have any difficulty as such in supporting the amendment. I just want to take the opportunity to say that I believe, generally speaking, that the people of Manitoba are well served by the Manitoba Public Insurance Corporation. I had the privilege of being around when it was established, and I think over the years we have done well by it. I think that the fact that the rates continue to be competitive, in fact, probably among the lowest in the country, speaks well of the corporation. The fact that it provides a service that I think is second to none anywhere else in the country speaks well of the organization as well.

During the annual report review of the corporation, which took place a couple of weeks ago, unfortunately, we ran out of time, and we did have a lot of questions. I appreciate, Madam Speaker, it is not appropriate to get into detail, such as we do in the committee, at this time,

but I am just standing on my feet to make a plea with the minister to see that the committee is called, in co-operation with the government House leader, of course, in the near future so that we can complete the work of that committee, because there are some very basic questions about details of the operation that we have some concerns about. Like all members of the House, we do receive complaints from time to time from citizens, so I am not suggesting that the corporation by any means is perfect. What I am particularly concerned about is the degree to which the corporation bends over backwards to be of service to people. I think it has an excellent staff by and large, but there are problems, and maybe members on the other side have received them too where citizens complain about the treatment they have had or the lack of understanding they have had by an adjuster or by some official of the corporation. I appreciate there are two sides to every story, and you usually get one side. Usually your constituent gives you his or her side, and then when you phone the corporation you find out that other elements have to be considered as well.

* (1500)

There are, from time to time, some cases, and again I do not want to take very much time and I do not want to get into details, but it has recently been brought to my attention of a person being investigated by the fraud unit, or whatever it is called in the corporation, over a matter of 2.5 kilometres being overreported by the claimant. Apparently the claimant says the 2.5 kilometres are from parking and turning corners, et cetera. It seems it is absolutely ridiculous for the staff of MPIC, who want to ensure that everyone is acting honestly and filing properly and above board, to be spending time to go after an individual over I think it is something like 2.5 kilometres overstated, in their judgment. From the information given to me by the individual, it just seems to be ridiculous. I do not understand it. Now maybe if we get some more information it will put it into a different perspective, but just offhand it sounds that this is a matter of overkill where you have two investigators going after somebody who needs therapy, who is reimbursed for driving from home to the therapist and who is allegedly overstating—I think the statement was by 2.5 kilometres per trip. To me that is going much. In fact, they argue that there was no overstatement, but on that account apparently the payments to be made to the person who has been injured from the accident are being withheld.

At any rate, I am not here to be the judge of this. I am just saying you do get complaints from time to time. I am sure all of us do from time to time, and we become concerned—what is the corporation doing to the policyholders? Having said that, Madam Speaker, I do plead with the minister to consider coming with his staff, in co-operation of course with the House leader, to have another go at the annual review so we can complete the review, the report rather, the last year's report of the Manitoba Public Insurance Corporation.

With those few words, Madam Speaker, we are prepared to let this bill pass.

Mr. Gary Kowalski (The Maples): I just wanted to put on the record our party's support for this bill and take the opportunity to say that we too are looking forward to the Manitoba Public Insurance Corporation reporting to a committee of the Legislature in the near future. We are hoping when they appear next time that we will see employment equity at work and more people from different genders present in their senior offices.

Also, I want to take this opportunity to say that I too have taken a number of constituent concerns in regard to claims with MPIC, and although I do not always agree with the results—of course, as an advocate for constituents, we always want to see their argument advanced and win out. That is not always the case. You could say that the staff at MPIC have always been timely in their returns to my phone calls and to our letters, and I hope that they will continue to be as such. As I said, our caucus, the Liberal caucus, supports this bill. Thank you, Madam Speaker.

Madam Speaker: Is the House ready for the question? The question before the House is third reading, Bill 4. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed? Agreed and so ordered.

Bill 32—The Council on Post-Secondary Education Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Education (Mrs.

McIntosh), (by leave) that Bill 32, The Council on Post-Secondary Education Act (Loi sur le Conseil de l'enseignement postsecondaire), be now read a third time and passed.

Motion presented.

Ms. Jean Friesen (Wolseley): I am glad to be able to have the opportunity to make some concluding remarks on Bill 32. This was a bill which attracted a great deal of attention in the newspapers of the province, as well as among students and staff and presidents of universities and colleges of Manitoba. We heard from many, many presentations representing groups and individuals. Many of them were very eloquent. A number of them were given after midnight, I think a testimony to the concern which the citizens of Manitoba had about the bill which the minister had originally proposed on this.

Madam Speaker, this bill was also unusual in that the minister brought in a number of amendments, and they were amendments which, in my view, in some cases substantially altered the intent of the bill. This is not the minister's view. The minister claims that she is making wording changes, that they do not alter the intent of the bill, and in some cases that is true, but it is not true in all cases and I think the minister should be well aware of that.

But, from our perspective, Madam Speaker, there are other amendments which could have been made, which could have been accepted by the minister from the amendments which we proposed, as well as, I think, some changes that need to be made in some of the principles of the bill. I believe that there was willingness on the part of many of the people affected by this bill, directly affected, whether it was the presidents of colleges and universities or students or staff or the citizens concerned with post-secondary education. I think there was a willingness to accommodate, a willingness to meet and discuss and to provide comfort to all members of that community and to the representatives of the people of Manitoba.

I think the real problem with this bill was the manner in which it was created. The minister appointed several months ago now, I think it was in January, an interim transition committee whose sole task was the creation of legislative framework for post-secondary education in

Manitoba. In my view, although those members of that committee may have been well meaning, they were not able quickly to draft a bill that accommodated the many different perspectives that needed to be accommodated on this bill. I think it should be a warning to the minister about the kind of people she should be appointing to the post-secondary education council. I think this is a process which perhaps should offer some lessons for that.

The interim transition committee, in my view, erred in not consulting widely, nor did it consult publicly, and I think those were both practices which would have saved the minister some grief. It would certainly have given comfort to the people involved in post-secondary education and to all citizens that the government was aiming to include all opinions and to address all concerns. So what happened was, we had a bill which, I think, was seriously flawed and people recognized that. They came out in large numbers to address those issues, some of them very eloquently.

We had in the period, I think, after September a series of hurriedly exchanged letters between the presidents of our institutions and the minister. We had hurriedly arranged meetings that kept occurring throughout October in order to find the wording and to find the principles which would accommodate the level of autonomy which the institutions believe they need for an international framework of education, as well as to accommodate the kind of direction which the government thought it could bring to post-secondary education. So I am pleased on the one hand that the minister did listen. I am pleased that the minister did bring in amendments, most of which we could support.

I draw to the minister's attention again that this was unnecessary, that it created divisions, that it created difficulties both for her as a minister and for the level of confidence which people ought to have in both government and post-secondary education.

The minister's amendments addressed the issue of defining students, for example, and I think that was useful. The minister introduced a number of amendments which address the principle of accessibility and extended it beyond the general principles of the preamble into some of the specifics of the bill, and so I think that certainly also could be supported. The minister also introduced amendments which dealt with, or indeed

eliminated, the issue of the framework of government policy. She introduced the word "intermediary" in an attempt to, I think, create the impression that the council will be more arms-length than in fact is her real intention, but we will see. It is a word which was acceptable to many of the people involved in the discussions over this bill, and we will see in fact how that is played out. My sense of how the minister described it was that she meant as intermediary a way for her to speak directly to this council and to give it directions in line with what the government would like to see happen in its own particular ideological framework, but we will see. I think the jury is out on that one, and we are prepared to wait and look at that.

* (1510)

I think one of the areas where we have very strong concerns about this bill is that in 1996 and at a time when Manitoba has greatly changed, where democracy is changing, the minister insisted upon an appointed council. This, of course, is consistent with the direction of this government. It is an authoritarian and a divisive government, and just as it has in the regional health boards in post-secondary education, it also wants to see an appointed council, appointed by the minister and largely responsible to the minister. In many ways this is not different from the Universities Grants Commission, although the ties to government were not the same in the UGC. The UGC was clearly and intentionally an arm's-length agency.

It seems to me, Madam Speaker, that this was the time, as we come close to the 21st Century, as Canadian society as a whole has become much more conscious of democratic accountability and much more conscious of the importance of holding people who make the decisions responsible for those decisions and having them make those decisions in a transparent manner, that this was the time to include an elected principal within this board just as we have argued for the regional health boards. It would have been a new departure. It would certainly have made this board unusual and, I think, one that would be very acceptable to the citizens of Manitoba. We have many elected positions throughout our province, whether it is on credit unions, in friendly societies, in the institutions of the school board and through municipal government. So in many of our areas we have elected positions, and citizens of Manitoba serve many, many

times throughout their lives in those elected positions. I think in the discussions and the development of policies for post-secondary education there was room for that just as we believe there is room for that in health care.

These are important strategic decisions that are being made about the future of our province, and we believe that there is a possibility, and there would have been great interest in that principle. So we are concerned that that was not addressed either in the discussions or in the amendments.

I think some of our concerns also deal with the way in which the minister dismissed any amendments which the opposition brought forward. Some of these clearly are ones that the minister ideologically could not support, and we are prepared for that. We are prepared for a minister to argue clearly for the rejection on political grounds of amendments, but, Madam Speaker, why would a minister reject the proposal for an annual public meeting for this post-secondary education council? Why would a minister who claims to want to see accountability and transparency, why would a minister who claims that her appointees are going to have the balance of interests of all the citizens of Manitoba at heart when they address post-secondary education, why would this minister refuse to hold an annual public meeting? This is a normal procedure for every organization in Manitoba. It is a procedure which we supported the minister on when she introduced it in Bill 47 for school boards.

Many school boards already hold annual public meetings, but they are not required to, and the minister brought in an amendment which required them to. We fully supported it. This minister rejected it specifically for the post-secondary education council, and it seems to me that that is the mark of a minister who either did not understand, chose not to understand, is inconsistent, simply did not care or wanted to proceed in a more authoritarian manner in this particular bill. I think probably it is a mixture of all of those elements, but she refused. Her argument was, well, she might want to have them hold three or four meetings a year. What an inconsistent and silly argument. If that is what you wanted to do, put into the bill that you are going to have an annual meeting and then you can add on the others if you want, but where is the consistency, where is the logic

in refusing an annual public meeting for a body which is appointed by the minister?

Crown corporations do it. They do it because the NDP government in office insisted that they did, that they were Crown corporations beholden to all the public of Manitoba. So I have some very serious concerns about an appointed council for which the minister has not only not included an annual public meeting but has specifically, and after consideration and after debate, rejected an annual public meeting for an institution which she argues is going to be of benefit to all the people of Manitoba.

Madam Speaker, the minister also rejected a number of other amendments which we put forward which in my view were not particularly politically dynamite to this particular minister or government. One of them was suggested to us and to the minister by the Manitoba Association of Rights and Liberties. This was an attempt to limit, in the terms of the bill, the ability of the post-secondary education council to go on what some people might call a trolling expedition for records and for various reports that might come under the jurisdiction of any of their institutions. It seemed to me that this was a useful idea and that a limit on that ability to dig into the personal records of people in these institutions without their permission was a warning, was something that might be included in the bill as an indication of the government's intent to deal with policy issues rather than with individual issues within each college or university.

There have been concerns expressed to us by many people at the presentations that the government was intent on micromanaging the universities. The minister has denied that, and we are prepared to wait and see whether in fact that is the intention, but this amendment was intended to address that. It was intended to address the issue of how deeply and how intimately and how personally the minister or her successors may want to involve themselves in university and college affairs. So, without the consent of an individual, we argued that amendment would be an important one, but the minister, after thought, after consideration, after debate, rejected it.

Now she did put on the record at that time that it was not her intention and it was not the intent of the bill to involve itself in issues of personnel with an e-1, or personal with an a-1, and again we will have to take that

on faith and watch the proceedings of this council and ensure that that indeed is the case.

Madam Speaker, I am also concerned with this bill because it leaves in place The Colleges Act. The Colleges Act is one which gives the minister a great deal more power. It gives the minister more control of colleges than it does of universities, and there is the ability within The Colleges Act for the minister to delegate that power to this post-secondary education council. So it seems to me that this bill, which was prepared very quickly and without very much consultation—half an hour, I think, the presidents of each university were given; I think the staff working with students were given perhaps an hour each, all of this in a series of six months so-called consultation, that it seemed to me that this should have been addressed. It introduces difficulties for those who will undertake the role of the post-secondary education council, because they will have one set of rules for the colleges and they will have another set of rules for universities and, presumably, another set of rules for those institutions such as Bible colleges where the minister has—[interjection]

Madam Speaker, suffering a number of interruptions here from the Minister of Education (Mrs. McIntosh) who has an unfortunate tendency to take everything so personally, the issues I am putting on the record are issues of principle. They are issues which deal with the principles in the bill, and I think the minister might want to perhaps save her breath on these personal issues, but I will proceed.

The presence of The Colleges Act, I think, introduces difficulties for those people who will be on the post-secondary education council, because it has a different set of principles than those which they are being asked to use for universities. The post-secondary education council will also, as the minister said, cover institutions where instruction is offered but which are not necessarily colleges and universities and the fund, the money, which goes to this council, will also include the money which has before under a separate line been accorded to the Bible colleges. So I think the post-secondary education council will have a difficult job, and I think some of this could have been cleared up by a better prepared and more fully considered legislation, and I do think there are going to be difficulties for them. I wish them well. I hope the minister chooses well because they do have a very

difficult task, one which could have been made more clear, more straightforward, by better preparation of a bill.

* (1520)

There is one final amendment, Madam Speaker, which also gave me some concern, and that is the amendment that had been proposed to a similar bill in the British House of Lords. In 1988 the Thatcher government put through a series of changes to education, ones which were very similar to the ones which the government is insisting upon now in many areas of education. This particular amendment was proposed by the chancellor of Oxford University, Lord Jenkins, who was at the time, I think, a Social Democrat—[interjection] Roy Jenkins, yes, but he had become a member of the House of Lords, I think, and was also at the same time the chancellor of Oxford University, and he proposed an amendment which suggests—[interjection]

Madam Speaker, I wonder if you would call the Minister of Education to order. She is continually interrupting. I find it most unpleasant. [interjection]

Madam Speaker: Order, please.

Ms. Friesen: Thank you, Madam Speaker. Lord Jenkins was at the time the chancellor of Oxford University, and he proposed an amendment to the Thatcher bill which argued that university faculty, and in this case colleges faculty, should be permitted the freedom within the law—that phrase, freedom within the law—to challenge received wisdom and to voice unpopular opinions should be preserved. I took the substance of that, and I proposed it to the minister. It seemed to me that it would answer the many representations that we had from presidents, from the staff involved in universities, who were concerned about the place of academic freedom in the proposals that the minister had. I remember one very precise presentation from Professor Bill Pruitt, a widely and internationally known biologist particularly concerned in the research among caribou. Professor Pruitt gave us a very good example of the way in which his freedom of speech, his research, had been controlled, oppressed one could say, by the University of Alaska which did not have—the state of Alaska did not have these kinds of protections.

I have no reason to believe that the minister wants to challenge academic freedom, but I am concerned that she, unlike Margaret Thatcher, rejected that amendment. I was delighted to see that the Minister of Agriculture (Mr. Enns) informally supported it. It was, as the saying goes, all right with Harry, but the party line prevailed, and that particular amendment was rejected.

So we did have a—[interjection] Madam Speaker, I believe the Minister of Education is speaking again. If she wants to get up and put some comments on the record, I am sure she will have an opportunity to do that, but I find this most unpleasant. Would you call her to order.

Hon. Linda McIntosh (Minister of Education and Training): Madam Speaker, the member is referencing the fact that I have called out and asked her to be more accurate and indicate that there already was an amendment that addressed academic freedom, and for speaking from my seat without getting the attention of the Chair, I do apologize. I would, however, ask her to be more accurate and honest in her speech.

Madam Speaker: I thank the honourable Minister of Education.

Ms. Friesen: I do not believe I have challenged the minister's honesty in this, and she can do that to me if she wants to. It is her business what she puts on the record. She has to answer for that.

This particular amendment was proposed as I said at the time—the minister was there; it is in Hansard—to give greater assurance that the minister had no intention of intervening in academic freedom, and the minister chose to reject it. I think that is a fairly straightforward indication of what happened, and I was disappointed that she did. I thought that that was—and I introduced it by saying that this was accepted by Margaret Thatcher. I introduced it as saying this was an amendment which I thought Tories could support, and the minister chose not to. Those are the clear facts.

Now, Madam Speaker, I will conclude my discussion by saying that I gained a lot from those hearings, and I hope the minister did, too. I know that many of the people who sit on our side of the House also found, I think, great comfort in the presentations that were made

about universities and post-secondary education and the colleges of Manitoba.

I think we were very pleased to see the way in which the presidents of all the colleges and universities were able to present collectively that they had found common principles which they could enunciate to the minister and that they also found the power collectively to meet with the minister and to make those points known to her, and we should at this point, too, acknowledge that the minister did meet with them, late in the day, but she did meet with them. Those amendments that they suggested were introduced, and I said at the—[interjection] Madam Speaker, the minister is speaking again.

I am, at this point, complimenting the minister. Madam Speaker, I am complimenting the minister. I cannot believe, when she does not even listen—

Madam Speaker: Order, please.

Point of Order

Mrs. McIntosh: On a point of order, the member indicated I met with the presidents late in the day. I met with them frequently from many months back. I appreciate her compliment, but she has got way off on her timing, and I apologize again for having spoken to the member without getting permission from the Chair.

Madam Speaker: Order, please. The honourable Minister of Education does not have a point of order.

* * *

Ms. Friesen: I am referring in my speech to the letters and to the exchanges and to the meetings with the president that were done while the bill was before committee. There were a number of those, and the minister did eventually bring in a second series of amendments as a result of those meetings.

So the minister may well have met over the summer. She came with some amendments to the early part of the hearings, and she came with more amendments as a result of those later and, in my view—and, yes, it is a personal view—hurried meetings that were held later on.

So, Madam Speaker, I compliment the minister for bringing in those amendments. We had some difficulty

with one amendment which the Chair ruled was out of scope, and it is perhaps beyond the time I have here to discuss that.

I want to say that I think, on our side of the House, we benefited a great deal from listening to those presentations, from listening to people time after time say how proud they were of the work they did and of telling us and taking the time to tell us, after midnight in many cases, of the work that they did and of the joy that they found in working with the young people in Manitoba and of the hopes that they had for their institutions, colleges and universities, whether they were students or teachers or staff or citizens, of the hopes that they had for the institutions which are the ones which really opened the door, opened the gateway of opportunity to all our young people. I certainly benefit from hearing that from so many different perspectives, from teachers of drama, from teachers of English, from teachers of psychology. We heard from many of them and they were proud statements. I hope that they, too, made the same impression on the members of the government.

So I will close, Madam Speaker, now with saying that we do believe that this bill could, yet, have been improved. It could have been improved in some principles. It certainly could have improved in a number of the details and in the amendments which we had suggested. We congratulate the minister for the amendments which she did bring. We believe that the bill has been greatly improved and has given much more comfort and satisfaction to the many people who came to present and who, over the last number of evenings and days, have made their views known and their pride known in their institutions and in Manitoba's support for those institutions.

I want to suggest to the minister that great care be taken in the selection of people for the post-secondary education council, and I know every government takes care in its appointments, but particularly for this first council and particularly for a context where education has been suffering financially, suffering in public esteem—I do not have time here to go into some of the reasons for that—but I believe that there is a great future for all of those institutions in Manitoba, and I wish the new council well.

Ms. MaryAnn Mihychuk (St. James): Madam Speaker, I would just like to put on some comments, they

are going to be very brief, and allow the minister to conclude remarks, if that is the way it is going to go. Perhaps others will want to speak as well, but having sat through numerous evenings and days listening to many academics and professors and administrators from secondary institutions in Manitoba, I found it very enlightening and did want to put my perspective on the record.

I must, first of all, congratulate the minister on the changes that she did make. Significant amendments to the bill were made, and unfortunately, some of them at the last minute. From our perspective, some of the amendments, actually all of the amendments, that our side of the House presented were rejected unfortunately. Two of those in particular were, I think, particularly significant.

* (1530)

The bill itself, I think, still has some fundamental flaws; that is, that the request from students was not listened to and we do not have representation of the active student population on the council. I think that it would have been a valuable amendment to make to the structure of the council.

Number two, fundamentally, the council is once again an appointed body by government with no elected members. Madam Speaker, I must again object to that and urge the government to look at other ways of representation to ensure that we have a fair representation of people from various walks of life and duly elected, not only appointed.

Thirdly, I would like to point out that many academics expressed the concern about ministerial influence and government control on academic freedom and many examples where academics were punished for what they said under different jurisdictions which had similar legislation or much greater control on their academic freedom. We do not want to see that here in Manitoba, and I want to suggest that the bill although it has been modified has still enhanced ministerial control over secondary institutions.

In terms of our amendments, I believe that it was extremely unfortunate that the government side refused to accept what I will call the Thatcher amendment, an

amendment which guaranteed academic freedom and clearly allowed academics the ability to express their opinion, whether popular or not, with the government of the day, that they indeed had that right and duty to present their views. Ultimately, the refusal by the government to accept the amendment which we proposed for an annual meeting. I know that the minister at the time of the committee made assurances that we would see some type of public accountability, that there would be meetings, but nothing in the bill was put clearly and definitively. A minimum would be an annual meeting like other Crown corporations, like public bodies, and clearly we asked the minister and the government to add that amendment and, unfortunately, they refused.

Madam Speaker, for those reasons I am disappointed with the bill, that those further amendments could not have been made. That concludes my remarks. Thank you.

Mrs. McIntosh: Madam Speaker, I am pleased to conclude debate on this particular bill. I will not speak very long, because I think there is ample in Hansard concerning my opinions on this bill that can be read, and I would urge anybody who has just read the speeches of the two members of the opposition to go and read Hansard from the committee hearings to correct some of the misimpressions that were left, particularly by the remarks from the member for Wolseley (Ms. Friesen). Since I do not want to take a lot of time, I urge anybody reading this Hansard and her speech to go check the committee hearing Hansard for the correct version of what really happened.

I would indicate, Madam Speaker, that there are students here today from a couple of universities, university student presidents who came to show their support for this bill. There are letters received in my office by professors who made presentations to the committee thanking me for the presentation of the amendments. I would indicate, and you laugh, and I think that is, okay, I would say that we have some things that do need to be corrected. The member for Wolseley expresses disappointment that we did not accept her wording on an amendment for academic freedom, but she just somehow forgot to mention in her speech that the reason we did not accept her wording on an amendment for academic freedom is because we had just accepted the president's wording on an amendment for academic

freedom of critical and open thought. That had been accepted and passed, so her amendment was redundant.

It was not that we did not want an amendment on academic freedom, but it was already in the bill, so she leaves the impression that we rejected an amendment for academic freedom. That is inaccurate and less than honest, and it needs to be corrected because it is a very important inaccuracy and it does need to be on the record properly put.

As well, of course, as other comments here about amendments that we did not accept of theirs, I have to say that there was nothing wrong with the amendments put forward in the main by the opposition in terms of their content. It is just that they were redundant, obvious, self-evident or already in place. There was not anything wrong with the content. It is just they were not necessary because they were already being addressed in other ways, so I let not the record be misinterpreted by the way in which the members opposite phrased their comments on this.

I will conclude with a comment from the University of Manitoba public affairs department bulletin, and it says this, public post-secondary council, Bill 32, and it says, President Szathmary said it needs to be acknowledged that the government and the minister have been responsive to the concerns of the university community on this bill. She said, the presidents of Manitoba's institutions brought their concerns individually and collectively through the committee of presidents and in the U of M. She observes that all of the major constituencies shared the same concerns with the legislation as it was being drafted, and then she goes on and talks about the communications to the hearings and the committee and all of those things and concludes with, President Szathmary said there was a meeting with the Minister of Education and the other Manitoba presidents on October 28 when the minister outlined her plans for amendments. These amendments address most of the concerns, and it goes on to say that the Faculty Association assessor on the board observed that the university itself required acknowledgement for their part in this interchange.

Madam Speaker, I think that kind of sums it up because it shows clearly that the government showed

leadership by bringing forth a bill that had the components identified by Roblin, supported in principle by the main bodies and then worked with the main bodies to refine the wording so that it more accurately reflected our intent and addressed their concerns.

So I am very pleased with the amendments that were made. I think they more accurately reflect our intent. I give thanks to those bodies that contributed ideas and suggestions, and, Madam Speaker, I will now conclude by saying I look forward to this new initiative for universities, colleges and post-secondary education in Manitoba and will continue to work with the stakeholders to provide good education at that level.

Madam Speaker: Is the House ready for the question? The question before the House is third reading, Bill 32, The Council on Post-Secondary Education Act.

Is it the will of the House to adopt the motion?

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Mr. Gord Mackintosh (St. Johns): On division, Madam Speaker.

Madam Speaker: On division.

* * *

Mr. Ernst: Madam Speaker, I believe there may be a will of the House to waive private members' hour today.

Madam Speaker: Is there leave of the House to waive private members' hour? [agreed]

Bill 50—The Remembrance Day Amendment Act

Hon. Jim Ernst (Government House Leader): Madam Speaker, I move, seconded by the Minister of Labour (Mr. Toews), (by leave) that Bill 50, The Remembrance Day Amendment Act (Loi modifiant la Loi sur le jour du souvenir), be now read a third time and passed.

Motion presented.

* (1540)

Mr. Daryl Reid (Transcona): I am pleased to rise to speak on Bill 50, The Remembrance Day Amendment Act.

Madam Speaker, we heard members of the public in committee, those that came forward, speak in opposition to this government's intentions to change this particular act. In fact, we heard pleas from members of the public, some who were in tears, asking this government not to make the changes that they are contemplating through this Bill 50 here today.

We heard about what this day, Remembrance Day, means to the many families in this province, to those families, to the communities in which they live and to our society as a whole, Madam Speaker. They spoke from the heart about how Remembrance Day in their family was remembered and the activities in which those families participated in remembering those from those particular families who had served our country, and, in fact, in some cases lost their lives.

Madam Speaker, there are some components of this piece of legislation that we do support, and in particular the inclusion of those who served our country in the Korean and Gulf conflicts and for the peacekeepers and the fine efforts that they continue to make on behalf of the citizens of this country, but Bill 50, in many ways, we are opposed to.

Bill 50 will allow stores to be open before 9 a.m. and will allow stores to open after 1 p.m. for wide-open shopping. This minister says in his comments during the committee that this bill will allow a window of opportunity for members of the public to participate in Remembrance services, not a day for families and

community activities to remember but a window of opportunity, obviously a very small window of opportunity.

Madam Speaker, this wide-open shopping on a day of remembrance for those who put themselves in harm's way to protect those of us who are in this Chamber and every citizen of this country, past, present and future, that is the purpose of having Remembrance Day, to pay homage and tribute to those who made that sacrifice and provided that service. They served our country with honour and distinction so that we can live in a free and democratic society.

Madam Speaker, Bill 50, I believe, destroys the family values and the community values that we have come to cherish. This bill will take away the family time that parents would use to instruct and to teach their children and to pass on knowledge on what Remembrance Day means to us and the honour of the Canadian Forces personnel who continue to serve us as peacekeepers throughout the world.

We know that, I believe, Remembrance Day from my understanding is not in any extensive way talked about in our schools. Perhaps that is something that should change. I know that we have many dedicated teachers who have the knowledge and the experience to be able to pass on the significance of Remembrance Day. This government is taking away the family time, where families would gather either in activities with their community churches, also activities with the various branches of the Royal Canadian Legion to remember those that made the sacrifice on our behalf.

Madam Speaker, what we see here today is a government that is more interested in chasing and allowing business to chase the all-mighty buck than you are in family values, since it was this government that drove the changes no doubt in consultation with those of the business community that asked you to do so. It is no doubt that some of our business community are concerned about the few people who can afford to go across the line to the United States to shop in the United States retail businesses, and they want to keep those few Manitobans that choose to do that here.

Madam Speaker, if that is the only consideration of these greedy, self-serving businesses that have this

attitude, I think that is dead wrong. This legislation is forcing us to become more and more like our American neighbours every day, and I can tell you in consultation with residents of my community, they do not want to be like Americans. We have our own Canadian traditions, customs and values, something that is cherished very highly by the people of this province and my own community.

Remembrance Day is not a holiday. This is a day to commemorate and to remember those that made the sacrifice. It is a day of remembrance for those who sacrificed their youth and in oh so many ways their lives so that we can be free. We have a duty and a responsibility to remember their sacrifices and through Remembrance Day and not just a small window of opportunity that this government is creating through Bill 50. You as a government have failed the trust of the people of Manitoba and for those that have served faithfully our country, our province and our communities. This government, this Filmon government is now intent on sacrificing this memory on the altar of business and money, and I say to you that may you carry the shame to your last day. Thank you, Madam Speaker.

Hon. Vic Toews (Minister of Labour): I am pleased to close debate on this matter, and I just want to add a few comments on the record as well. I listened to the member for Transcona's comments. I do not think they are fair. I do not think they are accurate. I do not think that they in fact reflect the good will that was intended with the passage of these amendments. I listened to the three presenters that gave their views to the committee on the particular night referenced by the member for Transcona, and I might say that the numbers are not important because even though there were only three presenters who made their views known, those were heartfelt presentations. They were sincere presentations. They were presentations that I think, that I know moved the government to create a new framework for the legislation so that the values in fact that that act respects would continue to be respected in the future.

I believe that these amendments will in fact propagate and further protect those values, will respect and honour those individuals who sacrificed life and limb for our country. Indeed, it adds a new focus, a focus on our peacekeeping activities which I consider more and more in a world of war and turmoil that Canada's role is in fact

to be a peacekeeper among nations, and so we want to respect that role as well. And so these amendments specifically incorporate that very important function.

When I review the unanimous report of Judge John Enns in making these recommendations, one does not see these commercial values that the member for Transcona (Mr. Reid) and others have indicated are there. They saw a genuine desire to preserve values. So all of the major veterans organizations in this province, every single major veterans organization in this province supported fully these amendments. They went to each and every local association of veterans and received the approval of the particular board from those veterans throughout this province. They came back and reported that to John Enns, that they had in fact received that report.

Yes, there were representatives from commerce. There was a representative from the Winnipeg Chamber of Commerce, and there was a representative from the Manitoba Chamber of Commerce. In particular, the representative from the Manitoba Chamber of Commerce was a person who, I think, is particularly suited to give some of these recommendations and again unanimously concurred in these recommendations. He is a retired lieutenant-colonel in our forces, so he better than many of us understood the conflict between commerce and the values that he himself as an individual fought to protect.

Not only do we have the veterans organizations, not only do we have the Chambers of Commerce, but we have the Manitoba Federation of Labour, Mr. Mesman coming out and fully supporting this.

* (1550)

So to state that this is simply a commercial ploy is wrong on every count, and it does a great disservice to these individuals on this committee who donated their time in order to preserve and set up a statute that in fact continues to protect these values.

You know, the member for Transcona (Mr. Reid), who continues to interrupt with his own questions when I was polite enough to sit and listen to him, he asks, who asked for these amendments? I can tell you who asked for these amendments. I was a lawyer for this government for 15 years, and I had the honour to serve as counsel for the Department of Labour from 1979 to 1985, and I served

under NDP Ministers of Labour. On every single Remembrance Day the message would come down from those ministers and say, how do we deal with this problem? It is a tremendous problem. How do we protect these values? And you know, I respect those ministers for asking that question as I respect every Minister of Labour who has asked that question basically since this act was passed.

So I say to those NDP Ministers of Labour who asked me, how do we solve this problem, how can we fix this problem, the answer is this: We as a government said to this chairperson, find a committee that best reflects the values of Manitobans and come forward with recommendations that this government can deal with. Madam Speaker, we did that. We did that not only in answer to the questions that the Ministers of Labour of the NDP government asked me, we did it to honour the veterans, we did it to honour the families of those veterans, we did it to honour the people who died and the families who lived with that memory.

So, when the member asks these kinds of frivolous questions, as he is entitled to do, because he has never had to make a decision about things that really matter in respect of government, I can tell you, Madam Speaker, that we in fact took that challenge at the request of all of the Manitobans who have asked this question of government over the past 40 years. We have come up not with our solution but with the solution that the veterans in fact have asked us.

So I am proud to add my comments to these debates, and I thank Madam Speaker.

Point of Order

Mr. Gord Mackintosh (St. Johns): I wonder if the minister would agree to answer a question, particularly as to whether it was Judge Enns who made the recommendation.

Would the minister care to answer that question?

Madam Speaker: Is the honourable minister prepared to answer the question?

Mr. Toews: Yes, I am.

I specifically asked Judge Enns that question, and he felt that he was to going to be in a bit of a free-for-all in that discussion when these issues were raised. You know, he said to me, from the day he walked into that committee, the members of that committee came up with these solutions and his words, it was like a love-in, that these individuals recognized the problems and they, through consensus and discussion, came up with this solution. He said it was the easiest job he had in the sense of directing the committee because no direction was necessary. These people understood the nature of the problem and where it was going.

Mr. Mackintosh: Again, I asked the minister if he would tell the House whether it was Judge Enns who made the recommendation, or was the recommendation made by members of the committee?

Madam Speaker: Order, please. There was agreement for the minister to respond to a question, and unless there is leave now for the member to ask a subsequent question, the honourable member does not have a point of order.

Is there leave to permit the member to ask another question?

Some Honourable Members: No.

Madam Speaker: No. Leave has been denied.

* * *

Madam Speaker: Is the House ready for the question? The question before the House is third reading of Bill 50, The Remembrance Day Amendment Act. Is it the will of the House to adopt the motion?

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Formal Vote

Mr. Reid: Madam Speaker, Yeas and Nays.

Madam Speaker: A recorded vote has been requested. Call in the members.

* (1630)

Madam Speaker: Order, please. The question before the House is third reading Bill 50, The Remembrance Day Amendment Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Cummings, Derkach, Downey, Driedger, Dyck, Enns, Ernst, Filmon, Findlay, Gilleshammer, Helwer, Kowalski, Lamoureux, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.

Nays

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Interlake), Friesen, Gaudry, Hickes, Jennissen, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.

Mr. Clerk (William Remnant): Yeas 32, Nays 22.

Madam Speaker: The motion is accordingly passed.

Bill 17—The Government Essential Services Act

Hon. Jim Ernst (Government House Leader): Madam Speaker, I move, seconded by the Minister of Finance (Mr. Stefanson), (by leave) that Bill 17, The Government Essential Services Act (Loi sur les services gouvernementaux essentiels), be now read a third time and passed.

Motion presented.

Mr. Daryl Reid (Transcona): Madam Speaker, I am pleased to rise to add my comments on third reading of Bill 17, The Government Essential Services Act. This bill is one that was brought in in a very undemocratic fashion by this government and will unilaterally seize powers unto the government without the very serious attempt to conclude negotiated agreements with the government services, with all of the vital services that government employees provide to the citizens of Manitoba, to the residents of Manitoba.

This legislation, while we know that it is important to have protections for life and limb of the residents of the province of Manitoba, we also believe that there is an underlying fundamental principle here to allow those that are going to be so affected to have some say on the conditions under which they are required to work. That is why I believe it is fundamentally important to have government participate, but through negotiations, to have an agreement concluded that will declare which services need to be covered under an essential services agreement, which sectors of those services would be covered under those agreements and, more importantly, to ensure that the people that are affected have some say and that it is not just government imposing their will on those people.

Yes, it is important to recognize that life and limb are essential to be protected but some of the areas that government have as part of this legislation go way beyond that. They wish to protect certain functions within government which also may be important, but if we listen to the words of the committee presenters that came before the committee dealing with Bill 17 we heard that the government is going way beyond.

I want to reference one particular presenter that commented that this government will bring under this essential services agreement a health care facility in the province. That is an example that was used that this government will require all of the services of that particular facility, hypothetically, to be covered under essential services.

So we have to question why a groundskeeper, which was the example that was used for a particular facility, should be required to be covered under essential services. Is it important to cut the grass during a strike or lockout?

That was the question that was left by that presenter for the committee. I think it was a valid question, because the government proposes through this legislation not only to serve notice on the unions setting out the classification of the employees that are affected, it also names the number of employees in each classification, and it even goes into the finite detail of naming the particular individuals that they want to have as part of the essential services and for which those people would be required under the law, should this pass, to come into work.

Now, where you have several employees that are involved in a particular classification of service, it seems to be unreasonable that where a minimum level of service could be met with less than the full complement of people who would be in that classification, I do not see why the government needs to have the power to name specifically individual employees under Manitoba government services.

Madam Speaker, as I indicated, this is a unilateral imposition of essential services provisions upon the government employees of the province of Manitoba. This is an undemocratic way to deal with this situation. We know that this government brought forward this particular piece of legislation four days prior to the strike by the home care workers of this province. The government made no serious attempt to sit down and negotiate an agreement and here we are again looking at a situation where the government is going to impose their will.

* (1640)

Now, one of the things that the Minister of Labour (Mr. Toews) attempted to do is to use the out-of-scope provisions when he talked in committee about bringing in health care sectors under this particular agreement. Now, one does not know I guess if the minister was bluffing or not, but he followed on the heels of the presentation that was made by the Manitoba Health Organizations. Now, we know that the Manitoba Health Organizations is a signatory too, a voluntary essential services agreement with health care facilities employees. We think that is a relatively good model. It should be followed, and we suggest to the government that that can be the model that they can utilize in their negotiations.

Now, we know that the Manitoba Health Services said that they wanted to include health care services under the

essential services and that while they were somewhat critical of that voluntary agreement, they said that this legislation, from the correspondence that we have in our possession, is wrong.

Madam Speaker, what was asked in the committee is that where there are negotiated agreements, essential services agreements between the government and its union, that the agreements would supersede this legislation. The minister did not agree to that.

Presenters in the committee asked for a quicker adjudication on some of the issues that may have to be referred to the Labour Board to be dealt with and the only thing that the minister is going to allow through this legislation to be dealt with is an order confirming or varying the number of employees that the government determines. No other matter is going to be allowed, from my understanding of this legislation, to allow the board to deal with.

One of the issues that we raised with the minister, and he gave us his assurances in committee, and we are going to hold him to that, because we raised the matter that in this legislation it says that an employee cannot participate in any activities relating to the strike or lockout. It deals with Section 12, and I will quote: "No essential services employee shall participate in a work stoppage against the employer."

Now, to me that is pretty wide in scope. What we suggested to the minister by way of amendment, and we tabled 11 amendments on this piece of legislation, none of which this government accepted, what we suggested to the government was that perhaps they should look at only limiting those essential services and the employees so affected and covered under that to be required to adhere to this legislation only during the hours at which they are at work, which seemed to be reasonable limitations.

Now, the minister gave us his assurances, and I am going to put it on the record here again today, that no employee that is required to work under this essential services agreement will be required to adhere to the very finite detail that he has set out here in their own personal hours, because I think it is important that we do not as legislators infringe upon the free time of individuals and their own personal lives away from their work. If they choose to participate in their union's activities in their

own hours, that is a right that they have, and I do not think that this legislation should infringe upon that, and the minister gave us his word in committee that that would not occur.

Madam Speaker, one of the other clauses that we took exception to in the legislation, and we brought in an amendment in that regard, we wanted to delete the definition on temporary terms and conditions, and we also wanted to delete the clause or amend the clause, I should say, dealing with pay and benefits, Section 9, because it says: "Notwithstanding any other Act or law or any provisions of the last collective agreement, the pay and benefits of employee who must work as a result of the operation of this Act shall be in accordance with the temporary terms and conditions until the day on which a new or amended collective agreement comes into effect."

So what I interpreted that to mean was that the government was going to set the temporary terms and conditions of the pay and benefits which an employee would be entitled to receive, having been required first to be part of the essential services. The minister assured us in committee that that would not be the case, and we are going to hold him to his word on that.

The minister indicated, and I will paraphrase here, that the employees will continue to be compensated, paid and have entitlement to the benefits under the existing collective agreement which would have expired until it is superseded by a new agreement, and we are going to hold the minister to his word on that.

We know that essential services to protect the life and limb of Manitobans is important, but we had hoped that this government would be able to do it through negotiations and not do it in a unilateral way. The minister has indicated to us in committee that he proposes to have a 90-day window of opportunity for the parties to negotiate prior to a strike or lockout. I would hope that this government would commence negotiations in a very earnest and sincere way with its government employees representatives, with the MGEU, and strike an essential services agreement for all of the sectors that the parties can agree on that are essential to provide for the maintenance and protection of life and limb of Manitobans.

If the government and its union representatives, the MGEU, conclude that there are other areas that need to

be included and protected for Manitobans who have invested in these areas then I think that is something that should also be negotiated, and I hope the government, because the best time to negotiate agreements is in the interim period where we are not into the negotiation phase for a contract that is about to expire or has expired, because you will have, I believe, rational thought and rational minds coming to the table on how to best conclude an agreement. So we hope that this government will take the necessary steps in a very sincere and earnest way to negotiate these agreements and that this government will not impose this legislation.

But I can tell you that there are many sectors in here that we wish had been negotiated and that the government had not had need to take this unilateral action. To wait for the last four days prior to a strike, when the government already knows that the decisions had been made and then attempt to strike a negotiating team in an effort to delay any strike action or any decisions that had been made by the employees, by the members of the union, I think, was wrong. The government should have known ahead of time, and I am sure they did know ahead of time that negotiations were about to commence, because notice has to be served by one party on the other.

So, Madam Speaker, this legislation, we think at this time, is wrong. We would conclude that the government can follow the examples that we have under the voluntary essential services agreement for health care facilities in the province and we ask this government to reconsider and to go back and negotiate those and do not wait, do not wait until that 90-day window prior to the end of the agreements. Show the good faith now, go out and negotiate those agreements so that we can protect the investments that Manitobans have made and to protect the life and limb of Manitobans for the future.

Madam Speaker, we ask the government once again, as we did in committee and as we did on second reading, to withdraw this legislation now so that there is not some hammer hanging over the heads of the government employees, that the employees know that this government will use on them even if the government bargains in bad faith. The employees know that this government will still hold that hammer, and that is why we want this government to withdraw the legislation so that the decisions that are made are not made under duress and

not made under threat of some other action being taken by one party to the negotiations.

Madam Speaker, with those few words, I conclude my remarks.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I, too, would like to put on the record our party's position.

We in essence believe The Government Essential Services Act is one of confrontation and a regressive piece of labour legislation and feel that it is in the public's best interest to have the Liberal Party vote against it.

We believe and continue to believe that Manitoba needs essential service legislation, but good labour legislation must strike a balance between the rights of workers and the needs of management, in this case the government. This legislation does neither and goes too far in tipping the balance away from the collective bargaining rights.

* (1650)

The minister has defended this bill by noting the strike of home care in nursing homes prove that such legislation is needed, but these strikes were not caused by union bosses or disgruntled workers. These strikes were a response to this government's rush towards privatization of home care services. The minister also points out that the legislation follows similar essential service legislation in Ontario under the NDP government. What he failed to mention is that the Ontario legislation lists actual positions while this act only lists the department. The employer can also change the number of essential service workers in mid-strike. If the employer, it seems, does not want to strike he can designate his whole department as essential service workers. It is an attack on unions and their right to strike. This bill gives too much power to the minister and the government. In a strike the government will say who and how many will work. It forces confrontations and takes rights away and not just from unions but Manitobans. The designation of essential services must be negotiated with unions and not dictated.

Madam Speaker, as indicated earlier, the importance of essential services in ensuring that those essential services are being provided to Manitobans is absolutely critical

and important to me and to my colleagues in the party. That is one of the reasons why, for example, when we had the doctors strike we brought in and were prepared to bring in back-to-work legislation given that it was in our emergency wards. We recognize the importance of serving Manitobans as a whole. We are just disappointed in the way in which the government has chosen to do that through the structuring of Bill 17. With those few words I will leave it at that.

Hon. Vic Toews (Minister of Labour): Madam Speaker, I am pleased to rise and close debate in respect to this matter but, before I do so, I wish to add some comments. I wish to state that this bill guarantees that the sick and the vulnerable who rely on essential government services will not be deprived of those services during a work stoppage. This bill certainly does not preclude voluntary agreements, and indeed the government has commenced discussions with the trade unions to enter into such voluntary agreements. The legislation does not place any 90-day window into the agreements or as a precondition for the operation of the legislation. Those agreements can be entered into at any time, and indeed I might point out that during this summer the MGEU refused to enter into any agreement in respect of the mainline government departments or the home care workers.

Now, this particular bill does not include the health care sector. I heard representations from the Manitoba Health Organizations as well as the Tache nursing home who wanted the extension of this particular bill to their sector. Since those amendments were out of scope without the unanimous consent of the committee members, that could not be accommodated. Although the government was willing to accommodate that, other members were not.

The MGEU agreed in its presentation that the legislation should apply if no voluntary agreements are arrived at, and so we agree with that. When the member states that we stated that the voluntary agreement should not supersede the legislation, he is wrong. We in fact stated specifically that if there is a voluntary agreement, we would prefer that the legislation not apply and indeed that is the direction of this government.

So to the extent that this legislation protects essential services, the vulnerable of Manitoba are protected. We

will continue to work with the union to get agreements in the health care sector, but as indicated from the Manitoba Health Organizations position, the umbrella agreement referred to by the member for Transcona (Mr. Reid) has failed. Indeed, that was why no agreements can be reached in the health care sector.

It is not my intention at this time to go on any longer, but I would state for the record very clearly that if voluntary agreements cannot be achieved, I would recommend to members of the government and members of this House that we introduce legislation that would extend the legislation to the health care sector and, yes, voluntary agreements I see in that context would continue to supersede the legislation but, in the absence of voluntary agreements, the legislation should apply.

Therefore, I am very proud to be involved in this particular piece of legislation. I will look forward to working with the trade union in achieving a fair agreement in that respect, but the sick and the vulnerable in Manitoba can be assured that insofar as this essential services agreement deals with government services, those essential services will be protected in the event of a work stoppage. Thank you, Madam Speaker.

Madam Speaker: Is the House ready for the question?

The question before the House is third reading, Bill 17, The Government Essential Services Act. Is the will of the House to adopt the motion?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Formal Vote

An Honourable Member: A recorded vote, Madam Speaker.

Madam Speaker: A recorded vote has been requested. Call in the members.

The question before the House is third reading of Bill 17, The Government Essential Services Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Cummings, Derkach, Downey, Driedger, Dyck, Enns, Ernst, Filmon, Findlay, Gilleshammer, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.

Nays

Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Hickes, Jennissen, Kowalski, Lamoureux, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.

Mr. Clerk (William Remnant): Yeas 30, Nays 25.

Madam Speaker: The motion is accordingly carried.

Bill 55—The Financial Administration and Consequential Amendments Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Finance (Mr. Stefanson), (by leave) that Bill 55, The Financial Administration and Consequential Amendments Act (Loi concernant la gestion des finances publiques et apportant des modifications corrélatives), be now read a third time and passed.

Motion agreed to.

Bill 57—The Public Sector Compensation Disclosure Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Finance (Mr. Stefanson), (by leave) that Bill 57, The Public Sector Compensation Disclosure Act (Loi sur la divulgation de la rémunération dans le secteur public), be now read a third time and passed.

Motion presented.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, very briefly, this bill will force the disclosure of the names of all public service sector workers who receive more than \$50,000 in salary. Universities, Crown corporations, hospitals, school boards and colleges are also covered. Legal aid services and health insurance services are also covered.

This bill follows a similar path taken by the Harris government in Ontario. The only difference, it seems, is that the Premier (Mr. Filmon) here is trying to outdo Mr. Harris. Whereas the Ontario limit was \$100,000, Manitoba has a \$50,000 limit. In Ontario the only other major fallout from this bill was a lot of shocked professors who realized their colleagues were getting paid more than they were. Will this bill have a great impact on Manitobans? We believe not really. It will cause a lot of hubbub when the list is first published, but once the shock is over, not much will change.

* (1720)

Madam Speaker: Is the House ready for the question? The question before the House is third reading, Bill 57, The Public Sector Compensation Disclosure Act.

Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

Bill 31—The Livestock Industry Diversification and Consequential Amendments Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Agriculture (Mr.

Enns), (by leave) that Bill 31, The Livestock Industry Diversification and Consequential Amendments Act (Loi concernant la diversification de l'industrie du bétail et apportant des modifications corrélatives), be now read a third time and passed.

Motion agreed to.

Bill 58—The Parental Responsibility Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Justice (Mrs. Vodrey), (by leave) that Bill 58, The Parental Responsibility Act (Loi sur la responsabilité parentale), be now read a third time and passed.

Motion agreed to.

Bill 59—The Powers of Attorney and Mental Health Amendment Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Health (Mr. McCrae), (by leave) that Bill 59, The Powers of Attorney and Mental Health Amendment Act (Loi concernant les procurations et modifiant la Loi sur la santé mentale), be now read a third time and passed.

Motion agreed to.

Bill 61—The Statute Law Amendment Act, 1996

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Justice (Mrs. Vodrey), (by leave) that Bill 61, The Statute Law Amendment Act, 1996 (Loi de 1996 modifiant diverses dispositions législatives), be now read a third time and passed.

Motion agreed to.

Bill 75—The Commodity Futures Act

Hon. Jim Ernst (Minister of Consumer and Corporate Affairs): I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), (by leave) that Bill 75, The Commodity Futures Act (Loi sur les contrats à terme), be now read a third time and passed.

Motion agreed to.

**Bill 76—The Gaming Control
and Consequential Amendments Act**

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Rural Development (Mr. Derkach), (by leave) that Bill 76, The Gaming Control and Consequential Amendments Act (Loi sur la Commission de régie du jeu et apportant des modifications corrélatives), be now read a third time and passed.

Madam Speaker: It has been moved by the honourable government House leader, seconded by the honourable Minister of Rural Development, that Bill 76, The Gaming Control and Consequential Amendments Act, be now read a third time and passed. Agreed?

Some Honourable Members: No.

Madam Speaker: No?

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

An Honourable Member: On division, Madam Speaker.

Madam Speaker: On division.

**Bill 73—The Construction Industry
Wages Amendment Act**

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Labour (Mr. Toews), (by leave) that Bill 73, The Construction Industry Wages Amendment Act (Loi modifiant la loi sur les salaires dans l'industrie de la construction), be now read a third time and passed.

Motion presented.

Mr. Daryl Reid (Transcona): I want to add just a few brief comments to Bill 73, The Construction Industry Wages Amendment Act.

Madam Speaker, we listened to many of the presenters that came to that particular committee just a few nights ago. One of the common themes that we heard at that committee is that there was a lack of enforcement will on the part of the Department of Labour. That was the theme that was common between the labour representatives who came to that committee and the business representatives. They had a united position in that there were problems with enforcement. It created an unfair or an unlevel playing field in the business community for which the business community felt that there needed to be some changes made and that this legislation did not address those concerns.

We attempted to introduce several amendments to that bill and the government chose not to accept any of the amendments but one. One of the things that we tried to impress upon the government and the Minister of Labour (Mr. Toews) was the fact that there needed to be a clear definition of journey person in the legislation and that we had proposed certain wording that would facilitate clarification of those who are acting or working as journeymen. We wanted to ensure that those who were working in that capacity held trade certificates of proficiency from an authority that was responsible for issuing such certificates, but we also wanted to ensure that those who are working in those particular trades for a long period of time were recognized for their skills that they had acquired over a great number of years.

We had also asked because one of the themes that we heard from public presentations on Bill 73, that members of the industry, both business and labour, indicated that there were problems in the construction industry where apprentices were being utilized as subcontractors and were paid as such. That was a problem that continues to exist because the government did not accept the amendments and will continue to exist for some time until that is corrected.

What we wanted to ensure is that where people were hired into the construction industry that they would be paid and trained according to the apprenticeship

programs that we would want to see for our young people in this province and not to be paid as subcontractors so some particular company in the province could avoid paying what is legally required by way of Workers Compensation premiums, Unemployment Insurance and Canada Pension Plan. We wanted to make sure that these people are treated in a fair and reasonable way. This legislation, because the government did not accept the amendments, will not address that problem and we will continue to see young people of our province, working people of our province who need to be trained that are paid as subcontractors, people who are breaking—because people want to circumvent The Construction Industry Wages Act.

One of the other themes that we raised in the committee and with this government on second reading was the undemocratic nature of this piece of legislation, which is a common theme of this Minister of Labour and this government. We have seen this government change the three wages boards, the heavy construction, the Winnipeg building construction and the rural wages boards, now move to a position where only the minister can determine if and when those boards should meet and make recommendations back to the minister. The minister says in committee, yes, they can meet voluntarily, but he has no obligation to those boards and there is no political will behind those boards to ensure that the problems that are brought forward by members of the construction industry are dealt with.

Madam Speaker, there are several other areas that cause us concern because the government now, through regulation, is going to define several sectors affecting the construction industry which will include also the definition of Winnipeg. The minister accepted changes in the fine structure, which we are thankful for but, overall, this piece of legislation will not go in any direction to level the playing field or the problems that are out there in the construction industry and we hope this government will recognize that they are on the wrong track. For that, due to the undemocratic nature of this bill, we cannot support it.

Madam Speaker: Is the House ready for the question? The question before the House is third reading, Bill 73, The Construction Industry Wages Amendment Act.

Is it the will of the House to adopt the motion?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Mr. Reid: On division.

Madam Speaker: On division.

* * *

Madam Speaker: Third reading, Bill 68.

Mr. Ernst: Madam Speaker, I wonder if there might be leave of the House to not see the clock until 6 p.m.

Madam Speaker: Is there leave of the House not to see the clock until 6 p.m.? [agreed]

* (1730)

Bill 68—The Farm Lands Ownership Amendment, Real Property Amendment and Registry Amendment Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Agriculture (Mr. Enns), (by leave) that Bill 68, The Farm Lands Ownership Amendment, Real Property Amendment and Registry Amendment Act (Loi modifiant la Loi sur la propriété agricole, la Loi sur les biens réels et la Loi sur l'enregistrement foncier), be now read a third time and passed.

Motion presented.

Ms. Rosann Wowchuk (Swan River): Madam Speaker, I want to take this opportunity to put a few comments on the record with regard to this bill, and as we indicated earlier, we cannot support this bill, and we are disappointed that the government would be moving forward with this legislation because the original legislation that was brought in, the farm land protection act, was brought in to protect land for Manitoba farmers, and this is not restricting other people from buying land, but it is the farm land that is being protected.

There is the ability under the existing act to make exemptions by making application to the Farm Lands Ownership Board and, Madam Speaker, when we look at the activities of the Farm Lands Ownership Board, you wonder why this government is making these changes, because under the existing legislation, since this government has taken power, they have been very liberal, and in fact very few applications, in fact no applications from Canadians have been rejected, so why do you have to change the legislation? If you look at the applications from foreigners which is about 10 percent of the applicants, very few, somewhere between zero and 5 percent of those applications are being rejected.

So there is a board that reviews the applications, and there is the ability to let foreigners and people from out of province purchase land in this province. However, under the existing legislation we can protect farm lands for Manitobans, and the reason the legislation was brought in was to control people who wanted to speculate on land. There was a concern when the legislation was brought in that large tracts of land were being bought up by foreigners and, Madam Speaker, the way this government is operating, we see that that is happening now. As I indicated earlier on, we see good examples of it in areas where we have large sections of land purchased by foreigners and then rented back.

These exemptions have resulted in young farmers who want to purchase land and expand their operations locally not being able to do so because these people who have bought up the land that I am concerned about are people from the United States. They are not living in Canada, but the profits from that land are leaving our country. They are going out.

So if other Canadians want to buy land in this province, they have the ability to do so. There is no need

to change this legislation, and I have to say, Madam Speaker, that we have raised serious concerns, have serious concerns about what the government's intention is here when they changed the people who are eligible to purchase land. I have raised this question with the Minister of Agriculture (Mr. Enns). The Minister of Agriculture has talked about the desire of this government to expand the hog industry, and I think that Manitobans expanded the hog industry when the markets were there, and they will do so again.

But is it this government's intention to open the ownership of land so that foreigners can come in, invest and bring their operations into this province? We know that there are very serious problems with the hog industry in the Netherlands, and those people are trying to move their hog producers into another country. Is this the door opening? Is it this government's intention to change this legislation so that foreigners can come in and set up their operations in the hog industry at the price of Manitoba farmers who could expand their operations if there was a need for growth?

The other concern that has been raised is a concern that a constituent of mine raised, and I think it is a legitimate concern. Is this the opportunity for foreigners also to buy tracts of land in Manitoba and then have opportunity to the elk that this government has said that they are going to protect for Manitoba farmers?

As I say, Madam Speaker, we cannot support this government's legislation because the original legislation that was brought in was brought in for a very specific purpose. The farm land protection act was brought in to ensure that the tracts of land in Manitoba were not bought up by land speculators, as we have seen. It was brought in to ensure that Manitoba farmers who wanted to expand their operations would have the ability to do so without having to compete with foreign money.

There is the ability to allow for other Canadians, other than Manitobans, to purchase land; there is by making exemptions through the Farm Lands Ownership Board. The Farm Lands Ownership Board, under the previous government, did make exemptions but not nearly as liberal as this government has been. There have been very few exemptions—applications that have been denied. So if the government wants other people from out of country and out of province to buy land, they have the ability to do so without changing this legislation.

So, Madam Speaker, we cannot support this legislation.

Madam Speaker: Is the House ready for the question?

The question before the House is third reading, Bill 68, The Farm Lands Ownership Amendment, Real Property Amendment and Registry Amendment Act. Is the will of the House to adopt the motion?

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Ms. Wowchuk: On division, Madam Speaker.

Madam Speaker: On division.

Bill 10—The Pharmaceutical Amendment Act

Hon. Jim Ernst (Government House Leader): Madam Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 10, The Pharmaceutical Amendment Act (Loi modifiant la Loi sur les pharmacies), be now read a third time and passed.

Madam Speaker: It has been moved by the honourable government House leader (Mr. Ernst), seconded by the honourable Minister of Environment (Mr. Cummings), that Bill 10, The Pharmaceutical Amendment Act (Loi modifiant la Loi sur les pharmacies), be now read a third time and passed. Agreed?

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Mr. Dave Chomiak (Kildonan): Madam Speaker, on division.

Madam Speaker: On division.

Bill 12—The Barbers Repeal and Hairdressers Repeal Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Education (Mrs. McIntosh), that Bill 12, The Barbers Repeal and Hairdressers Repeal Act (Loi abrogeant la Loi sur les coiffeurs et la Loi sur les coiffeurs pour dames), be now read a third time and passed.

Madam Speaker: It has been moved by the honourable government House leader (Mr. Ernst), seconded by the honourable Minister of Education (Mrs. McIntosh), that Bill 12, The Barbers Repeal and Hairdressers Repeal Act (Loi abrogeant la Loi sur les coiffeurs et la Loi sur les coiffeurs pour dames), be now read a third time and passed. Agreed?

Some Honourable Members: Yes.

Some Honourable Members: No.

Madam Speaker: No?

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Mr. Dave Chomiak (Kildonan): On division.

Madam Speaker: On division.

Bill 66—The Boxing and Wrestling Commission Amendment Act

Hon. Jim Ernst (Minister charged with the administration of The Boxing and Wrestling Commission Act): I move, seconded by the Minister of Culture, Heritage and Citizenship (Mr. Gilleshammer), that Bill 66, The Boxing and Wrestling Commission Amendment Act (Loi modifiant la Loi sur la Commission de la boxe et de la lutte), be now read a third time and passed.

Madam Speaker: It has been moved by the honourable government House leader, seconded by the honourable Minister of Culture, Heritage and Citizenship (Mr. Gilleshammer), that Bill 66, the Boxing and Wrestling Commission Amendment Act, be now read a third time and passed. Agreed?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Dave Chomiak (Kildonan): On division.

Madam Speaker: On division.

Bill 48—The University of Manitoba Amendment Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Education (Mrs. McIntosh), that Bill 48, The University of Manitoba Amendment Act (Loi modifiant la Loi sur l'Université du Manitoba), be now read a third time and passed.

Motion presented.

* (1740)

Mr. Gary Kowalski (The Maples): Madam Speaker, I stand yet again to indicate that the Liberals of this House cannot support this type of regressive legislation. Bill 48, The University of Manitoba Amendment Act, is typical of this government's legislative initiatives in this session. By amending The University of Manitoba Act, the government argues that this will increase student representation on the University of Manitoba's Board of Governors. It will, but only in a limited and totally unacceptable way. In fact, the only thing this bill will do for sure is create a new breed of tiny Tories.

This bill provides for student representation but for only a one-year duration. Without a three-year term similar to regular members these students will get lost or intimidated by more senior board members. These student members are also appointed to this position. They will not be elected. It appears to be a system that is remarkably like the public health boards that are full of Tory appointments, only in this case it will be the sons and daughters of prominent Conservatives who will find themselves filling these positions.

I do not believe they will be there to represent necessarily the interests of their fellow students. These Conservatives will represent the interests of this government and, long-term, the interests of the Conservative Party. Given this government's attitudes towards education, it will not help, it will hurt. Liberals cannot support this legislation.

Ms. Diane McGifford (Osborne): Madam Speaker, I hoped to have the opportunity to speak at length on this bill, but, since we are anxious to co-operate with government members, I will curtail my remarks.

I wanted to say that it was more than 20 years ago that Chief Justice Samuel Freedman, who was then chancellor of the university, wrote to all universities in the English-speaking world to enquire as to the numbers of faculty representation on their boards. The results are very interesting. First of all, he found that many universities in the English-speaking world are entirely run by faculty members and, secondly, he found that only universities in

North America did not have faculty representation on their boards.

Through his efforts the University of Manitoba Board of Governors elected six faculty representatives from the senate to sit on the board of governors and to create a line between the administrative and financial concerns of the university in the hands of the boards of governors, and the senate, which is responsible for academic business. During the presentations on Bill 48, the President of the University of Manitoba, Dr. Szathmary, the senate, the faculty and students—even students, although there was a little bit, the students did not quite take a position on how many faculty people should be on the board—all agreed that we should have six student representatives. All the others, except the students who did not disagree, they had no position on faculty members, agreed that there should be six faculty members on the board of governors.

I regret that the minister has refused this expert advice. The serious results will be disenchanting and depressed faculty members, just as teachers in this province now carry that burden. Secondly, it may well be that the board of governors will be out of touch with the ability to make decisions when it comes to affairs related to academic business. I think this is regrettable. It will not be in the interests of our university or post-secondary education in the province of Manitoba. Thank you.

Mr. Gary Doer (Leader of the Opposition): I too would like to speak to this bill. During the committee hearings and during the presentations before the legislative committee, I asked some very specific questions of whether the government had a legal opinion to deal with the specific area of retirement and mandatory retirement for a particular institution as opposed to an occupational group.

I do not know whether the Minister of Education (Mrs. McIntosh) has received a legal opinion on this matter or sought a legal opinion on this matter or cares about a legal opinion on this matter, but it is—besides the comments made by the member for Osborne (Ms. McGifford) and other members, the member for The Maples (Mr. Kowalski), on this bill, I think that my reading of some of the court decisions dealing with occupational relationship, the Charter of Rights, the Human Rights Code, tells me that it is very, very risky to go beyond an occupational group which may have

reasonable grounds to negotiate a mandatory retirement age that supersedes The Manitoba Human Rights Act and may supersede the intent of the Charter of Rights when you have it specific to one institution, the University of Manitoba because, at that point, you are being very selective of how you are going to use The Manitoba Human Rights Act, and you are being very selective of how this will apply to court decisions that the Supreme Court has dealt with in the Charter of Rights at retirement age.

I do not think this Legislature should pass legislation that may be ruled illegal by future decisions in the courts. I think this Legislature should try to pass laws that will not be ruled out of order or illegal or ultra vires. I am not sure, in listening to the presentations on this bill, that the Minister of Education has a legal opinion on this matter. They have other legal opinions about occupational groups that have been before the Supreme Court, but to have a specific occupational group within a specific university and to ask this Legislature to override or exempt that facility from the Human Rights Code, I think this minister should have a legal opinion. [interjection]

The minister has just said that she has a legal opinion. I would ask the minister to table the legal opinion. That is all I asked in committee. This is not a difficult issue. I just asked a simple couple of questions in committee.

If the minister has just said, of course, I have a legal opinion on this matter, I would ask the minister to table it because I think that you are asking the Legislature to exempt people from the Human Rights Code, and exempting people from the Human Rights Code is a very serious matter. It is not something you just do on a whimsical basis; you do it, I think, on the basis of both principle and legal opinions. So I would ask that the Minister of Education (Mrs. McIntosh) table the legal opinion and provide it to this House.

I hope she can address this issue as she closes debate on third reading, but I certainly hope that she can table this legal opinion forthwith prior to the vote of this Legislature on this important matter.

We obviously recognize and support the issue of free collective bargaining for occupational groups, but I think that this bill that is germane only to the University of

Manitoba should have a specific legal opinion to it. Thank you very much, Madam Speaker.

Madam Speaker: Is the House ready for the question? The question before the House is third reading Bill 48. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Mr. Dave Chomiak (Kildonan): On division, Madam Speaker.

Madam Speaker: On division.

House Business

Hon. Jim Ernst (Government House Leader): Madam Speaker, the committee considering Bill 67, Public Utilities and Natural Resources, has requested leave of the House to sit until 6:30 p.m. Is there agreement for the committee to extend the hours?

Madam Speaker: Is there leave of the House to sit until 6:30 p.m.?

Some Honourable Members: Leave.

Madam Speaker: Leave. Leave has been granted.

Mr. Ernst: I wonder, Madam Speaker, if there might be leave of the House to not see the clock until 6:45 p.m.

Madam Speaker: Is there leave of the House to not see the clock until 6:45?

Some Honourable Members: Agreed.

Madam Speaker: Agreed.

* (1750)

Bill 38—The Health Services Insurance Amendment Act (2)

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Natural Resources (Mr. Driedger), that Bill 38, The Health Services Insurance Amendment Act (2) (Loi no 2 modifiant la Loi sur l'assurance-maladie), be now read a third time and passed.

Motion presented.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, if I could request leave, if it is necessary, in order to speak on it.

An Honourable Member: Go ahead.

Mr. Lamoureux: Madam Speaker, this legislation gives the Minister of Health (Mr. McCrae) the discretion to decide if a person resident in the province under a ministerial immigration permit qualifies as a resident and is eligible for insured benefits provided by Manitoba Health. Manitoba Health considers some people presently in the province under ministerial permits but do not qualify, that are not qualified, as residents. I know in the past that this has been a fairly significant issue in particular, obviously, within the immigrant community, and we are hoping that this particular aspect of the legislation is in fact going to contribute in a positive way in terms of ensuring that immigrants' interests are in fact going to be taken care of.

The bill also ensured confidentiality of records copied by inspectors investigating claims submitted by physicians, which is something that is necessary. The bill also transfers authority to the Minister of Health from the L-G-in-Council to make regulations respecting physician fees. I am not completely convinced that this is the need for this particular change, but we will acknowledge it and we will have to wait and see. From what we understand, the bill also clarifies provisions respecting the tying of per diem personal care charges to income. Again, it does raise some concerns from within

our caucus. With those few words, we are prepared to let the bill come to a vote.

Mr. Dave Chomiak (Kildonan): Madam Speaker, we indicated in the various stages of this bill as well as at committee that we have some difficulty with this particular bill. As I indicated in my previous discussion, part of the difficulty with omnibus legislation is the fact that there are some good pieces here and some bad pieces here, and it is very difficult for us to divide our votes. We obviously have to vote in favour of the entire bill or portions of the bill that we are in agreement with, we cannot vote in favour of. With respect to this bill, there is enough negative in this bill for us to withhold support to the government on this bill.

We had indicated at first and second reading as well as committee stage that we were quite concerned about the aspects of the medical residency for individuals receiving medicare if they are nonresidents in Manitoba. The minister gave us assurances at committee that this was not designed to be exclusionary but in fact was to be inclusionary. At committee, we had a debate and I still cannot concur, I do not disbelieve the minister and I believe his sentiments, but the reading of the legislation would be to the effect that it would be more exclusionary than inclusionary with respect to individuals who are resident in Canada who are here on ministerial permits to permit them to receive medicare.

Secondly, Madam Speaker, we are very concerned about the continuing erosion of public accountability in this government, not just in the health care field but overall, and it certainly is apparent in this bill. For in this bill we see the power for the minister to negotiate and the power for the minister to deal with doctors' fees personally, executive power outside of Order-in-Council, outside of the purview of this Chamber.

What the minister has done is provide himself or herself with the ability to negotiate in secret. If there is one thing that we see too much of by this government, particularly in the area of health care, it is secretive negotiations, it is secretive agenda, it is excluding the public from participation and, in fact, their health care system. So we cannot support that provision of the bill.

Further, we see in the bill an attempt to retroactively make legal illegal payments that have been imposed on

residents of personal care homes by this government. They got it wrong, Madam Speaker. They imposed increases in payments, they did not have the legislative authority to do it, and they are coming back now to us three years after the fact and trying to get retroactive authority to approve the massive increases to personal care home residents that they have imposed. I think that is inappropriate, and we raised that at the committee.

The minister argued not only in debate but at committee that this was a technicality. It is not a technicality when you impose a charge, what in effect is a tax on residents of Manitoba. You do not have the authority to do it, and then you come back to this Chamber two or three years after the fact and you attempt to oppose it retroactively. How can we as legislators in this province, as individuals charged with the responsibility of dealing with taxation and dealing with the expenditure of—certainly, in the health care field—\$1.8 billion approve of a measure that has the government retroactively increasing the rates to personal care home residents? Those rate increases have been significant.

For example, ever since the government imposed these user-fee increases on the residents of personal care homes, the government proportion, that is, the payment that the government makes to personal care homes for residents, has gone down. We have not even achieved the levels of 1992-93 to personal care homes that the government did and what they have done is they have imposed a user fee on the residents who are making up the difference. Further, we are seeing a freeze on capital, particularly those homes that are publicly run and operated, nonprofitably, I should say more correctly, run and operated. We are seeing a freeze on capital. We are seeing an inability for improvements to be made all at the same time while the government is retroactively literally doubling the rates to nursing home residents.

So it makes it very, very difficult for members on this side of the House to agree to the passage of this kind of legislation. Even if we accepted the fact that the provision dealing with the residents' or nonresidents' application of medicare for those residents who have a ministerial permit, even if we accept the minister's word—and I accept the minister's word—we still cannot agree to this legislation, because the wording of the legislation appears to exclude and not include. We have had personal experience with individuals who have been

in this situation where they require medicare, because they are on a ministerial permit and they have been in a situation where they are unable to obtain that. So we cannot agree with that provision of the amendment.

With respect to the provision dealing with the negotiations of doctors' fees, this is an expenditure of \$230 million every year. The minister is saying, I will now have the right to negotiate \$230 million of expenditure, a quarter of a billion dollars, by myself, with the Manitoba Medical Association; and you, Legislature, are excluded because that is what we are doing with this bill. We are allowing the minister to make regulations, we are allowing the minister to make deals, to make contracts to deal with this and excluding us in the Legislature. Now an argument may be made—I may be thwarted by members opposite—but in fact in approving the budgetary process when we overall approve the particularly expenditure items dealing with each item that we in effect make that calculation and that is correct. We will determine the total that is paid, but the details will be now in the hands of the minister and only the minister.

* (1800)

We have stated over and over and over again not just in this Chamber but in a myriad of legislation that we have seen in this Chamber, even this session, that the government is running like it is an executive office. It is resting power in the hands of the minister or the cabinet and that is not how the parliamentary system works. We were elected to this Chamber to represent our interests and have an opportunity to express our viewpoints and our opinions on these matters and to vote on these matters, and these matters have been taken, by bills like this, out of our hands and put into the hands of the minister and allowing the minister the executive power to make these decisions.

Madam Speaker, if you talk to health economists and if you talk to individuals involved in the health care system, they will tell you that. In fact, if you look to the government's 1992 blue book, the plan, the Don Orchard plan, the plan that has never been implemented, if you look at the issue of dealing with medical services and dealing with doctors' fees is identified as one of the major areas requiring reform, some form of reform, I have a very obvious opinion on how this government's reform is proceeding. But that very document recognizes that this

is one of the major areas requiring consultation and requiring action.

But by taking the ability from this Chamber and putting it into the hands of the minister and allowing the minister the executive power to deal with this issue only on his or her own is a step that we cannot support. We simply cannot support a provision that furthers the move towards executive control by this government. So for those obvious reasons, it makes it very difficult for members on this side of the House to concur or to agree with this piece of legislation.

I want to return briefly to the issue of the personal care home per diem increases. I suppose there is nothing that symbolizes more this government's treatment of health care than what they have done in personal care homes.

What we have seen since 1992-93, when the government unilaterally doubled the maximum rate and in some cases forced people into poverty—in fact the member for Brandon East (Mr. Evans) had situations where people actually were forced to go onto social assistance because of the effect of the rate increases, but what the government has done since 1992-93 is reduce funding to personal care homes. They have absolutely reduced funding to personal care homes.

The member for Niakwa (Mr. Reimer) is shaking his head. If the member for Niakwa would check the Estimates of this Chamber, he will see that the figure has gone down. But what has happened is these increases, these user fees that have been put onto the residents of personal care homes, have doubled. Since then, in fact, they have gone up even more. The residents are now paying a larger portion. They are paying \$90 million a year.

It has always been accepted practice in this province—
[interjection]

It is a tax. It is another example that members opposite often claim they have not made any tax increases. Madam Speaker, I could rally off the top—

An Honourable Member: Major tax increases.

Mr. Chomiak: The member says major tax—well, to a person who is in a personal care home who is at poverty

line, a doubling of their rates in that home is a major tax increase to them. To a person who has their Pharmacare benefits eliminated, that is a major tax increase. To a person who has to pay for all of their home care equipment supplies, that is a major tax increase. That is what the effect of this government has been.

Now you are asking us to retroactively approve these increases. Not only is it inappropriate and nonparliamentary for us to agree to these increases, it is wrong. We are not arguing, because we have always agreed with the principle—it has been an established principle in this province that personal care home residents do pay a portion of the cost. That has been a recognized principle. But to double the rates and force some people to apply for welfare and then to come back to this Chamber and say retroactively we want to put this through—and this is just the housekeeping item—is wrong. It is wrong in principle in the first place. It is wrong in a parliamentary tradition. The members can refute that all they want and roll their eyes all they want, but we are not going to vote in favour of this kind of legislation.

Madam Speaker, not only is it wrong in principle, but you cannot even do it right. You cannot even do it right. So three years after the fact, you are coming back to us and saying, by virtue of this omnibus piece of legislation we want to have the authority to now increase those and charge those rates, because we did not have the authority to appropriately do it. How can we agree to that? That is fundamental to our roles and responsibilities in this Chamber.

So we cannot in good conscience support this. In fact we would have preferred, we would have wished that the government would have withdrawn this piece of legislation but, unfortunately, the government is continuing to put this legislation through. We are vigorously—we did all that we could in committee. We did it in first and second stage reading. We are continuing to oppose this type of legislation, not only on the basis of principle, which we have enunciated throughout, but on the basis of, you have screwed this up. Perhaps if that is inappropriate to use the words “screwed up,” I will say that the government has botched the implementation. The government has messed up the implementation of this legislation and you cannot now come to this Chamber and expect us to stand up willy-nilly and approve this.

Madam Speaker, while I am on my feet I want to return to the issue of the question of those individuals who were here on ministerial permits and providing the authority to the minister to approve or deny the abilities of individuals to receive medicare while they are here. It seems to me, speaking personally, that if an individual is here on a ministerial permit as a resident of Canada they ought to have the right to take part in all of the aspects of Canadian citizenship. One of the things that is fundamental to Canadian citizenship is the ability to have appropriate, caring universal medicare. That has become something that I think is a birthright of Canadians. I think that is something that has become fundamental to, surprisingly, the existence of this country. It is something that differentiates us as a people.

Our universal health care system is something that shows us to be a caring and co-operative and a giving kind of people. So personally I have some difficulty when we say to someone, when you come to this country and you are here on a ministerial permit, when you are in effect a resident or a citizen of this country, you cannot have the right to take part in what we in Canada accept as a birthright, and that is the right to take part in a universal health care system. That is, on a personal level, one of the reasons why I have difficulty with supporting the government's amendments, notwithstanding and indeed in addition to the issues I have already enunciated and those respecting—while I accept the minister's word, I am still not convinced by the reading of the legislation that in fact this legislation will be inclusionary rather than exclusionary.

So, with those few comments, I think I have fairly well laid out the position of the New Democratic Party as respects this bill. Thank you, Madam Speaker.

Madam Speaker: Is the House ready for the question? The question before the House is third reading, Bill 38, The Health Services Insurance Amendment Act (2).

Is it the will of the House to adopt the motion?

Some Honourable Members: No.

Some Honourable Members: Yes.

Madam Speaker: No?

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Mr. Chomiak: On division.

Madam Speaker: On division.

* (1810)

Bill 62—The Jobs Fund Repeal Act

Hon. Jim Ernst (Government House Leader): Madam Speaker, I move, seconded by the Minister of Rural Development (Mr. Derkach), that Bill 62, The Jobs Fund Repeal Act (Loi abrogeant la Loi sur le Fonds de soutien à l'emploi), be now read a third time and passed.

Motion presented.

Mr. Leonard Evans (Brandon East): I would just like to put a few words on the record regarding a fund that played a very significant role in this province's economic history. That fund was not perfect, and I know members on this side, when they were on that side, were very critical of it, but it was our effort to combat a major recession that occurred, a national recession that occurred in '82, '83, the early part of the 1980s. A significant unemployment rate rose throughout the country including in Manitoba, and we made a conscious decision to co-ordinate all departmental activities towards stimulating the economy and specifically doing whatever we could to help the private sector create jobs.

This was multifaceted. There were investment programs, there were grants to business. We had programs of training whereby we put five—I remember the Manitoba Jobs in Training program. At one point we had about 5,000 people employed, not in government, but mainly in small business and in some nonprofit agencies.

The program was analyzed, I recall, after it was concluded, and the analysts came up with a very favourable conclusion saying that by and large it was successful, because an employer in order to get a grant to hire a person or two had to assure us that they were not laying someone else off to create a job, a position, a vacancy to take advantage of this program. This was monitored very carefully, and they also had to be permanent jobs. I might also note that no large corporation received any monies under this particular program. It was strictly small business and most of the approvals were probably one or two positions. It was not a matter of 10 or 15 or 20 or 30 or 40 or 50. It was just one or two jobs per small enterprise.

I look back also on the nonprofit side that took advantage of this program, that participated in this program, and I recall with a lot of satisfaction the very worthwhile jobs that came forward in the not-for-profit section, in social service agencies, in health care agencies, agencies that were committed to improving the quality of life in Manitoba. They had all kinds of projects that they came forward with, and we were very pleased to be able to help them in a very meaningful way. In the process, a lot of people, particularly young people, received worthwhile experience so that they could, when this particular program concluded, go on hopefully and use that experience in obtaining subsequent employment.

As I was saying, this was a multifaceted approach. The Jobs Fund as such was an umbrella concept, an umbrella effort to co-ordinate the activities of all departments. Whether it be Agriculture, whether it be Highways, whether it be Education, whether it be industry and commerce or whatever, it co-ordinated those activities. In the Industry department, for example, there were many significant grants provided to business to enable them to provide jobs, to enable them to expand.

In the field of young people and those attending university, there was one particular program that was enlarged, and that was the STEP program, the Student Temporary Employment Program, S-T-E-P, in government. This was the one program whereby the jobs were created in the public sector, but these were indeed very good jobs. I know of a lot of recent university grads and some who are in the workforce now who told me that they received worthwhile training and experience in the provincial government working for two, three, four months, whatever it was, under the STEP program.

In addition, we pay particular attention to northern youth because, as we all know, regrettably, there is a very heavy amount of unemployment in northern Manitoba. We particularly wanted to assist the youth in the North, and we had a northern youth program. Unfortunately, this government has eliminated it, but it did provide some job opportunities for many young people in the North, a lot of aboriginal youth included, and gave them some hope, gave them some worthwhile experience.

There were activities, as I said, right across the board. As a result of this concentrated effort, of this concerted effort by the government of the time, the province of Manitoba was the first of all the Canadian provinces to come out of that recession because we deliberately zeroed in on the unemployment problem. We can use a lot of statistics to describe the economy; we can use a lot of figures that talk about the healthy economy. We can talk about retail trade; we can talk about construction, industry; we can talk about housing starts; we can talk about investment and so on, but the most important figure is jobs. The most important figure is the employment statistic, and that, to me, is the most telling figure of all, whether we are providing sufficient job opportunities for Manitobans, whether we are keeping the unemployment rate as low as possible. [interjection] Well, the Minister of Industry (Mr. Downey) refreshes our memory that it was 6.9, which is, I presume, the latest monthly figure. Madam Speaker, 6.9 is fine, but, you know, 4.9 would be better, 3.9 would even be better, 1.9 would be superb. I realize there is a limit.

I sort of do not buy the argument, well, Manitoba is the lowest or the second lowest or the third lowest unemployment rate because—[interjection] Well, it is the truth. But, you know, Madam Speaker, the minister is right. It is right. But if he looks back to the very beginning of the labour force survey, he will find that the prairie provinces of Alberta, Saskatchewan, Manitoba were either first, second or third. There was a period of time when Ontario, I think, became third—it is okay; this is my subject—but normally Ontario does not get in the top three or the bottom three, however you want to describe it.

So to say Manitoba is either the lowest, second or third lowest is nothing new. If you go right back to when the survey began, I think it was just after World War II, this is where we were. This is where we were in the '50s; this

is where we were in the '60s, '70s, '80s, and this is where we are in the '90s. One of the reasons, I am sorry to say, for this is that over the years we have tended to lose a lot of people. Oh, yes, because the last quarter or so does not look too badly, which is good, I am pleased to hear that, but over—if the minister wants to go back, since this government took office in 1988-89, there has been a significant amount of loss on interprovincial migration.

As a matter of fact, I do not have the numbers with me. I have not looked at them recently. I would suspect there are about 50,000-plus-50,000 plus-net loss on interprovincial migration since the Filmon government took office, and that is too bad because we all lose.

Unfortunately, Madam Speaker, among those that go are very often the highly trained people, the people with good educations that they received in our schools, universities and colleges, people with a lot of motivation and so on, the people who are frustrated and have to go outside of the province to find employment, to find challenging jobs. I think all of us in this Chamber know of individuals in this category.

In fact, I can tell you some friends of mine from Brandon have left, not because they wanted to leave Brandon—they thought Brandon was a great place to live and they enjoyed it there and so on—but they could not by any means get the kind of a job that they required to make a decent living in the city of Brandon and, indeed, in the city of Winnipeg or anywhere in Manitoba because of their—a person has a set of skills, a set of interests that they want to offer in the labour market, but if you cannot find a job or you cannot get sufficient income to make a decent living, and if then you find you can go to Ontario or B.C. or Alberta and find something challenging and suitable, then this is where you go.

I am not going to name any names, but I know of several people from Brandon who have left and they are doing fairly well. I know of one person, for instance, who had difficulty in making a living in Manitoba, in Brandon, found out there were some opportunities in Ottawa, not in the civil service but in the private sector, has gone and is working in the private sector in Ottawa and is, indeed, making a fair living there. I think just about every one of us in this Chamber can refer to people and relate to people who have left. In fact, I would not be surprised if some sons and daughters of many of the

members here have left this province, regrettably, to go elsewhere to find employment. In fact, even members of my own family have gone out of this province to find employment because they could not get the kind of job—they did not have the challenge here that they could find elsewhere. They all speak highly of Manitoba; they all speak fondly of Manitoba; they all are homesick for Manitoba.

* (1820)

This one individual that I said who got employment in Ottawa is doing well employment-wise, but they really feel badly that they have left Manitoba. They would like to be back home, and if they had the opportunity, if the jobs were here, they would come back home. Madam Speaker, unfortunately, those kinds of jobs are not there.

Even though some of the labour force statistics look a little better according to the government than they did a few months back, if you look at what has happened to the pattern of job creation, you will see that in the last two years it has been flat. There has really been no development. You take the average of this year, 1996, compare it to the average level of employment of 1995, you will see that it is flatter than a pancake. There has really been no growth of jobs, and then when you read the papers and find out about major layoffs that are occurring, whether it be in the railways—the CPR is either moving people or threatening to move people; CNR, downsizing, CBC, major cuts; Richardson Greenshields, bought out by the bank, I guess it was the Royal Bank, and what is it?—200 jobs are going. The aerospace industry, there are some losses there as well. So these are good jobs. They are high-paying jobs; they are technical jobs; they are jobs that require people of skill—and we are losing those.

Now I know the government opposite likes to brag about the high-tech telemarketing industry that is coming on in Manitoba. Well, okay, but let us face it. Let us not kid ourselves. The telemarketing industry is based on high technology, modern technology, but the job itself is not one that requires a great deal of skill. In fact, the circumstances of employment in many of those offices, in many of those places are less than desirable.

We have a major telemarketing company in Brandon and I have had employees come to me telling me how

rotten the situation was. Whatever they do in that particular office where I think they are soliciting charitable donations, if they do not get a certain level of donations they are out the door. It is a very oppressive situation, I have been told by these employees. It is like a boiler-room situation; in fact, that is not unusual. Throughout Canada and the United States, telemarketing jobs are relatively poor jobs. If you stayed three weeks, you are considered a long-term employee, if you can manage to stay three weeks in that kind of industry.

So, yes, there is this telemarketing development, but on the other hand, as I said, we are losing these other high-skill jobs in these well-established companies. So this is something that those employment figures do not reveal. Yes, we are having more jobs in the service industry, very poor-paying, very low-paying, relative to many industries. You know, whether you are at McDonalds or some other service outfit, generally, you are at the minimum wage and the working conditions will vary from one type of business to another, but they are not the most attractive businesses. They are not the most attractive kind of jobs; they are not the jobs that you would want to devote your life to. As I said, we are training people in our colleges and in our universities with a lot of skills, but they simply cannot find these employment opportunities here.

So I say our government, under the Manitoba Jobs Fund, did a great job. We took on the challenge. We created the jobs and we had economic expansion, and we were the first ones out of the recession. When the recession lessened and more jobs came along, then we tapered back on the Jobs Fund; but, nevertheless, we kept it intact because there were some elements we felt that could be continued. Therefore, it is regrettable that this government has not seen fit from time to time when unemployment conditions are worse to take this co-ordinated approach in creating jobs, and this was a vehicle that provided them an organizational framework. The Manitoba Jobs Fund was a vehicle that provided government with a framework to co-ordinate an effort to tackle unemployment.

It is still not good enough, the minister says 6.9 percent. It is still not good enough, Madam Speaker. There are still too many people out there out of jobs. There are still too many people leaving Manitoba. As far as I am concerned, this is the No. 1 challenge facing

government today, facing the Manitoba government and facing the Canadian government.

Having said all this, I realize that there are other factors involved in terms of what happens to the employment and I realize that the federal government has a responsibility as well. They have the Bank of Canada; they control the monetary policy, interest rates. They control trade policies. They have fiscal strength far beyond the fiscal strength of any single province so they are a major player in influencing the economy. But having said that, we look at what has been happening to Manitoba in a relative sense, and I really regret to observe that in a relative sense we seem to be shrinking. If you look at the number of jobs in Manitoba compared to the total for Canada, our percentage of the national employment picture, of the national employment total, is shrinking and has shrunk. This, to me, Madam Speaker, indicates that there is not that economic expansion, that there is not that employment expansion here that we should be having. As a result, we are becoming less and less significant in the national economy. So that says something about what is going on locally.

So, having admitted that we live within a national economic framework, indeed, an international economic framework, because certainly what happens to international prices of metals has an impact on our mining industry, as the oil prices have on our oil and gas industry, as international prices have on our agricultural commodities—having said all that, there are still opportunities for a provincial government to take action, to pay attention to the unemployment problem, to pay attention to programs, to come up with programs that can help the private sector create more jobs, help the nonprofit sector, not-for-profit sector as well create jobs and help the economy expand at a rate that is going to keep our young people here, provide those opportunities so that people do not go elsewhere to live a better life or to obtain a better income level.

So, with those few words, Madam Speaker, I say that we regret that this fund is being repealed; therefore, we on this side in no way can support this legislation. Thank you.

Madam Speaker: Is the House ready for the—the honourable member for Inkster.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I, too, just wanted to put a few words on the record with respect to the Jobs Fund. This is a particular fund in which there have been positives no doubt with respect to some of the jobs that were created. I know that in the past there has been a great deal of discussion with respect to this particular fund. There have been even criticisms that have been levelled against the government of the day at the time with respect to the types of jobs that were being criticized. It is interesting in terms of some of the people who were actually doing the criticizing of the Jobs Fund and, ultimately, I would argue and, on behalf of the Liberal caucus, would argue that, yes, the government does have a role to play in stimulating the creation of jobs. It is just a question in terms of the manner in which one does it.

If you wanted to, government could create thousands of jobs tomorrow if it chose to be able to borrow the funds and create those jobs. If you wanted to, by using some dollars you can levy private-sector dollars and create jobs, and it goes in essence, if you like, from one extreme of government saturation of funds to get a particular job created, to incentive and possibly even no financial incentive in terms of creating a job. A lot depends on the economics of the day, the status of the government financially, the position in which we might be in in the business cycle and all of those things have to be taken into account. No doubt, the Jobs Fund, to a certain degree, might have been somewhat successful, but, by no means, was the Jobs Fund what I would classify as a huge success of a program. That is primarily because of the dollars versus the number of individuals who were actually employed. One might argue that, as the member for Brandon argued, look, the jobs that were created lessened the unemployment, but you do not know. You cannot say that that was the primary reason why Manitoba would have had that set employment rate. It could have been something else that was happening from within the economy. There are other factors.

* (1830)

For me personally and from, I believe, the party's perspective, what is important is the amount of dollars or how you can maximize government efforts in getting the most jobs created, in particular during the downturn of an economic cycle. Just by labelling a fund a jobs fund does not necessarily mean the government is serious about

attacking unemployment. In fact, the impact in the long term can be more devastating to the province.

Madam Speaker, I can recall, I do not know if it was the former Minister of Health or possibly the former Minister of Finance, a couple of years back or a few years back, stood up and said something to the effect, and I believe it was the Jobs Fund, that we are now today making one of the last payments with respect to the costs of that particular program. Well, these sorts of things have to be taken into consideration, that not only should you be saying, well, look, we are going to spend \$150 million on creating this number of jobs and fund it 100 percent in terms of the actual jobs and believe that that is going to be in the long term the best interest of the province. [interjection]

The member is right. It was not 100 percent, but it is a question in terms of to what degree. I do not want to say that every job that was created through the fund was an absolute waste, but I do know that there were many jobs that were created with that particular fund that were an absolute waste. That is the reason why, when we talk about the creation of jobs and the government and the role that the government might play, one has to be very creative with the types of programs. Unfortunately, from our perspective within the Liberal caucus, sometimes we do a little bit too much dressing and not enough of that creative assessment on how we can maximize those very scarce resources that we have in terms of ensuring that we have more jobs.

With those few words, we want to just echo our comments with respect to the bill before it came to a vote. Thank you, Madam Speaker.

Madam Speaker: Is the House ready for the question? The question before the House is Bill 62, The Jobs Fund Repeal Act.

Is it the will of the House to adopt the motion?

Some Honourable Members: No.

Voice Vote

Madam Speaker: No? All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

An Honourable Member: On division.

Madam Speaker: On division.

Bill 63—The Statute Law Amendment (Taxation) Act, 1996

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Education (Mrs. McIntosh), that Bill 63, The Statute Law Amendment (Taxation) Act, 1996 (Loi de 1996 modifiant diverses dispositions législatives en matière de fiscalité), be now read a third time and passed.

Motion presented.

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, I would like to speak for a moment on this bill. We believe that the government has known about this so-called Quebec shuffle that is the genesis of this bill for some period of time and has withheld this from the public because of their own embarrassment about signing an operating loss agreement with the Winnipeg Jets that required taxpayers, both in the city of Winnipeg and the province of Manitoba, to subsidize the asset of a group of private owners, a group of private owners who had a guaranteed return, the only NHL owners in North America to have all their losses covered and also to have a salary that we do not know about because the government will have disclosure for school teachers but not disclosure for Barry Shenkarow. I think it is an absolute disgrace that the government knew about this in 1992, and the minister has confirmed that that was in the tax reports, and the government has chosen to not take action because of their own either friendship or fumbling with Barry Shenkarow and the other partners of the Winnipeg Jets.

Even the Chamber of Commerce has condemned this government for this bill because of the length of time required for retroactive treatment. I suggest this

government is going to be in great difficulty in court challenges, and the earlier they would have brought this bill forward to deal with the capital gains loophole created by the province of Quebec, the province of Alberta, the better off the people of Manitoba would have been. I do not believe that companies relocating out of this province should escape the provisions of Manitoba's capital tax provisions.

I know that this bill is one we have to support because obviously we do not support tax loopholes, but I will condemn the government for its favouritism to these individual owners of the Winnipeg Jets. I think history will condemn this government for probably the worst deal ever signed since Manfor was signed by Kasser, with the government and Kasser.

With those comments, Madam Speaker, I will allow the member for Brandon East.

Mr. Leonard Evans (Brandon East): Madam Speaker, I just want to add a few words to this debate on Bill 63, The Statute Law Amendment (Taxation) Act. It has various elements in it that we can support and, as our Leader has indicated we would have to support this particular legislation re the Winnipeg Jets because we would like to obtain the money, because the people of Manitoba should not be cheated out of taxes in this way.

But I would claim that this section of the bill should have been isolated and brought forward as a totally separate bill, totally separate piece of legislation, because it is important enough it should not have been buried in The Statute Law Amendment (Taxation) Act. If it were brought forward as a bill, then members of the public if they wish could come forward to the legislative committee as is their custom and be heard by means of presentation of one type or another. So I think that is something that is regrettable that we did not have a separate bill on this particular issue at least.

There are other elements of this bill as I said that we can support, tax credits for university education and other things in there that we have no trouble with at all. A lot of it is technical as usual, but there are two points I would like to make in particular.

One is the reference to calculating tax credits for personal care homes. For individuals living in personal

care homes, there is a clarification as to how the cost of living tax credit and the property tax credit is to be calculated and I am concerned. I am still not clear on this that residents of those homes will have those credits reduced. Goodness knows, we have heard many of those residents already, as the health critic on our side has pointed out, by increasing those rates to the moon to the point where many people who depend on the basic old age pensions are forced to apply for welfare to supplement their income, because we have taken all their money away. They do not have anything to buy clothing, hearing aids, toothpaste, or whatever it is they have to buy. In a nursing home, yes, accommodation is provided, food is provided, but you, the resident, have to pay and are responsible for all your personal effects, and at \$1 or \$2 a day that is totally impossible.

As I indicated a week or so ago, when we were discussing this bill, I have people in my own constituency who are in this situation and who did apply for social allowance and did receive social allowance from the Department of Family Services because the Department of Health increased the rates to the point that they had insufficient funds according to the regulations under The Social Allowances Act.

So it seems to me rather ridiculous where one arm of government is taking money to the point that another part of government under the law is required to provide supplementary income. I mean there is something wrong, something illogical about this.

The other area that I wanted to just touch base on briefly is the health and post-secondary education tax levy. Again it is a technical matter that some people would think, and it is a technical matter because what it does it exempts certain small companies that up until now would have had to pay the payroll tax if they became associated with other companies. In other words, one small company is associating with another company, then it brings itself above a certain level, and therefore is subject to the payroll tax, say, during the year, and they were required to pay the payroll tax for the whole year.

* (1840)

What this amendment does is say, okay, if you are associated let us say in the middle of the year, you will only have to pay the tax for approximately half of the year

or from whatever point that you associated with the other company to bring you above the limit of exemption.

But the point I want to make here, Madam Speaker, is a very important point because the Premier (Mr. Filmon), when he was the Leader of the Opposition, I remember stated categorically that a Conservative government would get rid of the payroll tax. It was not to raise the limits, because we raised the limits. We had limits for small enterprise so that they would be exempted. And through time I am sure those limits would raise, and I congratulate the government for raising the limits, but I do not congratulate you for breaking your word because it was categorical that the government would eliminate it. It would totally abolish. I mean this is shades of the GST promise of Mr. Chretien and the federal Liberals, shades of those kinds of promises because this tax is well and healthy. I do not have the numbers with me, but I think it nets the Treasury around \$200 million.

I said at the time, when the Leader of the Opposition of the day was saying, we will eliminate it, I was saying in this House that there was no way that his government or any other government would eliminate it because we need the money—\$200 million is a lot of money, and we cannot afford to give it up. Furthermore, a lot of corporations are being brought under this tax to pay taxes that they can well afford to pay including some major Crown corporations, federal corporations. So there is a net receipt here from those corporations.

I would point out too that we are not the only province to have this type of a tax. There are shades of this tax in Quebec and Ontario. So we did not originate this kind of tax, but it became necessary because we were concerned that we have sufficient revenues to provide us with an increase in revenue so that we could move toward a balanced budget.

As I said, and as I would observe, Madam Speaker, towards the end of our tenure, in '87 we took steps to increase our revenue and to get our spending under control so that we were bringing ourselves to a surplus position. Indeed as the budget documents show, this government did have a surplus when it came into office because of the actions of its predecessor.

Regrettably, Mr. Manness, former Minister of Finance, brought in the famous or infamous Fiscal Stabilization

Fund and took \$200 million out of revenue and caused us to have a deficit. It was an artificial one.

Having said that, I think we are running out of time. So I have made my point, and therefore I leave those thoughts for the further consideration of the members of the Chamber.

Madam Speaker: Is the House ready for the question? The question before the House is third reading, Bill 63, The Statute Law Amendment (Taxation) Act, 1996.

Is it the will of the House to adopt the motion?

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

* * *

Mr. Ernst: Madam Speaker, I wonder if there is leave of the House to not see the clock until 7 p.m.

Madam Speaker: Is there leave of the House to not see the clock till 7 p.m.? [agreed]

Mr. Ernst: Would you call, Madam Speaker, Bill 49, which is in debate on third readings.

DEBATE ON THIRD READINGS

Bill 49—The Regional Health Authorities and Consequential Amendments Act

Madam Speaker: On the proposed motion of the honourable Minister of Health (Mr. McCrae), Bill 49, The Regional Health Authorities and Consequential Amendments Act (Loi concernant les offices régionaux de la santé et apportant des modifications corrélatives),

standing in the name of the honourable member for Broadway (Mr. Santos), who has nine minutes remaining.

Is there leave to permit the honourable—no. Leave has been denied.

Mr. Dave Chomiak (Kildonan): Madam Speaker, it is appropriate that, as I speak, there are Manitobans outside of this Chamber who are voicing their opposition to so much of what has been done by this government, not just this session but the last several years, and it is appropriate that we are now dealing with Bill 49, which is one of the most totalitarian and undemocratic pieces of legislation that I have ever seen in my brief legislative career and that I think has ever been before this Chamber.

During Question Period today I said that the Premier (Mr. Filmon) was the most undemocratic Premier that has ever been in the province of Manitoba. I believe that, and an increasing number of Manitobans believe that. That is because this government has become a clique, an executive-run government that has excluded individual after individual, group after group, Madam Speaker, and Bill 49 is an example of that. Before the election this government, when they went from the length and breadth of this province to talk about regionalization and regional boards, which in theory everyone agrees with and which in practice is not working out, and the Minister of Health (Mr. McCrae) ought to review that, but notwithstanding that, when they went around this province they promised elected boards, and then after the election what did we get? Appointed boards, appointed patronage Tory boards.

It is bad enough that it has been foisted upon Manitobans without discussion, but what has been put in place are tainted bodies that are going to do the bidding of the Minister of Health, and these boards—and we asked in Question Period today, where is the accountability? These boards are going to have within their auspices the ability to spend hundreds of millions of dollars of taxpayer dollars. It is interesting, Madam Speaker, these boards are going to have that authority—if the minister gives it to them, given the way the legislation is worded—but they are going to have the ability to do that.

Who are these boards going to do their bidding to? Who are the boards going to look to for their direction? Are they going to look to the population for which they

are supposedly serving, or are they going to look to the Minister of Health? Is the board chairperson who, for many months of the year, flies off to Texas going to look to his residents, or is he going to look to the Minister of Health, Madam Speaker? When you consider that the government has said, a hundred million dollars is coming out of those budgets over the next three years, you get some idea of the role and responsibility of these boards, and I ask the question, who are they accountable to, which brings me back to the initial point where I started my discussion.

You are so exclusionary, you are excluding so many groups and bodies that you are quickly losing the ability to be perceived as having the authority to govern this province. As you gradually exclude people, Madam Speaker, and you sit in a little clique and make those decisions, you lose the authority and the confidence of the population of Manitoba. That is not just a practical difficulty, that is a principle difficulty, and that is not something that we are just seeing in regional health. That is something we are seeing across all of the legislation, be it the education legislation, be it the labour legislation. We are seeing a group of individuals in cabinet who have taken complete control in their own hands and say, we know better and you are going to do it our way and that is the only way you are going to do it.

Madam Speaker, if I had confidence in that group of individuals, that might be a question, but do we have confidence in this group and these individuals to govern and to control health care in this province? What have we seen in this province? First, we had the 1992 health care reform report with all its grandiose promises, and on a theoretical basis there was some merit in some of the aspects of that reform, and what did the government do? What did the government do? They brought in their high-priced consultant from the United States to implement that report, and they paid her \$4 million plus \$800,000 in expenses, tax free, to tell them how to run the health care system.

When that changed, then the new era became, from the minister, an integrated health care system. That was the system we are going to do. We are going to have an integrated health care system and, supposedly, the superboards that are being created in Winnipeg and these regional boards are going to have a part of this integrated health care system.

Madam Speaker, where are the reports justifying the movement in this area? The minister has spent millions of dollars with a consulting firm, KPMG, to put together this program, but we have never seen the reports. We have never seen the justification. We do not know why they are moving towards this type of system.

* (1850)

Madam Speaker, when we appeared hour after hour in public hearings on Bill 49, there was not one individual, and the minister can concur, or one group that agreed with this legislation, not one single presentation that agreed with it, and even if we discount, as the minister does, and say, oh, you organized those rallies or those hearings, even if we discount that, from the very groups that appeared, it is clear that this bill has not won acceptance with anyone in the province of Manitoba. So I ask the question, why are we bringing this legislation before the people of Manitoba? No one agrees with this legislation.

Madam Speaker, MHO came out very early in the process and said, this is a bad bill. Every single organization that appeared said, this is a bad bill. The Mental Health Association said, this is a bad bill. Individual presenters said, this is a bad bill. The union movement that sent representation said, this is a bad bill.

So what do we have before us? Why do we even have to debate this legislation when virtually everyone in the province of Manitoba is opposed to this kind of legislation?

It is not only the issue of the boards, the nonelection of the boards, the discretionary power remaining in the hands of the minister or the exclusionary nature of this bill, there are powers in this bill that go beyond any legislation that we have ever had in the province of Manitoba. There are powers in the bill making the minister a mini Minister of Health that allows extraordinary powers to deal with labour situations, and that is despite the fact that presenter after presenter at the public hearings pointed out that the minister already has those powers within existing legislation. So the question has to be asked, why do you need these extraordinary powers? Why do you need these extraordinary powers if you already have them in pre-existing legislation?

I say, Madam Speaker, you know, forgive us for being a little bit suspicious and for being a little bit cynical

about this government. When you read this legislation, how can you not conclude that this is an attempt by the government to try to completely control and to take over the operations of unions? The minister says he does not have the power. The minister knows that with a very slight amendment you have all the pre-existing powers in the present Labour Relations Act, and that has been made very, very clear by presenter after presenter pointing out clause by clause which powers you have.

Further, Madam Speaker, prior to the session commencing, in an attempt to be as constructive as possible, we put out 100 major problems with this bill, 100 problems with a piece of legislation, 100 fundamental flaws with this piece of legislation. Now, after debating, after hearing, after hearing, after hearing what the public had to say, after sitting till 2 a.m., after sitting till 3 a.m., what has the government response been? Some minor adjustments. Now, I will admit the minister put an amendment to include the five principles of medicare in this bill. Well, thank heavens, we now know the government supports the five principles of medicare. Then why do you not apply them? Why do you impose user fees if you believe in them? Why do you do that? What hypocrisy. What hypocrisy.

The minister operates private clinics. The minister says, the federal government is fining us and taking money away for operating private clinics. The minister says, the federal government has the five principles of medicare. You put it into your own act and you are not even abiding by it. Why do you put in your act a provision in at least six different sections to provide for user fees? Why do you need the power so extensively to provide for user fees except the obvious conclusion, that the Treasury Board document that we tabled in this Chamber that was signed off by the minister, that came from cabinet, that said health was adopting a private system, and a user-pay system is going to be put into effect under the auspices of the regional health bill. Madam Speaker, we have good reason to believe that, because we have seen that in so many other sectors of health care. We have seen the doubling of fees in personal care homes. We have seen the elimination of the Pharmacare program.

We have seen user fees in home care equipment and supplies, and we are seeing today the home oxygen program privatized, attempts to privatize home care.

Program after program is being privatized. As we speak, Madam Speaker, tenders are flying out. We know they are trying to privatize the home care equipment program. We backed them off in '92. Now they are privatizing. What does that mean? It means they are going towards a user-pay principle. Now, the minister has stood up on many occasions and said, we do not believe in user fees. Then why are you imposing them? What is your justification? Why do you need such extensive powers in this piece of legislation to impose user fees except the obvious conclusion, the obvious conclusion that you want to charge user fees in the health care sector? So why do you not admit it? Why do you not just be honest about it and be up front? Perhaps the gap and the chasm between what the population believes you say about health care and what you actually say about health care could be narrowed by at least being frank and honest. Say, yes, we are going to impose user fees; that is why we have put that power and authority in our act. Yes, we already do it in home care equipment. Yes, we already do it in home care supplies. Yes, we have doubled the fees in nursing homes and, yes, we are now paying user fees after we have eliminated the Pharmacare program, and we are going down the road of user fees.

Madam Speaker, when we look to this health care act, we say, where is the justification and the design for going to the regional board system? There is no doubt that in the country there has been a move towards regionalization of health. I might add, and I think it is very significant, B.C. has now put their regionalization on hold, and the statistical data that is coming back from your model of New Zealand, the model that you are following, the model that you sent your consultants down to study and the model that you are putting in place in Manitoba, the reviews are coming back say not only is it not effective, it is costing more, and even you ought to recognize that. Even this government ought to recognize that. It is actually costing them more and it is doing less, which is typical of the way that health care has been operated in this province.

House Business

Hon. Jim Ernst (Government House Leader): Madam Speaker, discussions have been ongoing. I wonder if there is leave for the House to continue to not see the clock until 9 p.m. and that the House recess from seven o'clock until eight o'clock p.m. and that the

Committee on Public Utilities and Natural Resources will resume sitting at 7:30 p.m.

Madam Speaker: Is there leave not to see the clock till 9 p.m.?

Mr. Tim Sale (Crescentwood): Madam Speaker, if the House leader of the government would indicate a time for the Committee on Natural Resources. We need a time for it to rise. If the House is rising at nine at this point, then the committee should not rise any later than nine, so if the House leader would amend his proposal to include a rise time, I think that we could give leave.

Mr. Ernst: Madam Speaker, that is acceptable.

Madam Speaker: Is there leave then to recess the House from 7 p.m. to 8 p.m.? [agreed]

Is there leave to sit in the Standing Committee on Public Utilities and Natural Resources commencing at 7:30 p.m. till 9 p.m. [agreed]

The House recessed at 7 p.m.

After Recess

The House resumed at 8 p.m.

Madam Speaker: Order, please. To continue third reading debate on Bill 49, the honourable member for Kildonan (Mr. Chomiak), who has 17 minutes remaining.

Mr. Chomiak: Madam Speaker, as I indicated earlier, this afternoon, when we said that this Premier (Mr. Filmon) was the most undemocratic Premier in the province of Manitoba, this was one of the bills and one of the reasons why we made that statement, and that statement was not made in jest or very lightly.

That was made in all seriousness because with this legislation and with some of the other legislation that has been brought in by the government, you are excluding large segments of the population of Manitoba from consideration, not only in the drafting of these bills and not only in the participation of these bills, but you are excluding them from society. You are just saying, you do not count anymore. You do not count, we are not

going to have an election for your representatives on the regional boards. We are going to appoint boards and we are going to appoint good Tory members to those boards. They know better and they know how to make those decisions. They are not going to have an opportunity to go back to their community and have the community have input, have the community say what is going on in health care. You are saying, we know better. You are excluding and it is not just in the health bill, it is in the education bills and it is in the labour bills.

One of the things which happens when you exclude people and do not allow them a forum and do not allow them an opportunity to express themselves is people get angry and people feel excluded, and they are then forced to rally at the Legislature and to bring protests at the Legislature, Madam Speaker, because they have no forum, because you do not listen. When we sat for hour after hour on Bill 49 and you heard presentation after presentation, there was not one single presentation that did not say elect the boards. They said it unanimously. Your own committee that studied this bill said as a mandatory recommendation elect the boards.

Why did you choose a lot of other recommendations and not put that recommendation in effect? [interjection] And the member says it was explained in committee and it was explained—I understand, it has been rationalized from here to there to there, based on the argument that they do not have taxing authority. So instead we are going to give them \$300 or \$400 million and we are going to appoint Tories to use that \$300 or \$400 million, and that is somehow legitimate rather than electing people. We are going to give them the money. That is legitimate because you appoint Tory members to be your boards and that legitimizes the process? That makes it more exclusionary, and that is what is wrong with the process. So you cannot after latter day after the fact say, oh, they do not have taxing authority and that is why we are choosing to do this. In fact you give your trustees taxing authority and you do not listen to them either.

So, Madam Speaker, that argument is not based on reality. It is based on the fact the government wants to control what is happening, and when you make \$100 million worth of cuts in the health care system in rural and northern Manitoba over the next three years, as has been promised by the Deputy Minister of Health, you

want these boards to make it and take the political heat for it even though it is you that is making the decision.

So I go back to what I said earlier. Why do you not just be up front and honest? If that is what you are going to do, why do you not just do it and at least do it with some kind of integrity? Maybe Manitobans' opinion of how you are handling health care will improve if you were to at least be up front, but you have not been and you are not going to be.

We went through this process where the government brought in amendments and, as I indicated earlier, they brought in the five principles of medicare, something this government is not adhering to. I indicated that earlier in my remarks, but you brought in the five principles of medicare, but it really is nothing more than words. It is nothing more than words, particularly when you look at the rest of the act where it says we are going to charge user fees for this, we are going to charge user fees for this, you have authority to charge user fees for this and for everything else.

So, Madam Speaker, the amendments that were brought in supposedly at the bequest of the public and supposedly in response to hearings, if in fact the government was listening, this bill would be withdrawn and you would go back to the drawing board. Now why do I say that? Not only is this a disastrous bill in terms of its application, but you know what the time line is on this bill? The regional boards are supposed to come up with their own health plans as to how health is going to be operated by December 1 of this year. Now what is it today? It is November 7. By December 1, regional health boards are supposed to come up with their plans as to how health care is going to be operating in their regions. You have not even provided them with a core list of services. It is November 7 and you have not told them what services they are supposed to offer, and by December 1, your boards are supposed to come back with recommendations. You have not told them what their funding is going to be. In fact they are not going to get their funding until April 1, but they have to come back and tell you what they are going to provide. And, you know, over and over again in the act—and this is another criticism of the act—it says, the board shall provide to the minister, the board shall provide to the minister. There is nothing where it says, the minister shall provide to the

board, like what our core services are going to be and like public hearings.

Madam Speaker, the minister makes it a virtue that they require the board once a year to hold an annual meeting. Well, thank you very much. Hopefully, it is not in Texas, but the boards have to hold an annual meeting. We have a bill before this Legislature, and we have asked year after year for the minister to hold annual meetings, for the minister to update us as to what is happening in health reform. Do we get that? No. And then the minister says, but the boards are going to have to do it.

Much has been said about the labour legislation that has been brought forward under this government and how this government, through its actions and through its legislation, has done more to alienate labour relations than probably any government since what? Campbell's? Even earlier than that, Madam Speaker. So it is not surprising that when you pick up a bill dealing with health and regional health boards and you see powers—wide-ranging, dictatorial powers—being given to the minister, the people are somewhat suspect about the labour intentions of this government. After all, this is a government that just came through a doctors' strike. This is a government that just came through a home care workers' strike. This is just a government that came through a nurses' strike. This is a government that came through a personal care home workers' strike. So it is not surprising that people who work in the health care sector are somewhat sceptical of the intentions of this government.

Now, Madam Speaker, the government could have gone a long way towards alleviating those concerns by simply taking those sections out of the bill and substituting a section and a recommendation and an amendment that we proposed that would have The Labour Relations Act, which has all the powers in it necessary, take precedence and deal with the labour relations. There is even a precedent for it. The Minister of Rural Development (Mr. Derkach), to his credit, had a similar bill, and there were concerns, and the Minister of Municipal Affairs amended his bill to include the precedents of The Labour Relations Act under similar circumstance. What is good for the Minister of Municipal Affairs—and I commend the minister for that amendment and for agreeing to that, and we proposed an identical amendment to the Minister of Health (Mr.

McCrae), but the members opposite voted it down. Is there any wonder that people who work in the health care field, those caregivers, those hard-working individuals, feel undervalued, feel misunderstood and, frankly, feel not listened to by this government, which gets us back to the whole nature of this bill?

If the government was serious about public input, this bill would have been taken across the province of Manitoba, presented to Manitobans for their impact, then brought back to the Legislature. But that is not the way it is. Madam Speaker, the government is using its majority, like the government is using its majority in other bills, to pass this legislation and to put it into effect without consulting. So is it any wonder that we see doctors questioning the health care initiatives of this government, we see nurses questioning it, we see home care providers questioning, we see virtually everyone involved in health care questioning every single move? Not only that, they are now going to take it and compound the problem by putting in place superboards in the city of Winnipeg. They are putting in place superboards.

* (2010)

Now, we do not have legislation before us, but it is somehow going to be patterned on Bill 49. Now, Madam Speaker, who has recommended these superboards? Is it the health care providers? No. Is it the minister's own committees? No. Is it KPMG? Maybe. We do not know—those million-dollar reports are being kept secret by the minister—who has recommended the superboard concept? Who has recommended it? We do not know. All we know is the minister has come in and signed a memorandum of understanding with faith institutions that said the superboards and all the provisions are nonnegotiable. Now is that not something from a government that says it listens to the public? You are going to do what we say. These are the provisions of the bill. This is the superboard concept and it is nonnegotiable, and then everything else you get to keep. Is it any wonder that people think they do not have a stake in health care, and every time the minister stands up or attends public meetings he says, I am the most consultive minister in the history of Manitoba. I have said it once and I say it again, that is a monologue disguised as a dialogue. The minister might listen but he does not hear.

It goes beyond bad legislation, and I want to go back to my starting point. It goes to a government that after eight years in office, after eight years of health care reform, is in a situation where we have the longest waiting lists in the country, where we have had more strikes than any other jurisdiction in the country, where we have closed close to 1,000 beds, where we have laid off 1,500 people, Madam Speaker, and they are promising us more reform.

After eight years, now the minister has a new plan of reform in the form of these regional boards and the superboards. Not only have you completely mishandled health care in this province, and not only does the public have no confidence in this government's ability to handle health care, but you have stopped even pretending to listen to the people that put you there in the first place. That is very serious and that is a fatal flaw of this government. When you get to the point where you think you have all the answers—and I do not have all the answers and we do not have all the answers—and you can put in place a bill like this, a dictatorial bill, it sets it up exactly the way you want it, then you are in trouble and then you are out of touch. That is not just bad health care, but that is dangerous for the whole system and I truly believe that.

You know, Madam Speaker, if this government seriously was listening to the public of Manitoba, we would have seen amendments to this bill patterned on the presentations made by the hundreds of individuals who appeared before us in committee, but we did not. The government did not listen to what those speakers had to say and, in fact, as I indicated earlier, the government did not even listen to its own advisory committee that made recommendations on this particular bill.

We are in an era where people have to take second-rate health care products because the government is cutting cost. We are in an era where you are cutting off all kinds of pharmaceutical drugs. We are in the era where you have gutted the Pharmacare program. We are in an era where people cannot afford even basic supplies in the hospital, and how many millions of dollars are you spending to put in place superboards? How many millions of dollars are you spending to put in place your friends to operate these superboards? Is it \$8 million, is it \$9 million? Do you not think that this money might be used better in health care?

Madam Speaker, let us accept the premise that the superboards are going to work. Well, we have got the worst of all worlds. It is a Tory world. We have all of the regular boards in operation, we have superboards on top of them and we have the minister on top. So we have an \$8-million or \$9-million expenditure and boards falling all over themselves. It does not even make sense to proceed on that basis.

It might be too late, in terms of this bill, because the government is going to use its majority to pass this bill. We may have a chance to do something about the bill that is going to come to create superboards. Now the minister was not sure in committee whether or not we were going to have a new bill for superboards, but apparently by the agreement he signed, in October 28, with the faith institutions there is going to be some kind of legislation patterned after Bill 49. I hope the minister learns from that experience, and I hope the minister learns about some of the flaws and some of the difficulties of what you are doing.

When you do that, and also when you go to addressing your superboard concept, I hope you will consider the fact that you do not own the health care system. You are only a trustee for the health care system for the citizens of Manitoba, and it is your duty to respond to the citizens of Manitoba and to what their needs and wants are. That necessitates, if you cannot bring yourself to elect boards, then at least have boards that are representative of the population, at least have boards that have representatives from 50 percent of the population, 51 percent of the population, women, Madam Speaker, at least have representation in regions like The Pas, where there are 50 percent aboriginal representation, instead of having 50 percent Tory representation.

An Honourable Member: And one woman.

Mr. Chomiak: And one woman, to boot, Madam Speaker. So, when you are designing your bill for the superboards in Winnipeg, at least consider that. I think also you have to consider the very premise upon which you are going towards regionalization, and I add again, B.C. has put their regionalization on hold. New Zealand, the model that you are following on regionalization, has found that its costs increased under regionalization and its services went down. If the minister can go out and listen and be convinced and convince the public that in

fact regionalization is the way to go, then I think we on this side of the House would support legislation that reflected the viewpoints of the population, but until the minister and this government can do that we cannot support, in good conscience, this legislation.

Madam Speaker, we cannot, and we will not, support this legislation. Further, I suggest and I predict to you that there will be so much difficulty with this legislation, that we will be dealing with it again and again in this Legislature. So even though I do not expect the minister to listen, or the government to listen to our comments, you still have a chance, I suppose, to take back the legislation, redraft it. If nothing, I think it would be greeted with a great deal of satisfaction in rural Manitoba, particularly because you are so far behind in your own guidelines.

But, Madam Speaker, many members of our party want to speak on this bill as well, and I thank you for this opportunity of addressing this bill.

Ms. Rosann Wowchuk (Swan River): Madam Speaker, I also want to take a few minutes to put a few comments on the record with respect to the regional health board bill. The main concern that people in rural Manitoba have with this bill is the broken promise of this government. But I guess they should not be surprised that the government is breaking their promise with respect to this bill, the promise they made that there would be elected boards, because they have broken many, many other promises to rural and Manitobans. They broke the promise on home care, which they tried to privatize when they did not promise it. They changed Pharmacare, which they did not tell Manitobans they were going to do. They have changed many things, and they have broken their promise on Manitoba Telephone System. So it is no surprise that people do not trust this government and, quite frankly, are very disappointed with the way this government, with the legislation that they have brought forward with respect to regional health boards.

They have told people that they would have elected boards, and now what we have seen after the election is that they have chosen to use this board to put in place—rather than putting in place boards that are representative of the population of this province, put in place a board that would have 50 percent of the board, or

better, women on them, they have chosen to appoint very few women, and that is disappointing on the part of this government. They have chosen to appoint very few aboriginal people. Rather, Madam Speaker, what they have chosen to do is use this as a place where they can pay off their Tory candidates and also to reward those Tories who have supported them over the years, and there is a good reason for this because they want people on these boards who will do their dirty work. When they decide that they are going to cut funding to health care, the Minister of Health (Mr. McCrae) will be able to say, and we have heard him say it already, oh, it is not me, it is the regional health boards that are going to make that decision, and they will have the people that are supportive of them quite willing to make those decisions for them.

Madam Speaker, it is disappointing that this government would put out a group of people, the Rural and Northern Advisory Committee, to bring forward recommendations on how the regional health boards should operate and then ignore the recommendations and bring forward their own agenda, an agenda that gives the minister tremendous power and control over what happens in health care, an agenda that will allow the regional health authorities to now start charging user fees for services within the hospital.

* (2020)

An Honourable Member: You just want to get on that board, that is all.

Ms. Wowchuk: The minister said that I want to be on the board. Well, I have to tell the minister that I once did serve on a regional health board, but I was an elected person that was on the regional health board. I was quite happy serving in that capacity, and if I was on a board, I would be fighting against some of these recommendations that you are making.

You know, Madam Speaker, we talk about this government could be different, and my colleague from Kildonan talked about a government that has been in power for too long and gotten too full of itself and thinks that they can do everything within these Chambers, within their offices and not have to listen to the public. They could have taken this bill just as The Municipal Act was drafted. It went back to the people, went back to

municipal councillors, they had a chance to review it. You wonder why there was no disagreement or very little disagreement on The Municipal Act, and that is because it went back and forth to the people that were involved and they had the opportunity to have input.

Well, the Minister of Health (Mr. McCrae) should take a lesson from his colleague. The Minister of Health should be prepared to listen to the people. It would have been very easy to draft a piece of legislation, take it out to the people, let them have input. I know had you taken it out to the people, they would have said no to the section that says the minister will appoint the board rather than have elections. That would have been very easy for you to then bring that legislation and redraft it, but you have to listen to people.

I know that the people in rural Manitoba would have been very opposed to the section in the act that says that the regional health authorities will have the ability to charge user fees. They would have said no to that, because people in Manitoba believe that we have a good health care system here. They do not want to see it moved to a two-tiered system that will be undermined and have user fees. So there has been the opportunity but this government has become very dictatorial in the way it operates and is going to dictate to people what it is they are going to put forward and not listen to the people.

So, Madam Speaker, there are serious concerns with this bill. I think that if the minister was sincere about putting in place a bill that would meet the needs of the people, he would say, well, let us go back to the people, let us go back out there and listen a little bit more. There is no need for this right now. If you were doing good legislation, you would be prepared to listen to the people, but as we have seen in other bills, the government has not been prepared.

The government has now put another layer of administration. We talk about having more money for health care, but what they have done is applied another layer of expenditures with these regional health boards, and there is going to be millions of dollars spent on administering these boards expenses and that will have to come out of health care. I want to read a line to you where the minister, himself, admits that this is going to have an impact on health care. It has raised the question of why the minister was taking money out from the

surpluses that the existing boards had because they managed very well. Because of good management, they had money in their surplus funds. The minister, even though he told people that this would not happen, he decided that they would take the money back from surpluses to run the regional health boards, and he says, and I quote: I would also like to point out that the reason surplus fundings were suggested as a source is that we wanted to avoid using current operating budgets and, as a result, minimize the impact on patient care this year.

So he is admitting, because of what he is doing, there is going to be an impact on patient care. So you are trying to minimize the impact. There have been many negative—so the minister himself admits that there are going to be impacts on the patient care, and that is why they are taking those surpluses.

So we cannot support this legislation, because this is not what the minister promised, and I want to also say that I am very concerned, as are many of my constituents, those who work in the health care field, are concerned about the labour legislation that is here and the power that this minister is getting himself under this legislation. So, with those few words—I know that there are other of my colleagues that want to speak on this important piece of legislation, but I want the minister to recognize that the power he is taking for himself is absolutely unnecessary and not in the best interest of people, and he should certainly listen to the people of Manitoba and accept the recommendations that his committee put forward before he puts forward this legislation.

Mr. Oscar Lathlin (The Pas): I too would like to rise and offer some remarks to this bill, Bill 49. Madam Speaker, I cannot support this bill, not because I do not support change and reform. I do not have any problem with change or reform because I know that times change, and we have to do things differently. I know that, and I accept that.

The reason that I do not support this bill is the way that this government has introduced it, the way this government is going about implementing it, that is my main opposition, not to mention the workers who are being laid off, not to mention the care that is being cut, especially up in northern Manitoba. The Minister of Industry, Trade and Tourism (Mr. Downey) shakes his head, but he of all people should know because, as

Minister of Northern Affairs, he had on occasion to travel to northern Manitoba, and the minister knows full well the conditions that people in northern Manitoba face. Now, the introduction of this bill, the implementation of this bill, the impact of this bill will only serve to exacerbate the situation that exists in northern Manitoba. So those are some of the reasons why I do not support the bill. I am not the only one. I have sat through two nights of hearings in committee, and presenter after presenter after presenter, in those two nights until two or three o'clock in the morning, from seven at night until two or three o'clock in the morning, told this government how unfair Bill 49 was, and they gave their reasons why.

People from all walks of life came to these hearings, not just any peers, not just union members, but people from all walks of life came and told this government how unfair this bill was. But do you think the government would listen? No. The Minister of Industry, Trade and Tourism (Mr. Downey) is sitting there smiling, saying that this is not serious. Madam Speaker, I listened to the mayor from the town of The Pas, the chief of the Opaskwayak Nation, the reeve of the LGD, and even the chief executive officer of The Pas health complex, Mr. Solar, was here with a delegation last week to meet with the minister. But, you know, after the meeting the mayor phoned me and told me and described the outcome of the meeting, and what he told me was basically the minister had dismissed that particular meeting as merely a bitch session. That is how he described the meeting, and that reflects the attitude of this minister. That remark reflects the attitude of this government—dictatorial; they do not care; they do not want to listen to people.

The other reason why I do not support this bill, Madam Speaker, is the composition of the board. Out of 15 board members, so far only one is a woman. Out of 15 board members in the Norman board, one is an aboriginal person. Do you know what? Norman Region is comprised of just a little over 50 percent of aboriginal people, and it would make sense for the minister to have at least half of the board members be aboriginal people. It would make sense, but I know that this minister and this government will not do it.

* (2030)

Out of 15, pretty well all of the board members are Tories, card-carrying members. As a matter of fact, two

are defeated Tory candidates. Do you think I am going to believe the minister when he says go and talk to the board, they will make changes? Do you think I am stupid to believe him? Alfred McDonald is not going to say anything to Gary Filmon, because he was the candidate in the last two provincial elections. Do you think Mr. McDonald will say boo to the government? I think not. Mr. Pielak, another Tory, do you think he will say anything to this government? Absolutely not. Gordon Mitchell, another defeated Tory candidate, do you think he will say boo to this minister? I think not. So what do you think the people in the North are going to get from a Tory-appointed board? The minister tries to convince the mayor from the town of The Pas to go and negotiate with this board. Well, the mayor of the town of The Pas is not stupid either. He does not believe for one moment that the board, this board, will listen to Gary Hopper.

So those are some of the reasons why, Madam Speaker, I cannot in all good conscience support this bill, because I know how dangerous it is, how dictatorial it is, how one-sided it is. So therefore I cannot support it. Thank you.

Mr. Gord Mackintosh (St. Johns): Madam Speaker, we have a health budget in Manitoba of approximately \$1.8 billion. I know I hear the minister saying, well, it is the largest spending on health care per capita in Canada. We know that is not true. The minister gets up from time to time and goes on about that—[interjection]

Madam Speaker: Order, please. I would like to remind the members of the public who are with us today in the gallery that our rules and practices of the House do not allow members of the public to participate in the proceedings here in the Chamber, which includes applauding. I would appreciate your co-operation.

Mr. Mackintosh: Well, that galls me, Madam Speaker, that the minister and the government keep talking about this per capita expenditure in health care, but, you know, even if it was the highest spending on health care, why are they doing such a lousy job with the delivery of health care services? One of the reasons is because we need an input into health care decision making that goes beyond the minister's office, that goes beyond even the gatekeepers and the physicians. We need an input into health care decision making from consumers, the people that know best about the needs of the people. We need

not just a fair distribution of income in this province, by golly, we need a fair distribution of power, and nowhere is that more important than in the delivery of health.

The second thing that really galls me is that this government says, this bill is greater democratization. This is a devolution towards regional health decision making. That is hypocrisy, and its an immoral statement that is being made. It is immoral that you are saying that, Mr. Minister, because you know it is not true. It was observed, and I think so succinctly, by Mr. Olfert at the committee when he stated: The stated intent of the act is to delegate decision making to regional health authorities. The provisions in the bill, however, consolidate all of the decision-making powers at the ministerial level with no public accountability.

This is not democratization; it is a centralization of power in the minister's office, with personal delegates sent to do some of his dirty work, this government's dirty work. In committee, it was described as a commissar. I understand now there will be three of them. In committee, I heard not only "commissar," but "czar." I heard the expression "dictators" used, and who are these individuals? Well, we know, we heard from the member for The Pas (Mr. Lathlin) what his research has discovered. The commissars are white, middle-aged, male Tories and indeed, as the member for The Pas said, not just Tories but defeated Tories. That is what we get.

This government has enjoyed way too much power and decision making in health care. It has botched it badly. It is now trying to say that it is going to shift the balance of power when it is in fact consolidating it to an even greater extent in the minister's office.

Madam Speaker, for those reasons and for many more, we will be voting against this bill.

Madam Speaker: Is the House ready for the question? The question before the House is third reading Bill 49, The Regional Health Authorities and Consequential Amendments Act (Loi concernant les offices régionaux de la santé et apportant des modifications corrélatives).

Is it the will of the House to adopt the motion?

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Formal Vote

Mr. Chomiak: Madam Speaker, Yeas and Nays.

Madam Speaker: A recorded vote has been requested. Call in the members.

The motion before the House is third reading of Bill 49, The Regional Health Authorities and Consequential Amendments Act.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Cummings, Derkach, Downey, Driedger, Dyck, Enns, Ernst, Filmon, Findlay, Gilleshammer, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.

Nays

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Hicke, Jennissen, Kowalski, Lamoureux, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.

Mr. Clerk (William Remnant): Yeas 30, Nays 26.

Madam Speaker: The motion is accordingly carried.

Introduction of Guests

Madam Speaker: Prior to recognizing the honourable government House leader, I would like to draw the attention of all honourable members to the loge to my right where we have with us this evening Mr. Sam Uskiw, the member for 1966 to 1986 for Lac du Bonnet. On behalf of all honourable members, I welcome you.

* * *

Mr. Ernst: Madam Speaker, I wonder if there is leave of the House to not see the clock until ten o'clock.

Madam Speaker: Is there leave of the House not to see the clock till 10 p.m.? [agreed]

Mr. Ernst: Would you call Bill 54 in debate on third readings.

* (2100)

Bill 54—The Municipal and Various Acts Amendment Act

Madam Speaker: On the proposed motion of the honourable Minister of Rural Development (Mr. Derkach), Bill 54, The Municipal and Various Acts Amendment Act (Loi concernant les municipalités et modifiant diverses dispositions législatives), standing in the name of the honourable member for St. James (Ms. Mihychuk).

Is there leave to permit the bill to remain standing? No. Leave has been denied.

Ms. Becky Barrett (Wellington): Madam Speaker, it gives me a great deal of pleasure to rise tonight to speak on Bill 54, The Municipal Act. As I stated in my earlier comments earlier this week and as has been spoken to by members in this House when discussing Bill 49, the process that was undertaken to generate and to pass Bill 54, The Municipal Act, was the process that should have been undertaken in dealing with Bill 49, in dealing with Bill 67, in dealing with Bill 26, in dealing with Bill 72, in dealing with Bill 58, in dealing with Bill 32—

Madam Speaker: Order, please. The honourable member for Wellington, I believe, has already spoken to this bill in third reading.

Mr. Gary Doer (Leader of the Opposition): I am pleased to rise on Bill 54 at third reading, a bill which I have studied at great length. I have been receiving considerable research from the—

Madam Speaker: Order, please. The honourable government House leader on House business.

House Business

Hon. Jim Ernst (Government House Leader): Madam Speaker, I wonder if I might have leave for a minute. The committee's time has expired. I wonder if there is leave to let the committee sit till ten o'clock.

Madam Speaker: Is there leave to permit the Standing Committee on Public Utilities and Natural Resources to resume and continue sitting till 10 p.m.? [agreed]

* * *

Mr. Doer: I want to speak to this bill, and I want to speak to the lack of co-ordination that this bill indicates with the Conservative Party and members opposite, Madam Speaker.

We have a tale of two ministers when we deal with Bill 54, and we look at that relationship to the bill we just passed in Bill 49. We have a minister under Bill 54 that felt that the principle of workers having some say under The Labour Relations Act was important enough in this Legislature to move an amendment in that committee to allow for working people to vote. We have a Minister of Health (Mr. McCrae) whose reputation as a friend of working people needs no articulation in this Chamber. We know he is not. I think it is terrible. A similar amendment was moved under Bill 49 that the principles of workers having a right to determine the bargaining unit of their choice was rejected by the government.

Who is in charge over there? Is there one common set of principles from the Premier (Mr. Filmon) to his ministers in terms of the Progressive Conservative Party? Should a person working as a grader operator in Dauphin have different rights than a person working as a nurse in the Dauphin hospital in terms of determining their bargaining units? Is the Minister of Health going to take some lessons from the Minister of Rural Development (Mr. Derkach), dare I say this? If he will not listen to us,

will he listen to his colleague about the ability of people having democratic votes?

I think it is important that when we are dealing with Bill 54, we appreciate the work of the Minister of Rural Development (Mr. Derkach) in consulting municipalities, in consulting employees, in consulting Manitobans. That is actually the way we see legislation passed, and that is the way we believe legislation should be passed. I hate to embarrass the Minister of Rural Development, but none of his other colleagues consult with other Manitobans about the impact of legislation. The Minister of Education (Mrs. McIntosh), the Minister of Health (Mr. McCrae), the Minister of Family Services (Mrs. Mitchelson), the Premier (Mr. Filmon) and many other ministers across the way do not talk to the people who are impacted by the bills that are before this Chamber.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Doer: So, Madam Speaker, in speaking to this bill, we are going to be opposing and voting against many bills in this Chamber tonight, bills that are ill conceived, ill thought, ill researched, without any principle at all, quite mean and extreme in terms of their impact on people. But it is also important tonight in this Legislature to pay tribute when one minister, perhaps one minister alone, respects the consultative process and acts with decent legislation.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Doer: Now, I hope this is not a career-ending move for the Minister of Rural Development (Mr. Derkach) because I know how mean and extreme the Tories are opposite, but I am just pointing out that, if other ministers today were to pull their bills, if the Minister of Education (Mrs. McIntosh) was to pull that dastardly Bill 72, we would actually pay tribute to the Minister of Education.

If the Minister of Labour (Mr. Toews)—well, I should say the minister responsible for corporations because I do not think we have a Minister of Labour in this

Chamber—was going to pull the bill today on the Labour Relations Act, we would say, hallelujah, and we would give praise where praise is due.

If the Minister of Telephones (Mr. Findlay) would restore the Premier's promise and not privatize Manitoba Telephone System, we would praise the Minister of Telephones.

So we will, Madam Speaker, pass this bill, too, this evening and we will support the measures contained within this bill. We say to the other ministers, see the light, see the way, pull your bills and act on behalf of all Manitobans instead of the narrow few that are served by these awful pieces of legislation before this Chamber today.

Thank you very much, Madam Speaker.

Madam Speaker: Order, please. Is the House ready for the question?

The question before the House is third reading, Bill 54. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed? Agreed and so ordered.

Bill 41—The Fisheries Amendment Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Rural Development (Mr. Derkach)—seeing how he is so popular—(by leave) that Bill 41, The Fisheries Amendment Act (Loi modifiant la Loi sur la pêche), be read a third time and passed.

Madam Speaker: It has been moved by the honourable government House leader (Mr. Ernst), seconded by the Minister of Rural Development (Mr. Derkach), that Bill 41, The Fisheries Amendment Act, Loi modifiant la Loi sur la pêche, be now read a third time and passed. Agreed?

Some Honourable Members: No.

Madam Speaker: No?

Bill 41, The Fisheries Amendment Act, be now read a third time and passed. Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the proposed motion, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Mr. Gord Mackintosh (St. Johns): On division.

Madam Speaker: On division.

* * *

Mr. Ernst: Would you call Bill 300 in debate on third readings, Madam Speaker.

DEBATE ON THIRD READINGS— PRIVATE BILLS

Bill 300—The Salvation Army Catherine Booth Bible College Incorporation Amendment Act

Madam Speaker: On the proposed motion of the honourable member for St. Norbert (Mr. Laurendeau), Bill 300, The Salvation Army Catherine Booth Bible College Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation le Collège biblique Catherine Booth de l'Armée du Salut), standing in the name of the honourable member for Thompson (Mr. Ashton).

Is there leave to permit the bill to remain standing?

Mr. Steve Ashton (Opposition House Leader): We are prepared to have this go to a vote.

Madam Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is third reading, Bill 300. Agreed?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

Bill 301—The Native Alcoholism Council of Manitoba Incorporation Amendment Act

Hon. Jim Ernst (Government House Leader): Madam Speaker, I move, seconded by the member for Rupertsland (Mr. Robinson), (by leave) that Bill 301, The Native Alcoholism Council of Manitoba Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation "The Native Alcoholism Council of Manitoba"), be now read a third time and passed.

Motion agreed to.

Bill 302—The Grand Lodge of Manitoba of the Independent Order of Oddfellows Incorporation Amendment Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the member for Thompson (Mr. Ashton), (by leave) that Bill 302, The Grand Lodge of Manitoba of the Independent Order of Oddfellows Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation "The Grand Lodge of Manitoba of the Independent Order of Oddfellows"), be now read a third time and passed.

Motion agreed to.

Bill 300—The Salvation Army Catherine Booth Bible College Incorporation Amendment Act

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Environment (Mr. Cummings), that the fees paid with respect to Bill 300, The Salvation Army Catherine Booth Bible College Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation le Collège biblique Catherine Booth de l'Armée du Salut), be refunded less the cost of printing.

Motion agreed to.

Mr. Ernst: But I have leave to move the last motion.

Madam Speaker: Does the honourable government House leader have leave? [agreed]

* (2110)

Bill 301—The Native Alcoholism Council of Manitoba Incorporation Amendment Act

Hon. Jim Ernst (Government House Leader): By leave, Madam Speaker, I move, seconded by the member for Rupertsland (Mr. Robinson), that the fees paid with respect to Bill 301, The Native Alcoholism Council of Manitoba Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation "The Native Alcoholism Council of Manitoba"), be refunded less the cost of printing.

Madam Speaker: Does the honourable government House leader have leave? [agreed]

Motion agreed to.

Bill 302—The Grand Lodge of Manitoba of the Independent Order of Oddfellows Incorporation Amendment Act

Hon. Jim Ernst (Government House Leader): By leave, Madam Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that the fees paid with respect to Bill 302, The Grand Lodge of Manitoba of the Independent Order of Oddfellows Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation "The Grand Lodge of Manitoba of the Independent Order of Oddfellows"), be refunded less the cost of printing.

Madam Speaker: Does the honourable government House leader have leave? [agreed]

Motion agreed to.

THIRD READINGS

Bill 72—The Public Schools Amendment Act (2)

Hon. Jim Ernst (Government House Leader): Madam Speaker, I move, seconded by the Minister of

Education (Mrs. McIntosh), that Bill 72, The Public Schools Amendment Act (2) (Loi no2 modifiant la Loi sur les écoles publiques), be now read a third time and passed.

Motion presented.

Ms. Jean Friesen (Wolseley): I am pleased to rise tonight to speak against Bill 72, which I believe is aimed to drive a wedge between teachers and trustees all across this province. It is one of the hallmarks of so much of the legislation of this session, one of the hallmarks of a government which has chosen to be divisive and destructive of the institutions that Manitobans have built.

Madam Speaker, 40 years ago, teachers and trustees came together to agree on a framework for collective bargaining right across Manitoba. It worked for many years, but in the last couple of years, trustees have expressed concerns on this, and it is because this government has chosen to reduce the support year after year to public education in this province. You do not have to talk to trustees or parents for very long to understand what this means on a daily basis. Trustees are facing extremely difficult times. They have been required by this government to spend their surpluses. They have been encouraged by this government to take away professional development days, and they have been undermined by this government year after year as the money for public school education from the province of Manitoba has been reduced and reduced.

Yet it is the trustees of this province who bear every day and at their front door the concerns of parents for the future of their children in the low wage economy that is being created in this province. It is the trustees who bear every day, as they face the parents, the need to deal with the impact of the inhumane policies of this government as they take away money from children, as they take away money from families and they redistribute it to the wealthy. It is the trustees and the teachers who face the hungry children, those who are without clothes, those whose families are in distress and those whose families are trying every day to struggle to maintain a sense of decency in a new unequal and brutal world that the Tories are creating.

To meet those needs, what have they been given? Fewer and fewer dollars from this provincial government, a provincial government, by the way, which finds it

possible to give millions of dollars to corporations for their training, to Canada Safeway, to IBM, to Holt Renfrew. That is where the money has been going in education. It has not been going to meet the needs of teachers, of students, of the trustees as they try to deal with the difficulties of the families that they have to face.

(Mr. Marcel Laurendeau, Deputy Speaker, in the Chair)

Trustees expressed concerns about the difficulties that they were facing, and that gave the government the opportunity it was looking for. It brought forward a proposal in a so-called position paper called Enhancing Accountability: Ensuring Quality. It was one which I always thought should have simply been entitled Ensuring Obedience because that was really what it was about. But that committee did set out to hear from teachers, parents, trustees, in their hundreds, all across the province, and people did come out to speak passionately night after night about their concern for their students, about their concern for the public education system in Manitoba, indeed for their concern about the future of the province as a whole, but that committee produced a report which did not resemble the passion and the concerns that they had heard, and the government essentially closed its ears and its minds to those representations from all parts of Manitoba.

During the hearings over the last few days, we have heard again from those people who spoke to that committee. Surely no government, said the Assiniboine South Teachers' Association, wants to go on record as being the author of such undemocratic legislation. From the constituencies of Ste. Rose and Gladstone, the Honourable Linda McIntosh knows or ought to know that Bill 72 is unfair and unbalanced. The teachers of Morris-Macdonald said that the government needs to become consensus builders and communicate instead of dictating. You were not, they said, elected to become dictators. From the provincial constituencies of Lac du Bonnet and La Verendrye, the Agassiz Teachers' Association said that Bill 72 is an affront to teachers and anyone who is committed to a strong education system. It cannot be allowed to become law by any government that calls itself democratic.

But the government will use its majority to make an undemocratic law, and Mr. Deputy Speaker, as they do,

they should remember the words of a teacher in the Transcona-Springfield School Division, a resident of Oakbank, who said, I am ashamed to admit that I worked for two decades for a political party who has become arrogant in government. Having discredited my profession, the government now feels the time is right to bring in dictatorial legislation of Bill 72, and that is what the government did. They thought the time was right and they took their opportunity.

Like so much of the legislation in this session, Mr. Deputy Speaker, this is an authoritarian piece of legislation. There is no consent of the governed. The government, just as it has with labour legislation, does not have the consent of the people whom it is affecting. Just as it was with universities and colleges when the minister put forward Bill 32, it did not have, and they made it very clear, the consent of those people whom it would affect, and the minister quite wisely accepted many amendments.

The government, too, in so many areas does not have the consent of so many elements of people concerned with the public education system. In Bill 47, the Education minister, for example, turned down an amendment which dealt with incorporating the principles of the UN Declaration on Rights of the Child in favour of a simple right of children of Manitoba to be tested.

* (2120)

I ask myself, Mr. Deputy Speaker, what kind of government would close its ears to its own people? What kind of government could not incorporate the rights of the child and the UN principles into its legislation? What kind of a government cannot stomach even an annual public meeting for its appointees to the post-secondary education council? The answer is clear. It is the same government which denies to many people across Manitoba the right to withdraw their labour. It is the same government which lied to the people on the Jets. It is the same government which refused to show Manitoba Telephone System employees the details of their pension, and it is the same government which has no mandate to sell that Telephone System.

One resident of St. James, a teacher, wrote to me to say, this bill is unfair. It is draconian and repressive like so many of the other government proposed bills. Does

this bill, like its minister, have any credibility, he continues. Why did this government decide to attack teachers in the first place instead of working with teachers to reduce costs in education? Why, he says, because it is the quickest, easiest, sneakiest and, I might add, the dirtiest way to get what you want, and it is this government, Mr. Deputy Speaker, which is setting out to undermine our public education system.

Bill 72 is a warning shot. It is a warning shot across the bows of teachers, one important sector of public sector workers. The teachers are those who dared to oppose. They dared to question this government and they did it publicly and they did it in an articulate and informed manner. They are, in the words of the member for River Heights (Mr. Radcliffe) to his surprise perhaps, well dressed and well spoken, and I quote: and they expressed ideas abhorrent to the Tories, ideas which he said had driven him into the Legislature in the first place. But more than that, they dared to continue to oppose. They dared to advertise, to speak out in favour of public education, to encourage others to do so, to encourage parents to resist. It is that resistance which is at the core of the government's pursuit of this bill.

Even this week, I believe, the Premier was on radio when the member for Emerson (Mr. Penner) was out with press releases giving the information, and I put that in quotes: that the Manitoba Teachers' Society has a \$2.5 million budget for political education.

Mr. Deputy Speaker, the source of that material was from a Teachers' Society bulletin, where it was clearly indicated in point form what that \$2.5 million stood for. It stood for overseas aid. It stood for government services within, for administration services within the Teachers' Society. It stood for a long list of things.

Mr. Deputy Speaker, I believe the Premier can read. I believe the Premier has had a good education at the public expense. I believe he knew very well what he was saying when he did that and he did it deliberately, and it is the habit of deceit that this government is falling into. The attack upon the education system and the attack upon teachers, which is incorporated in Bill 72, is part, I think, of a disdain for the public sector and a disdain for civil servants. We have seen it in the actions of the Minister of Justice (Mrs. Vodrey), who blamed her mistakes upon civil servants. She named them by their position and they

had no right of response. That is fundamentally wrong, but it is characteristic of this government. Bill 72 is part of a context whereby this government attacks civil servants. It attacks teachers. It attacks the public sector.

Mr. Deputy Speaker, there is also another context to this bill and that is a desire of this government to privatize in the broadest sense education. It does, in fact together with other legislation that the government has presented this time, intend to persuade people to value schools only by their examination results. We shall see as they have in Quebec, as they have in Alberta, as they have in New Zealand, as they have in the United Kingdom, league tables, standings of schools determined only by the raw scores of the examination set by this minister.

The minister intends to create a competitive system whereby schools will not co-operate with each other in curriculum, in the sharing of ideas and the exchange of teachers and the meetings of principals that enable, for example, the inner-city schools of Winnipeg to create a system which is, I think, struggling marvellously to deal with the enormous problems that it is facing.

What this government wants to do is to have those schools and those teachers and those principals compete one with each other for the students that they must retain to get their grants. That is what we have seen happen in other jurisdictions and we know that that is what is going on here. The government has at the same time continued to increase at a rapid rate the funds for private education, and they have done this at the expense of public schools as they have continued to cut, cut the monies to public schools. They intend, Mr. Deputy Speaker, to create a competitive system between the public education system and the private education and one also within the public system. They want and they will with this kind of legislation transform students and parents from citizens into consumers, and there is a huge difference. When students and parents become consumers, they are looking for the individual deal, looking for the best bargain. Citizens—as I heard one presenter say in the hearings on the Manitoba Telephone System—citizens, he said, look out for each other, and that is what is at stake in this government's education policy: a sense of society where there is a sense of decency and where citizens look out for each other.

I want to conclude by arguing that the fundamental reason for this bill is to drive down wages. This government is well on the way to creating a low-wage economy in Manitoba. The average industrial wage in Manitoba in constant dollars has dropped nearly \$12 a week since this government took over and it is dropping in all sectors—health and education. There are only three sectors where in fact there has been some slight increase in the wages in constant dollars and it is on those reduced wages that Manitobans must pay the user fees, pay the higher fees for drugs, pay the higher fees that they are going to have to pay under the new privatized health care system. They have to pay those increases on the \$700, \$800 that they now have to pay when they are in the public education system as they go with their children door to door begging for money for chocolates, for wrapping paper, for whatever the latest scheme is and they pay, if they are teachers, for the students who are hungry, for those who cannot go on field trips. They pay for the supplies in their classroom over and over again and they do it on the low wages and the low-wage economy that this government is creating.

Mr. Deputy Speaker, the government intends and wants to create a low-wage economy in Manitoba because that is the only way that in their version of Manitoba we are going to be able to compete in this new global economy of which they speak. Their goal is to create unequal wages in education across the province. That is the purpose of Bill 72. It is a situation, it is a practice that we had many years ago and it was a practice which over a generation Manitobans sought to change. This bill intends that the local economy and the local wages be one of the considerations in determining the wages of the teachers in the schools.

In the minister's riding, as I have said many times, the average income is \$40,000. It is higher in that of the Premier's (Mr. Filmon) in Tuxedo. It is higher in Springfield, that of the Minister for Telephones (Mr. Findlay). In my riding, the average income is \$19,000 and for a large proportion of those people, the average income is \$12,000 and these are the extremes that we are dealing with in Manitoba. These are the extremes that the minister in Bill 72 wants to see reflected in the wages of teachers. Therein lies inequality. Therein lies inequality across Manitoba, and it has always amazed me that the rural members of this Tory party are not concerned about this. It is their education system which

is at stake, but it is also that of all of us because we will all sink together as Manitoba moves to a much more unequal and unfair society.

* (2130)

Manitobans built the public sector with great pride, and we have heard about that pride. Those people who sat in the hearings day after day. We heard about it from students, from teachers, from workers, from people in the telephone system. We heard it from university teachers; we heard it from health care workers, an enormous pride in what Manitobans have built together. Bill 72 undermines that, and it undermines the public sector, as so many other bills in this session do. I want to emphasize that the public sector in health, in education, in telephones and in so many other areas enables us as a small province, and not a rich province, to do together that which none of us can do alone, and that is what it was all about. That is why people struggled for a generation, during the depression and after the depression, to create that kind of a world. It is as Manitobans that we are losing that ability to meet the needs of our neighbours, and it is a Manitoba that I believe we have a duty to defend.

(Mr. Mike Radcliffe, Acting Speaker, in the Chair)

After the Depression, after those years of despair, the veterans came back from the war, and with their new families, they built a new kind of Manitoba. It was about 40 years that it took them; it was about one generation. It was a generation which valued the equality and the inclusiveness that they had fought for. They remembered the Manitoba of the 1920s and 1930s, where ideas of race or conditions of poverty were those which governed the lives of so many people. They were determined to change it, and they did.

Out of their work, out of their sense of a new society, we did develop in Manitoba a certain kind of ethic, a sense of balance in politics, whether it was that of Premier Roblin or that of Premier Schreyer, a sense of balance, a sense of truthfulness, a sense of honesty.

In later years and under different Premiers, there was a belief that a government's job was to serve the interests of all the people. There was even, for a time, a sense that government was on the side of the people. There is a

great deal at stake in the legislation that the government is putting before us in this session. Bill 72, like so many other bills in this session, sets out to destroy that sense of balance, that sense of truthfulness, of honesty and of a decent society, and that is why we oppose this bill.

Ms. Marianne Cerilli (Radisson): Mr. Acting Speaker, I too want to address Bill 72 in third reading, especially after hearing so many of the presentations made from all walks of life, people from all walks of life, citizens of Manitoba. I want to start off by reminding the House that 29 percent of children in Manitoba are living in poverty, and there is something that all these children have in common with all of the other children. They may not go on and be on social allowance; they may not go on and be involved in the criminal justice system; they may not go on and need excessive health care—but all of them will go through school. They will all have teachers who will be faced by the reality of those at least 34,000 households who have to rely on food banks. Those thousands of children who rely on the public education system to provide them with a quality, accessible and equal education rely on their teachers every day.

This bill is occurring, though, because the government of Manitoba has cut \$43.5 million in the last few years from education. What has happened is, as the government has made these cuts, they blamed the school divisions. When the school divisions, in turn, have had to cut teachers, cut programs, cut services, cut busing, had class sizes increased, the government has said, oh, it is not us doing that, it is the school divisions.

This has gone on for years, and now the trustees have had enough. The trustees have passed resolutions that have said, we cannot go on at this, we are not going to do your dirty work for you. So the government has agreed; they have tried to say that it is not because their provincial funding has gone down to public education from 80 percent to 62 percent—we know that is the real reason why we are now dealing with this affront to public schools and to teaching—they have said, well, at least 85 percent or so of the costs in education are due to staffing, and about 65 percent of that is because of teachers. Let us go after the teachers for that money that we need to cut to meet the requirements of the balanced budget act. Teachers in the committee said to us, when the government revenue in the last two years has gone up by

\$750 million, how come education funding in the last two years has gone down 4 percent?

So the government now cannot keep blaming school divisions for their cuts that they are forcing all across the board in special needs, in funding for programs like home economics and shops that have been cut in schools, French classes. I am going to get into later some of the atrocities that are occurring in our school system because of this government's cuts.

But now they ought to make a grab for having that money come out of teachers' pockets. But they had to set the stage for this, so first they put forward this horrific document enhancing accountability and ensuring quality. Now, this proposed that they were going to offer the right to strike to teachers. It had other ridiculous concepts that there should be referendums on teachers' salaries, that teachers should be remunerated based on the grades that their students get or ridiculous things, that there should be no recognition of teachers' professional development in advanced education in relation to their salaries.

But they did not go that far; instead we have Bill 72. What is in Bill 72? Bill 72 basically destroys collective bargaining in the teaching profession between school boards and the teachers in the province. It is turning its back; this government is turning its back on public education, on fair and equitable bargaining in public education. The bill does this with basically two provisions. It introduces the ability to pay, and it ensures that the school divisions do not have to start bargaining with their teachers until their budgets are set, until their mill rate is set, until everything is set, and then they are going to go and decide and negotiate with teachers. That is completely not fair bargaining. [interjection]

The Minister of Agriculture (Mr. Enns) talks about the ability to pay, and a number of presenters at the hearings talked about this. It would be the same as the school division, when they are looking at their expenses, saying, well, you know, ability to pay. I guess we cannot keep the lights on in the schools for eight hours a day this week because we do not have enough money. We could only pay half of our hydro bill. That is what ability to pay means and the only way that they can deal with that is with the teachers. Of course, they cannot have the lights off in the schools half the time. So that is the logic of ability to pay.

The minister has also tried to pull one over on teachers by suggesting, oh, you are going to get the chance to grieve all of these issues that you have not been able to get into your collective agreements, and that is completely ridiculous. The teachers do not buy that, and we do not want to have a system set up where teachers are having to grieve and deal with their working conditions when they should be more worried about teaching children, preparing their lessons and meeting the needs of the children of Manitoba.

* (2140)

Now it was interesting in the presentations on Bill 72. There were not that many school trustees there. There was a presentation by the Manitoba Association of School Trustees, but there was a trustee there who made a very honest statement and he said, the present process for dispute settlement cannot continue. Arbitration awards have always added to the wages and working conditions of the teachers and have increased the cost to divisions. It is unrealistic to expect teachers to negotiate when they seem to be guaranteed to make gains if they wait for arbitration. Hopefully, the ability to pay clause in Bill 72 will be able to help slow down and stop the teachers' union from controlling the decision-making powers of the school boards.

Now after people who were listening to presentations—teachers, parents, school superintendents, students—had heard that, the minister still had the gall to say, oh, you are really misunderstanding. It is really not going to be that bad. It is really not going to be that bad. You are being misinformed. Your union and the NDP are giving you misinformation.

Then we had the teachers categorically say to this government they know where the minister and the government are coming from because they heard the Premier (Mr. Filmon) accuse teachers of being overpaid by some 15 or 25 percent, but she had the gall to come back into the House and talk about how teachers did not understand the legislation and had not read it and this came clear at the committee. Teachers are insulted by this minister. They are insulted by this bill. They are insulted by the education reforms of this government, and they know they are not in the best interests of teachers and children in education.

One of the final things I want to talk about is how the minister has said, as the trustee did that I quoted, that in the past the process has been biased against the school boards. Now in the history of the binding arbitration which has occurred in the past in Manitoba, 35 out of 40 times there would have been a negotiated settlement. Very infrequently was there the need for binding arbitration. We have the statistics to show that the salaries of teachers are not out of line with other people who have similar education and are performing similar duties.

So the minister and whoever else she is talking to in terms of Bill 72 have not been in keeping with the facts. We know what is behind this bill, and it was clearly stated by the leader of the Manitoba Federation of Labour, who was in negotiations on labour bills with the Minister of Labour (Mr. Toews). I was at the committee when he explained that this is clearly, as the Minister of Labour had said, Bill 72 came about because of the ad campaign the teachers had in the last election and the government said, they did not want to see these kind of things happen again. So this is a vindictive bill. What happens is when you target teachers, you are targeting kids; when you erode the working conditions of teachers, you are going to erode the learning conditions of students and youth.

I was going to list in the record a number of the things that have happened in the public schools under this government: the reduction in woodworking shops; the loss of home economics; the increases of class sizes, in some cases, of 30 to 35 students; teachers having to drive between two towns and different schools at noon hour in order to teach a full day. We had one presenter list the number of horrific incidents that they have had to deal with in their school, such as when they wanted to reprimand one student who had been known to have weapons offences, that teacher came into the classroom the next day and there was a bullet on her desk. Those are the kind of conditions that teachers are working in. I would think that they deserve a more fair and equitable bargaining procedure than this government has proposed in Bill 72.

(Madam Speaker in the Chair)

Ms. MaryAnn Mihychuk (St. James): Madam Speaker, I would like to put on the record a few words on

Bill 72. In my opinion and that of my colleagues, this bill is unfair, unnecessary, an unprecedented attack against teachers.

Do we believe the teachers are paid too much? No. Do the people of Manitoba think that teachers are paid too much? No. Who thinks that they are paid too much? The Minister of Education (Mrs. McIntosh) and the First Minister (Mr. Filmon), who apparently is quoted as saying that they need a reduction of 15 percent. I would like to see the Premier go into a classroom with any one of those teachers for a day or a week and handle that situation.

Madam Speaker, are 40 years of labour peace worth breaking? No. Why are we now in a situation where trustees and local governments are coming forward and saying, it does not work? That is because this government has chosen to cut public education year after year after year and now, who do they expect to carry the burden? Teachers. Are teachers being treated fairly? No, and why? That is a little bit up to speculation, is it not? Oh, maybe they talk about justice and fairness for children and proper funding for public schools, not perhaps the same election platform that the Tories ran on.

Now, I cannot say for sure that it is a vendetta, but many teachers feel like they are being attacked by the government, many teachers feel they are being treated unfairly and many of those teachers would argue to the Minister of Education that they are indeed real teachers, with a real voice and a real concern about the way this government is treating them.

What this bill does is that it shafts teachers, it insults teachers and is totally unfair. In fact, Madam Speaker, I would like, at this time, to table over 500 letters which have just come in from students which point out they condemn this government and this minister for its lack of accountability and lack of representation.

Who is the winner of this bill? Actually, I think it is the government. The government makes decisions and chooses to underfund public schools, yet in the bill is nowhere a sense of accountability. Is there a clause to make this government somehow a test of an ability to pay? Is there an ability to pay for school programs for children? Apparently not. The ability-to-pay test is being imposed on local governments, local school boards

that are really at the whim of what you give them as a provincial government.

Unprecedented cuts that is your legacy are the reason why trustees are coming forward looking for options, not something—and I was a trustee for many years—that we wanted to do. In fact, for years and years, the labour peace was something that we were all proud of, and as governments, I think that there have been many Conservative governments, perhaps a couple of Liberal governments and NDP governments, which have worked in good faith with teachers. Your legacy as a government is to have broken that faith, to have broken the agreement with teachers and have put forward a collective agreement proposal which treats teachers unfairly.

This is a government that chooses to cut education programs, chooses to cut \$43 million out of the budgets of local schools in the last few years. This is a government that has made cuts since 1989 and continues to do so. This is a government that chooses to give increased funding to private schools. This is a government that extends the life of school buses to well beyond 15 years while their own cars are replaced in less than three. This is a government that cuts supports to special needs children, to resources supports, to professional supports for teachers but also feels that it is okay to find millions of dollars for a Jets deal, a Quebec shuffle. This is a government that chooses to build an election war chest, a surplus, a slush fund.

* (2150)

Madam Speaker, is now the time to build a surplus when we are seeing increased poverty, child poverty like we have never seen before, another legacy this government has to live with? I do not think so. That is your choice. Your choice is your ability to fund public education. You choose not to, and you are trying to force teachers to pay the bill. It is unfair, unjust, and that is why we are opposed to Bill 72 and look forward to the day when we can go to the people of Manitoba and to the next election and look for fairness and justice. Thank you.

Mr. Gary Kowalski (The Maples): I will be very succinct. Being the second opposition party, there is not much left to be said after the member for Wolseley (Ms. Friesen). I have gone to a number of forums and

presentations and committees, and after she has spoken, there is not too much I disagree with and too much to add, but I can say, this is bad legislation. This is bad legislation that should not be passed. It addresses the government's preoccupation with fiscal financing and does not deal with education.

But what I would like to speak about is a new perspective I got from listening to the member for Kildonan (Mr. Chomiak), and it struck me, when he was talking about regional health care boards and how regional health care boards will allow the Minister of Health (Mr. McCrae) to have a buffer from the criticism of poor health care, that the regional health care boards will take the blame.

I remember, as a school trustee in the Seven Oaks School Division, how often, every year when provincial government funding would be cut back, it was I as a school trustee that got the phone calls, and it was I as a school trustee that got the complaints from teachers about their contract, that here is a way of not accepting the blame for what they are doing. Here they have done it with regional health care boards. They have been doing it here for school trustees, and now what they are going to do, in order to alleviate some of the pressure from the school trustees, is give the school boards a way of lowering teachers salaries. That is what this is really about.

This legislation is like so much of the other legislation we have seen in this session, it is dividing and conquering. I think that I have heard someone say that the Premier (Mr. Filmon) is a prince. Well, I think the prince is The Prince from Machiavelli, and he is using the principles of divide and conquer. You take the average wage rate in Manitoba, and you look at every professional who is above the average wage rate, whether it is teachers, whether it is doctors, whether it is health care workers, whether its unionized people, whoever makes a good salary, let us target them because it is going to be popular, because they are above the average. That is a good Machiavellian principle that after the election you look at, well, who gave us trouble in the election. Well, let us see, it is the unions did. Well, let us take away their right to raise funds and to political activity. Let us look at teachers. Well, teachers were a pain during the last election, so how can we restrict their political activity, and how can we hobble them from

being leaders in the community? Well, we will put out a report, ensure an accountability that will make people look at teachers' wages and single them out. They continue to do this with a number of professional groups. So I do not think it is a stretch to see Machiavellian principles being used by this government to divide and conquer Manitobans instead of bringing in a consensus of people working together.

It also goes in with their agenda to the great corporate state in that whatever business does is okay. You know, so here, if private education, in their view, could do things better, well, we will hobble public school education. First we will cripple them with their financing. Then we will lower teachers' wages so the best people in education will leave the province, good students who might be thinking of going into education will feel they will not be valued as teachers, so they will leave the field. So then, of course, private education will look better and better. So we are creating a province where it will be survival of the fittest. Let the rich thrive and the poor die.

Yes, I agree with the member for Wolseley (Ms. Friesen) that we are headed to a low-wage economy, that, yes, it will be great coming to Manitoba to set up businesses, and we will be able to compete globally with the carpet factories in India that pay 25 cents a day. Oh, yes, that will make us very competitive. The lower the wages in Manitoba, the more competitive we will be, but what kind of society will we have in Manitoba?

I received a copy of a letter that the Minister of Energy and Mines (Mr. Praznik) received from the Agassiz Teachers' Association reminding him that he was there during the election saying how he supports teachers, and they are asking him to now live up to his promise and support the teachers and the Agassiz Teachers' Association and show intestinal fortitude and vote against Bill 72. I am wondering if any other government members will have the fortitude to vote against this bad legislation.

Thank you, Madam Speaker.

House Business

Mr. Ernst: I wonder if there is leave to not see the clock until eleven o'clock?

Madam Speaker: Is there leave not to see the clock until eleven o'clock? [agreed]

Mr. Ernst: Is there leave, Madam Speaker, for the committee to complete its deliberations to eleven o'clock?

Madam Speaker: Is there leave to permit the Standing Committee on Public Utilities and Natural Resources to continue their deliberations till 11 p.m.? [agreed]

* * *

Ms. Rosann Wowchuk (Swan River): I want to also put a few words on the record with respect to Bill 72 and express my disappointment with this government and how they have chosen to deal with education and my disappointment that they have decided to take such a serious attack on not only our teachers but on many of the civil servants, their health care workers and all workers.

Madam Speaker, you have to wonder what this government is doing and why they have decided to move in this direction. We have a collective bargaining process that is in place, one that has been working for years, and now the government has decided to change it. There is a saying, you know, if it is not broke, why fix it, and you have to wonder why this government is proceeding in this way. They say that they are doing this because of school trustees, but they themselves are the ones who are responsible for having backed school trustees into a corner by each year cutting back funding, and now school trustees have trimmed the education system to the point where there is nothing left but to start putting pressure on teachers' salaries. This is what this government is working towards doing, driving things down to the lowest common denominator.

Madam Speaker, I had the opportunity to attend some of the meetings of the Rander-Dyck committee, and I remember very clearly one of the presentations where people said this is going to create real disparity in rural communities. They talked about the time when the best teachers ended up going to one of the communities, areas in southern Manitoba where there was the highest tax base, because where there was a higher tax base, the school divisions could afford to pay more salaries. So under this system, what is going to happen in some of those divisions where the tax base is so low—and if it is based on ability to pay, what kinds of salaries are school

divisions going to be able to pay, and what is going to happen to the education of children in those areas when we have the less qualified and the less committed teachers coming to those areas and the higher-skilled teachers going to the areas and being attracted to the areas where there is more money available for payment.

This government is willing, for the sake of a dollar, for the sake of their balanced budget legislation, they are prepared to sacrifice our children in this province. We see when we go into the classrooms now that there are teachers who are working with classes as high as 35 students. We are seeing that there are not enough supplies in the school. We see a tremendous amount of stress on the teachers as they have to work under more difficult conditions where there are not any teacher assistants. We have teachers having to deal with more medical problems, problems with students, and this government is not prepared to support those.

* (2200)

They think that this is a healthy environment for our teachers and for our children. Shame on you. You are not dealing with our children fairly, and I have to say that you should be also thinking about those children who are completing their high school education and looking to go to college. Do you think that our students are going to want to go into the education field? It is a good profession but not the way you people are administering it, and the legislation that you are bringing in is discouraging people from entering the education field. I talked to a couple of students who, in fact, have transferred out of education because they see no future there. This is what you are doing to the future of our young people in this province.

So here you have a government that is destroying our health care system, destroying our education system, and we expect that we are going to create a healthy environment that is going to attract people to our province, more people to come here, to work here, to educate their children here? That is not what we want in this province.

You should be listening to the teachers. The Minister of Education (Mrs. McIntosh), I hope, listened to the many teachers who spoke at the hearings. If they do not want to listen to us, they should listen to some of their

words, people who came to committee and said, I was a member of this party, I worked for this party to help you get elected, and I am ashamed of what you are doing to the education system. But did the minister listen to that? No, she tried to educate them and to say, no, no, you do not understand this bill. This bill is not what the NDP is telling you it is.

Well, Madam Speaker, the teachers are smarter than that. The teachers understand this bill very well. The teachers understand that this government is having pay-back time. They are paying back the teachers because they chose to speak out against what this government is doing to education, and it is absolutely disgraceful that this government is putting forward a plan that will destroy and have a scar on our young people in this province for many years to come, and that is the mark that this government will carry forward.

They will carry forward that they have put in place a system, and they are responsible because, over the last eight years that they have been in power, they have been cutting back to the funding in the public school system. As much as they would like to say that they are increasing funding, people know what the funding is, where the funding is going and that they are choosing to set up a two-tiered system where the private education system is getting more money and the public education system is getting less money. This is not fair, and I have to say that I am very disappointed in this government, that they would bring forward legislation that will create a two-tiered system. Those children who come from poorer areas, many children in rural Manitoba, where if the minister understands, and I am sure there are many government members that do understand because they come from rural Manitoba, that the tax base is just not there.

What has happened to the system where we strive for equality, where taxes or funds that are raised from one area are used to help out another area? Under this one, where this government is cutting back education funding and moving towards an ability to pay system, there are many areas that will not be able to hire, have the funds to pay for teachers. There is less and less money there. So this government does not recognize that they are—or, I believe they do. I say, they do not recognize, but I believe that they do recognize what they are doing, but they have become a very uncaring bunch of people,

moved a long way from what they were in their early days.

Madam Speaker, this government has chosen to attack the teachers, along with many other people who choose to serve this province as civil servants, as health care workers, and this is not in the best interests of the people and not in the best interest of our children in this province.

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, I want to join with my colleagues, the member for The Maples (Mr. Kowalski) and others, speaking against Bill 72 that is before this Chamber today.

Quite frankly, I am very disappointed that these speeches are necessary because I would have thought a Minister of Education that was listening to the people at the public presentations would have listened long and hard enough to understand why this bill should not proceed to third reading and passage in this Legislature and why it should be pulled and why the Minister of Education (Mrs. McIntosh) should go back and do her homework. Because clearly the vision, the substance, the tactics that are contained within this bill are the breach of a 40-year partnership that was arrived at and legislated in this Legislature with a person that obviously had a lot more foresight and vision than the present minister and the present Premier (Mr. Filmon) and the present caucus of the Conservative side.

I had the opportunity to listen to a number of parents and principals and teachers and trustees at the public hearings just a while ago. I have also had the chance to talk and listen to superintendents. I have had the chance to listen, talk and meet with trustees. I even met with the member from the education committee of the Chamber of Commerce, and I have to say if there is one universal opinion of all those people is there is no rush, there is no hurry, there is no panic. It makes a lot more sense for the Conservative Party opposite to try to replicate the partnership that was achieved 40 years ago with the partnership that must be achieved to take us into the 21st Century. People off the record that are trustees say, well, we really would prefer that the minister listen to the Teachers' Society and teachers across the province, Parent Advisory Councils. On and on and on it went—you know, sometimes I have been before legislative committees, the

ministers are listening, and sometimes I have been before legislative committees and ministers are not.

Sometimes ministers can be downright insulting or insensitive to the people that are presenting briefs, and I have to say with the greatest respect of the present Minister of Education (Mrs. McIntosh) that I was extremely disappointed in her approach to people presenting their views. They would present their views, strongly held, and the Minister of Education would ask them, well, have you read the legislation or are you just listening to the society and what they are trying to tell you to say? The presenter would say, yes, I have read the legislation. I have discussed the legislation. I have read it very much in detail. Then the Minister of Education would say, well, do you understand it? I remember person after person, in fact, I remember one individual that I believe went to teachers college with the minister saying not only do I understand it, I have taught reading for the last 25 years. I understand how to read.

You know, people that are trained and skilled professionals and who read every day of their life, the Minister of Education is telling them they do not understand the bill, they have not read the bill. She said that in the House. I wanted to reality-check the Minister of Education, so I went to the committee myself, and what she said in the House and what she has maybe convinced her members opposite is the rationale for this bill, that, quote, society does not like it but the rank-and-file teachers they love it, they love this bill. If they would read it, they would be fine. Well, that is not the case, because they have read it and they understand it, and they understand that this is a breach of partnership. I do not know how this Minister of Education wants to go down in history. She is going to go down in history as the person that ripped apart a 40-year partnership. She is going to go down in history as a person that would rather work in conflict than in co-operation. She is going to go down in history as a person that has the inability to bring people together across our province, rather she splits them apart.

When people 40 years from now—because this legislation will be repealed in two and a half years—when people are looking at the 80-year history 40 years from now of education, they will have this two and a half year blip, this unintelligent blip, this absolute contradiction to the traditions of Manitoba, and the Minister of

Education's footprints and hand prints and name will be all over it, and I say: Shame on you, shame on you.

* (2210)

It is as the member opposite—the member for Wolseley (Ms. Friesen) and the member for Radisson (Ms. Cerilli), the member for St. James (Ms. Mihychuk) and the member for The Maples (Mr. Kowalski) have so adequately stated, a very, very authoritarian approach, a very, very authoritarian approach. We know in business, we know in labour, we know in social services, we know in churches, we know in volunteer work, we know in everything in society today that the communities and the countries and the societies that work in a co-operative way with everybody pulling together instead of groups pulling apart, the ones pulling together are the ones succeeding. If it takes more time to get people working together, what is so wrong in taking a year to get it right if you can possibly get it—or I should not say get it right, get it correct in terms of what that means.

Madam Speaker, did this government promise it in the election campaign? I was on education debates with the Premier (Mr. Filmon) in the St. Vital School Division, and I can inform people of this province that during the education debate the Premier of this province, the Leader of the Progressive Conservative Party, and I suggest all the Conservative candidates, were going around with love, trust and pixie dust for teachers and education. All were kind, swell, moderate Tories. We are not Ralph Klein. We are not these extreme Mulroney Tories. Look at me, I am not wearing my pinstripe suits. I am wearing my nice, little comfortable sweaters, and I have a potted plant behind me, and we are kinder, gentler Tories.

You do not have a mandate. I say to the Premier and to the Minister of Education (Mrs. McIntosh), they do not have a mandate. You do not have a mandate to proceed with this legislation because you did not campaign on this extreme education agenda. You did not. Of course, after the election they got rid of their sweaters and they went on to their mean, extreme views, and, Madam Speaker, they proceeded to start down a very cynical path to undo 40 years of partnership.

What did they do first? Well, this government is so cynical and is so interested in controlling the media, and this Minister of Education with the—I think the member

for Wolseley (Ms. Friesen) called it the habit of deceit. I did not want to miss that term; it was wonderful. Habit of deceit, members opposite. Habit of deceit, and, Madam Speaker, the government announced a 2 percent funding cut at the same time they announced this so-called paper to deal with teachers' salaries.

Look at the kind of honesty in that paper. There were all kinds of factual errors as the minister knows, and one of the errors is, quite frankly, the statements about the economy. When it comes to dealing with teachers' salaries, Manitoba's economy is in eighth place, seventh place. You would think we are just kicking along at the level of Newfoundland, but when you look at the Minister of Finance's (Mr. Stefanson) speeches or when the Premier (Mr. Filmon) does his state of the corporation address at the Chamber of Commerce, we are the finest economy in the whole world. We are outgrowing everybody—Japan, West Germany, you name it. Everything is steamrolling ahead according to the government.

The only thing that is steamrolling ahead is this government breaking its promise and rolling over the people and education system in this province, and, of course, the government's intention was to get the media to cover the fact that they may get rid of the right to strike in education, rather than the third year out of four, a 2 percent funding cut. That was what they were trying to do.

Madam Speaker, I can tell the minister opposite, the Premier opposite, what the impact of her funding cuts are, because we heard people, we heard teachers, we heard parents, we heard trustees. We listened to them. They talked about classroom sizes that were growing and growing and growing. Just last week, we brought in letters from 2,000 parents in the Seven Oaks School Division that talked about the cutback in special needs people, that talked about the reduction in counsellors, that talked about the reduction in physical education, that talked about the reduction in materials for curriculums, that talked about textbooks that were nine and 10 years old. How can this government talk about going into the 21st Century when their textbooks are not out of the 1980s? That is not moving into the future; that is sticking your head in the past, and that is exactly what this government is doing.

So the government then proceeded to have a travelling road show. Now this is a government that said real teachers would be in the classroom. So when did they have the hearings? They had the hearings during the daytime, I believe. In Steinbach, I believe, the first hearing was in the daytime but, even then, when people came out to present, when parents and trustees and teachers came out to present, they rejected the right to strike, but they also rejected any vision that would tear up the partnership that was here in Manitoba, that was achieved 40 years ago and was maintained by five successive Premiers and is being ripped up by the member for Tuxedo (Mr. Filmon), the Premier from Tuxedo, Madam Speaker. We have had Roblin, we have had Weir, we have had Schreyer, we have had Lyon, not even Sterling Lyon would rip up this partnership. We would not even have Sterling Lyon go that far an extreme. We have had Pawley and now, of course, we have the arrogance and the authoritarianism of the member for Tuxedo, and why some of the members opposite cannot get a backbone transplant and vote for partnership rather than conflict is beyond me.

So the Render-Dyck committee—or is it the Dyck-Render committee? Is it Dyck-Render or Render-Dyck? Render-Dyck. The Render-Dyck committee went out, and did you reflect the views of the public presentations at that committee meeting? Absolutely not. I say to the member for St. Vital (Mrs. Render) she has lost a lot of credibility in this process, and I am disappointed in her. I am very disappointed in the member for St. Vital in this process. I am very disappointed that she did not write a presentation to the Legislature and to the Minister of Education (Mrs. McIntosh) that reflected the views of all Manitobans at those public hearings. She would have had a chance to show leadership. She would have had a chance to have that partnership that was so important to all of us 40 years ago maintained into the 21st Century.

Change? Absolutely. But change with partnership is the only way to have change in terms of the province of Manitoba, a view that has been rejected by members opposite. But, of course, as so many people have pointed out before, this really is about the commitment this government has to the public education system. Because when we talk about deceit, we have to talk about another announcement that came shortly after the Dyck-Render committee in terms of public education. In the budget this year, the government announced that there was a 4

percent increase to private education. Now why did you not tell the truth? Why did you not tell the people of Manitoba that school divisions were going to get between 9 percent and 15 percent. If you are going to do something, why do you not have the courage of your own convictions? I know you cannot defend putting money into St. John's-Ravenscourt for another Zamboni machine at the same time you are cutting back resources to special needs, but that is exactly what you did in the last provincial budget. I do not remember, ever at all, a Minister of Education in a budget-briefing exercise telling the media that it was a 4 percent increase when in fact it was between 9 percent and 13 percent.

The other issue, Madam Speaker, and this is why this legislation is written in the way it is, the other issue here is the way in which the government is treating their own revenues in one way and the funding grants to school divisions in a completely different way. You know, the government thinks they can do this, and nobody understands it. People understand when you deal from the bottom of the deck. People understand that this government has over \$300 million in lottery revenues. The people will understand shortly that this government is going to sell a Crown asset like Manitoba Telephone System, sell a Crown asset, use debt as a reason to sell it and put between \$300 million and \$400 million in a Fiscal Stabilization Fund or a pre-election slush fund. They will understand that.

So the government had to shield their revenues from the investment in our kids and public education system. They had to say, our revenues are off limits for arbitrators, so if we get a 5 percent increase in revenue because the economy is strong, lottery and gambling money which is the biggest growth industry in this province under the Tories is up, or if any other sources of revenue are up, that is off limits to the arbitrator. You must look at the funding grant that we give to the school divisions as ability to pay.

* (2220)

So if the economy grows by 5 percent and revenues grow by 5 percent, but the minister continues her 2 percent cutback program, that is what the arbitrator will look at. That is dealing from the bottom of the deck. The Minister of Education (Mrs. McIntosh) knows that, and that is why she is ripping up a 40-year partnership. We

know it, she should know it, the people of Manitoba know it, and that is why I say, shame on you.

The other issue, of course, in this legislation that we find reprehensible is the whole issue of scope. Teachers are very concerned dealing with the funding cutbacks from the Minister of Education, 2 percent one year, 2 percent another year, 2 percent a third year, \$43 million being cut back from public education. Has this Minister of Education listened to students about this? I had the opportunity to listen to a student presenting his views in front of the Legislature in June, and, regrettably, the Minister of Education was not there. That student said, every time the government cuts back funding and every time my school cuts back courses, you close a door to my future, and he is asking the government to stop closing doors to his future and the future of other students in his school.

Another student from the Elkhorn school division just last week in Brandon, another meeting that the Minister of Education could not attend—in fact, no member of the Tory party could attend that rally in Brandon. They had six people out to hold the hand of the Minister of Health (Mr. McCrae) the night before in a health meeting. They have about 24 ministers out to cut a ribbon for a \$14 grant to the Chamber of Commerce of Brandon. Ribbon-cutting ceremonies, they are all out there with boutonniers and smiles and whatever else, but not one person could attend the meeting in Brandon to talk to the teachers and listen to educators and listen to the parents and listen to the people.

Another student at that same meeting said, I am taking courses, and I have to take a course in chemistry in advance to the course I need before it because we do not have the right textbooks. I take the 301 course before I take the 300 course. Another example the student used was in another science course, where the courses were backwards because of the funding of the government. Has this government listened to teachers lately about how much xeroxing is going on in our schools because they do not have textbooks that are up to date? Did this government listen to the teachers and parents about the size of classrooms, 29, 30, 31, 32, numbers of students—[interjection] To 51—I missed that presentation. Has it any studies about the relationship between Grades 1 to 6 and the teacher-pupil ratio and what it means for

the future of education? Do they care? I do not think so, Madam Speaker.

I worry about it. My daughter is in Grade 1, and I am very, very worried about public education. A lot of parents and a lot of members of our community are also worried. I want my daughter and my children to have the same opportunities in public education and in education that all of us had. I want our kids to have textbooks that are current. I want our children to have the opportunities that we all enjoyed when we went to school when we were younger.

Madam Speaker, we want this government to withdraw this bill. We want this government and members opposite to have the courage of their constituents rather than the courage of the schoolyard bullies that are running this government. This is not our language. This is the language of the Free Press editorial. It must be right. It is the bible of the Progressive Conservative Party. It is something. It is the official publication of the Progressive Conservative Party.

Madam Speaker, I do not believe it is just the Minister of Education (Mrs. McIntosh) that is a schoolyard bully. I have to say that. I believe the biggest schoolyard bully in this province is the Premier (Mr. Filmon) of this province, the member for Tuxedo, that has turned his back on public education, and soon Manitobans will turn their back on him. We believe in a vision of working together in partnership, working with teachers and trustees and parents and the community to take our education system into the next century. We believe that you cannot do it by having conflict, you have to do it with partnership.

We believe teachers should be on the front end of curriculum development, be in the curriculum committees. We believe that teachers should be involved in all stages of curriculum development and not have these top-down proposals from the Ministry of Education that is mandatory one year and dropped the next year because it did not make any sense. We believe the curriculum and the schedule the kids go through should make common sense, but common sense should start with the people that provide the instructions, the people in the classrooms, the people that the Minister of Education says she is listening to, but as we know from those committee meetings these people do not feel listened to by this Minister of Education.

We want to see as much money invested in our public education system as we also receive in our economy. If our economy is growing by 2 or 3 percent we want to reinvest that in our children, because our children are our future. Our education system is key to how Manitoba will operate as we proceed to the next century, and we want to emphasize that you cannot have an economic strategy without an education strategy. The one thing we know in terms of the changing economy is the need to learn the ability to adapt. The ability to relearn and relearn and relearn again is so crucial to our future and to the future of our children. You do not develop that kind of atmosphere, that kind of environment with conflict; you develop it with partnership. So we say no to conflict, we say no to confrontation, we say no to the schoolyard bullies across the way, we say yes to public education, yes to respect for teachers, yes to respect for partnership into the future, and yes to a future that includes all the partners in education and does not disregard our education teachers in our society.

That is why we are proud, we are proud to vote against Bill 72. We are also proud to announce that we will repeal it when we are in government in the first session, because it is bad legislation and bad for the kids of this province.

Madam Speaker: Is the House ready for the question? The question before the House is third reading of Bill 72.

Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Formal Vote

Mr. Doer: Yeas and Nays, Madam Speaker.

Madam Speaker: A recorded vote has been requested. Call in the members.

Order, please. The motion before the House is third reading of Bill 72.

Division

A RECORDED VOTE was taken, the result being as follows:

Nays

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Hickes, Jennissen, Kowalski, Lamoureux, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.

Yeas

Cummings, Derkach, Downey, Driedger, Dyck, Enns, Ernst, Filmon, Findlay, Gilleshammer, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.

Mr. Clerk (William Remnant): Yeas 30, Nays 26.

Madam Speaker: The motion is accordingly carried.

House Business

Mr. Ernst: Madam Speaker, is there leave of the House to not see the clock until twelve o'clock?

Madam Speaker: Is there leave of the House not to see the clock till twelve midnight? [agreed]

Mr. Ernst: Is there leave for the committee to continue to sit until twelve midnight?

Some Honourable Members: 11:30.

Madam Speaker: 11:30? Is there leave of the House to have the Standing Committee on Public Utilities and Natural Resources sit until 11:30?

The honourable member for Crescentwood.

Mr. Tim Sale: I misheard the time, Madam Speaker.

Madam Speaker: Agreed? Agreed.

* (2300)

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Mr. Ernst: Madam Speaker, I move, seconded by the Minister of Justice (Mrs. Vodrey), that in accordance with subsections 11.1(5) and (6) of The Provincial Court Act, the Report of the Standing Committee on Privileges and Elections respecting Judicial Compensation received on November 5, 1996, be concurred in.

Madam Speaker: Does the honourable minister have leave? [agreed]

It has been moved by the honourable government House leader, seconded by the honourable Minister of Justice, that in accordance with subsections 11.1(5) and (6) of The Provincial Court Act, the Report of the Standing Committee on Privileges and Elections respecting judicial compensation received on November 5, 1996, be concurred in. Agreed? No?

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Mr. Daryl Reid (Transcona): On division.

Madam Speaker: On division.

Bill 26—The Labour Relations Amendment Act

Hon. Jim Ernst (Government House Leader): Madam Speaker, I move, seconded by the Minister of Labour (Mr. Toews), that Bill 26, The Labour Relations

Amendment Act (Loi modifiant la loi sur les relations du travail), be now read a third time and passed.

Motion presented.

Mr. Daryl Reid (Transcona): Madam Speaker, not in the last eight years, and I dare say not since 1919, have we seen such an antidemocratic, antilabour, antiworking-people government as we have with this government. By the actions of this government, they have ripped the principle of democracy out of every sector of government. I want to paint for you a picture of what actions this government has taken and bind for you with a common thread through the different pieces of legislation that this government has tabled before this Assembly.

First, we have Bill 17 that gives the Premier the ability to determine all essential operations, which classifications and even which workers, right down to the person by name, will be required to work under this essential services agreement. This government has unilaterally imposed its will and has not allowed negotiated agreements to occur without threat, but has instead chosen to hold a hammer over the heads of government workers while negotiations start.

In addition, we have Bill 54, which, before being amended, would override The Labour Relations Act of Manitoba and allow the government to decide who would be the union representing municipal workers without a vote of those employees and that they would have wiped out the existing freely negotiated collective agreements. We are thankful that the minister responsible for municipal affairs has understood what that bill had meant and made the necessary amendments to bring it back in line with what we believe are the democratic principles of this province.

In addition, we have Bill 73, The Construction Industry Wages Amendment Act, which will give the Premier powers to politically appoint an advisory committee, and the Premier will also determine if and when this committee meets. The Premier will determine, in addition, the conditions that are affecting the construction industry, which will include the setting of wages and the conditions of work; the Premier will determine if and when the committee will decide on those issues and when they should be heard. Just as we saw when this government, since 1991, has only convened the Minimum

Wage Board of Manitoba once in that period of time, we will see the same situation occur under this Bill 73.

In addition, we have Bill 72, also an antidemocratic piece of legislation, which will destroy 40 years of labour-management peace in the education area and will create an atmosphere of distrust and animosity between teachers and trustees and government, which will for the first time bring teachers under The Labour Relations Act for financial disclosure rules but does not afford teachers any other rights under The Labour Relations Act for our province.

In addition, we have Bill 49, another antidemocratic bill, involving regional health boards which will tear away the right of working people in this vital sector of our economy by not allowing health care workers to determine who their elected representatives will be. A government politically appointed commissioner will determine who the union representatives will be without the right of appeal to the courts or to the Labour Board. Health care workers will not, under these regional health boards, have the right of self-determination of their own representatives.

In addition, we have this Bill 26 which will strip away and undermine the rights of unions, society and association members to freely and democratically elect their representatives who will then be able to represent the membership interests without having to look over their shoulder for the heavy hand of government interference either during contract negotiations or through direct interference in the internal affairs of the union, the society or the association. In addition, we have a government that has gone mad in its craving to strip away the rights and ability of working people to defend and advocate for their interests on all matters, including public education, health care services and on behalf of working people for a balanced labour relations playing field.

You as a government have imposed rules on labour that you refuse to equally set for business. Labour will have to have financial disclosure, but those who do business with this government do not have to declare such information, and I can only point back to the committee hearings on Bill 26 when we had a presenter come from the private sector in the construction industry. In fact, the particular member happens to be part of a

family which owns a construction company that does road and highway contract work for government. When I asked the question of this presenter about the financial disclosure provisions, he said it was fair that unions, societies and associations should have to declare their finances, but when I asked him if the same rule should apply to his company because he is doing business with this government and other governments, whether he should have the same rules applied, he declared openly, no. He refused to have the same rules apply to private businesses under businesses dealing business with government as this government is now forcing upon unions in our province. Companies do not have to consult their shareholders to advertise, and yet this government is requiring that all unions, societies and associations must beforehand consult their members.

You punished those who dared to speak out during the last provincial general election, those who advocated for a strong public education system, those who spoke out for the principles of medicare, and those who spoke out for the very public services that our communities rely on. They were punished for speaking out. These antidemocratic bills which include Bill 26 is your retaliation for those who dared to speak out and your way of extracting your pound of flesh, your way of saying, how dare you speak out and stand up to a bully government.

Witness the government's actions during the dispute at the University of Manitoba strike in 1995 and judge the Premier (Mr. Filmon) by his own words and actions when he talked about labour relations conservative-style where the university professors received the moral support of an Ontario colleague, a professor of astronomy, only to have this Premier attempt to bully that professor by writing to the professor's employer. The only problem is that when the Premier wrote to the professor's employer, he referenced the professor of astrology and not astronomy. Obviously, the Premier was typical of the schoolyard bully tactics that we are used to seeing from this government.

* (2310)

The agenda of this government is clear and that is to punish those who speak out, intimidate others assisting, ignore consensus building, take sides in workplace disputes and break The Labour Relations Act as an

employer. The Minister of Labour in 1994 said, there is no need to change The Labour Relations Act in Manitoba; it is working just fine.

Then we had, after the provincial general election, the current Minister of Labour (Mr. Toews) going through the province and meeting with labour leaders as recently as the fall of 1995, just one year ago, telling the same people in the province there would be no need to change The Labour Relations Act; everything is going along smoothly; the only thing we are looking at is some minor housekeeping amendments to The Employment Standards Act.

Well, I want to tell you that just a few short months later, less than a handful of months, Bill 26 was on the horizon. One public presenter summed up the actions of the Minister of Labour in one phrase, and I quote the presenter, Madam Speaker. That presenter said, after having been told by the Minister of Labour (Mr. Toews) that there would be no amendments to The Labour Relations Act under this minister, that the minister went back on his word. In fact, that presenter called the Minister of Labour a baldfaced liar. End of quote.

Since 1964, we have had a consensus building through our provincial Labour Management Review Committee where labour and business would meet to discuss and resolve issues affecting our economy. The Minister of Labour referred the government's proposed Labour Relations Amendment Act, after first saying they were not going to do anything, then they referred labour relations changes they were proposing to this LMRC, and they referred it to this committee in the spring of this year.

That committee is chaired by none other than Professor Wally Fox-Decent who was representing the public interest in these matters, and this committee, the LMRC, met and sent back a consensus of recommendations to the minister which the minister rejected totally. The ploy was to say you never consulted, thinking that consensus would not be reached between business and labour. But you were wrong, Mr. Minister. Now you have abandoned the results, and now we have a body of consensus builders, the LMRC, on life support. Just as an ambulance patient is wheeled into one of the remaining hospital emergency rooms only to find themselves staring up into the face of Dr. Jack Kervorkian, who is the

Minister of Labour. The condition of our LMRC can only be termed as terminal under this government.

You have systematically set out to destroy the very mechanisms that were designed to foster workplace peace and encourage business and labour to work together to build our Manitoba economy. Dignity and respect in the workplace will be among the casualties as working men and women will be forced to fend for themselves, as this government deep-sixes its proper role as defender of the public interest in favour of an every-person-for-themselves economy where those willing to work for the lowest wage will be employed.

This government is using a sledge hammer to kill a fly. If any union or society does not comply with the financial disclosure, this government will remove the Rand Formula even if it means interfering in freely negotiated private sector contracts. Once again, we see this government interfering in areas where they have no right to be.

When we proposed an amendment to change the penalty or fail to disclose to an unfair labour practice with a fine of \$2,000 or higher, this government refused. When presenters pointed out the unfairness of requiring that unions must communicate with all bargaining unit members or the use of dues for political purposes without a list of employees being available, the concern was ignored. What if a company has employees working at home but still members of the bargaining unit and not members of the union? The government said it does not care. When we introduced an amendment to require a company provide to the union every six months a list of the names of the employees in the bargaining unit, the minister said no. He was not going to accept that, but he is going to make the union suffer the financial penalty for not consulting those members. Is that fair?

When we tabled an amendment to have the dues of the bargaining unit members who object to the use of those dues for political action by the union or society and proposed that the dues instead be left internal to the use for other nonpolitical uses such as mediation costs, which those unions will now have to bear as a result of Bill 26 which will oppose a one-third share cost, the Minister of Labour (Mr. Toews) said no. He would not allow those dues to be turned internal for other uses for which he is going to impose costs. There can be no doubt that the

intention of this bill and this particular clause is to financially punish unions.

But the most insidious part of this Bill 26 is the elimination of the expedited mediation arbitration process. This change will greatly affect women in the workplace. Based on a public presentation, I tabled an amendment that would include under expedited arbitration, the ability for women to have sexual harassment and physical harassment complaints heard in an expedited hearing. The amendment included harassment as defined under the Manitoba Human Rights Code. The Minister of Labour said no. There can be no doubt that this government does not support the Manitoba Human Rights Code.

Madam Speaker, the Minister of Labour has once again insulted members of the public and those people who belong to unions, societies or associations. This Minister of Labour once again displayed his government's arrogance this week when he stated that he could just have easily abolished the Rand Formula for all associations, societies and unions. You expect, Mr. Minister, that working people should be thankful for that? Well, I can tell you, you expect members of the public and members of this Legislature to get down on bended knee and pray at the altar of your government, giving thanks for your generosity. I say to you, sir, that we will not kneel before you. This is not a dictatorship yet, and you are not a dictator. You are a government of right-wing extreme radicals. You have turned back the clock on fairness to the turn of the century. You have turned back the labour relations clock in this province to a time when profit and greed dictated the rules of labour relations in Manitoba. I say to you, as members of government, that you have tilted the balance of labour relations in this province to the right, and I give to you my pledge and my word that I will not rest until that balance and fairness is restored.

Thank you, Madam Speaker.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, it is with pleasure that I am given the opportunity to be able to put a few words from our perspective with respect to Bill 26, a bill which the Liberal caucus cannot support and will be voting accordingly.

We have serious problems in terms of the labour legislation, not only from this government but the

previous government also. What we see, in the past or in the history in the province of Manitoba, is very divisive methods that are being used in order to pit labour versus management. You know, it is interesting. If you look at the preamble to The Labour Relations Act you will see about harmony in the workforce, and that is what labour legislation is supposed to be all about. It is supposed to be there to ensure that there is a certain element of harmony and that what we are doing is trying to foster good relations between the employer and the employee.

Madam Speaker, what we have seen over the decades is the governments of two extremes bring in legislation in which one side takes great offence over what the other side is in fact doing. I can refer to the final offer selection debates of the New Democrats and the promise of bringing in antiscab legislation, where the union movement was perceived by many from within the management community, if you like, where the NDP are taking a side and they are going against management, which is not in the best interests of the overall economics of the province of Manitoba. Then we changed governments and now we have the Conservative government, and what do we see happening now? We see harder legislation brought against our unions. We are seeing a personal, vindictive attack on the unions for some of the actions that they have taken.

I firmly believe that unions provide a wonderful role in today's society, and they should be applauded. Do not necessarily group all of the different elite within the union movement into one basket and say that unions are a bad thing. Unions can and will provide a very worthwhile, functional role in today's society and tomorrow's if in fact they are allowed to do that, that far too long we have played in this Manitoba Legislative Building a very divisive role. We try to put union versus management, as I talked about, and I think that is completely unacceptable. What we should be doing as legislators is trying to promote what The Labour Relations Act talks about, and that is harmony, as opposed to taking some sort of a philosophical approach.

* (2320)

Well, if we are in the Conservatives, we have to take a hard line against the union movement in order that the Chamber of Commerce and those other individuals of that right-of-centre plank will say we are doing a wonderful job and we are protecting their vested interests.

Then, if you are a New Democratic government, you have to go across saying, well, we have to bring in antiscab legislation, we have to do this, we have to do that in order to be portrayed as being there for the union movement and pleasing that group of people.

The individuals who are being lost out while these two political parties try to cater to the few select individuals of the respective elite from those interest groups is the worker. That is the person who is losing out the most, and the employer. That is in fact what we have seen over the last decade plus, in the type of government which we believe in the Liberal caucus is completely unacceptable. This government today, like governments in the past, has been doing a grave injustice to the labour movement in the province of Manitoba and needs to be halted, Madam Speaker. That is the reason why we do not support this legislation and why it is that we will be voting against it. With those few words, we are prepared to vote on it.

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, regrettably, we again have to deal with a piece of legislation that is more of a reflection of the inadequacy of the minister than it is good public policy. I say that regrettably because I had higher hopes for this minister. In fact, I think he led a lot of people to believe that we should have higher hopes because he went around the province saying, I am a kinder gentler Conservative. I do not believe there is anything wrong with The Labour Relations Act. It is well-balanced. It is a good act. It has been working well in Manitoba for a number of years. He said in Thompson to the steelworkers and in other parts of the province, we do not have to change The Labour Relations Act.

Madam Speaker, this act, as I said, and the member for Transcona (Mr. Reid) and other members at second reading have pointed out how bad this act is, and it is regrettable that the Minister of Labour (Mr. Toews) is considered not very trustworthy by workers. We had a worker here challenge the Minister of Labour to a lie-detector test after he showed a little thin skin, I guess you could say, in terms of dealing with the dispute. It is regrettable that the head of the steelworkers felt the same thing about the minister's word. I really say I do regret that because I did expect a higher standard from the member who I had worked with on the Meech Lake Task Force and thought that he was going to be a moderating view in a cabinet.

I also resent that this minister has chosen to refer this matter to the Labour Management Review Committee. He referred the matter to the Labour Management Review Committee obviously in a tactical and strategic decision hoping the Labour Management Review Committee would say, no, there is no consensus; and, therefore, the government would have this pretext to proceed in a unilateral way. Well, I guess the Minister of Labour was quite surprised when Wally Fox-Decent and the employers and the unions came to an agreement, a consensus agreement, of how to deal with the matters referred by the Minister of Labour to the Labour Management Review Committee. When we have a consensus of business, labour and government, who are the 31 members opposite and the Minister of Labour to play this deity that they will determine what is best for the workplaces and the workers of this province?

The Minister of Labour imposes standards on working people that he does not impose on corporations. He does not even impose them on the Law Society. I guess, Madam Speaker, there is one standard for unions and another one for the Law Society which the member apparently is a member of. Does he require a vote from Great-West Life to whether they are going to donate \$25,000 to the Conservative Party? If I am a shareholder of Great-West Life, do I get a vote to determine whether my donations go to a political party or does Power Corp and Great-West just write that cheque to members opposite? What a double standard. If you want to have a balance, start with balance in the political donations, have the same standard, have the same test, have the same kind of determination, but this government is not interested in balance just like the Minister of Education and Training (Mrs. McIntosh). He is only interested in power. He is only interested in dealing from the bottom of the deck.

And who is he consulting to pass these laws? Who is he talking to? Who is he listening to? He does not listen to Wally Fox-Decent who has a lot more experience than he has. He does not listen to the business and labour representatives. He obviously listens to a very small group, a clique, that meet in backrooms of this minister.

Madam Speaker, this, again, is not the Manitoba way. Economies and jurisdictions that work together will do better in the next economy. A co-operative working relationship at a workplace and in a community and in a

province is far superior to the winner-take-all approach of the Conservative Party. The winner-take-all approach is not the way we can deal with labour-management relations in this province.

I regret that the Conservative government has decided to do a winner-take-all approach when it comes to The Labour Relations Act and the amendments. I think he has betrayed his word. I think he has betrayed the people of this province, and I regret that.

I also believe that the Conservative Party in this legislation will not stand the test of time. Future governments will repeal this legislation. Future governments will have to restore balance to this province and make changes to The Labour Relations Act that are consistent with the balance that is so necessary for us to deal with the economy.

This act is very unfair, and it is very vindictive. Just like many other acts, it is authoritarian, it is vindictive, it is unnecessary. Why are we doing this? Well, we have a situation, Madam Speaker, where the Tories have the highest days lost through strike and lockout in Manitoba since the last 20 or 30 years, maybe even longer. What is the reason for that? Here is a government that has had a number of days lost to strike and lockout in the public sector. Many of the people in the public sector are paid for by the public purse which is administered by members opposite, the cabinet of the day.

Of course, here we have all the MLAs and all the cabinet ministers receiving automatic wage increases this year, and this government requires hospital workers and home care workers and other workers in our society to take pay cuts. I listened to people at the Tache Nursing Home in terms of what they felt and how they felt about it. I regret to say that people there said, why should people like the Premier (Mr. Filmon) living in Tuxedo or representing Tuxedo take wage increases while I get a pay cut? What is wrong with my work working with the patients at the Tache nursing home? Why am I undervalued in terms of this government?

I think there have been more days lost to strike and lockout because the Minister of Labour (Mr. Toews) did not take any leadership dealing with the automatic wages which the NDP proposed be frozen and have this Legislature, in a contemptuous way, take automatic wage

increases at the same time workers and their workers in the public service take a pay cut.

This Minister of Labour had two paths to take. He had a path to take that dealt with a co-operative approach, where business, labour and government would work together under the leadership of Wally Fox-Decent and amendments would be placed before this Legislature that had consensus.

Now, I have not had one good reason why the members opposite would deny the consensus and deny the opportunity to have the ability to have partnership here. What were they going to lose? Do they think some of their friends in the legal community working as management lawyers were going to lose some of their income because the proposals had more three-person lawyers on the arbitration boards, or why would they not take the consensus? Why did they want to do this winner-take-all kind of approach? Why did they not want to have an approach that allowed the people to have a co-operative approach?

* (2330)

Madam Speaker, I believe that this government has had a number of options, a number of opportunities, a number of choices, and they have really turned their backs to working people and did so, quite frankly, in a way that I think is very dishonest.

You know, there is a old saying, if you lie about the small things you can lie about the big things. I was quite worried when a casino worker had to challenge the Minister of Labour (Mr. Toews) for what he said in front of his house. She was quoted as saying that the Minister of Labour had threatened seven days of continued strike for every time she was out in front of his House.

The minister denied it in the House. The member for Transcona (Mr. Reid) tabled letters from not only the individual but from other individuals who had heard the similar comment in the hallways outside of his office. When the Minister of Labour came out into the hallway and the individual who had made the allegation was out in the hallway, she said, I will take a lie detector test to determine whether in fact I am telling the truth or the Minister of Labour is telling the truth. Now I think it is horrible and tragic that an individual worker would have to challenge the Minister of Labour on that. I believe

that working people deserve better from this province and from this government.

This is a bad bill. You could have implemented The Labour Relations Act amendments that were part of the Labour Management Review Committee. You could have implemented changes that were positive and co-operative and worked in partnership. Why do we continue to see the conflict that we see with the Minister of Education (Mrs. McIntosh) and the Minister of Health (Mr. McCrae) and the Minister of Labour (Mr. Toews)? Why do you not build a society built on co-operation and on partnership? This bill represents the turning of the back of co-operation.

I say to the members opposite with the greatest respect that if I had a consensus report from Wally Fox-Decent signed by business and labour, I would listen to it, because this Minister of Labour does not have the skill and ability to come close to the experience and competence and leadership of Wally Fox-Decent and his many years dealing in labour-management relations. The Minister of Labour is substituting his judgment and the judgment of the Tory Party to the Labour-Management Review Committee.

I suggest to you that members opposite are only too willing to take Wally-Fox Decent's judgment when it comes to pay increases, but when it comes to workers' rights they turn their back. How selective! How convenient! How shameful! We are proud to vote against Bill 26 and vote for partnership in the future.

* (0030)

Madam Speaker: Order, please. Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is third reading Bill 26. Is it the will of the House to adopt the motion?

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Formal Vote

Mr. Doer: Yeas and Nays, Madam Speaker.

Madam Speaker: A recorded vote has been requested. Call in the members.

Order, please. The motion before the House is third reading of Bill 26.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Cummings, Derkach, Downey, Driedger, Dyck, Enns, Ernst, Filmon, Findlay, Gilleshammer, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.

Nays

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Hickes, Jennissen, Kowalski, Lamoureux, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.

Mr. Clerk (William Remnant): Yeas 30, Nays 26.

Madam Speaker: The motion is accordingly carried.

House Business

Mr. Ernst: Madam Speaker, I wonder if there might be leave to not see the clock for an additional five minutes.

Madam Speaker: Is there leave to not see the clock for an additional five minutes? [agreed]

Mr. Ernst: Madam Speaker, the Committee on Public Utilities and Natural Resources considering Bill 67 will sit again tomorrow afternoon at two o'clock and will sit until it completes its work.

Madam Speaker: The Standing Committee on Public Utilities and Natural Resources will sit tomorrow, Friday.

Some Honourable Members: Oh, oh.

Mr. Steve Ashton (Opposition House Leader): Madam Speaker, we are quite prepared to sit in committee. We had suggested there might be leave to go from two o'clock to five o'clock, and I am wondering if the government House leader would indicate that. I think there are some outstanding matters, particularly related to pensions, and I would suggest perhaps that we deal with that. That was a suggestion that had been made.

Madam Speaker: Order, please. The standing committee will meet tomorrow, Friday, commencing at 2 p.m. to continue to consider Bill 67 until such time as it is completed. Agreed?

Some Honourable Members: No.

Madam Speaker: No?

An Honourable Member: It is not a matter of agreement. The House leader announced the business.

Madam Speaker: Leave has been denied.

Mr. Ashton: I am wondering if there might be leave to have the committee sit between two and five. I am sure we can work out some of the details. I realize that leave was denied from the government House leaders. It is simply a question I think of dealing with very important issues. There are a number of amendments that have to be dealt with and particularly there were some very important issues involving the 1,300 pension recipients with MTS, 4,000 employees, and the memorandum was signed. There is some question in terms of whether the amendment reflects that. I do not think there is any bad faith in the amendment reflected and one of the reasons that we certainly agreed to an additional committee

hearing is to try and deal with that and other issues. I realize that leave was not given on the open-ended committee. I would suggest that two to five would be agreeable on this side, and I would ask if there is leave from the government side perhaps for that.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Ernst: Madam Speaker, I would ask you to clarify. You suggested something about leave. There is no leave required to call a committee. I, as the House leader, can call a committee any time, and I have.

Madam Speaker: Okay. The Standing Committee on Public Utilities and Natural Resources will sit tomorrow, Friday, from 2 p.m. until such time as Bill 67 is concluded.

An Honourable Member: You ruled, Madam Speaker.

Mr. Ashton: Madam Speaker, I am a little bit confused. I think you just ruled that there was no leave and it required leave, so I am not sure if I have to rise to challenge your ruling or nonruling on this. My understanding—if you wish to—[interjection] Well, if we can just perhaps deal with this. You had said that—

Madam Speaker: Order, please. For clarification of the honourable member for Thompson, leave was not required. It is very late. People are getting very tired and, regrettably, I asked for leave, but leave is not required. The honourable government House leader has the sole jurisdiction to announce committees. It is a notice to the members only.

Mr. Ashton: I challenge your ruling.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable member for Thompson, I am not certain what he is challenging, because there is no ruling. It is an announcement made by the honourable government House leader.

Mr. Ashton: Madam Speaker, what I am challenging—you had said initially that—

An Honourable Member: It was in error.

* (0040)

Mr. Ashton: I am challenging the ruling where you overturned your previous judgment. That is a ruling on your part. I asked you for advice. It will require a vote. [interjection] If members will bear with me, you had initially said that leave was denied. You then said that leave was not required. I am challenging your ruling that leave was not required. We can then deal with it if it takes a vote and a recorded vote to deal with it. That may be better than dealing with it with all 57 of us talking at the same time. So I challenge your ruling, respectfully.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable member for Thompson, regrettably, is unable to challenge because there was no ruling. I stated that on clarification that the—I stated earlier that regrettably I asked for leave. Leave was not required and that all that is required is that the government House leader make an announcement and notification is given to the House. That has been done daily now for the last month and a half.

Mr. Ashton: Madam Speaker, you just made a ruling and I challenge that ruling. Whenever you make a ruling on House business, we do have the ability to challenge the ruling. If it requires a vote, if we have to ring the bells to decide, I think it may be a little bit more productive than going through this.

Point of Order

Mr. Ernst: Madam Speaker, on a point of order, I believe the five minutes for not seeing the clock has expired. The House is adjourned.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. A motion has been moved by the honourable government House leader that this House do now adjourn.

Mr. Ashton: Prior to that I had challenged—you made very clearly a ruling, Madam Speaker, and a ruling is challengeable and that is decided by the House. I would suggest that we deal with that matter. After that is dealt

with, adjournment motions and other motions can be dealt with.

Madam Speaker: Order, please. The issue currently before the House is, does the honourable member for Thompson have leave to continue to try to pose a challenge motion.

Some Honourable Members: No.

Madam Speaker: The time has expired. Leave was granted for an additional five minutes.

The honourable member for Thompson, on a point of order.

Point of Order

Mr. Ashton: On a point of order, Madam Speaker. It has been a long day. We are in a situation here where there is willingness to sit in the committee tomorrow. There was some question that dealt with that. There is some dispute over—what? The length of time it will sit? There are some possible conflicts under Rule 81 with a committee being called without agreement of the House. It seems to me the appropriate thing would be to try and get some agreement from members of the House on this committee rather than engage in this type of situation, and I am wondering if there is any willingness left on any side to do anything other than yell and scream at each other. I say that because if there is—[interjection]

Madam Speaker, I am attempting to do one thing, and see if we cannot come to some agreement on what? A committee which has to deal with a very important matter. There was not agreement on the committee being called in an open-ended way. There may be some possibility, I think, of getting some agreement on the sitting hours. I am suggesting perhaps, if it requires a little bit of time, it requires a little bit of time. If it means I have to challenge your ruling, I will challenge your ruling. I would suggest that we deal with it that way.

If I can be of some further advice, Madam Speaker, there is a problem with the legality of the motion—pardon me, the announcement by the government House leader, because Rule 81(1) indicates that standing and special committees may meet as scheduled by the government House leader during fall sessions on Friday, and it lists

times: 10 to 12 or 1 to 3. Does not this mean that there are rules in place in that way? We had agreed that two to five—

An Honourable Member: By leave.

Mr. Ashton: —by leave. It does require leave to do anything other than call the committee, Madam Speaker, according to the hours that are in place and I would suggest that we do that. I mean, I think this can be resolved.

Madam Speaker: Order, please. As I stated earlier, with the greatest respect, leave was not required. Our rules are very clear. Rule 81(2) reads: "In addition, committees may meet at other times as scheduled by the Government House Leader."

Mr. Ashton: Madam Speaker, the 81(1), I might provide some assistance, makes specific reference to Fridays. "Other times," in this particular case, obviously deals with other days other than indicated. We have a rule that deals with Friday. I think normally it deals with Friday, and I would like to ask perhaps for some clarification. If you are ruling that the rules on Friday do not really apply because of the second subsection, I will challenge that ruling.

* (0050)

Madam Speaker: Order, please. I have been advised that the ruling is very explicit, and I will repeat it very slowly once again. It makes no reference to days but explicitly times: "In addition, committees may meet at other times as scheduled by the Government House Leader."

I believe the honourable government House leader had a motion on the floor.

Mr. Ashton: Madam Speaker, are you saying that you are ruling that the government House leader can override Section 81(1) with 81(2)? [interjection] Just for advice to members opposite, whenever the Speaker interprets the rules, that is a ruling. There is some dispute here over the rules. I think that is one of the reasons we have run

into this difficulty. I am asking if that is the ruling, in which case, I will challenge your ruling.

Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.

* (0120)

Voice Vote

Madam Speaker: All those in favour of sustaining the ruling of the Chair, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Formal Vote

Mr. Ashton: Yeas and Nays, Madam Speaker.

Madam Speaker: A recorded vote has been requested. Call in the members.

Order, please. The question before the House is shall the ruling of the Chair be sustained.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Cummings, Derkach, Downey, Driedger, Dyck, Enns, Ernst, Filmon, Findlay, Gilleshammer, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe,

Nays

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Hickes, Jennissen, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.

Mr. Clerk (William Remnant): Yeas 30, Nays 23.

Madam Speaker: The ruling of the Chair is accordingly sustained.

* * *

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I believe it is the first time the Liberal caucus actually abstained from the vote, primarily because we feel quite saddened in terms of what has been happening over the last number of hours, and out of respect for wanting to remain neutral in what we believe is something that is most unfortunate for all Manitobans, we decided it was in our best interest and in Manitobans' best interest to see the Liberal Party remain absent on this particular vote.

Mr. Ernst: I move, seconded by the Minister of Education (Mrs. McIntosh), the House do now adjourn.

Madam Speaker: It has been moved by the honourable government House leader, seconded by the honourable Minister of Education, that the House be now adjourned until 1:30 p.m. Tuesday next.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 7, 1996

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