



First Session - Thirty-Seventh Legislature

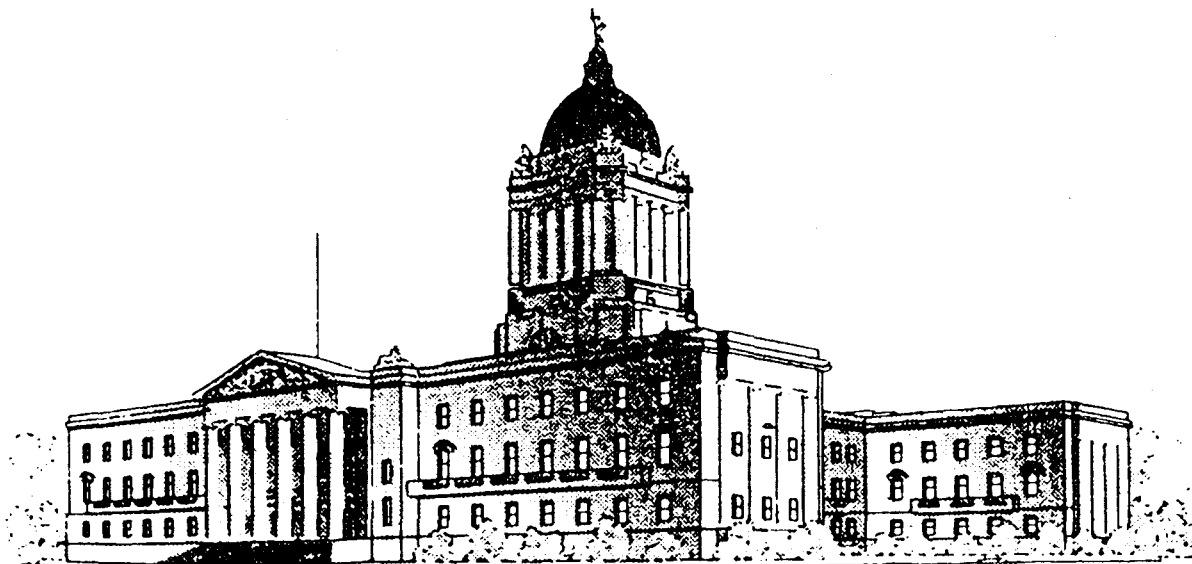
of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**Official Report  
(Hansard)**

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**Vol. L No. 68 - 1:30 p.m., Wednesday, July 26, 2000**

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

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 26, 2000

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

#### Committee of Supply

**Mr. Conrad Santos (Chairperson):** Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report progress and asks leave to sit again.

I move, seconded by the Honourable Member for Selkirk (Mr. Dewar), that the report of the Committee be received.

*Motion agreed to.*

### TABLING OF REPORTS

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Mr. Speaker, I am pleased to table the following annual reports: The Manitoba Law Foundation Fourteenth Annual Report 1999-2000; the Chief Medical Examiner's Report, The Fatality Inquiries Act, subsection 43(1), Report for the Year 1999.

**Hon. Greg Selinger (Minister of Finance):** Mr. Speaker, I rise today to table the Provincial Auditor's Report on Business Planning and Performance Measurement: An Assessment of Timelines of Implementation and Effectiveness of the Process in Departments, in accordance with the provisions of section 13 of The Provincial Auditor's Act, for July 2000, as required by sections 52.27(1) of The Legislative Assembly Act.

### ORAL QUESTION PERIOD

#### Minister of Education Conduct

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** Mr. Speaker, last night in committee, as we had the opportunity to

hear public representation on Bill 42 and changes that this government is hoping to implement, I saw something that I have never seen in the 14 years of being elected in this Legislature. I saw a minister of the Crown show total contempt and disrespect for one of the oldest organizations.

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

**Mr. Speaker:** Order.

**Mrs. Mitchelson:** Mr. Speaker, this is a very serious issue, and I would hope that members of government would take it seriously. During the heat of debate in this Legislature and from time to time members on both sides of the House get somewhat exercised and we do take shots at each other. That is part of the political process, and we understand that.

But when members of the community, citizens of Manitoba come before our legislative committee, something we take great pride in, and make representation on a bill, many, many times sometimes they agree and sometimes they disagree with the direction that government is going, and that is their right under freedom of speech. They deserve to be treated with respect when they come to committee. It is a process for the people. It is not a process for the politician.

Mr. Speaker, I would like to ask the Premier whether he has reviewed the conduct of his Minister of Education (Mr. Caldwell), and the arrogant and disrespectful attitude that he took, whether he has reviewed the actions of his Minister of Education and whether he condones those actions.

**Hon. Gary Doer (Premier):** Mr. Speaker, I was in Brandon last evening. I was not at the Committee. As I understand it, there were a number of presentations made by the members of the public, some obviously opposed to the measures and some in favour and some suggesting some changes.

\* (13:35)

Mr. Speaker, I think it is important to respect the views of Manitobans and to respect the arguments in favour of a particular piece of legislation. I think it is important to note I was in Brandon yesterday making announcement about the Cornwallis municipality and expanding the treatment of the municipal tax transfers to military populations so that the Shilo community would not suffer an increase in taxes because of municipal tax-sharing issues.

Mr. Speaker, it is because this minister does care about the fundamental issue of education for our children, hope for our children, hope for Manitoba, that he has embarked on a strategy to train more young people by embarking on a strategy to double the number of people in community colleges, something that is long overdue.

The Minister of Education has now introduced a reduction of tuition fees by 10 percent. That is respecting our youth. We are working on the capital proposals for both the universities and the community colleges. On the issue of property taxes for municipal taxpayers, this is the first time in the history of this province where we have had a 10% increase in the municipal tax sharing with municipalities, an increase in education funding at the growth of the economy at 2.6 percent, and a reduction of property taxes through an increase in the property tax credit. That is respect for Manitobans.

### Apology Request

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** That is leadership at its worst, Mr. Speaker. By that answer, it is clear that the Premier of Manitoba supports his Minister of Education in his abusive way of dealing with the public and presenters that come before committee. It was shameful. I am embarrassed as a member of this Legislature to have to be associated with that kind of activity by a member of the Crown.

Mr. Speaker, will the Premier now stand and take some leadership and some ownership over his office and demand that the Minister of

Education apologize to Manitobans and to MAST for his abhorrent behaviour last evening?

**Hon. Gary Doer (Premier):** Mr. Speaker, we respect the right of the public to present its views at committee.

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

**Mr. Speaker:** Order.

**Mr. Doer:** Mr. Speaker, as I understand it, the Committee worked into long hours last evening listening to people, particularly people, as I understand it, from rural Manitoba were given a preference in the sense that the Committee did not want the individuals to have to come back a second evening, which I think is appropriate. Certainly you will not find our members reading newspapers. I understand, I recall in—

**An Honourable Member:** Said you were not there; how do you know, Gary?

**Mr. Doer:** I do not know exactly the tone of last night, but I can recall when members opposite took line employees that were presenting their views, average citizens that were presenting their views, and they were literally in tears at the Committee. I know you can have a feisty debate at committee. To disagree, honest disagreements in a democracy are respectful, if they are debated in a democracy. That is the height of respect when you have honest disagreements about policies, about laws, and you have the courage of your convictions to debate those issues.

Mr. Speaker, I recall a few years ago when not only was the whole Legislature shut down but we were not even allowed to speak on a matter of privilege. Even the separatists in the Parliament in Ottawa were allowed to speak on matters of privilege. We believe in a respectful debate in a committee, and I can assure members opposite that part of that respect is listening to what they say and dealing with those issues at the Committee.

### Resignation Request

**Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition):** Mr. Speaker, again the Premier takes absolutely no leadership and

no responsibility for the kinds of actions and behaviour that his Minister of Education (Mr. Caldwell) has displayed to members of the public.

I indicated earlier that from time to time in this Legislature we get into heated debate, and it is fair ball when members of this Legislature take each other on in a pretty aggressive way, but the Premier just does not get it. He is missing the point. What the Minister of Education did last night was treat ordinary citizens, the people of Manitoba who wanted to present their views, they wanted the freedom to speak and present their point of view and the Minister of Education treated them with disrespect and in a very unprofessional manner. Even the Member for Brandon West (Mr. Smith), who was on the Committee, was shaking his head in disdain at this Minister of Education.

\* (13:40)

So I want to ask the Premier now whether he will ask his Minister of Education to step aside and whether he will find someone else within his caucus that can show respect to the citizens of Manitoba who deserve respect from all legislators.

**Hon. Gary Doer (Premier):** Mr. Speaker, as I understand, and I think the key issue here is that other groups and organizations that may have a contrary view to the members that presented last evening, give comparable amount of time. As I understand it, the Committee went—*[interjection]* Perhaps the Member opposite would show some respect in this Legislature and stop heckling and listen to the answers, Mr. Speaker.

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

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

#### Point of Order

**Mrs. Mitchelson:** Mr. Speaker, I wish that you would call the Premier to order. The issue that we are discussing today is the issue—

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

**Mr. Speaker:** Order. May I remind all honourable members, a point of order is a very serious matter.

The Honourable Interim Leader of the Official Opposition, on a point of order.

**Mrs. Mitchelson:** Thank you very much, Mr. Speaker. *Beauchesne's* 417 says: "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate."

Mr. Speaker, the question that was asked was about respect for citizens, people within Manitoba that want to come before committee and have their views heard. They may agree or they may disagree with what the Government is doing. From time to time, there were many presentations when we were in government that did not agree with the direction that government was taking. But people of Manitoba, through the public hearing process on legislation, have the fundamental right to be heard, and they have the fundamental right to be treated with respect by legislators of all political stripes.

The question that has been asked of the Premier, and the question that he needs to answer is not a question that I need an answer to. It is a question that the people of Manitoba need an answer to, law-abiding citizens that come forward to present their point of view. They do not want to be gagged, and they do not want to be intimidated by ministers of the Crown.

Can the Premier please stand up and show some leadership and ensure Manitobans that they will not be treated as shabbily as his Minister of Education (Mr. Caldwell) has treated them?

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

\* (13:45)

**Mr. Doer:** On the same point of order. This acting Leader of the Opposition shows absolutely no regard for the rules of this Legislature when she is asking about the rules of the legislative committee. She totally abused a

point of order, because she did not have one, Sir. She totally abused that to substitute, in my view, a rambling speech in the substitution of a question.

It is quite in order for a member to put a question. It is quite in order for the Premier to respond to the question. It is also in order for the members opposite not to shout down the answers when we are trying to provide them. That is also part of our rules. The Member opposite does not have a point of order, Mr. Speaker.

**Mr. Speaker:** Order. On the point of order raised by the Honourable Interim Leader of the Official Opposition, she does not have a point of order because Manitoba practice has been to allow leaders latitude. I have allowed leaders latitude on both sides, and I will continue to allow leaders latitude unless I am given directions from both House leaders.

\* \* \*

**Mr. Doer:** Thank you, Mr. Speaker. As I understand it, the Committee went to four or five in the morning last night listening to Manitobans from different walks of life, from different beliefs. That, in my view, is part of the democratic process, which we respect. As I understand it, the Committee went from presentations of 10 minutes to 15 minutes with questions from legislators to follow. That is certainly, as I recall some of the presentations from members opposite when they were in government, at least as generous if not more generous than in the past, and I think there is a fine line. *[interjection]* Well, listening to people until 4:30 in the morning is open. Cutting off people in this Legislature, as we had from members opposite, is closed and gagged government. That is the difference.

I know that people, when they present their views in committee, would like a lot of time, and I respect that. But when there are lots of people to present, some of whom have come a long way and would like to complete their presentations before the sun rises in the morning, I think there is a balance on a committee between allowing those presentations. As I understand it, the debate continues. MAST is spending taxpayers' money running ads. That is part of the debate.

We respect that, their democratic right to spend taxpayers' money doing that. That is just part of the debate.

### Minister of Education Conduct

**Mrs. Joy Smith (Fort Garry):** Mr. Speaker, a few short weeks ago, the Minister of Education said in this House, with respect to the Manitoba Association of School Trustees, and I quote: We have a tremendous relationship. We have a tremendous respect for each other.

After the events of last night in committee, the Manitoba Association of School Trustees was forced to release this press release. It said the behaviour of the Government members, the Minister, was petty and clearly intended to stifle discussion of this fundamentally flawed legislation.

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

**Mr. Speaker:** Order. I am having a very difficult time hearing the question. Order, please.

The Honourable Member for Fort Garry, please put your question.

**Mrs. Smith:** Mr. Speaker, the MAST news release says the behaviour of the Government members was petty and clearly intended—

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

### Point of Order

**Hon. Gord Mackintosh (Government House Leader):** On a point of order, Mr. Speaker. The Member already posed I think two or three questions as a preamble to her question and now is engaged in another one. I draw the attention of you and the Member to *Beauchesne's* Citation 409: It says a "question must be brief. A preamble need not exceed one carefully drawn sentence." Of course, that is a citation brought to the attention of the House by the Opposition House Leader earlier this session.

\* (13:50)

Also, Mr. Speaker, would you please remind the Member, and if she would please pay attention to the direction from you, you just directed her—[interjection] As I recall, you had just, in the last words that you issued, you directed the Member to put her question. I think it is regretful the Member did not pay attention, did not abide by your ruling. Would you please draw her attention to the need to put the question succinctly.

**Mr. Speaker:** Order, please. Could I please remind all honourable members again that a point of order is a very serious matter. I would ask the co-operation of all honourable members.

The Honourable Official Opposition House Leader, on the same point of order.

**Mr. Marcel Laurendeau (Opposition House Leader):** On the same point of order. I clearly heard you in your comment on the previous, when the Member was shortened in her comments by you, Mr. Speaker, rising and saying you were having trouble hearing. I am sure that is why the Member was attempting to just repeat the part that the House had not heard, and she was just quoting from the news release that MAST had to put out because of the gag order that was put upon them last night by the Committee and the gag order that the Minister of Education (Mr. Caldwell) made a point of not listening and putting forward his views and disrespect towards MAST.

**Mr. Speaker:** On the point of order raised by the Honourable Government House Leader, he does have a point of order. According to *Beauchesne's* Citation 409(2), a preamble should not exceed one carefully drawn sentence. I would now like to ask the Honourable Member to please put her question.

**Mrs. Smith:** Mr. Speaker, I ask this minister: Is his idea of having a tremendous respect for each other the idea of shutting down the Committee? If you do not agree with me, then I will get petty, shut you down, and scold you in public? Is this his idea of having respect for the Manitoba Association of School Trustees?

**Hon. Drew Caldwell (Minister of Education and Training):** Mr. Speaker, of course the

Committee met yesterday from 6:30 p.m. until 4:20 in the morning, this morning, hardly shutting down debate. Ten hours, a very vigorous session. In fact, I am very proud of the fact that we got through more than 30 presenters last night, most of whom had to travel a great distance to come into Winnipeg to be able to present their views on this bill.

We had a vigorous debate last night, Mr. Speaker, which is appropriate for a bill where strong opinions are held. The Committee met for in excess of 10 hours to discuss this matter. Most of the people presenting were from outside of the city of Winnipeg. Of course, we are very sensitive to people travelling great distances. I have to commend some of the members opposite for spending time with those on this side of the House, for putting in some long, long hours last night. But we will have vigorous debate on this issue and other issues in the future.

#### **Public Schools Act Amendments—Withdrawal**

**Mrs. Joy Smith (Fort Garry):** Mr. Speaker, in view of the fact that MAST's own news release does say the behaviour of the Government members was petty and clearly intended to stifle discussion of the fundamentally flawed legislation in Bill 42, I would ask this minister: Would he not reconsider, withdraw the Bill, apologize to the Manitoba Association of School Superintendents and figure out some way of bringing both sides, the teachers and the trustees, together to make a more workable, liveable bill for Manitobans?

**Hon. Drew Caldwell (Minister of Education and Training):** Mr. Speaker, of course, you will note and know that I am a rookie in this House. I have been here for just a little over nine months, but one thing that has impressed me very much about the debate in this House, when we on this side have an issue of contention, is the fact that members opposite tend to ignore the issue and go after the Minister or the individual responsible, or their wives, on a personal attack basis. It is a consistent feature, in fact, of members opposite's tact on this issue.

I am pleased to debate the issues revolving around this bill or any bill that we may have on

the Government side of the House. I am very pleased to discuss the issues. Members opposite tend not to tread there. I understand why. I note the absence of former ministers of education across the Chamber. There is a reason, Mr. Speaker, why educators in the province of Manitoba have a degree of respect for members on this side of the House, because we place education at the centre of our policy.

\* (13:55)

**Minister of Education  
Relations with Stakeholders**

**Mrs. Joy Smith (Fort Garry):** Mr. Speaker, I would ask the Minister: How can he intend to work with the Manitoba Association of School Trustees after shutting them down so abruptly last night and work with the teachers to enable them, the two sides, to get a common ground to enable them to work together? The teachers have to work with the trustees on a daily basis. After last night's events, I would like the Minister to explain how this is going to happen.

**Hon. Drew Caldwell (Minister of Education and Training):** Of course, the relations between the Department of Education and other stakeholders in the field are very important. We have made it a practice of seeking advice broadly in developing policy with educators, with trustees, with parents, with children, with other stakeholders. We will continue to do so. We will continue to have disagreements from time to time, but the overriding concern of all stakeholders in the public education system, trustees, teachers, parents, children, is the best interests of children, the best educational interests of the province of Manitoba. And that fact unites us all and will continue to unite all people concerned about public education in this province.

**Public Schools Act  
Amendments—Withdrawal**

**Mr. Ron Schuler (Springfield):** Last night at committee on Bill 42, there was a unanimous or partial unanimous consensus that Bill 42 either be withdrawn or delayed.

The Interlake presentation: Here today in the middle of the summer only reinforces the notion

that this government is willing to conduct discussions of important public policy away from the glare of public scrutiny.

Will the Minister of Education do what is best for the children of Manitoba and either withdraw or delay Bill 42?

**Hon. Drew Caldwell (Minister of Education and Training):** Of course, Mr. Speaker, we on this side of the House frame a great many of our principles around educational excellence in the province of Manitoba. We will continue to do so. We see education as being central to economic growth in this province. We see education as being central to the health of this province, to good citizenship in this province. We will continue to work toward that. Our direction will be driven by placing the best interests of children first, in education and in every issue in this department.

**Mr. Schuler:** I ask the Minister of Education: Did he hear the presentation from Morden last night that said: For the sake of our students, our public schools and our community, do not pass Bill 42?

Will the Minister of Education do what is best for our children here in Manitoba and either withdraw or delay Bill 42?

**Mr. Caldwell:** Of course, Mr. Speaker, we in the Committee and on this side of the House listened to all the presentations. There was a very good balance—

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

**Mr. Speaker:** Order.

**Mr. Caldwell:** There were upward of 30 presenters last night. There were very balanced views presented on all perspectives on this particular issue. We listened to all the representations with respect. We challenged, as we should challenge in important pieces of legislation, to get facts from the public, and we will continue to do so.

\* (14:00)

**Mr. Schuler:** Mr. Speaker, I ask the Minister of Education again: Did he hear the presentation



from Dauphin which said: The education of our students is too important to jeopardize by moving too quickly to meet a political agenda?

Will the Minister of Education do what is best for the children of Manitoba and either withdraw or delay Bill 42, which is in the best interests of our children?

**Mr. Caldwell:** Of course, Mr. Speaker, this issue has been around since 1996 when the former government imposed the ill-conceived Bill 72. This seeks to redress that ill-conceived legislation. It is not a new issue. It has nothing to do with anything but a commitment to children, a commitment to providing the best opportunities for children in the province of Manitoba to have the best possible learning environment.

#### **Minister of Education Apology Request**

**Mr. Leonard Derkach (Russell):** My question is not related to the content of the presentations last night, but what I witnessed last evening was an embarrassing moment for not only myself as a member of this Legislature but indeed for all members of this Legislature. I listened to it until such time that I had to interject with a point of order, even though I knew it was not a point of order, just to save some embarrassment for the Minister of Education and also for the members of this Assembly.

Mr. Speaker, last evening, after MAST was cut off in their presentation, the Minister of Education—

**Mr. Speaker:** Order.

#### **Point of Order**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I wonder if you could canvass the Member to determine if he came here today with a question or is he going to continue with endless preambles.

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

**Mr. Derkach:** I would try to condense this as quickly as I could, and I do have a question.

**Mr. Speaker:** On the point of order raised by the Honourable Government House Leader, he does have a point of order. *Beauchesne's Citation 409(2)*: A preamble should not exceed one carefully drawn sentence.

\* \* \*

**Mr. Speaker:** I would ask the Honourable Member for Russell to please put his question.

**Mr. Derkach:** Mr. Speaker, I would ask the Minister of Education a very pointed question. Is he prepared to apologize to the Manitoba Association of School Trustees, who represent thousands of taxpayers in the province of Manitoba and who yesterday were admonished by the Minister of Education time and time and time again when they tried to present their position to the Committee that was listening to Bill 42?

**Hon. Drew Caldwell (Minister of Education and Training):** Of course, Mr. Speaker, a committee hearing, a legislative committee hearing, having people making presentations to the Province of Manitoba, there were many presenters who feel strongly on one side of the issue or the other side of the issue. That is democracy. We sat last night, or this morning, until 4:20 this morning. It was a very long evening, I think a very thoughtful and thought-provoking evening in terms of the advice that was given to government on this particular matter.

I think it is important to note though that legislative hearings are opportunities in which to put on the record and challenge assumptions and challenge individual views, both government side and from organizations, and that is what we will continue to do.

**Mr. Derkach:** Well, Mr. Speaker, I want to ask the Premier of this province whether he is prepared to review Hansard and to review the arrogant comments of his minister with regard to the MAST presentation, and whether he, as Premier of this province, will apologize to a very important organization in our province, an organization that his government is going to have to work with for the next four years. Will he do the honourable thing?

**Hon. Gary Doer (Premier):** Mr. Speaker, the question was would I read Hansard, and of course I will. It is important to read the views of the public that present their opinions to the Committee, and I think that is an important part of our legislative debate. So the answer to the question is yes.

I think it is important when one is dealing with the disagreements between an organization and the Government to understand that the organization has its responsibilities to its membership, and we respect that. The teachers will be presenting tonight, as I understand it. We will respect that, and there should be equity and time for presentations. I would urge the Committee members to have that kind of equity.

MAST is made up of a central office, which presented its views. It is made up of constituent parts, which presented its views. The Teachers' Society is made up of teachers, of a central organization, of other organizations in their organizational structure. It is not a one-dimensional presentation. There were school divisions that are members of MAST presenting their views, as I understand it, last night.

We know that some of the changes that go back to the laws that were in Manitoba from 1956 to 1996, we believe will be balanced. When we look at the firefighters arbitration or the police arbitration or the arbitration passed by Duff Roblin under The Civil Service Act, none of those acts that provide for the arbitration are as restrictive as even the act that we are presenting today on behalf of students, parents, teachers and trustees.

We also have a disagreement with trustees in looking at the amalgamation of school divisions. There is a very heated argument about the status quo of school divisions versus amalgamation. We have had really positive experience with the Norwood School Division amalgamating with St. Boniface. MAST does not agree with the Minister of Education (Mr. Caldwell) calling on voluntary reviews of school divisions. We believe that voluntary reviews of school divisions is a necessary first step.

The bottom line, Mr. Speaker, property taxes through the property tax credit, the

increased funding, more funding, than members opposite made for six years, plus the municipal tax transfers announced yesterday, it is good news for property taxpayers, and therefore good news for all of Manitobans.

### Conduct

**Mr. Leonard Derkach (Russell):** The issue is not disagreement. The issue is the way we treat the public.

I want to ask the Premier what he has to say to MAST, who in their news release have said, and I quote: Then the Minister of Education and Training (Mr. Caldwell) monopolized the few minutes allowed for questions with several aggressive queries that were not related to the content of Bill 42. And, Mr. Speaker, he said the behaviour of the Government members was petty, clearly intended to stifle discussion of this fundamentally flawed legislation.

What does this Premier have to say to the Manitoba Association of School Trustees about the attitude of his minister?

**Hon. Gary Doer (Premier):** Mr. Speaker, again, as I understand it, the presentations were 15 minutes long last night and 5 minutes for questions and answers. I am trying to recall—*[interjection]* Well, members of the public, I know—I have been in tens of tens of committees where members of the public wanted to have more time than the Committee allocated for them to present their views.

I can recall that members opposite always tried to balance off—and as I recall it was even less time than 15 minutes, it was 10—the desires of organizations to present their views to the legislative committee with the other people that wanted to present to the Committee before five or six in the morning.

I think the fact that the Committee heard views from rural Manitoba up till 4:30 or so in the morning was an open process. MAST was very pleased with the Bill that was passed in 1996 by the former government, and the teachers were not. We are trying to rebalance that effort.

Some of the sections in the Act—

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

**Mr. Speaker:** Order.

\* (14:10)

**Mr. Doer:** Some of the sections of the Act on ability to pay have been there since 1956 to 1996. This is not new territory for trustees, parents, teachers and the people of Manitoba. A couple of months ago when MAST proposed to go to strike and lockout, this government rejected it.

The Member opposite should be very careful. I have a report that was given to him in August 1999 dealing with southwest Manitoba, and he kept it from the people of southwest Manitoba. We need no lectures from the Member opposite.

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

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

#### Point of Order

**Mr. Derkach:** Mr. Speaker, the Premier clearly pointed at me when he said there was a report that I sat on. I ask him to table that report.

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

**Mr. Doer:** Yes, on the same point of order, Mr. Speaker. I released the report, that the Minister covered up, yesterday in the community of Melita. I thought it was kind of ironic on this point of order where he was tub thumping his desk and talking about how concerned he was that a report was given to the Honourable Len Derkach and the Honourable Merv Tweed on August 18, 1999, dealing with southwest Manitoba, the rural task force, and he sat on it.

Yes, I will give him a copy of the report.

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

**Mr. Speaker:** Order. I do not want points of order to turn into debates. I have heard once from the Honourable Member for Russell. If you

have new information pertaining to a point of order, I will hear you, but I do not want this to turn into a debate. The Honourable Member for Russell, on the same point of order.

**Mr. Derkach:** Mr. Speaker, this is new information. If the Premier is an honourable member, which he is, he will admit that indeed the election was called on the 17th of August and indeed that that report was tabled during the writ period of the election.

**An Honourable Member:** On the same point of order.

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

**Mr. Speaker:** Order. I remind all members that points of order should not turn into debates. I have heard for the second time from the Honourable Member for Russell. I will hear from the First Minister for a second time if it is on new information pertaining to the same point of order.

**Mr. Doer:** Mr. Speaker, the transition of the Government did not take place till October 5, 1999. Many items were released during the election campaign, including a special warrant for agricultural spending. Members opposite had a choice, and they chose to cover up this report.

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

**Mr. Speaker:** Order. Before I make a ruling on the point of order, I would just like to remind all honourable members of the purpose of points of order. A point of order is to be used to draw to the Speaker's attention any departure from the rules or practices of the House or to raise concerns about unparliamentary language. A point of order should not be used to ask a question, to dispute the accuracy of facts, to clarify remarks which have been misquoted or misunderstood, to move a motion, to raise a point of order on a point of order. I would just like to remind all honourable members.

On the point of order raised by the Honourable Member for Russell, he does not have a point of order. According to Rule 37, the Premier did not quote from the report nor did he indicate that it was a private letter, so he is not

required to table it. He can table it if he chooses to, and which he said he would, so that should take care of the point of order.

## MATTER OF PRIVILEGE

### Premier's Comments

**Mr. Leonard Derkach (Russell):** Mr. Speaker, I thank the members of this House for being patient in the interruption of the proceedings of this House to raise this matter of privilege. I do not think any member on either side of the House could tolerate the Premier of this province standing up and accusing a member, on Hansard, of a cover-up of an issue which is, to be honest with you, very deceitful. If that is an unparliamentary word, I would withdraw it, but I do not have the word to substitute that with. Nevertheless, it is not a very good way for a Premier to conduct himself in this House.

A Premier should be statesmanlike. When a Premier accuses another member of this House of a cover-up when he knows full well that the report that he has in his hand, I believe, was dated August 16, when the election was called a day later, he knows that there was no time for any government to be able to digest the information that was in that report and then to be able to act on it. If anybody had the opportunity to act on it, it should have been the new government that took office last September and the new minister who took over that report.

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

**Mr. Speaker:** Order.

**Mr. Derkach:** Mr. Speaker, we go through a lot in this House. Sometimes we shout to one another across the way here comments that we sometimes find funny, but that is part of the debate. We do not stand in our place and accuse other members when we know better. We do not stand up in this House to try to deflect from one issue by accusing a member falsely of something that we know is not true. You cannot do that. It is uncalled for, and certainly it is not becoming of a leader of a party, certainly not the Premier (Mr. Doer) of our province.

This is the First Minister. This is not somebody who has no experience in this House. This is not somebody who has not been through many incidents in this House. I am totally surprised and astonished that the Premier would stoop to that level to be able to call somebody indicating that was a deliberate cover-up. The Premier knows full well that was not.

Let him take a look at the date on that document. I ask him to take a look at the date. I have the document here, and it is clear that it was brought forward to the Minister's office on the 16th of August. I do not even know if it was brought into my office on that day or whether it was brought in several days later, but there was no time for cabinet, there was no time for the Minister, there was no time for the Department to be able to take a look at this report and then to act on it within that period of time. If anyone had the opportunity to be able to act on that report within the last 10 months, it would have been this government.

I am surprised, I am astonished that the Premier did not know the existence of this document until he went to southwest Manitoba yesterday. It just shows you, Mr. Speaker, really, how aware this government is of what goes on in this province and in the rural part of Manitoba. I think that the Premier should be apologizing to this House and to Manitobans and to southwestern Manitoba about the fact that they have a report that he has not acted upon, and he has not instructed his minister to act on it either.

\* (14:20)

This is the first time in 14 years, I believe, that I have stood on a matter of privilege. I do not do it lightly. It is certainly not something I am comfortable with. It is not something that I would do every day, but I have never accused a member of the Opposition, a member of the Government, of deliberately covering up something, Mr. Speaker, which I had in my hand. That is not the way that I treat members of this Assembly. It is not the way I treat members of government.

Mr. Speaker, I know that I could go on for a long time in this regard, but I think it suffice to say that I believe the Premier has erred. I believe

the Premier has made a mistake. And I think if the Premier thinks twice about this and looks at that document, rather than simply being crassly political, he will take a look at this document and say, well, perhaps I was a little too abrupt and made an error.

If he wants to wave that document in front of us and say you did not act on this document, then we could have that debate. I am prepared for that debate, Mr. Speaker. To be honest with you, when I look at that report, there are good suggestions in that report, and I am surprised that the Government has not really taken it and taken some of those suggestions, perhaps, and worked them into their plan. But for him to stand up in this House and say that the former Minister of Rural Development, the former Minister of Industry, Trade and Tourism deliberately covered up a document is not becoming of the Premier of this province.

Mr. Speaker, I move, seconded by the Member for St. Norbert (Mr. Laurendeau), that the Premier of this province did break the privileges of this member of the House by accusing me as a member for the constituency of Russell for covering up a particular report when such a report was delivered during the election period, and that this matter be referred to the Committee on Privileges and Elections for the Committee's consideration.

**Mr. Speaker:** Before recognizing any other members to speak, I would remind the House that contributions at this time by honourable members are limited to strictly relevant comments as to whether an alleged matter of privilege has been raised at the earliest opportunity and whether a prima facie case has been established.

**Hon. Gary Doer (Premier):** Rising on the point of privilege the Member opposite raised, Mr. Speaker, one recalls Shakespearean language when he "doth protest too much" in terms of the debate in this House, in terms of his privileges. I think similar language has been used by members opposite liberally throughout debate and questions in this Question Period.

Mr. Speaker, the original defence of the Member opposite was this was released after the election was called.

**An Honourable Member:** Point of order, Mr. Speaker.

**Mr. Speaker:** Order. I would just like to remind the Honourable Official Opposition House Leader (Mr. Laurendeau), you cannot interrupt a matter of privilege with a point of order until after the Member has spoken, then you can raise your point of order.

**An Honourable Member:** Mr. Speaker, he is the one who is breaking the rules by not speaking to—

**Mr. Speaker:** Order. The Honourable Official Opposition House Leader, I will hear the matter, the matter of the point of order, after we have dealt with the matter of privilege. The matter of privilege takes precedence over any other matter.

**Mr. Doer:** Mr. Speaker, I think if you review and peruse Hansard, you will find that the term has been used on a number of occasions by members opposite in the debate. If the term is ruled unparliamentary by you, we respect that. The only term that has been used in the debate for the last hour that I recall being ruled unparliamentary was a word that was used by the Member opposite in terms of "deceitful," which you, I believe, have ruled on. In raising a point of privilege and being concerned about the individual's rights, he uses words that have been ruled unparliamentary in the past.

The issue of this report, I think, is very important because three weeks ago the southwestern Manitoba coalition asked us to release the report even though they recognized that this report was prepared by Mr. Rose, as an individual MLA, and given to the previous government. When we were informed or I was asked to release the report because they felt, the community felt, the southwestern Manitoba people felt, that they had presented their views to the former government, a report was prepared and the former government had a report, they asked us to find this report and release this report.

That request was made to us three weeks ago. We returned to the community of Melita yesterday and released that report. I regret that members opposite—

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

**Mr. Speaker:** Order. The Official Opposition House Leader will have the opportunity to challenge the Speaker after I hear the matter of privilege.

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

**Mr. Speaker:** Order.

**Mr. Doer:** We may not have agreed with the Member opposite on his point of privilege, but we did have the respect to listen to him. Responding to the point of order, the report was available, written by a former government caucus member, to the former government cabinet. We had to go back and investigate the ability of a new government then to release a report after the community coalition group met with us.

Mr. Speaker, it is clear that members opposite had the opportunity from August 16 to October 5 to release a report that was prepared for them by one of their MLAs. I know members opposite are embarrassed that they did not release the report, but being embarrassed is not a point of privilege.

**Mr. Marcel Laurendeau (Opposition House Leader):** I will go by the rules, the rules which you laid out previous to the Premier getting up.

Mr. Speaker, a matter of privilege. Members sometimes raise so-called questions of privilege on matters which should be dealt with as a personal explanation or correction. That is what the Member for Russell (Mr. Derkach) has done. A question of privilege ought to rarely come up in this Legislature. It should be dealt with by a motion, given the House's powers to impose reparation and apply a remedy, which has been done by the Member for Russell.

There are privileges of the House, as well of members individually. Wilful disobedience to orders and rules of parliament in the exercise of

its constitutional functions, insults or obstructions during debate are breaches of the privileges of the House—that is the issue which we are speaking to today. The Member's privileges have been obstructed when this Premier, this First Minister gets up in the House and says there was a cover-up by the Member for Russell.

That is the reason this member has a privilege.

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, *Beauchesne's* clearly says that the privileges of parliament are rights which are absolutely necessary for the due execution of its powers. They are enjoyed by individual members because the House cannot perform its functions without unimpeded use of the services of its members and by each House for the protection of its members and the vindication of its own authority and dignity.

Mr. Speaker, we are trying to discern where in the motion and the presentation by the Member for Russell (Mr. Derkach) there can possibly be a matter of privilege raised.

*Beauchesne's* Citation 31 reminds us that "A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege." Further, in our own rules, it is important to note, as the Opposition House Leader noted and made the case, I would urge, that members sometimes raise so-called questions of privilege on matters which should be dealt with as a personal explanation or correction, either in the debates or the proceedings of the House. It goes on to say "A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege," and that is again set out from *Beauchesne's*.

Mr. Speaker, the Member for Russell may feel sensitive and embarrassed by the matter that is raised by the Premier (Mr. Doer), but that does not fulfill the conditions for parliamentary privilege. So the matter of raising it at the earliest opportunity, of course, is not at issue. What is at issue here, this in no way is a *prima facie* matter of privilege.

**Mr. Darren Praznik (Lac du Bonnet):** Matters of privilege are in fact very, very important. As

members of this Assembly, we all have the right to be treated with respect by each other, which I admit from time to time gets stretched to limits, but we also have the right not to be falsely accused, certainly by someone as powerful as the First Minister about wrongful acts such as cover-ups of documents.

If the First Minister wanted to challenge the reasoning around the timing of this report, if he wanted to debate whether or not the former ministers could have released it during an election or so, yes, he could have discussed that. But this First Minister chose to use the word "cover-up." He chose to use a word with all its implications that the Member for Russell (Mr. Derkach) had done something illegal, that he had covered up some act for some terrible purpose. That is the implication of the comments of the First Minister. He made them because he was not able to defend the acts of his own minister last night in committee.

Mr. Speaker, we all know that when a writ of election is issued the circumstances around the operation of government change. If the incumbent government is not returned on the day of polling, the powers of that government, again, not by law, but by convention, out of respect for an incoming administration, change again.

Now the Premier (Mr. Doer) got up with the clear implication that the Member for Russell, as a member of the Executive Council, had received a report and had made a deliberate decision not to release it, to cover it up in some way. He talked about dates. First of all, the writ of election was issued, I believe it has been said, on the 17th of August of last year, if I am not mistaken. The Premier says that the report is dated the 16th.

\* (14:30)

Again, this really begs some questions about the way this Premier operates, because if he has the report he will have the letter of committal that came with it. Do you know what date that letter says? It is dated the 18th of August. So it really begs the logical question: Why would this First Minister, if he was intending to be accurate in his accusations, not have referred to the date of the committal letter on the 18th of August?

Surely it was available to him. I table it now, and because I have one copy I would ask if the pages could make the necessary copies and return one to me, as well.

So the letter of committal, which the First Minister obviously had available to him because he had the report, is dated the 18th of August. Yet this First Minister could not be accurate for the people of Manitoba and raise that point. Oh no, he had to deliberately ignore it and leave the implication and imply that the minister had received it the day before the writ. Well, there are some words that are unparliamentary that one could use, but I will choose to use a parliamentary term that it was less than accurate. In fact, I would even suggest the Premier may deliberately have wanted to be less than accurate.

Now this Premier is no neophyte to politics. He served in cabinet and he served in cabinet during a period where, as a sitting cabinet minister, he went into a writ of election, one in fact where that government that he was a part had lost the moral ability to govern because they had been defeated on their budget. He knows full well that when a writ is dropped, we, as MLAs, have to go back to our constituencies to contest that election. So, first of all, a report arrives in a minister's office the day after the writ; the Minister is off to his constituency. It has to be received and logged. The chances of it even being brought to his attention at that particular time were minimal at best.

The Premier also knows that a report such as this requires consideration by the Executive Council and the Cabinet of the Province. If I remember correctly, during a writ period cabinets meet rarely. They meet rarely, and it is usually only to deal with the routine matters to have government carry on during the writ period, and for a very good reason. Because you are in an election period, the expectation is you will not make major policy decisions in cabinet during that period until the electors, the voters of the province have had their opportunity to cast judgment.

So, whether or not the Minister even knew it was there during the election period, the Premier offers no proof, no evidence to support his

accusation, knowing full well how the process works.

Mr. Speaker, on election day, the party of which I and the Member for Russell (Mr. Derkach) were a part did not win a majority. The Premier's party received the majority. You know, the Premier should be fully aware that at the moment it became evident that his party would secure a majority in this House, that our ability to govern, our moral right to make anything more than day-to-day operating housekeeping decisions was gone.

In fact, by the next morning, his own transition team, headed by Mr. Schroeder and Mr. Kostyra, were already taking over the operations of government. They were already meeting with deputy ministers. They were asking for briefing books. They were asking for updates on issues. When he met with the former and outgoing Premier, they discussed the transition, knowing full well that every decision that would be put to cabinet in the two weeks before he assumed power, would be vetted by his transition team and that the ability of that Executive Council to do anything more than what was requested or allowed by his transition team was no more.

So here we have a report by its own letter of transmission, Mr. Speaker, indicates that there are still some issues to be worked out, there is not a financial number around it. All of which this First Minister knew and had available to him before he made his accusation. All of those things, there was no ability or power to deal with that particular report.

So to get up in this House and accuse the Member for Russell of deliberately covering up this report, that somehow he has breached some rules or laws in doing so, is just outrageous. It is a challenge to his honour and integrity as a member of this House, and if the First Minister had any honour himself, he would apologize.

It is certainly right to debate whether or not it could have been discussed in the election or put forward. But to imply that the Minister covered it up when his ability to do anything with that report was impaired by the fact we were in an election and then had lost the election

is certainly wrong. If we, as members of this Legislative Assembly, can be subject to having those types of accusations made by the First Minister or any other member, where they are not substantiated, in the circumstances that were made, then it is a sad day for this Legislative Assembly.

We would ask that you take this matter under advisement and we would ask that, should you rule in favour of this motion, it go to the Committee on Privileges and Elections. But what is very interesting about this whole matter, what is very interesting is the First Minister who, under attack today, unable to defend a minister who has for the first time in this Legislature, made a major interest group that he must work with so angry that they would issue a press release calling him and his colleagues petty. To defend him, he lashes out against another honourable member and yet nowhere, nowhere here did he explain why, since the 5th of October, he and his Minister of Intergovernmental Affairs (Ms. Friesen) have done nothing with that report, nor does he offer explanation why his government still refuses to provide disaster relief to the people of that area, why he leaves them out in the cold. Thank you for the opportunity to speak to this.

**Mr. Harry Enns (Lakeside):** Mr. Speaker, just very briefly in support of my colleague's matter of privilege, I am just shocked that, in view of the record of this government about dealing with the outstanding issues of the greatest natural disaster that the southwestern part of this province has suffered, namely the flood, they would use this particular document for a little bit of political gamesmanship here in the House.

Mr. Speaker, in August, the former government, the Government that was defeated a few weeks later on September 21, was busy handing out \$55-million worth of cheques to those farmers. This report that was given to this incoming government talks about setting up a modest \$4.5-million business start-up fund with the then-Minister of Industry and the Minister of Rural Development. This report speaks of unfinished business. This government has done nothing, as the Member for Lac du Bonnet said about that, since they assumed office other than hold up and deflect and point the finger at



Ottawa, whereas there are certain issues that they could be doing right now. Instead, the document is used in a very petty political gamesmanship playing here in this House, and it does constitute in my opinion a most legitimate matter of grievance as indicated by the Member for Russell.

**Mr. Jack Penner (Emerson):** I rise in support of the motion of a matter of privilege because, first of all, I find it absolutely astounding that the Premier yesterday would tour or so-called tour part of southwestern Manitoba, and he was on CJOB yesterday indicating that he had met with many farmers. We know how many farmers he met with because, had it not been for the local member, Mr. Maguire, for that area to organize some farmers to get together to meet with Mr. Doer, there would have been no meeting. We know that. Then he had the audacity to say that there were increased benefits under crop insurance.

If the Premier had studied his own Crop Insurance Program he would have told the people: Our Crop Insurance Program for this year is substantively less than it has been until now because of the reduced commodity prices and the basis that the crop insurance coverage is calculated. That would have been honest. But what I find most astounding is that this Premier will try and put off a report and try and accuse my colleague for trying to hide a report when in fact the report was tabled by our former colleague, who is now since deceased and is not able to defend himself and the author of this report and accusing our colleague from Russell for trying to hide this document when in fact they were the Government; the Premier (Mr. Doer) was elected as Premier of this province a month after this document was reported and not tabled even in this House, this report.

This report identifies clearly what we have been saying in this House constantly. This side of the House has said constantly to the Premier that the business community needs some recognition. They need the same compensation that the business community in the Red River Valley received, the same recognition that we gave to people in the Swan River area when they were flooded, the same recognition that we gave to the people in the Interlake. Yet this Premier

has done nothing, and he has sat on this. He was the one that sat on this report because he did not want the people of Manitoba to know what this report said.

This report clearly identifies that there should be \$4.5 million spent through Manitoba Education and Training, Human Resource development, who should be partners, and it should be targeted toward business. It should be targeted toward employment within those businesses. It should be targeted toward an interest rate relief program, which would have cost \$3.5 million. It should have been targeted toward property tax relief for those businesses that had a severe decline in their business, and that would have cost a half a million dollars.

This is clearly an indication by the Premier of this province as to how little regard he has for the people who suffered in the southwest part of this province and the business community and all those employed in those businesses and how little regard he has had for the farm community that has seen millions and millions of dollars in losses. Many of those farmers were not even able to put a crop in this year.

So I say to you, Mr. Speaker, it is clearly within the jurisdiction of the Member to rise today and question the Premier's motives. We all, on this side of the House, truly are saddened by the tactics that this Premier has demonstrated in this House today, a total disregard for the people of Manitoba and a lesser regard even for those people that suffered in the southwest. I think the tour that he took yesterday was nothing more than a façade to try and gain some media. I think that this should clearly be reflected.

**An Honourable Member:** Point of order.

\* (14:40)

**Mr. Speaker:** I cannot hear a point of order. The Honourable Member for River Heights—before I recognize the Honourable Member, I would remind all honourable members I think I have probably heard sufficient argument. If the Honourable Member is rising because he feels that there is some point that has not been touched upon, I will hear him very briefly. But I think we should move on.

**Hon. Jon Gerrard (River Heights):** I rise to speak briefly because I think, from the centre position which I hold, neither one side nor the other, I can provide a view with some level of independence.

Mr. Speaker, as I understand it, the issues here are: Was this raised at the first possible time that it could have been raised? I think here there can be no argument. Yes, it was raised at the first time that the issue had been raised. The second point: Is this a matter of a serious nature that should be referred? In this circumstance, clearly the circumstances around southwestern Manitoba and what has been done or has not been done are clearly some of the most serious issues that have been debated in this Chamber within the last year. So, without question, we are dealing with a very serious matter.

Now I have listened and there are charges and counter-charges. I would suggest to you, Mr. Speaker, that the issue here is not who is correct but whether the charges are of such a significant and potentially serious nature that they should be looked at by the Committee on Privileges and Elections. It would seem to me that there is significant complexity and potential seriousness here that that would be appropriate. I mean, it is not easy to judge immediately of what should or should not be released during an election, what appropriate action was or was not taken, but those time lines were.

So I would, in this case, support a motion to take this to the Committee on Privileges and Elections so it can be looked at with some care and with some consideration rather than debate it in the heat of the moment here.

**Mr. Speaker:** Order. I think I have probably heard sufficient argument on this matter of privilege. If the Honourable Member is rising because he feels that there is some point that has not been touched upon, I will hear him very briefly, but I really think we should be moving on.

**Hon. Steve Ashton (Minister of Highways and Government Services):** Mr. Speaker, I will be very brief. I think it is very important to note that if this had been a matter of order, I think there could have been some debate. The word "cover-

up" appears on both lists, both parliamentary and unparliamentary, obviously depending on the particular circumstances. In fact, if you look at *Beauchesne's* Citation 31, subsection (1), I think probably best describes what we have here, which is a disagreement over the facts.

I would also point out that I believe the Member for Lakeside (Mr. Enns), who is more experienced in this House than I am, probably used another phrase that could be used, the mechanism to describe this kind of dispute, and that is a grievance. But having raised grievances—and by the way, Mr. Speaker, I am always glad when we can debate privilege matters in this House fully and openly—I would suggest it does not meet the prima facie case. A matter of order perhaps. You would then make a ruling on that. It might be the subject of a grievance, but I do not believe it is a matter of privilege.

**Mr. Speaker:** The Honourable Member for Ste. Rose, I will recognize if he has some point that has not been touched.

**Mr. Glen Cummings (Ste. Rose):** Mr. Speaker, this is indeed a serious matter, and as the Member for Russell (Mr. Derkach) said, it is the first time in 14 years that I have risen on a matter of privilege in this House. I consider what has happened here today, and the reason I want to speak to it, as an ongoing situation.

It was referenced earlier, but it seems to me that there has been given a serious development of planning into the situation that we now find ourselves facing. First of all, there was the disagreement that arose in the House the night before last about whether or not pairs were being legitimately asked for, for a tour of the southwest. Then, behold, later in the day, I heard the Premier (Mr. Doer) on the radio saying that he had released a report, much to the pleasure of the people of the southwest, which the previous government had been suppressing, I believe was the word he used. Now, he comes into the House and he accuses my colleague of a cover-up. It follows on the same line of thinking.

It tells me that there may well, and I know you are going to rule the word "deliberate" out of order, so I will choose my words more

carefully, but it does to me represent actions that have followed one upon another, either accidentally or with very serious intent. That now causes me and others in this House, who have never used our opportunity to speak on a matter of privilege, to rise today and bring to your attention that this Premier needs to be called before the Committee on Privileges and Elections.

**Mr. Speaker:** I think I have probably heard sufficient argument. The Honourable Member for Wellington (Mr. Santos), if you have new information dealing with the prima facie case of this privilege.

**Mr. Conrad Santos (Wellington):** Mr. Speaker, a matter of privilege concerns obstruction of the rights of a member or the rights of the Legislature.

The issue now before us is whether the two essential conditions are satisfied or not. Is the matter raised at the earliest opportunity? is the first condition. The second condition: Is there prima facie or sufficient evidence of the alleged breach of privilege? Unless these two conditions are satisfied, we cannot proceed debating this endlessly. That is the point I want to make.

**Mr. Speaker:** The Honourable Member for Minnedosa, with new information?

**Mr. Harold Gilleshammer (Minnedosa):** Yes, Mr. Speaker. During the Premier's (Mr. Doer) response to this issue, and it is a very important issue, he was trying to make the point that the Government was still active during the writ period and the period immediately after. One of the examples that he used was that a special warrant was passed. This, in fact, is true, but he also knows it to be true that the special warrant consisted of expenditures that were taken to the transition team and taken to him for his approval and the transition team's approval before cabinet passed that special warrant during the time after the election and before he took office.

I would like him to recognize that, that this was a legitimate act of government, expenditures that had to flow. I do not remember who was on his transition team, but I know that the Clerk of the Executive Council at the time ran all of the

details of that special warrant past the transition team and presumably past the Premier-in-waiting. It was approved. It was approved by them, and thus the special warrant was passed.

So I say to you, Mr. Speaker, using that as an argument that the Government was still active during that period before the swearing in is partially true. It is partially true in that some of these activities had to go on, but all of them, virtually all of them, I believe all of them, were run past the transition team, and the Premier I think should acknowledge that.

**Mr. Speaker:** The Honourable Member for Turtle Mountain, do you feel like there is some point that has not been touched upon?

**Mr. Mervin Tweed (Turtle Mountain):** Yes, I do, Mr. Speaker. I will make my comments very brief, but I just want to raise the issue of the fact that the Member for Russell (Mr. Derkach) and myself were both mentioned in the Premier's allegations, and I would say they are allegations.

I think I am not the world's best rule-maker nor understanding of the rules. I have had to apologize for things I have said in this House before, and I have stood and done it because I recognized that what I had done was wrong. I think for the Premier to make the allegation today on anybody, that a cover-up was ever meant or ever placed or ever thought of is absolutely shameful. I think it casts aspersions upon all members of this House, and I would ask him to reconsider and withdraw those remarks, because I think he has insulted and hurt all MLAs and probably all politicians in Manitoba with the net that he has cast.

\* (14:50)

With that, Mr. Speaker, I am offended by those remarks. I can assure him and I will assure all Manitobans that there was never talk of a cover-up; there was never talk of anything but doing what was right for the people of southwest Manitoba.

**Mr. Speaker:** A matter of privilege is a serious concern. I am going to take this matter under advisement to consult the authorities and return to the House with a ruling.

Are there points of orders?

**Some Honourable Members:** No.

\* \* \*

**Mr. Speaker:** We will revert back to Oral Questions. The Honourable Member for Lac du Bonnet, with his first supplementary question.

### **Standing Committees Public Presentations**

**Mr. Darren Praznik (Lac du Bonnet):** No, Mr. Speaker, I think it is my first question. If you check the record, you will discover I have not—

**Mr. Speaker:** It is the first question.

**Mr. Praznik:** Mr. Speaker, my question is for the First Minister, and I want to get back to the issue of what happened in committee last night.

Mr. Speaker, the First Minister sets a tone for a government and administration in the way it interacts with its citizens, and I would like to ask the First Minister if he is prepared, even privately, to seek the advice of the Member for Thompson (Mr. Ashton), who served as his House Leader for many years and always advised government particularly to not sit past twelve o'clock, that it was not conducive to good public hearings, that on some occasions to waive the fifteen-minute rule to allow larger groups to finish reading the three pages of their report. I would ask the First Minister, given that he is setting a tone for the future of his government, if he will consult with the Member for Thompson and accept the advice of the Member for Thompson that I learned as a Government House Leader was good advice and how we tried to operate our committees in our latter years for the productive use of those committees.

**Hon. Gary Doer (Premier):** I am glad the Member opposite used the term "latter years," and we will have to check the latter years after September 21, 1999, in terms of committee meetings. I think it is an important issue. I consult with all members of our caucus, and I know that any committee of the Legislature is made up of all members of the Legislature.

Mr. Speaker, as I understand it, the speaking time was expanded by members of the Committee. I also understand that I am one of these people that believe that trying to amend legislation at four or five in the morning is perhaps not the best practice, but trying to accommodate people who have come in, particularly from rural communities so that they do not have to come in twice, is a good idea. That is what we tried to do. If it meant sitting in opposition until late in the evening so people that have come long distances with sincere feelings, personally speaking, I would rather stay a couple of extra hours, even if it was four in the morning rather than come back a second time.

As I understand it, Mr. Speaker, a number of people were given the choice, I think, to present last night. They chose to exercise that right. Those who chose not to exercise that right are choosing to come back this evening. I believe we are starting at 6:30. So, yes, I think we have to listen to Manitobans. We have to listen to each other and we have to listen to all members of our Government caucus, including our House Leader and our Deputy House Leader.

I think how we are trying to proceed is we are dealing with a shortened calendar in the sense that when the Government changed over last October, we have tried to restrict the bills. I think we are under 50, even though we have a lot more that we think are in the public interest and the issue of the public presentations I think it is important. I do not believe we should try to amend legislation at three or four in the morning because those are the rules under which we have to live, but I think listening to people and giving them the right to come back I think makes sense.

**Mr. Praznik:** Mr. Speaker, the Premier's words seem to be lost on his backbenchers. I have to ask him then: Would he condone what happened in committee this morning where a presenter came all the way from Montreal on the railway bill, his own minister was prepared to give him leave for more than 10 minutes, his backbenchers cut him off?

Does he condone the Minister of Labour (Ms. Barrett), who last night said, with reference to the head of the Manitoba Teachers' Society,

"shut her down" because she disagrees with her? Is this what this First Minister condones?

**Mr. Doer:** No.

**Mr. Praznik:** Mr. Speaker, if the Premier says no and really means it, will he then commit to this House today to discuss with his backbenchers and make a commitment on the part of the party he leads that they will no longer sit committee past midnight, they will allow a certain leniency in presentations beyond 10 or 15 minutes? Will he commit to do exactly what he suggested a few minutes ago, to have those meaningful hearings and not shut down people as his own backbenchers have done now on several occasions in the last few days?

\* (15:00)

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

**Mr. Speaker:** Order.

**Mr. Doer:** Mr. Speaker, I will peruse Hansard to see last evening if in fact the situation was as I understand it, where people that came from distances, particularly outside Winnipeg, were given the choice to present last evening as opposed to coming back. That is the kind of flexibility I think people from outside of the city of Winnipeg would want to see. As I understand it, that is a common-sense way of dealing with it.

Personally, if I was presenting our views in another forum, I would prefer, for example, a committee in Ottawa, I would prefer to stay out late, late, late, late at night to try to deal with the matter rather than having to come back a second or third time and being away from my family. Mr. Speaker, as I understand it, that is the way in which the Committee operated last evening.

You know, I will respect the Speaker's ruling on the matter of privilege. I respect the views of all members on the motion of privilege just a few moments ago. But I hark back to the days when we wanted to stand on a point of privilege on the Manitoba Telephone System and, as Leader of the Opposition, I was not allowed to speak.

Members opposite, when they talk about "democracy," some of us have the scars from members opposite.

**Mr. Speaker:** Order. The time for Oral Questions has expired.

## MEMBERS' STATEMENTS

### Neighbourhoods Alive!

**Mr. Harry Schellenberg (Rossmere):** Last month our government launched Neighbourhoods Alive!, a major new initiative designed to enhance Manitoba neighbourhoods in need. One of the key strengths of the Neighbourhoods Alive! program is the co-operation of community-based organizations undertaking housing, employment, and community economic development initiatives. Today I want to highlight two such organizations: the Mennonite Central Committee and the North End Community Renewal Corporation.

\* (15:10)

The North End Community Renewal Corporation was founded in 1998 by several community-based groups such as the Mennonite Central Committee. Through neighbourhood consultations, they came up with four priorities for the area: safety, housing, economic and employment development, and culture. Currently they are involved in projects to address these priorities.

Recently the Mennonite Central Committee bought a building in the north end at 509 Selkirk Avenue to house community-based organizations such as the North End Community Renewal Corporation. Funding for the purchase and upgrading of the 4000-square foot former store came from the Mennonite Urban Renewal Program. The purchase of this building reflects the Mennonite Central Committee's commitment to urban renewal and revitalizing the north end.

I want to take this opportunity to congratulate the Mennonite Central Committee and the North End Community Renewal Corporation on all that they are doing to help make the north end a safe and vibrant place to live and work. Our government looks forward to continued co-operation with organizations like these as together we build healthy neighbourhoods throughout Manitoba. Thank you.

### Russell Constituency Events

**Mr. Leonard Derkach (Russell):** Mr. Speaker, I rise today to make members aware of some very successful events that have been occurring in my constituency over the past number of weeks. The constituency of Russell has been a very busy place over the last number of weeks celebrating homecomings and the millennium celebrations, as many of the rural communities are. I had the pleasure of attending homecoming activities in the town of Russell, the town of Erickson, the village of Oakburn, the town of Miniota, the towns of Shoal Lake and Hamiota. It seemed like every rural community in that part of the province was celebrating this summer, celebrating the millennium.

Indeed, when you looked at the quality of the parades and the activities that were going on, it certainly made people come together, share their experiences. I have to say that I even enjoyed pitching some sheaves with the Member for Dauphin (Mr. Struthers) at a threshing display in the community of Hamiota.

Mr. Speaker, the homecoming events were held in the communities, and all of them brought back people from all over North America, for that matter, indeed, who came back to look at their home communities, communities that they were born and raised in, communities where they attended school, and to re-acquaint themselves with colleagues they had gone to school with and many of the neighbours that they had who used to live in that part of the world.

Mr. Speaker, the community of Oakburn, as an example, I think has about 150 or 200 people living in the community. I believe that there were somewhere in the neighbourhood of 1200 people at the opening ceremonies on Saturday, which just shows you the activities that were going on in that part of the world. I attended four communities that day, and every community was just bursting with people.

I want to congratulate all of the organizers in all of these communities for the very successful events that have been held over the last two weeks.

### Triple A Hockey Challenge

**Mr. Scott Smith (Brandon West):** Mr. Speaker, it is a pleasure to stand today after a long evening last night and obvious confusion by members on the opposite side. I know the Interim, short-term, Leader of the Opposition (Mrs. Mitchelson) had mentioned actually quite a bit of confusion about shaking heads and the such. In fact, I was shaking my head at the unruly and poor behaviour of the members opposite when we were trying to establish rules for Manitobans last night. Even though she was only there till I might suggest maybe early in the evening compared to most of the rest of us, she seems to be very tired and quite confused on the issue.

Brandon hosted an extremely successful event, the Manitoba Sports Excellence Triple A Hockey Challenge, in which there were some 1600 players from all across North America. There were over 80 teams, and the amount of people that came into Brandon and the event that was put on was extremely well done.

Darryl Wolski, in fact, from Westman hockey management, believes that this tournament could quite easily become the largest tournament in North America. It has rated second in the top five tournaments in Canada, in fact in North America, and he believes that another three or four teams will, in fact, put it in first place across Canada to be a national event. The economic spinoff from a tournament like this to the city of Brandon is in the area of somewhere over \$2 million. It was an extremely good tournament that was put on. It was hosted by a number of volunteers and people who became involved in the community, as always seems to happen in Brandon.

I would like to commend all the people who came on board for this tournament, the volunteers that came on board for the tournament. Mr. Speaker, tournaments like this are always supported by the local community and business community, and those people should get good recognition for it. Thank you very much.

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

### Point of Order

**Mr. Marcel Laurendeau (Opposition House Leader):** A point of order, Mr. Speaker. I just ask for clarification on a matter here.

Is it the right of a member to refer to the absence or presence of a member, be it here or in committee?

**Mr. Speaker:** On the point of order raised by the Official Opposition for clarification, in committees there are 11 members of the standing committee, and there is no such thing as absences in committees because the members are allowed to come and go in committees and the other members are not part of those committees. So there is no such thing as absences in the Committee. That is for clarification.

### Citizens On Patrol Program

**Mr. Ron Schuler (Springfield):** I rise today to congratulate the many volunteers in the Springfield area who participate in the Citizens on Patrol Program. COPP's dedicated and hard-working volunteers help local law enforcement personnel by providing a valuable observation and reporting system. Citizens in our community can gain a sense of purpose and satisfaction by improving our quality of life through COPP. They are able to play a prominent role in reducing the level of crime in our communities by fostering closer ties between law enforcement officials and the RCMP and ordinary residents. COPP is forging a community spirit in Springfield that we all should be proud of.

On behalf of the grateful residents of Springfield, I would like to extend sincerest thanks to all the volunteers who participate in COPP and their community sponsors as well for their generous support. Without the support of Oakbank Family Fare, Irene's Restaurant in Anola, Oakbank RCMP, the Dugald United Church and the Immaculate Conception Church in Cooks Creek, this valuable addition to the Springfield community would not be possible. COPP recently held a very successful fundraiser in Oakbank that will allow them to purchase equipment to assist them in their efforts.

On behalf of this House, I wish COPP and its members all the best in the future and thank

them for their immense contribution to the quality of life in Springfield.

### Standing Committees

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to speak about the procedures used for committee hearings in this Legislature.

Last night the Committee dealing with several bills, including Bill 42, started deliberations about 6:30 p.m. Because there was not a schedule of presenters and a time frame for the Committee meeting decided ahead of time and all informed, there were far more presenters who arrived than could be accommodated in a reasonable meeting, lasting, for example, until eleven o'clock or midnight.

\* (15:20)

The result was a mob of people arriving about 6:30 p.m. The result was the Committee met until after four o'clock this morning. I know. I was there the whole nine hours. Speakers at the end admitted to being very tired. Some had to travel a long distance after presenting in the early hours of the morning. Quite frankly, the deliberations after midnight were less than satisfactory for all concerned. It is time to consider changes to the procedures in this Legislature to improve the convenience to citizens and to allow a fair hearing for citizens at a time when legislators are not quite so fatigued and more able to engage in useful and productive question-and-answer dialogue.

There were presenters last night who were cut off. There were many questions which the members of the Legislature would have liked to ask but were not permitted to ask because of time limits. I suggest it is time to change the Committee procedures to improve the democracy and the nature of citizen input, the quality of citizen input into our legislation.

### Committee Changes

**Mr. Peter Dyck (Pembina):** Mr. Speaker, I move, seconded by the Honourable Member for Seine River (Mrs. Dacquay), that the composition of the Standing Committee on Law Amendments for July 26, at 6:30, be amended

as follows: Springfield (Mr. Schuler) for Morris (Mr. Pitura); Fort Garry (Mrs. Smith) for Lac du Bonnet (Mr. Praznik); and Portage la Prairie (Mr. Fauschou) for Southdale (Mr. Reimer).

*Motion agreed to.*

**Mr. Gregory Dewar (Selkirk):** Mr. Speaker, I move, seconded by the Member for Wellington (Mr. Santos), that the composition of the Standing Committee on Law Amendments be amended as follows: St. Vital (Ms. Allan) for St. Johns (Mr. Mackintosh); Riel (Ms. Asper) for La Verendrye (Mr. Lemieux); Brandon East (Mr. Caldwell) for Interlake (Mr. Nevakshonoff); Brandon West (Mr. Smith) for Wellington (Mr. Santos); Burrows (Mr. Martindale) for Assiniboia (Mr. Rondeau).

*Motion agreed to.*

#### House Business

**Hon. Gord Mackintosh (Government House Leader):** I would like to announce that the Standing Committee on Public Utilities and Natural Resources that was meeting this morning will be meeting this evening at 6:30 to resume consideration of the following bills, and that is for clause by clause, I understand: Bills 6, 7, 14, 16, 21, 29, 31, 37.

**Mr. Speaker:** It has been announced that the Standing Committee on Public Utilities and Natural Resources will be meeting this evening at 6:30 to resume consideration of the following: Bills 6, 7, 14, 16, 21, 29, 31, and 37.

**Mr. Mackintosh:** Mr. Speaker, I wish to obtain the unanimous consent of the House to vary the sequence for Estimates consideration to consider in the Chamber the Estimates of the Department of Intergovernmental Affairs to follow the Estimates for the Department of Education and in Room 254 to consider the Estimates for the Legislative Assembly. These changes are to apply until further notice.

**Mr. Speaker:** Is there unanimous consent of the House to vary the sequence for Estimate considerations set out in Sessional Paper No. 138 and subsequently amended to consider in the Chamber the Estimates of the Department of

Intergovernmental Affairs to follow the Estimates for the Department of Education and in Room 254 to consider the Estimates for the Legislative Assembly until further notice?  
*[Agreed]*

**Mr. Mackintosh:** Mr. Speaker, it is my intention to call debate on second readings for a bill.

Would you canvass the House to determine if there is unanimous consent to interrupt the proceedings at 4:30 p.m., at which time I will move the Supply motion?

**Mr. Speaker:** Is there unanimous consent of the House to interrupt proceedings at 4:30 p.m. for the Honourable Government House Leader to move the Supply motion? *[Agreed]*

#### ORDERS OF THE DAY

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, would you please call debate on second readings, Bill 44.

#### DEBATE ON SECOND READINGS

##### Bill 44—The Labour Relations Amendment Act (2)

**Mr. Speaker:** To resume the debate on second readings, on the proposed motion of the Honourable Minister of Labour (Ms. Barrett), Bill 44, The Labour Relations Amendment Act (2) (Loi no. 2 modifiant la Loi sur les relations du travail), standing in the name of the Honourable Member for Springfield.

**Mr. Ron Schuler (Springfield):** Mr. Speaker, we would open up the debate on Bill 44 on this side of the House. Personally, I do it with, I guess you would have to say, a heavy heart. This is probably one of the most substantial bills that the Government has brought down. It is a very difficult bill for a lot of Manitobans. We wish to move the Legislature through many points, but we are going to preface the whole debate. We have to look at this whole bill basically with a question. The question that has to be posed is: What is it that the Government is trying to fix?



We look at Bill 44, and it is with great surprise that we see, after 11 years of hard work, the payoff has started to come. We are starting to see a phenomenal payoff in the province of Manitoba. What we see is a great economy. We see an economy that is growing. Probably more important than anything is the confidence that people have in the economy in Manitoba, Mr. Speaker. You have no unemployment. What that means is you have a lot of people who are working.

\* (15:30)

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

You have jobs basically going begging because there are not enough people to fill jobs. You have people taking home paycheques. It builds on self-worth. It gives them purpose. It gives them an ability to participate in the economy. The economy takes on its own life; it builds a head of steam; and it moves ahead. It is the confidence in the economy. It is the confidence in the policies and the decisions that were made in the last 11 years that drive the kind of investment we have seen in Manitoba.

I do not believe we have seen a time, certainly not in the last while, where so much investment has taken place in Manitoba. We see companies coming from outside, not just outside of Manitoba, but outside of Canada coming to Manitoba and investing. That is something we have seen over the last years. We see a good feeling.

Certainly the province came out of the Pan Am Games and we changed the whole feeling that Manitobans have toward their province from a "we cannot do, have not" province to a "we can do, have" province. Mr. Acting Speaker, that is good for Manitoba. That is good for Manitobans.

When the Minister got up the other day that the unemployment rates came down even further, yes, we applauded on this side of the House because it means Manitobans are working. It means that Manitobans are taking home a paycheque, that Manitobans are happy, that they are participating in the economy. Mr. Acting Speaker, that is good for our province,

and that is good for our country. So what is it that this government is trying to fix?

The whole attitude towards the economy, the whole attitude of the Minister towards what she is trying to change here, we found in the Estimates process. Certainly everything that we do in the next year or this year, until we have done a full cycle, is new to me. So I walk into all these new experiences. I do not really know what to expect.

I always find I am on an incredible learning curve, but, more importantly, I am surprised what I learned. What I found out was that in Estimates it was not that we saw a co-operative minister. In fact, we saw a minister who probably took a little bit of advantage of a rookie MLA, certainly was not co-operative, certainly did not help this new member along. When questions were asked in regard to what the direction is that the Government is going to take, what is going to be the policy of this new government, it was very interesting, it was quite telling what the answers were. I will just lift a couple of quotes out of Hansard.

May 30, and this is from Estimates, I asked the Minister and I quote: "The Minister has also announced that there are going to be some labour changes coming. Has the Minister instructed the Labour Management Review Committee to have a look at these changes that are being proposed and come back to her with advice?" Minister: "Not yet." I then asked: "When does the Minister see this taking place?" Minister: "Soon." Then I asked: "I am really glad the Minister narrowed that down for us. I guess that is sooner than later. Could she quantify soon, or is that just a soon soon?" Minister: "How about in the fullness of time."

Clearly what you have started to see developing was a Minister who was going to play cat and mouse with a very, very serious issue. Over the last couple of years, certainly over the election and the time proceeding after the election, the NDP had convinced a lot of Manitobans, had convinced a lot of businesses that what they were going to be was a Tory government with a shade of orange. This was going to be a basic Gary Filmon government with a tweed jacket. This was going to be

business as usual. On some issues, they were going to out-Tory the Tories.

What they actually did is they lulled the business community, they lulled the citizens of Manitoba. You can see by the answers, not really forthcoming, just kind of smooth everything over, do not let people see what is coming, and they actually lulled people to sleep. Certainly the business community, now after having seen the Bill before us today, realize that they were snookered in this. They are absolutely horrified at the Bill that was presented.

Again, you can see what was coming out of the Estimates process. On June 8, again, from the Minister, and I take the last sentence: As I have stated to the Member before, I am looking at all pieces of legislation. It may turn out in the fullness of time that—and then she goes on.

These were the kinds of games that were played, basically, to lull everybody to sleep. What was interesting about the whole process, and the Minister and I certainly spent a lot of time together, is what they were waiting for was for the heat of the summer to appear. They were waiting for people to go on holidays, and then, Mr. Acting Speaker, introduce these very, very draconian pieces of legislation.

I found it very interesting that, it was soon after the Estimates process, the Minister waited a little bit after that, and then she introduced it. Basically what we see on this side of the House happening was that the government's intent was to introduce this in the summer, as they intended with a few of their other controversial bills, some of which we saw last night in Bill 42. What they wanted to do was to try to catch people off-guard. You know, again, they were going to be on holidays or doing all the other things that Manitobans do in the summertime, and these bills would sail through.

I do not believe that this Minister, I certainly believe that this Premier never expected the kind of outcry that they actually did get on this particular bill. They certainly did not see individuals cancelling their holidays. We had a presentation last night, the individual drove back from holidays, got the briefing, and walked in committee. I do not believe that the Minister and

certainly not her boss, the Premier, saw the kind of overwhelming opposition that we have seen in the last couple of weeks. The strategy was wrong. It was flawed and, frankly, I think it is good that Manitobans have seen through that particular process.

So we went through the Estimates process and then we saw the introduction of the bill. We got the bill presented by the Minister and then we started to ask some questions. The answers from the Minister were not really clear on it when we started to ask, what was the report like from the LMRC? There is a new euphemism that seems to have come into this House. The Minister calls it unanimous or partial unanimous consensus. That is probably one of the most intriguing terms we have heard here in a long time. Basically what it says is they agreed to disagree, so that means there was a consensus. That is good enough for this minister to go out and herald how she feels the communities were all supportive and all onside.

Fortunately for us on this side, we were brown-enveloped with the report that was submitted to the Minister. It was then that we realized how deep the divisions between management and labour actually have started to go in this province, the wedge being driven by this particular government between management and labour, Mr. Acting Speaker, when we started to read through it, and then we gave the media and the public an opportunity; certainly we gave a lot of organizations the opportunity, the citizens of Manitoba the opportunity to have a look at the kinds of disagreements that were taking place.

Unfortunately, Mr. Acting Speaker, when we got that particular document, what we did not instantly get, or get right away, was the letter that went to the Minister, and the letter is very, very telling on the approach that labour and management were taking. What I should first of all state is that there were 11 items that were sent to the LMRC. The 12th item on how disputes can be resolved between labour and management other than by strike was actually not one of the 11 items sent. It was actually sent as a brainstorming kind of issue which management would not participate in. They indicated that they would feel more comfortable giving their

opinion on it. They did not believe that they were there as a fishing expedition for the Minister.

The 11 items did come back to the Minister. At the end of the meeting of the LMRC, the labour caucus indicated they did want to talk about the dispute-settling mechanism and what other means could be looked at to settle disputes. Management indicated that they were not interested in looking at it, but if the Minister wanted an opinion of the LMRC, that is exactly what she should ask for.

\* (15:40)

Labour went ahead, the labour caucus, and submitted their feelings and their recommendations on that particular point. LMRC did not actually take a look at that particular issue. The Minister has indicated in many quarters that that was the case, but from documents that we have seen, we cannot find that. Again, labour presented the submission by labour re: Minister's Requests for Recommendations for Collective Agreement Resolution.

In that letter to the Minister, when we finally did get a copy of it, there is a paragraph that is very telling, and I quote from page 2: With regard to the specific labour proposals to help resolve collective bargaining disputes, management expressed a general caution that there may be a potential risk to the provincial economy if the traditional dispute resolution process under the law based on strike-lockout provisions is altered. In management's opinion, the traditional process for dispute resolution has proven to be highly successful.

Keeping in mind, Mr. Acting Speaker, that in a letter like this, everyone tries to couch their words and be very careful. They have to work on other issues, so they do not exactly walk around poking sticks in each other's eye, so when you hear this particular paragraph, it is very deep and it is very serious, and it shows the divisions that have taken place in this province between labour and management since this government has come into office.

Mr. Acting Speaker, it has been from the process that I have explained to this point that

the opposition has grown and grown, and certainly we will be dealing with that a little bit later on. I do want to go through a few items within Bill 44 to point out some of the issues that we think have the potential of being problem areas for this province, that will address issues that did not need to be addressed. In fact, I have said to the Minister often that it seems to be the motto of this minister that if it ain't broke, break it, and that is clearly, clearly a concern of workers. It is clearly a concern of the business community, and it is a concern of the Opposition.

In the House on July 12, the Minister stated that the NDP made an election commitment, restated that commitment after the election that all pieces of labour legislation would go to the Labour Management Review Committee. As already mentioned, Mr. Acting Speaker, we know that did not quite happen.

The LMRC was given three weeks to review the proposed amendments and a letter to the Minister dated June 21, which I have already quoted from, indicated that the Committee would have preferred to have had more time to study the matters more thoroughly and to consult more broadly with their respective constituencies.

It is clear that had the Minister wished to truly effect balanced changes with the input of all affected groups, rather than merely to repay her union bosses, the supporters who helped this particular government, these amendments could not have been rushed through the Committee. Again, it is unfortunate that just like with the LMRC report, just like with Bill 42, with Bill 44, and it seems to be with a lot of the bills, people are saying this is being rushed through; you are not giving us the opportunity to fully look at the ramifications of this.

Through Question Period today, we quoted all kinds of presentations, Mr. Acting Speaker, and I have a whole series of them here from all over the province, from Dauphin, from Interlake, from Morris, where they have said on the particular piece of legislation: You are pushing this too quickly; why are you in the heat of summer trying to ram this through?

Supposedly this government has extolled the virtues of co-operation and working with both

business and labour in order to build a better environment within the province. It is unclear how the fairness and balance that the Minister speaks of in relation to this labour legislation are being carried out when only five of the eleven amendments were agreed upon by both labour and management. This is that bizarre statement by the Minister, the partial unanimous consent, when we know there were only five areas where there was actually agreement.

Over the remaining six, the Minister sided with labour's recommendations. Indeed, why bother having a committee at all if only one side is going to be listened to? That is one of the comments we keep getting from a lot of the groups within our society. It is interesting that even on labour's side, there are a lot of concerns that they felt were not properly heard, certainly not on stripping workers of the right to a secret ballot.

The flawed process is best illustrated by the fact that the proposed section 23 of the Act was not even referred to the LMRC, which I just indicated a while ago. It is most unfortunate because that particular piece is ending up to be one of the most contentious issues that the Minister has had to face. It probably would have been in the best interests of the Government and certainly of the Minister and of the business involved if that particular piece would have gone properly to the LMRC.

In regard to section 23, the 60-days binding arbitration, the NDP Government has proposed an amendment to The Labour Relations Act which drastically tips the balance of power in the favour of the union bosses when it comes to the bargaining process. Again, Mr. Acting Speaker, in the eleven years that we were in government and the nine, ten months that we have now been in opposition, we have stated that it is the right of workers to unionize. Clearly that is something we have always recognized, and my honourable colleague from Beausejour is a great supporter of that right.

We felt that the 40% sign-up of cards and the secret ballot is the legitimization of the sign-up. The system worked. It was accepted, and finally we had given the workers the right to a secret ballot. The proposed section 23 provides

that in the event of a strike or lockout following the expiration of a collective agreement, either party may apply to the Manitoba Relations Board to have the board settle the dispute or go to binding arbitration. However, the unions essentially hold the power in their hands as a result that to settle the dispute, it must be ratified by a vote of the workers.

Again, Mr. Acting Speaker, here we go. What we have always wanted to do was have a level playing field, and that is certainly what we created with our latest amendments in 1996, that neither management nor labour should have a clear advantage, that workers who wish to have a union, 40% sign up, they go to a secret ballot and the results we all have to live with.

This particular piece is clearly one-sided. You have two groups, management and labour. If one side has the right to vote or decide if they want to go to binding arbitration, then both should. Why is that one has the exclusive right to decide if either of them wants to go for binding arbitration?

Again, Mr. Acting Speaker, it speaks to the flaws that are in this particular act. In effect, the workers are given the unilateral ability to determine how the dispute will be solved as they can veto management's request or refer the dispute to the board or arbitration. Management is unable to reciprocate if the union makes the request and the workers vote to ratify it. Again, we have this spin, and we have talked about it on a lot of occasions. The spin doctors go out and they spin a story, but that is actually the crux of it. No matter how the Minister tries to say this is levelling the playing field, clearly it is not. Clearly this is not an attempt by the Minister to make this a level playing field.

Rather than helping to eliminate the problem of prolonged work disruptions, this provision may well serve to increase the number of work disruptions occurring in the province. Indeed, this system provides little incentive for the unions or management to bargain in good faith, as they need only strike or lock out and wait for the 60-day period to run out before they can ask for, in the case of management, or force the matter into binding arbitration on behalf of the other side. As stated by Dave Angus, President,

Winnipeg Chamber of Commerce, in the *Winnipeg Free Press*, July 7, 2000: "Under the new scheme, if workers feel they can get a better deal by going to the Labour Board or to an arbitrator, there is little incentive for them to negotiate."

\* (15:50)

Again, Mr. Acting Speaker, it is not saying that this will happen. What we are saying is that these are potential risks that the Bill puts forward in Bill 44. How can this minister say with a straight face that one of the three principles which they have tried to achieve with their proposed reforms is that of fairness, that the law should balance the needs of workers and employers? We hear that spin, and we hear it; it is over and over again.

In the *Winnipeg Free Press*, Saturday, July 22, it says: When clearly her government has placed the desires, and I am quoting, of their union bosses ahead of sound policy initiatives in consultation with all facets of the community.

In a report from the Labour Management Review Committee, the report of June 21, management indicated that the matter of protracted work disruption was an important concern and indicated that the issue, and I quote, deserved to be reviewed in a thorough manner to identify the range of possible options and an assessment of their implications.

Again, what communities are asking this government is why the haste, why are you trying to ram this through, why this public policy by the heat of the summer without really looking at, without having the possibility of looking at options and assessing the implications, but rather just ramming the legislation through.

They recommended that the matter be evaluated over a six-month period. Once again, the Minister flouted process and showed her true colours by moving ahead with the drafting of section 23 modelled on one of labour's three recommendations on how to deal with the work disruption issue. What the Minister could have done was to solicit the opinion of management on the three proposals before she drafted the amendment to the Act. Again, what she could

have done is given the three proposals to the LMRC, in fact, for both sides, to give an opinion of what they feel the ramifications would be. Again it would have taken a little bit more time, but I do not think there was that big of a pressure for this bill come through. It could have come through in fall. There was no reason to ram it through right now. It could have gone through the proper process.

It is nice to talk about co-operation and working together, but it is obvious how little value this minister actually places on the views of the business community. But why should she, when she is not making policy decisions that are necessarily the best interests of the province but rather she is paying back the union bosses? Mr. Acting Speaker, that does not necessarily make the best public policy.

I would like to move on to the item 3, certification, denial of workers' democratic rights. What we had previous to this was that if workers felt that they wanted to proceed to go to a union, you needed 40 percent of the workers to sign cards and then it went to a secret ballot. I have stated probably twice already, that is one of the best systems that you can go with, because then you do not have the coercion, you do not have the intimidation, you do not have the strong-arm tactics of either side. It is a simple 40 percent sign-up and you go to a secret ballot.

What this actually does, the NDP Government's amendment, is strip workers of their democratic rights to vote in a secret ballot for or against union certification. Again, what it does is when you have a secret ballot, whether it is in a general election, whether it is in a community club, whether it is with a sports organization or with a church, it does not really matter what organization, what you do is you give legitimacy to the process. That is what the secret ballot gives.

We have seen democracy work for over thousands of years. I mean, it has come and gone. Secret ballot is still the best system for giving legitimacy to a process.

The Winnipeg Chamber of Commerce president, Dave Angus, asked: How can you argue against the democratic process of a secret

ballot vote? That was in the *Winnipeg Sun* of July 7.

This is a question that we would all love to hear the Minister answer. One of the things the Minister does not do well is answer questions. Certainly we would love to have her answer on this. Why is it that we have gone in the last hundred years? We have actually changed how we define democracy. Actually hundreds of years ago, you used to have, in Britain you had to go to the ballot box, you declared your intention who you would vote for, and that is how you voted. We moved to a secret ballot.

It was in the early stages of the 20th century, the long overdue right for women to vote was extended. It was I believe in the '50s that the vote was extended to the First Nations or the aboriginal people, long overdue. In 1996 a government finally had the courage, and it is astounding that it was a Conservative government, it really was cutting edge for a government in Canada to do this, to say, we will give the same kind of treatment of a secret ballot to the working men and women of our province. It was a right move, it was a smart move. What it does is it is a forward move. What we hear from this minister is the policy of looking backwards.

I have spent a lot of time in Estimates and I seem to spend a lot of time in Question Period and at committee meetings. This minister has a great love of history. In fact, I sometimes wonder if this minister does anything else but live in the past. It is not good enough to be a student of history. You also have to live in the present and you have to look forward to the future.

The way that certification took place was a forward-looking way of dealing with certification and not taking the Minister's approach of going back 10 years, 20 years, 30 years. I think she has us back to 1946. She proudly proclaims how this legislation takes us backwards, takes us back into 1946.

You know what? That is certainly not what Manitobans would like to see and it is certainly not what the workers want to see. The Minister and I were on several radio shows. She fared very poorly amongst her own colleagues. The

workers would call up and say: I am an NDP supporter and I am an NDP worker and I am a union organizer and I think we should have the right of a secret ballot.

You know what was interesting about it? It was so interesting, the one woman called us on CBC, and she said, because in the end when you take it to a secret ballot, win or lose, you do not have the bad feelings. You do not have the bad feelings that exist when you have this 65% automatic certification, because when you have that 65% certification, there is the chance and the possibility that people will say, well, it was not done without coercion; well, it was not done without pressure; well, I did not really know what I was signing, because when you walk into the ballot box, the question is very clear, it is very easy. It is you, a pencil, a piece of paper, and you decide right there.

This particular union organizer said to the Minister: Minister, it builds better relations in the workplace when it goes to a secret ballot. That is why you see workers, men and women, the business community, the pro-worker Progressive Conservative Party standing up for the workers and their democratic right. In fact, we have heard in this House that perhaps the acronym NDP should now either stand for non-democratic party or no democracy please.

Graham Starmer, President of the Manitoba Chamber of Commerce, calls this provision a regressive step. That comes from the *Winnipeg Free Press* of July 7, something backed up by the Minister's own words over and over again in the House when she indicated that this provision was a return to the way things had been in years previous to the 1996 amendment. Mr. Acting Speaker, again, so much for Today's NDP. All this government seems to be doing is reaching into the past.

Small-business owner Dennis Tanguay of Tanguay's Hardware store in Souris was quoted in the *Winnipeg Sun* July 25 as saying: "If you want to form a union, you should be able to sit down and mark a secret ballot. Otherwise we are getting back to the Jimmy Hoffa days when they walk out there with baseball bats and intimidate the"—I will edit this part—heck out of people.

\* (16:00)

That is what small business feels. That is what workers feel. Certainly we hope the Minister, who is listening attentively to this debate, will see the kinds of things she has put in here, that the workers would like to have a free vote, and she will put it back in again.

The other issue is issue No. 4 that was placed before the LMRC. That is the amending section 12(2) of The Labour Relations Act. This government is supporting implicitly by changing the Act the potential for violence on the picket line. Under the old legislation, which this NDP Government is intent on bringing back, the Manitoba Labour Board forced employers to hire back employees who were convicted of criminal activity for their conduct during a strike. This is very serious.

If the Minister and I have a business and our employees—which I think would be very good for this minister if she had some business background. But let us say she and I had a business and the workers decided to exercise their right to go on strike. As happens from time to time, passions get heated up and things get warmed up a little bit. One of the workers decides to burn down the business. That in itself is a criminal act, and if caught and taken to court and charged, that individual gets charged with arson and can, in fact, end in jail. The person can come out and can apply to the Labour Board to be hired back. Basically, the business then is forced to hire that individual back, even though this act of violence was clearly against this particular business, and in this case the owners would be the Minister and me.

I would say to the Minister, through you, Mr. Acting Speaker, this is again one of those issues that probably would have been best discussed out in the general community a little bit more. I think the Minister was very hasty on this one. It is poor public policy. I think we are seeing a society that wants zero tolerance. We see the Minister of Justice (Mr. Mackintosh) getting up, talking about zero tolerance when it comes to violence, and we support him on that.

When I was on the school board of River East School Division, we brought in zero

tolerance toward violence. What the Minister does with this is says: We accept violence. You can go and burn down the business. You can go and commit acts of violence on the picket line and your job is guaranteed. As long as it was during a labour dispute, you were on legal strike, you got your job back. Labour Board can force the business to hire you back.

I guess the question then has to be posed: Does the NDP Government support for picket line violence match up with their election commitment favouring safer work environments, because certainly that is a real dichotomy; you certainly cannot have both of them.

Does this government not realize, another question, that a strike is not a shield or an excuse for criminal behaviour and violence? A strike is a way to settle a dispute. It is a right of workers to go on strike, as it is a right, in the case of business, to do a lockout. That is what the right entails. It certainly is not a shield for criminal behaviour.

It is truly unfortunate, Mr. Acting Speaker, that in the 21st century we see the Government of Manitoba is now enshrining violence as an acceptable form of behaviour in Manitoba law. Again, it is going backwards. That is not something that we are comfortable with. We thought we had dealt with this, and we thought we had dealt with it in the right way. So, first, Manitoba workers lose their right to a secret ballot, and now Manitoba workers are losing their right to a safe working environment because the NDP Government is supporting the return of brutality and violence on the picket line.

Mr. Acting Speaker, in fairness of time, I had better speed up. There is so much in here; 40 minutes is hardly enough to do justice on this, but I had better proceed.

I want to deal with No. 5, and that is on the political advertising. There is a lot of confusion on the part of the Minister. She confuses two or three different issues when she gets up and answers questions on this. So I think it is important that I clarify this for her.

This NDP Government seems to be very confused about exactly how their attack on the foundations of Manitoba's democracy is taking place. In Bill 4, the NDP Government restricts union participation in elections by banning donations to candidates and parties. Bill 44 removes the right of workers to be consulted about their union dues being spent for political purposes. These purposes include, as defined in section 76.1 of The Labour Relations Act, donating to candidates, parties and political advertising. Minister, Bill 4 does not prohibit unions from advertising either outside or during an election campaign. The Minister keeps saying, well, look at Bill 4; we dealt with that. No, Minister, you have not dealt with that.

The NDP Government could have simply deleted the clause of 76.1 that allows workers the right to be consulted about political donations and left the clauses about political advertising. It is clear that this is not simply a housekeeping change required by the introduction of The Elections Finances Act. This NDP Government claims they are making this change in the name of democracy, but it is clear that democracy is the furthest thing from their minds.

Why does this NDP Government feel that union members should not have the right to be consulted about the use of their union dues for political advertising? Basically, what you have done is you have restricted what a union—how much they can advertise during an election. It does not mean you cannot. Well, it does not mean that they cannot advertise before elections and some advertising during elections.

It seems to be that I have run out of time. Clearly, there are a lot more issues. I have two more minutes. Do I have leave to wrap up till 4:30? Do I have leave?

**The Acting Speaker (Mr. Schellenberg):** Does the Member have leave to continue speaking till 4:30?

**Some Honourable Members:** No.

**The Acting Speaker (Mr. Schellenberg):** Leave has been denied.

**Mr. Schuler:** Then I will take my last two minutes, thank you, Mr. Acting Speaker.

Back to the original question, and it is a question that must be placed, over and over again: What exactly is this government trying to fix? What exactly was the problem that they were trying to address? We have the lowest unemployment in Canada, a great economy. After 11 years of great management under the Progressive Conservatives, we now have a confident province. Why does this minister seem bent and determined to look at something and say, if it ain't broke, then let us break it?

Mr. Acting Speaker, I would suggest withdraw the Bill. We certainly will not be supporting Bill 44. Thank you.

**Mr. Harry Enns (Lakeside):** Mr. Acting Speaker, what a wonderful way to begin comments on this particular bill with the comments that were just made by the Member for Springfield (Mr. Schuler). If it ain't broke, why fix it? From the mouths of every government spokesperson from the First Minister (Mr. Doer) on, we are told that we in Manitoba enjoy, and we do enjoy as best as we can in these things, the best of all situations with respect to labour peace, with respect to economy, with respect to employment, and with respect to our relative position. So if it is not in trouble, why tinker with it.

That question does have to be asked over and over. Of course, those of us who are asking the question, some of us at least know the answer. But we have to keep asking those questions louder and louder so that more of our fellow citizens, more Manitobans will understand the answer. This is, regrettably, a specific payback time to a relatively small vested interest group representing the leadership of organized labour.

I do not say all unions, I do not say the working man, I say the Bernie Christophes. This is the leadership of organized labour, not to be confused with unions in general, not to be confused with working people. That is why it is so important to understand that this is an affront against working people, the denial of what we take for granted, the secret ballot.



Would we, Mr. Acting Speaker, for a moment consider that, well, let us do away with the secret ballot when we are electing legislators or governments? Let us just see who can outdo one another in signing up on some kind of a form, some kind of committal, some kind of a party registration form, see how many Conservatives we can sign up, see how many New Democrats we can sign up.

\* (16:10)

Well, the Canadian Alliance Party members signed up quite a few, but they still had a secret ballot. They had a secret ballot. Nobody, no democratically thinking person would like to put that suggestion forward to do away with the secret ballot. Yet this is being done in this legislation.

I am always delighted to have the opportunity to speak in this Chamber. It is a rare privilege, and I have had, thanks to providence and thanks to reasonable health, a varied experience in my life. So I can speak to this bill in one instance as a former member of the United Steelworkers Union and with some experience in labour and in working with organized labour, although that was early on in my career working for a steel structure, a metal structuring firm here in the city of Winnipeg.

What I really wanted to take this occasion to talk about on this bill is, and I say this with considerable regret, when organizations, whether they be farm organizations or whether they be labour organizations or whether they be professional organizations, we as legislators have passed the necessary legislation and bills to make it possible for them to have their associations and their unions so that they can operate in a full and free and democratic way and elect officers and presidents and directors to their associations to specifically look after the interests of those association members.

You know, in the case of a farm organization like the Keystone Agricultural Producers organization, it is understandably an organization meant to best put forward the concerns of agriculture. That is not often a very easy thing to do, particularly in a province like

Manitoba where we have a very diversified form of agriculture.

But, likewise with other associations, we routinely—well, not so much in the last little while, but we still do from time to time pass bills in this Chamber for various professional and semi-professional organizations. We have passed legislation for the legal community, for the medical community, for various other health communities, doctors, so forth. Of course, we have legislation and Bill 42 is part of that legislation that deals with the opportunity for working people to organize and how to conduct themselves and how to, as entities, represent the best interests of workers in the various different occupations, very different types of jobs and work opportunities that there are in the province of Manitoba; that is, if they choose to be in an organized situation.

But I have viewed with concern for some time now, and I simply believe it is not in the best interests of the members whom they are elected to serve and whom they have a responsibility to serve if that leadership commits itself in a very specific way to one political entity. I say it is a mistake on the part of, say, a farmers' organization to totally commit themselves, say, to a Liberal Party or a Conservative Party or to the New Democratic Party. The agricultural producers of Manitoba, they have an organization, and they look to their organization to speak in their best interests and to seek the best positions that they can from whomever is in government.

I have always felt that that is very much the same for various professional organizations, and I have spoken at some length in this regard. I am very sad and am very sorry that some professional organizations, namely the Manitoba Teachers' Association, for instance, has totally committed themselves to the New Democratic Party, not the teachers but the Association and their leadership—not the teachers but the Association and its leadership.

I think it is a mistake. It was a mistake on the part of organized labour, that when, in 1966, they merged with the then CCF Party, the Commonwealth Confederation—what does the CCF stand for? *[interjection]* Canadian

Commonwealth Federation. What does CCF stand for? It was, in effect, a prairie populist movement coming out of Saskatchewan—not unlike the Reform Party—in 1932, coming out of Alberta, my friend tells me, not unlike the Reform Party, Mr. Acting Speaker.

It soldiered on, I can remember, with some considerable success. At one point in time, they had upwards of 32, 34, 35 members of Parliament in Ottawa. But then they arrived here in Winnipeg on a fine summer day in 1966—no, '69, because when I was first elected, there were still representatives of the CCF Party sitting here in this House. In '69, they had the founding convention. *[interjection]* Well, members opposite will tell me it was '69. These things will be burned in their memories.

They came together here, and organized labour came with them, and organized labour, the heavy-duty boys from Toronto, from Montreal, the public sector unions, they said—*[interjection]* Pardon? '69. *[interjection]* No, no, this happened in 1969, when I first came to the Chamber. Members of the CCF sat right where I am standing. *[interjection]* Yes, in 1966. Yes, yes. Check your history.

Maybe somebody, the Clerk, maybe one of our table Clerks before I finish would punch in their computer, New Democratic Party, date of origin. Maybe I could ask one of the table Clerks to punch into their computers, New Democratic Party, date of origin. It would be Winnipeg, 1969.

I maintain, since that time you have had, and it has been to the disadvantage of all of us, that organized labour, at its leadership level, feels so totally committed to one political party in its support and its policies.

Now, Mr. Acting Speaker, I am not naïve. I am not saying that. Certainly working men and women in this country and in this province vote as they please. That is because they have the secret ballot, something that was taken away from them here in this legislation. In the main their leadership works that way. You know, I do not think that is good for organized labour. I do not think that is good for the province. I do not think that is good for the country. I think

organized labour, just like any other organizations, whether they be professional organizations, whether they be teachers organizations, whether they be groups like the Chambers of Commerce, whether they be groups like farm organizations, they should support governments if they think governments are doing the right thing. They should not be imposing on their membership. After all, they are collecting dues of some kind, subscriptions of some kind from their membership.

Mr. Acting Speaker, by the way, in the current legislation that is before us, yes, headlines say the business community is concerned about this legislation and they are upset about this legislation. But the business community, and they will be the first ones to admit it, is not at all monolithic. This government enjoys a lot of business support or else they would not be here.

\* (16:20)

I wish I could say the same thing about organized labour, that from time to time organized labour casts about its support to those governments that do the right thing. Their members do. Or else it would never elect another government. Their members do, but not organized labour itself. Not the Bernie Christophes, not the leadership that is being catered to by this particular piece of legislation.

That is not in the interest and the welfare of the way we do business. I said much the same thing on Bill 42 on education. I know there will be different times when a powerful organization like the Manitoba teachers association will take an issue with the Government. They will have a particular brief to present and they will try to lobby and successfully bring about their wishes, either in the forms of legislation or some special consideration. That is fair game. That is the way we operate in a democracy.

But for the Manitoba Teachers' Society, as a society since 1969, and I remember the day, and I remember the Minister of Education that ticked them off officially. His name was Don Craik, in the Walter Weir administration. It was the first time we brought in a bill that would have brought about regional bargaining that had to do

about the bargaining issue. We were finding out that it was difficult in the situation that was developing even then, in '69, for some of the school divisions to keep up with some of the richer school divisions in the labour settlements that they were making.

The teachers in 1969 organized en masse. It was one of the best organized efforts that I have ever seen politically, and, I readily admit, helped defeat the then Conservative administration of Walter Weir and elect one Edward Schreyer of the New Democratic Party to be the first New Democratic Party government in this House. That is fair enough. The teachers were mad at us in 1969, Mr. Acting Speaker, and they exercised their legitimate and democratic right to organize and to vote in the manner which they saw fit. But it is not right, and it is not in their interest that from that day forward their leadership has placed totally themselves in the hands of the New Democrats. That is being seen in Bill 42.

Much more seriously, of course, it is the detriment to the public school system, the detriment to our children, and speaking selfishly, it will be the detriment of the teachers and the Teachers' Society in Manitoba, because it will help polarize, it will help fractionalize the educational system. It will promote people to pursue much more aggressively other alternative educational opportunities that will inevitably diminish the role of the public school system in the province of Manitoba. The teachers are bringing that upon themselves. They are forcing it. They are forcing the issue.

*Mr. Speaker in the Chair*

In labour issues, it is not unlike the situation that we are seeing right here. We have a situation where everybody in the province of Manitoba acknowledges that we have fortunately come to a situation where Manitoba, in fact, in the last several years, has at different times led the nation in some of the economic figures in terms of expansion, in terms of employment, in terms of inflation rates, and so forth. This did not come about by accident. There are a host of things that have to come together. It is not just a labour bill that will necessarily upset it, but it took a number of factors to come together to make it possible for Manitoba to enjoy its current

economic well-being. Balance between labour and management is certainly one of them.

I really come to my central point on this theme, and this is why, in my opinion, this administration has to even work harder at appearing to be fair, because you are now the adjudicators, you are now the referees, you are now the umpires, you appoint the labour boards that will adjudicate final offers, adjudication, you make the laws. Yet you are so totally in bed with organized labour. That is not a hidden fact. I read Peter Olfert's public service magazine, *Contact*, every week; I hear Bernie Christophe. Following an election, I read how many people organized labour has supplied have supplied in the election campaigns, how much money they have collected in the election campaigns. I run into organized steward unions. From Guelph, Ontario, I run into organizers working on behalf of the NDP candidate against me. I go to The Pas, and I run into a steelworker from Hamilton working on behalf of the minister of parrots and canaries and budgies. I did not mean that. I withdraw that comment, Mr. Speaker. The Venerable Minister of Conservation.

It is no secret that organized labour supports the New Democrats. Right? Yep. Organized labour, as I said, came together. Organized labour and the old CCF made the New Democrats into the current party that it is.

So now it is difficult for you on that pivot, on that teeter-totter of trying to be fair, applying a level field. Which side are you on? You are on labour's side. There is no question of worrying about management. You are totally on, and your legislation portrays that. That is not good. That is not good for the economy.

We could not have a fair football game that way. Who can have a fair baseball game that way? If anything, when you guys and gals get into office you have to recognize that. In fact, you have to go one step beyond what we Conservatives would go in terms of labour-management to appear to be fair.

Yes, we are accused of representing business interests. I said a little while ago, I would be envious of the business interest that supports this party, because it is obviously

substantial. You do not get the chambers of commerce coming out flatly and saying, we endorse solely the policies of the Conservative Party of Manitoba. They do not say that, have never said that.

You get very few business people that will ever say that. Some will say that, which is their right. Certainly you do not get them saying that specifically and being proud of it and being as open about it as organized labour does. I make it a point of reading the publications, whether it is the Manitoba government employees' publication, contract, or whether it is the publications put out by Bernie Christophe's organization. There is no question of some reasonable, even-sided, even-handed description of the politics of the day in any of their publications. It is all on the New Democratic Party's side. That is fine and dandy. They chose their life. So do not be surprised if we do not recognize the labour bill, what you are doing.

This is not to be a fair bill. This is a bill to screw business. This is a bill to pay off on your people. It is my job to tell you. Then three years from now, it is not going to happen, all right. Three years from now, as we start sliding back into the position that we were seven, eight, nine, ten—

**Mr. Speaker:** Order. As previously agreed by unanimous consent, the debate is being interrupted in order for the Government House Leader to move the Supply motion. When this matter is again before the House, the Honourable Member for Lakeside will have 18 minutes remaining.

\* (16:30)

### Committee Changes

**Mr. Peter Dyck (Pembina):** I move, seconded by the Honourable Member for Emerson (Mr. Jack Penner), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Emerson (Mr. Jack Penner) for Steinbach (Mr. Jim Penner).

*Motion agreed to.*

\* \* \*

**Hon. Gord Mackintosh (Government House Leader):** I move, seconded by the Minister of Family Services and Housing (Mr. Sale), that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

### COMMITTEE OF SUPPLY (Concurrent Sections)

#### LEGISLATIVE ASSEMBLY

\* (16:40)

**Mr. Chairperson: (Harry Schellenberg):** Will the Committee of Supply please come to order. This section of the Committee of Supply will be considering the Estimates of the Legislative Assembly.

Does the Speaker have an opening statement?

**Hon. George Hickes (Speaker of the Legislative Assembly):** Yes, I do. Good afternoon.

This afternoon I will be defending the Estimates of the Legislative Assembly. This is the first time that the Speaker of the House will be answering questions about the Legislative Assembly Estimates, pursuant to a recent decision by the Legislative Assembly Management Commission to have the Speaker act as a spokesperson for the Legislative Assembly Estimates.

In the past, the Government House Leader has been the traditional defender of the Legislative Assembly Estimates. However, by agreement of LAMC, the Speaker will be defending the Estimates for a two-year trial period. I look forward to any comments or questions that members may have.

**Mr. Chairperson:** We thank the Speaker for those comments. Does the Official Opposition critic, the Honourable Member for St. Norbert, have any opening comments?

**Mr. Marcel Laurendeau (St. Norbert):** I will make it very brief, Mr. Chairperson. I do not

think it would be right to say it is a critic for the Department, because this is a Legislative Assembly committee, LAMC, who is responsible. I do believe that we could be recognized as just members of the committee. I do not believe that there is the government side and the opposition side, so not as critics but as members of the Committee.

But, no, I just look forward to our first opportunity to question the Speaker on the involvement at the LAMC.

**Mr. Chairperson:** We thank the critic from the Official Opposition for those remarks. We invite the Speaker's staff to join us at the table, and we ask that the Speaker introduce his staff present.

**Mr. Hickes:** I have in attendance advising me today Ms. Patricia Chaychuk, who is the Clerk of the Legislative Assembly; and Mr. Fred Bryans, who is the Executive Director of Administration and Finance.

**Mr. Chairperson:** We thank the Speaker for the introductions. We will now proceed to line, Statutory 1.(a) on page 17 of the Main Estimates book. These are statutory items. They need not be agreed to but must be read into the record. Members may ask questions on these lines. We will turn to page 17 in the Main Estimates book.

Statutory 1. Indemnities (a) Members \$3,506,700.

**Mr. Doug Martindale (Burrows):** Mr. Chairperson, I would just like to make a brief comment and then ask a brief question.

I think that the decision that the Legislative Assembly made to have the Speaker defend the Estimates of the Legislative Assembly is a good one because it illustrates the separation of the Legislative Assembly from the Government, so that we are accountable for our own decisions as Legislative Assembly Management Commission and are not interfered with by the government of the day or by Treasury Board. It speaks to the separation also of legislative functions and government functions which is not always clear in the mind of the public.

Since we are on the Indemnities line, and I do not know if staff have interprovincial comparisons present, but I am wondering if the Speaker could indicate the relative placing of salaries in Manitoba. I know that taxpayers are always concerned about how we spend money. It is my impression that we are near the bottom, and given the fiscal capacity of Manitoba, I think that is probably appropriate. But I wonder if the Speaker knows our relative rank amongst Canadian provinces in terms of individual indemnities for private members.

**Mr. Hickes:** On the question from the Honourable Member for Burrows, a couple of years ago, when information was gathered to compare salaries of the provinces and territories, Manitoba was either ninth or tenth.

**Mr. Chairperson:** We will go on with the next line. Line 1. Indemnities (b) Additional Indemnities \$108,900. Any questions?

**An Honourable Member:** Pass.

**Mr. Chairperson:** Thank you.

The Statutory 1. Indemnities is \$3,615,600.

**An Honourable Member:** Pass.

**Mr. Chairperson:** No questions. Thank you.

We will go on to Statutory 2. Retirement Provisions (a) Pensions and Refund \$1,544,300.

**Mr. Martindale:** Mr. Chairperson, it is my understanding that now we have a totally funded pension plan and that this line refers to the previous pension. In fact, it is not correct to call it a pension plan anymore. We have an RSP system which is totally funded in the year of contribution and that the pension cost to government will be declining every year until eventually it will be zero. Is that correct?

**Mr. Hickes:** Your assessment is partially correct. This amount reflects the contributions to members that were members prior to 1995.

**Mr. Chairperson:** Thank you. Line 2. Retirement Provisions (Statutory) (b) Registered

Retirement Savings Plan \$282,300. Any questions?

**An Honourable Member:** Pass.

**Mr. Chairperson:** Thank you.

We will read Statutory 2. Retirement Provisions \$1,826,600.

We will go on to Statutory 3. Members' Expenses (Statutory) (a) Constituency Expenses \$2,225,400.

**An Honourable Member:** Pass.

**Mr. Chairperson:** We will continue on. 3.(b) Temporary Residence and Living Expenses \$341,300.

**An Honourable Member:** Pass.

**Mr. Chairperson:** We will go on to 3.(c) Commuting Expenses \$39,400. All agreed?

**An Honourable Member:** Pass.

\* (16:50)

**Mr. Chairperson:** Thank you. 3.(d) Travel Expenses \$519,600.

**An Honourable Member:** Pass.

**Mr. Chairperson:** Then we have 3.(e) Special Supplies and Operating Payments \$122,000.

**An Honourable Member:** Pass.

**Mr. Chairperson:** 3.(f) Printing and Franking \$269,300.

**An Honourable Member:** Pass.

**Mr. Chairperson:** 3.(g) Committee Expenses \$5,000.

We will go up to the totals. Statutory 3. Members' Expenses (Statutory) \$3,522,000.

**An Honourable Member:** Pass.

**Mr. Chairperson:** Thank you.

We will go on to Statutory 4. Election Financing (Statutory) (a) Election Act Expenses \$275,000.

**An Honourable Member:** Pass.

**Mr. Chairperson:** Thank you. 4.(b) Election Finance Act Expenses \$246,000.

**An Honourable Member:** Pass.

**Mr. Chairperson:** Thank you. No questions.

The total for Statutory 4. Election Financing \$521,000.

**An Honourable Member:** Pass.

**Mr. Chairperson:** Thank you.

All right, we will move into the Estimates.

Resolution 1.1, page 18 of the Main Estimates book, 5. Other Assembly Expenditures (a) Office of the Leader of the Official Opposition (1) Leader of the Official Opposition's Salary \$27,300—pass; (2) Other Salaries and Employee Benefits \$137,600—pass; (3) Other Expenditures \$32,500—pass.

5.(b) Salaries and Employee Benefits \$3,247,400—pass.

5.(c) Other Expenditures \$1,309,900—pass.

Resolution 1.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$4,754,700 for Legislative Assembly, Other Assembly Expenditures, for the fiscal year ending the 31st day of March, 2001. Shall the resolution pass?

**Mr. Martindale:** Mr. Chairperson, somewhere in there, there is probably money that is allocated to pages, and I just want to say on the record what a good job the pages do and how helpful they are, and how much we enjoy having new pages here every year. I quite often ask them if they enjoy being pages and what they think of politics as a result of working here. Usually, they say they are more interested, rather than less interested. So I just want to commend them for doing a good job. Thank you.

**Mr. Laurendeau:** I just want to follow what the Honourable Member has put forward already. The pages do do a wonderful job, but I would like to know what that amount of money is. From what I understand, it is such a small amount for the amount of work they actually put in into the late hours of the night. I would really like to know that number, and if Fred could find that for us—and I know he could on that little computer of his. It is a test for Fred.

**Mr. Hickes:** The amount for six pages is around \$25,000 per year. It all depends on how many sitting days we have, but we will get the accurate information for the Honourable Member. I am sure that all of us here would agree that they do an excellent job for everyone.

**Mr. Chairperson:** Any other questions concerning Resolution 1.1? I will read the Resolution 1.1 into the record again.

Resolution 1.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$4,754,700 for Legislative Assembly, Other Assembly Expenditures, for the fiscal year ending the 31st day of March, 2001.

**Resolution agreed to.**

We will move on to Resolution 1.2 on page 18 of the Main Estimates book.

1.2.6. Office of the Provincial Auditor (a) Salaries and Employee Benefits \$2,956,600—pass; (b) Other Expenditures \$950,100—pass.

Resolution 1.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$3,906,700 for Legislative Assembly, Office of the Provincial Auditor, for the fiscal year ending the 31st day of March, 2001.

**Resolution agreed to.**

1.3.7. Office of the Ombudsman (a) Salaries and Employee Benefits \$1,477,600—pass; (b) Other Expenditures \$530,700—pass.

Resolution 1.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$2,008,300 for Legislative Assembly, Office of

the Ombudsman, for the fiscal year ending the 31st day of March, 2001.

**Resolution agreed to.**

1.4.8. Office of the Chief Electoral Officer (a) Salaries and Employee Benefits \$482,300—pass; (b) Other Expenditures \$200,800—pass.

Resolution 1.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$683,100 for Legislative Assembly, Office of the Chief Electoral Officer, for the fiscal year ending the 31st day of March, 2001.

**Resolution agreed to.**

1.5.9. Office of the Children's Advocate (a) Salaries and Employee Benefits \$366,900—pass; (b) Other Expenditures \$197,300—pass.

Resolution 1.5: RESOLVED that there be granted to Her Majesty a sum not exceeding \$564,200 for Legislative Assembly, Office of the Children's Advocate, for the fiscal year ending the 31st day of March, 2001.

**Resolution agreed to.**

Resolution 1.6: RESOLVED that there be granted to Her Majesty a sum not exceeding \$181,100 for Legislative Assembly, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2001.

**Resolution agreed to.**

**Mr. Hickes:** I just got some information on a question that was asked previously about the pages' salary. There are eight pages, not six. There are eight pages. Their hourly salary is \$10.34 an hour.

**Mr. Chairperson:** Thank you for that information. This concludes the Estimates for the Legislative Assembly. Committee rise.

**HEALTH**

\* (16:50)

**Madam Chairperson (Bonnie Korzeniowski):** Will the Committee of Supply please come to

order. This section of the Committee of Supply meeting in Room 255 will now resume consideration of the Estimates for the Department of Health. Consideration of these Estimates left off on page 91 of the Estimates book, Resolution 21.4 Health Services Insurance Fund. The floor is now open for questions.

**Mrs. Myrna Driedger (Charleswood):** Madam Chairperson, I guess before we get into some questions, I wonder if the Minister has any further information to table. I have reached a point where I am almost starting to feel uncomfortable about asking for it, but I am asking for information that the Minister has committed to tabling. I know he is making a fuss every time I ask for information that he committed to table, because he keeps telling me how wonderful he is in giving me this information. If he is feeling so negative about giving it to me, then I have to wonder why he has committed to giving it to me in the first place.

I think I have a right to be asking for that information without having a tirade from the Minister every time I ask for it, because if he does not want to give it, he should not have committed to it. I could have gone different routes to get the information, which next time around I might do to avoid this hassle I have to go through every time I ask for information. Certainly, if the Minister is uncomfortable about giving information, then he should not commit to it. But, when he has committed to it, I feel I have a right to ask, and I believe he has an obligation then to follow through without a lecture to me every time I ask.

**Hon. Dave Chomiak (Minister of Health):** At last count, Madam Chairperson, I believe the Member asked me for, I think, 62 or 63 pieces of information of which I think about somewhere in the vicinity of 55 pieces of information have been provided over the course of the Estimates, information that has never historically been provided from this committee. We will continue to provide information.

**Mrs. Driedger:** Does the Minister have any information to provide today?

**Mr. Chomiak:** Madam Chairperson, not at this time.

**Mrs. Driedger:** Madam Chairperson, yesterday I think in Estimates we sank to a new low at the end of the day with some of what I really feel were silly and absurd comments made by the Minister in terms of my stonewalling, because as a legislative assistant he accused me of not passing on information and therefore stonewalling, knowing full well that a legislative assistant, an upper bencher, certainly does not have that authority to do that.

I really think we sank to some new lows yesterday, and I am sorely disappointed by the comments he made around the issue. I really do not want to belabour that point, because I think Estimates should be a lot more relevant than that. Because we are dealing with a health care system, because we are dealing with people who value such a system, I really hope that we do not have to experience that anymore and that we can move on and address some of the issues that certainly have more relevance in the discussion.

On that point, some of my colleagues are here to ask some final questions in the Health Estimates.

**Mrs. Louise Dacquay (Seine River):** Madam Chair, one of the concerns I have is something that one of the Minister's colleagues also asked several questions of, of previous Health ministers, and also moved a private member's resolution on this issue. The issue is cervical cancer, and in the interests of all women in Manitoba, can the Minister please tell this committee what the status is of the Cervical Cancer Screening Program?

**Mr. Chomiak:** Madam Chairperson, we discussed that issue previously in the Estimates. Just for reiteration of the issue, there are some—it is our hope and intention to have the Cervical Screening Program, which is an incredibly valuable resource and of incredible importance to Manitobans, we wish to have that up and running as soon as possible. The funding and the appropriate mechanisms are all in place with respect to the Cervical Screening Program.



There are some, how can I term it, administrative, and that sounds trite, but it is not, details that have to be overcome with respect to the Cervical Screening Program, that may or may not entail or require some kind of legislative amendment or some kind of regulatory change in order to implement, that we are looking at, at this time, and we will try to and endeavour to do as soon as possible.

**Mrs. Dacquay:** I thank the Minister for that response. I am just wondering: Can he be more specific in terms of the timelines? As soon as possible, before the calendar year end, within the next month? I wonder if I could have more specific identification of timeline?

**Mr. Chomiak:** Madam Chairperson, I indicated in the Estimates before that if we could today, I think we would effect that change. I would expect that in the next month or two. I am saying this subject to some individuals telling me otherwise. It would be my hope in the next month or two that we could resolve these difficulties. If we cannot in the next month or two, I would be prepared to talk to the Member opposite.

I am even prepared to talk to the Member opposite in terms of details, knowing how hard it is sometimes to have time to sit down and talk, but I would be prepared to talk to the Member opposite about some of the strategies that we are trying to deal with to overcome.

**Mrs. Dacquay:** The approach that the Minister will be advancing, is it a two-pronged approach? By that I mean is it a program, an education? Does the program have an educational or informational component as well as the actual screening program?

**Mr. Chomiak:** Madam Chairperson, going from memory, I believe it does.

**Mrs. Dacquay:** I have one further question, recognizing that I have not yet seen, as I understand it, the capital program detail, and I have a very vested interest in finding out the status of the Faith Lutheran Personal Care Home. What the status is of that? Approval was granted in principle, and I understand the engineering drawings have been submitted. I

wondered if the Minister could give me more specific details in terms of the ongoing development of that personal care home?

**Mr. Chomiak:** Madam Chairperson, the Member is correct in her observation with respect to that particular home. What we hope to do, as I outlined in the Legislature yesterday, is over the next several weeks be making announcements about a wide variety of matters and functions relating to the capital. We should be in a position to provide more information for the Member over the next period of time.

**Mr. Jack Penner:** Madam Chairperson, a couple of weeks ago, as a matter of fact it was on July 11, we had a discussion in this committee regarding ambulance services and the Minister had indicated a few days prior to that that he would try and arrange a meeting between ambulance service providers and himself and myself and Mr. Pitura. It is now almost the end of July, and I have not heard from the Minister as to when this meeting could be scheduled. Could the Minister give me some indication as to when we might expect that meeting?

**Mr. Chomiak:** Yes, I have indicated several times—I know the Member has been involved in other committees during the course of the Estimates—that I might have been too ambitious to say that I could set it up in the next several days. I have directed the department to arrange a meeting. It is broader than just the Member for Pembina now. The Member for Portage la Prairie (Mr. Faurshou), the Member for Russell (Mr. Derkach), and numerous other members of the Member's caucus have also asked to meet. Some were in questions during the course of Estimates and I have asked the Department to arrange that kind of a meeting as soon as possible.

I appreciate that this is a very important matter and very significant. I hope the Member can appreciate that some of the time lines with respect to departmental officials are pretty tight these days. I have directed that that happen as soon as possible, and I am hopeful it can happen as soon as possible and that that will take place.

**Mr. Jack Penner:** I thank the Minister for that answer. The urgency of this matter is I think

quite acute. The Central Regional Health Authority is giving direction to the various regions of the central region and indicating that it is imperative that they join the centralized ambulance service initiative that central region has initiated. There is significant fear in a couple of the communities. I would suspect in three communities that have traditionally had a mutual aid district for fire protection as well as ambulance services, mainly the towns of Winkler, Altona and Emerson, that has worked extremely well, and there is clear indication from central region that the intent is to downsize the ambulance services.

That leads one to wonder whether Emerson will have an ambulance as they do now, which is voluntarily operated and most of them being fire department members, and they also by the way provide the training for those staff, and similarly Altona. Altona does not know quite where they might fit in. Will they be served out of Winkler? Or will Emerson serve Altona? Seeing that there is a distance of roughly about 35 to 40 miles between Vita and Emerson, that would be the nearest next ambulance service or will Winkler be served out of Morden? Or will the two ambulance services out of Morden and Winkler be combined and operate out of the hospital that is being constructed in Winkler?

\* (17:00)

Those are all the questions that are out there, and I think, Mr. Minister, Madam Chair, that the urgency of this matter needs to be dealt with because there are good ambulances in all three of those communities. All three of them have voluntary services right now, and those voluntary services we understand might, in fact, be dispensed with. We have no idea why that would happen except that some administrative person wants to ensure that he or she has control over the whole matter of ambulance service within central region. The communications systems that they are currently in the process, I understand, of acquiring is another matter that is of some severe, and I say severe, because I think it is that, consequence to the region because once they set it up, the fire department people tell me that they will not be able to communicate with the ambulance service, and nor will the ambulance be able to communicate with fire.

When you have an accident where the Jaws of Life might be needed on a highway somewhere, which is now normally attended by both, and they can speak to each other on their current communication system, that will then not be the case. So I think the Minister needs to assure himself of there being an adequate communications process put in place that will work in conjunction with 911. I understand that Winnipeg now has actually moved towards insuring that the communications between ambulance service and the fire department service will be there, and they have told the Winnipeg Regional Health Authority that they will maintain a communications process between fire which I think is absolutely essential.

Now, I wonder whether the Minister can give us an indication as to what construction he has given to his department or what communications he has had or his department has had with Central Regional Health Authority or the other regional health authorities regarding the maintenance and the continuation of the voluntary service providers and ambulance and the training of them, and whether he is convinced that we should maintain the ambulance services in the Winkler, Altona and Emerson communities.

**Mr. Chomiak:** The Member raised a number of wide-ranging questions. Then the specific question with respect to the specific application, the Member is aware that the ambulance service, as a result of regionalization, has now shifted over towards the regional health authorities with respect to that particular application. This is not a criticism. I think there are a number of issues out there in terms of communications, and sometimes the communication issues are not communicated well and have not been communicated well. There are issues concerning the overall service vis-à-vis co-ordination between 911 and ambulance dispatch across the province. That is one issue.

The second issue is the question of communication within the ambulance service and the issue of the channels and whether or not fire has access to the channels and open channels. I think, actually, those issues can be resolved, and we are working on those issues. I can indicate that the Department has been

meeting with officials communicating on those issues and trying to arrive at sort of a common ground and common understanding. I actually think that those issues, because they are functional issues, can be worked out. I am relatively confident that the issues of the 911 and the communication between dispatch and delivery of ambulances across the province is one that we can actually work on that I think might be resolved along the lines of recommendations in the task force report that will meet everyone's concerns. I am hopeful that that will happen. The second issue with respect to the communications and the online communications between, and permitting fire to have the open channel and not, I also think that that is a resolvable issue. From some of the discussions that began on that and some of the issues that are revolving around that, I think that also can be resolved.

I am also under the impression that there is a serious issue with respect to the volunteer issue. I do not think that there is an intention to eliminate the volunteer component. I think the reality of this situation has been somewhat different, and there is a transformation in the system. We are going to have to see what is the best way and what is the best mix, clearly. I think, in the end, as well, this issue is resolvable and with respect to how the system is going to function. To a certain extent, some of the issues might be out of our hands in terms of how the system evolves and how the system has already evolved.

I am just asking, if the Member wants, I have called for our ambulance person here; we could have a little bit broader discussion in that regard.

The specific issues with respect to the RHAs' establishment and their authority in terms of ambulances are again a complex issue. The process we engaged in is that we got the task force report, we farmed the task force report out, we got comments back, and we tried in this budgetary year to fund significantly. Some of the key recommendations of the task force report, I think, are a reality. The question of how it has been communicated and how people understand and how we can resolve that, I think, has been

less well done. I think that is one of the causes of the difficulty.

My starting point, and I have asked the departmental officials to talk to people in the communities to try to resolve these issues. I have asked them to try to set up a meeting with colleagues of the Member for Emerson (Mr. Jack Penner) as well as other individuals to discuss these issues. There has already been some preliminary discussion with firefighters and other agencies about resolving this issue. Frankly, if it takes longer to implement while people understand better what the process is and what we are trying to remember, we are trying to reflect recommendations that came back from a task force. This is not political. A task force set up by the previous administration came in with recommendations.

We took the task force recommendations. We farmed them out, and then we said: What do you think we should fund? How do we move this along? There was great pressure on us. One of the key recommendations was that we have got to improve the communication system. How do we do it?

When I looked at the various options with respect to communication systems, and I am clearly no expert, the variations and the ranges were dramatic. Coming to grips with that has been not a simple task. We also put in extra resources for acquisition of ambulances, et cetera. I will see, we can have a little wide-ranging discussion if the Member would like as soon as our main person in Emergency Services arrives if that helps.

**Mr. Jack Penner:** I thank the Minister for bringing the person responsible, Mr. McDonald, into this discussion because I think that will be useful.

The question on another matter, then, is the Emerson hospital was announced last year, a year ago, and was indeed on the capital program. I found it interesting that, under the new announcement that the Minister made, there was no mention of the Emerson hospital. Maybe that is not needed because it was announced previously. I wonder how the Minister sees the construction of the new facility that was

announced for Emerson continuing and how his department will deal with that in the future.

**Mr. Chomiak:** The announcements yesterday were those announcements that were ready to go in tendered construction from what I understand almost immediately. All of those projects are just ready to go in the can. What we wanted to do was get into a process of announcing projects that are ready to go. We also undertook that we were going back to the previous policy that was followed in the early '90s of the staged approvals and staged announcements on that basis. We did an analysis, and we are doing the most extensive analysis, I am told from the Department of Health, of every single capital project that has ever been undertaken, at least by people's memory.

We have reviewed every single project, are reviewing every single project in light of a variety of factors fitting in with the overall capital plan, the capacity, the future, et cetera. Having said that, we assured the RHAs, and I indicated in the House yesterday that in the next few weeks and months we will deal with all of the existing proposals and all of the existing capital projects that are part of the process. I am hoping sooner rather than later that all of those issues will be communicated.

\* (17:10)

**Mr. Jack Penner:** The town of Emerson is a bit of a unique situation, as the Minister is fully aware, being situated right next to the U.S. border, being situated on a traffic route that is the busiest traffic route, without question, in Manitoba, indeed probably the second largest port of entry in western Canada, next to Vancouver and Washington.

That, of course, leads to significantly different scenarios than many other communities face in their general operations. The number of traffic-related incidents that affect Emerson, from both from an ambulance service point of view as well as emergency training for their fire department and emergency dealing with chemical spills and all those kinds of things on highway, makes it a bit of a unique facility.

The previous government, I should say, thought there was some urgency in ensuring No.

1 that the current facility that is there, being situated virtually within 10 feet of a steel-reinforced dike that is right on the riverbank which is prone to slippage, we have no idea, when the department of resources reinforced that dike a few years ago with steel piling, how well that piling will hold up. There is every reason to believe that the next slippage of the riverbank could see part of the foundation of the personal care home, especially, being eroded. That would force either the evacuation and/or immediate relocation of that facility.

Secondly, the department of resources has indicated that, if they should in fact have to move that dike, it would mean that the current facility, which was a former customs facility, as I think the Minister is aware of, which has been converted to a hospital facility, would in fact have to be moved. That, of course, led us to make a decision that, if the relocation could be done in an orderly fashion, in other words to provide funding for this facility and get it moved and constructed and then allow for the realignment of the dike, that would be beneficial to both the Department of Health as well as the department of resources and the town. I thought there had been at least some urgency indicated by that move in itself.

Then, of course, now we hear that the International Joint Commission is probably going to look at making some form of recommendation to put a dike at Ste. Agathe, or a dam, which would have the potential of raising the water levels even higher at Emerson in high flood stages, which would lead one to believe that one must move that facility. Therefore, I would hope that the Minister would indicate clearly to his department his desire to move that project on as quickly as we could. I wonder whether the Minister could give us a bit of an indication as to what he thinks the timelines might be on that facility.

**Mr. Chomiak:** I thank the Member for those comments. The time line on announcements is that I want to be careful because one knows how one has to be careful in terms of timelines on occasion. What I anticipate is, in the next several weeks, most of the major decisions will be communicated and at the outside, I am certainly hopeful that in the next several months, all of the

communications will have been made. That is subject to vagaries of other developments, but that is certainly the timeline that we hope to work towards. I should just indicate to the Member that the official in question, and it has been difficult because I have not known where we are going often on Estimates. No criticism, but people come in. The individual involved in Emergency Services is not available today; he is out of town. Now, I am assuming we are meeting tomorrow. I will try to have him here tomorrow. If I cannot ensure that he is here tomorrow and if Estimates ends, it is my intention that he will also be present at our meeting when we get together to discuss the ambulance issues as well.

So, if the Member can accept that, I will try to have him here tomorrow, if we meet tomorrow. If we complete Estimates tomorrow, then I will ensure that the Member has access to him for these issues either at our meeting that we are going to arrange, as soon as we can get it together or at some other occasion. Is that acceptable?

**Mr. Jack Penner:** Yes, that is acceptable to me. Maybe if the Minister could give us a bit of an indication as to what time he might be expected to be here. Would it be first thing in the afternoon when we enter Estimates again? I will attempt to be here and ask those questions then.

On the matter of services, and maybe I should wait then also until tomorrow to ask this question on rates of ambulance services. I will do that; I will wait for that one as well tomorrow.

**Mr. Chomiak:** The Member did ask about rates previously, and this is what I have been advised. The RHA Central Manitoba has recently proposed to standardize fees between all RHA-owned and/or funded services. This will make them the last region in southern Manitoba to take this action. Historically, local ambulance services adjusted their user fees to recover what they determined locally to meet their operational needs and did not co-ordinate these fees with other communities. The resulting fee schedules in 1997 range from those in the range of \$40 for a basic pick-up fee and \$50 per kilometre, to

\$275 basic fee and \$3.55 per kilometre, with averages near the lower end of the range.

With the advent of the regional health authorities, attempts have been made by the RHA administration to standardize fees across a region and between regions. It should be noted that with the newer rates established across Manitoba, the average kilometre fee is approximately half of that in neighbouring provinces of Saskatchewan and Alberta. The RHA Central proposed fee of \$200 basic and \$1.50 per kilometre is near the provincial average for standardized fees established by RHAs. They have proposed a basic fee slightly higher than that \$170 average, but a kilometre fee significantly below the \$2.40 provincial average. As a result, a user in Central will pay slightly more for a local call than in other regions, but significantly less for long distance interfacility transfer to a tertiary centre.

\* (17:20)

**Mr. Jack Penner:** That, Madam Chairperson, concurs with the information that I have received from one of the Board members at Central Region, and that is why I want to ask the question. When a person, for instance, from the town of Altona, requires ambulance service to be transferred to Winnipeg, it would mean that the average cost now of a transfer with an attendant in place and two hours waiting time in the city would cost \$500 per trip.

I am not sure whether the Minister has the information or can give me his own personal views on how that conforms with other ambulance service fees in this province. Is that similar to what northern Manitoba pays? Is that similar to what people in the city of Winnipeg pay? Is that a larger fee that people in rural Manitoba must pay to ensure they are able to access the services that are required on an emergency basis? Maybe the Minister could give me a bit of an overview as to what northern fees are, what other regional fees are, and the city of Winnipeg fees are to gain access to emergency services at major hospitals?

**Mr. Chomiak:** I will just reiterate this last paragraph to the Member. The RHA Central

proposed fee of \$200 basic and \$1.50 per kilometre is near the provincial average for standardized fees. They have proposed the basic fee slightly higher than the \$170 average but at kilometre fees significantly below the \$2.40 provincial average.

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

As a result, a user in Central would pay slightly more for a local call than in other regions, but significantly less for long distance interfacility transfer to a tertiary care centre in Winnipeg. What I will undertake to do is try to get some more comparative figures back to the Member with respect to putting it into context.

I cannot promise that I will have that again if the Estimates end tomorrow or the next day, but I will forward it to the Member when I receive it.

**Mr. Jack Penner:** I wonder if the Minister could also give a bit of an overview as to what other service—and I refer specifically to dialysis services. I know the Member for Steinbach asked this question from a southeast regional perspective, but we have a number of people in the southeast region that travel significant miles now either to Morden or to Winnipeg to get dialysis services.

For some of these people who are older people, it becomes quite a task to twice a week travel either to Winnipeg or to Morden from, for instance, the Sprague area or Middleboro area. I wonder whether the Minister could give me a bit of comfort or give those people in our southeast region and Central region a bit of comfort that they will have better services and shorter distances to travel for those services in the near future.

**Mr. Chomiak:** The basic criteria and I think generally the previous administration determined that dialysis would be administered as a province-wide program, and I think that makes some sense. I can indicate to the Member that we have followed the recommendations of the dialysis committee and recommendations in terms of where dialysis should be located, and

there has been some expansion of dialysis that we have continued.

We basically followed the same format that was in place before. Now having said that, Mr. Acting Chairperson, part of the health plans and initiatives and the whole process of regionalization is that regions allocate the priorities with respect to what they require and what their needs are based on a variety of factors, and then make recommendations to Health who then fund according to those needs.

I will ask the dialysis group, as I did for the Member for Steinbach (Mr. Jim Penner), to review this situation and take a look at the needs. When it comes to dialysis, as the Member would know, it has been a quantum increase in terms of needs and requirements. I was actually stunned when I went back in the Estimates process and looked at the amount of money going into dialysis over the past four or five years. It has literally been a quantum increase, and it is continuing.

That suggests two things. That suggests that we have a serious problem, and we have to get at the front end. We are continuing and expanding a number of initiatives at the whole front end in terms of dialysis, diabetes, and renal disease, and the like. We have got a big job to do there, something that cannot be done overnight, something that may take a generation. But it is incumbent upon us when we recognize that kind of a pattern to take action, and that is being done.

The second issue is, of course, the incredible difficulty that this causes on individuals who are already subject to a disproportionate amount of health deterioration as a result of their illness. Compounded on that is the fact that they have to go through what the Member described.

As I did for the Member for Steinbach, I will ask them to take a look at the situation in your region, as well as look at what the RHA has proposed. I am not in a position, nor should I be in a position, to tell them that there should be a dialysis here or here. I will follow the pattern of recommendations based on the province-wide committee that reviews this. I will ask them to look at that situation. It is a major health

problem that we face across this province, and we have to continue to address it.

**Mr. Jack Penner:** Just a short comment. The Roseau River Anishinabe First Nations, I believe there are some 600 to 800, depending on the time of year, residents on that reserve. The Chief has asked me on a number of occasions whether there might be an opportunity for some facility being established that might be a bit closer than they get service for now. I think the First Nations community has significantly larger per capita needs than some of the other communities in the province do. I am sure that the Minister's department and the region are aware of that and would take that into consideration when they assess where and when to put dialysis.

*Madam Chairperson in the House*

**Mr. Chomiak:** I thank the Member for those comments. I think that is a truism. Particularly, there is no doubt that diabetes is an epidemic in Aboriginal communities. Again, it is a great irony that we are spending incredible resources at the end stage of the disease. We have got to put equal attention at the front end, which may take time, but that is what health departments are supposed to be doing.

\* (17:30)

**Mrs. Driedger:** In following up to my colleague's questions from Seine River, I would just like to ask a question. I think we have probably covered it largely. I know that one of the election promises was to establish a prostate cancer screening program within the first year of government, and I wonder, as we are coming upon that first year, if this is something that we will see happen.

**Mr. Chomiak:** Just give me a second.

**Madam Chairperson:** Order, please. A recorded vote has been requested in another section of the Committee of Supply.

As the hour is now 5:33 p.m., is it the will of the Committee to rise for the day before the members proceed to the Chamber for a formal vote?

I am therefore recessing this section of the Committee of Supply in order for members to proceed to the Chamber for a formal vote.

*The Committee recessed at 5:33 p.m.*

*The Committee resumed at 5:57 p.m.*

**Madam Chairperson:** The hour being 6 p.m., committee rise.

## EDUCATION AND TRAINING

\* (16:40)

**Mr. Chairperson (Conrad Santos):** Will the Committee of Supply come to order, please. This section of the Committee of Supply has been dealing with the Estimates of the Department of Education and Training. We are on page 57 of the Estimates book, item 16.1.(a) Minister's Salary \$27,300. Shall this item pass?

**Mr. Leonard Derkach (Russell):** Mr. Chair, when we ended the day yesterday, we ended it with a vote on the Minister's Salary, and I regret to say our side did not win, but I guess that was expected.

But, today, because we are on the Minister's Salary, I do want to raise the issue of last evening. Although the major part of the evening seemed to take a change for the better after the first couple of presentations, specifically after MAST's presentation, I would have to say that the Minister changed his tone a bit.

I do have to say that the first part, when the Manitoba Association of School Trustees made their presentation to the Committee, there were several incidents there which would lead anybody to the conclusion that indeed the Government did really not want to hear what MAST had to say. Secondly, the only interest of the Government was to berate this organization for their view of the Bill and their view of the direction that the Government was going in.

Mr. Chair, as a minister of Executive Council for some 12 years or 11 and a half years, I would have to say that there were many times

when we presented legislation that I did not agree with the presenters. Presentations come on both sides. As ministers responsible for the stewardship of departments, we are obliged to be courteous to the public. I think that is what the public expects of us. Although we can ask some questions, which may be hard-hitting questions, we have to do it in a tone, which is respectful. I think that is expected of us, and one where we do not admonish or unnecessarily and grievously chastise the organization or the individual who is making a presentation before the Committee.

I guess I am a little sensitive to that, because the organizations that are presenting to a committee are presenting to both sides of that committee. They are not simply presenting to government. They are presenting to members of the Legislature. As members of the Legislature, our obligation is to take account of what is being presented, and then to see whether or not we can use our influence on the Minister who is in charge of that particular department, to listen to the content of the presentation, and improve on the legislative proposal that is before that committee. That is supposed to be the democratic process that is to be followed in our province.

What I witnessed yesterday was an incident, as I said in Question Period, which I was somewhat embarrassed about, because it reflected on the people who were sitting around the table on both sides of the House. I think the audience was a little bit taken aback at the aggressive approach that was taken by this minister. I know that, in doing that, some of the audience reacted to it as well.

Well, Mr. Chair, I do not think that does any good for the intention of the legislation that is being proposed. I do not think that it does anything to build the kind of rapport and the kind of relationships that we should be building with the stakeholders, especially in education.

Education is a pretty wide field. It covers a large segment of our population. As a matter of fact, every individual is touched by education, whether you are young or old. Indeed, if you look at, I believe, the Chinese, they have a tremendous regard for teachers, because in their country the teacher is the individual who

actually shapes an individual and his character and his respect for his country and all of those elements that make up the individual. So teachers have a very special place in the hearts and minds in society in that country.

I do not think that is that much different here in Manitoba. I do not think that that is that much different here in Canada, because teachers do shape and mould our young people to become the citizens that we are. The contributions that we make to our communities, the contributions that we make to our country are, indeed, reflective of the kind of education and upbringing, the kind of values that we hold that are taught both at home and in school. But, if you look at young people, they spend a majority of their life in this classroom. Therefore, the teacher has a tremendous influence on the way that individual develops.

Therefore, the people who are entrusted to the care of education, the trustees—they are called trustees because they are given the trust, if you like, for administering the education within their jurisdictions. I also have that same regard for the Teachers' Society, and the superintendents, and the principals, because, indeed, these are the people who in essence shape a community, and shape a society, and instil the values of us as individuals. So I think that when these people come forward to a committee, it is our obligation as legislators—we are the lawmakers; we are the people who set the laws for the province—it is our responsibility to extend the same kind of courtesy that is taught, I think, in our schools by individuals to the people who are responsible for that.

You know, last night I was actually very impressed by the presentations that were being made on both sides, because I think, over the years, the presentations to committees have become much more professional; they have been much more to the point. Indeed, in the presentations, there are tones of criticism, but we have to accept that. That is indeed our job, but also it is the responsibility of these individuals and groups who come forward to be able to freely express themselves without fearing any kind of a reaction by the Government or by the legislators. We have to respect and we have to



hold dearly that ability for our citizens to express themselves freely without any fear of reprisal.

So, Mr. Chair, when MAST made their presentation yesterday, they were presenting on behalf not just of their executive; that was not just the view of the executive. I looked at their presentation as being that of the entire membership represented by this body, who had been duly elected and their executive appointed to do that on behalf of their membership.

Although we had agreed at the beginning of the session, and I have to give the Government their due with regard to extending that another five minutes, because I think over the course of time we have generally used either 10 minutes or 20 minutes as presentation and question time. Yesterday, we did extend that by another five minutes. Indeed that was a compliment to the Government for that part of it.

The people who had come to present before this committee were really not aware before they came, I do not believe, that there was a 10-minute time limit. Therefore, some of their presentations were indeed longer. Now those who had presented on more than one occasion and had been to other committees probably had some sense that indeed there was a 10-minute limit, but for those people who were there for the first time and perhaps do not present that often it was not a well-known fact that indeed there would be a 10- or 15-minute time limit.

Mr. Chair, when MAST made a presentation, they of course ran out of time. We asked for leave because this was not just an individual who was rehashing statements that had been made before. This was a body that had some fairly thoughtful material in what they were presenting. Granted, they were making a presentation against Bill 42, but that should not matter to the Minister. He has set a course with regard to the way he wants this legislation to be established. It is up to him, and his Premier (Mr. Doer) has stood in this house and has said that people will have an opportunity to come before the Legislature, as has been the tradition, to be able to express their views with regard to legislation.

\* (16:50)

This was a body that was speaking not just on behalf of a small group of people, but indeed they were speaking on behalf of thousands of people, I would say hundreds of people who had been elected, but indeed thousands of people that they represented. Those are the electors of our province. They are the parents. They are the taxpayers and indeed the trustees of Manitoba.

I felt that it was only prudent for us to be able to extend and to give leave, as we have often done. This is not a precedent. It has often been so that when a committee or when a presenter who perhaps represents a fairly major group in our province, an influential group, runs out of time, we have often as both sides of the House agreed together that we should give leave to hear the rest of the presentation. My goodness gracious, we do that here in the House. If we feel an issue is a very important one, we will give leave together. We will agree that leave be given to allow for that issue to be dealt with in this Chamber. We should extend that same courtesy to the people of the province.

I dare say that if that same body were to come before the Committee tonight, were to make their presentation and were to ask for leave, that today our thinking would be somewhat different because of what we have gone through here in the last few hours. I wish that could be so, because I do believe that an important part of that presentation was left out.

Tonight I know we will be hearing from the Manitoba Teachers' Society. My attitude toward them is the same. If they run out of time tonight and they still have material that needs to be presented, then I will be the first one to say I would be asking the Committee to allow for leave for them to complete their presentation. Indeed, that would be setting sort of a nasty precedent because we would be allowing them to finish their presentation whereas we did not allow the trustees to finish their presentation.

Granted that the Minister is new, this is his first bill through committee, I believe, so therefore there is still a learning curve there.

What I found most offensive was that the Minister had before him a list of grievances that he was reading out. They were statements that he

was making and questions, hard-hitting questions that were slamming and admonishing the Manitoba Association of School Trustees.

In the past, one of the issues that the Minister raised, one of the queries that he raised was with regard to the full page ad that the Manitoba Association of School Trustees had taken out regarding this bill. Now, I recall on other occasions where other groups had taken out ads expressing their views on either legislation or on policy or on an action that government was taking. That is part of our democratic right. I may not like it. I may not approve of it. But I have to live with it because that is one of the basic principles of a democracy, for people to be allowed to express their views freely.

Now, the Premier said today that this group was using taxpayer dollars to run this particular ad. I do not know if they are taxpayer dollars. I did not ask MAST that question. I think that is an assumption. I do not know where their revenues come from, Mr. Chair, and I do not know what source of funds they use for these kinds of campaigns. But it is not the first time that has happened. I know that the Minister of Family Services, who has been in government circles for a long, long time, understands this, because he has seen that in the past as well.

So I was saddened by the fact that we took that attitude in the very early stages of the presentations on this particular bill. That is why we came into this House today. We gave opportunity for the Minister to stand in his place and apologize to the Manitoba Association of School Trustees. They did not send out the news release in a frivolous manner. It was not motivated by us. I received a copy of it this morning. I had not seen it before then.

If a major stakeholder group that this minister has to deal with in the course of his time as minister is sending out a news release of that nature, then there is no problem in that minister calling this group together, standing in this House and saying: Look, I made a mistake. I am a rookie minister. I have just been here for 10 months. Perhaps I should know better, but I did not, so I am going to apologize to the school

trustees and indicate to them that this was indeed an error on my part.

I do not see any issue with that. If he feels that he made a mistake, then that is the right thing to do. But if you are going to dig your heels in and say, I was right, I ask this minister: How is he ever going to deal with that stakeholder group in the future again in a positive way where they can build a relationship that is going to foster better communication, better educational policies, and indeed be reflective of what Manitobans really want in the area of school and educational administration. That is a question that the Minister has to ask himself. I do not think it is a question for anyone else. It is something that he has to feel satisfied in his own mind that he can deal with. I do not know whether the trustees have sort of forgotten about the issue today. I do not think they have, but indeed I think it is an outstanding issue for this minister.

I am not perfect. I will be the first one to admit that. I have made my share of mistakes, both in government, in private life. We are human beings and we do that. But when we make mistakes, sometimes we have to stand up and say, yes, I made an error. I have done that in this House. From time to time when I have made a mistake, when I have made a comment that I regretted, I needed to do that and I did. So I would not fault. As a matter of fact, I would commend the Minister if he did that.

I appeal to this minister once again. I ask him whether or not he would not take the high road today and he would deal with this issue in a way in which he will stand up, apologize publicly for the comments and the attitude that he displayed yesterday in committee, and then let us get on with the rest of the bill.

I know we have an evening to go through tonight with regard to the presentations on this bill. I know there are going to be presentations on both sides. That is fine. We have to accept that. We have to listen to it. Indeed, from all that information that is presented, we have to glean whether or not there is some substance in there which would make us change or alter our attitude and our approach with regard to this bill. That is a separate issue.

I think the attitude that we display, the respect that we give to people because people expect that of us as elected officials, has to be there. I think there is something lacking there. I think that the Minister could either get on the wrong track or get on the right track here. I think deep down inside he probably wants to get on the right track. He probably finds it awkward in the way that he should approach this. I say to him from someone who has been here a number of years, and I do not have a lot of advice, but I can tell him that it is far easier to get this out of the way, dealt with, and then get on with life, because indeed there is a lot more ahead of us to deal with in a positive way.

\* (17:00)

I just want to ask the Minister whether he has thought about this again, whether he has given it some serious consideration, and whether he would be prepared to stand up, apologize for his perhaps carefree and perhaps some bad advice he received, because I do believe, Mr. Chair, that the Minister must have received this advice from someone, because he had it in written form. Therefore, I think that perhaps someone had given him some bad advice, which he followed. Nevertheless he is the man who is responsible at the end of the day, the person who is responsible at the end of the day, and I would want to give him this opportunity to be able to set the record straight and make things right for himself and with the Manitoba Association of School Trustees.

**Hon. Drew Caldwell (Minister of Education and Training):** Mr. Chair, I know this is Estimates, and, as the Member indicated at the beginning of his remarks, it is a bit of an unusual departure to be talking about a bill in the Estimates process. Be that as it may, that is what we are talking about.

I want to say that I do respect the Member's views. He is the sole remaining minister of Education in this House from the last administration. The remainder have gone on to better things. So I do respect his views in matters educational, and in other matters as well. I have known the Member from Russell (Mr. Derkach) for a number of years in a former capacity as a city councillor in Brandon when the Member

was minister of Rural Development at that time. So I have a lot of respect for the Member for Russell and his views on things, and indeed in many respects there is far more commonality than there is divergence in our approach to things and, indeed, in our philosophy to things educational. I think that was reflected quite clearly throughout the Estimates process where there are very few issues in fact that we found substantive disagreement on as we went through the Estimates process.

In regard to the committee hearing last night, we did have an interesting 10 hours, I guess it was, at the end of the day. It started last night at 6:30 and we ended this morning at 4:20. There were some challenging questions posed both to government as the sponsors of Bill 42 and to presenters as advocates for a position either in favour or opposed to Bill 42. In terms of my questioning of the MAST executive, we will peruse Hansard, there is no doubt, as these transcripts become available. But, as I recall, the questioning that I undertook to put on the table was designed to get a context for the current lobby efforts of the Manitoba Association of School Trustees. As the Member indicated, I am a new member of the House, being here some 10 months now. I felt and still feel that it was important to get a context for this particular issue and feel it is important to get context broadly in any issue that we deal with in this legislature. I think it is very important to have an understanding of perspective on all issues.

I know that there was some sense that my questions were perhaps too blunt in asking about the Manitoba Association of School Trustees' lobbying efforts in a historical context. I framed it within the activities of the Association over the past decade. I think it is important to understand context as I have said before. I do regret the feelings of the executive director and the president of MAST in terms of their concern or the degree of umbrage that they took to those questions. I think the questions themselves should have been put. I do not know, if we were doing things today, maybe we would do things a bit differently. I suspect he is right in that regard. It is certainly not an issue that I feel comfortable dealing with as the Member indicates. I do not like it when people's feelings get hurt. I do not like my own feelings hurt, and I do not like

hurting other people's feelings. Having said that, this is a very important piece of legislation and it was important to have some sort of contextualization of lobbying efforts from the Manitoba Association of School Trustees to understand this current initiative within a historical context.

I know that the Member spoke of the time lines and the fact that presenters were limited to 20 minutes last night. The Member made mention that traditionally it is 15 minutes, although there are exceptions made from time to time. The Committee did determine before any presenters appeared last night that the ground rules would be 20 minutes. It is regrettable that MAST was not able to complete their presentation during the time allotted, although we did have their presentation remade through other school boards who used their template as the model with which to make their presentation. I think that again, if we are doing things differently or if we were to reflect on what occurred vis-a-vis MAST last night, we may have done things differently. We may have permitted the extra five minutes to allow them to finish their brief. I do regret that that did not happen. I think that likely most of this kerfuffle here today would have been avoided if that indeed had occurred.

I have to say as well that over the course of the nine and a half months since I have been Minister, I have had literally dozens of meetings with the Manitoba Association of School Trustees. Last night during one of the breaks I took from the head of the Committee to use a washroom break, I had the opportunity to chat with Mr. Toews in the hallway. We both were laughing and chuckling at the clash that we had had earlier in that evening. Indeed, we have had clashes over the course of the discussion about Bill 42 during the last six months.

\* (17:10)

Both of us, however, and I think this is really important to note too, know that 95 percent of the agenda in terms of public education in the province of Manitoba all stakeholders share. Teachers, parents, trustees, superintendents, principals, the kids themselves,

all dedicate themselves assiduously when it comes to matters involving public education to excellence in education.

Certainly all of us who are stakeholders in the public school system in the province of Manitoba share a desire to work for the best interests of children and the best interests of delivery of excellence in education in the province of Manitoba. So while we have differences of opinion sometimes, sometimes more public, sometimes more private, those differences of opinion do not divide us on the important issues that confront educators, trustees, other stakeholders in the province of Manitoba. The issues that divide us are very, very small.

It is unfortunate. I would agree with the Member again, that there was a public disagreement of this nature or a public umbrage taken to some of the questions that I posed to MAST last night. I regret that. I think that all of us in this House would rather that we deal with the public in a manner with somewhat more discretion than this, but a news release was printed and distributed by MAST last night post the Committee presentation, as it is their prerogative to do. They are engaged right now in a very concerted lobbying effort against this bill, which is their prerogative to do.

I respect both those things. They are not of my control, of course. I am not the executive director of the Manitoba Association of School Trustees or on their executive. That is the prerogative of that organization to issue news releases and to challenge as they see fit and to buy as many ads in the newspaper as they want and then spend as much money as they want in opposing government. I respect that. As the Member knows, being a former minister, when you have a lobby opposed to something, you may not like it, but it is part of the job. It goes with the territory when you are introducing legislation.

So I do respect MAST for the work that they do. I respect their views, and I fully expect that during the course of the committee hearings on this particular bill there will be some changes made to the bill, some amendments. Certainly, last night from both sides of this issue from

those who supported the legislation and from those who opposed the legislation, there were some very interesting and salient points made. I know that the Member for Russell (Mr. Derkach) was paying as close attention as I was to the briefs that were made, and all of them were taken seriously. Some questions that were put to government and some questions that were put to the presenters further illuminated points, and I think that is a helpful process; I truly do. I think it will make a difference and does make a difference.

The process that Manitoba has for having these legislative committee hearings is virtually unique in Canada, and I think it is a good process because it does allow the public to have direct access with those who implement legislation in this province. It allows a formal process for the public to engage in debate surrounding bills of this legislature, and I like that process. I know that we are almost alone in Canada in having this sort of public opportunity for those who wish to address legislation of this House. So I think it is a useful exercise.

I know that in the context of education debates on various bills some of my predecessors in this office were far, far worse than I in terms of heaping abuse on presenters. In fact, I do not think there was any abuse heaped last night. I think there were some tough questions put, and that is fair ball. I do regret, however, that such umbrage was taken to spawn a news release, but I have no control over issues of news releases for the Manitoba Association of School Trustees. It is their prerogative. They are engaged in an active lobby in this regard. I expect that they have taken a course that is one that in this particular issue—and it is the only one I can think of, in fact, in terms of all the broad range of issues that we have with MAST, the only one that we have a significant conflict on right now. That is not a small thing to say with the broad range of issues that swirl around the public education system in the province of Manitoba.

I know the Premier (Mr. Doer) earlier today mentioned amalgamation, and we have some challenges with amalgamations in the province of Manitoba. I know the previous administration also dealt with these challenges and, with the

Norrie report, in fact, engaged in a very worthwhile exercise in analyzing school division boundaries in the province. I think that there is a lot of work to be done on that issue. Like this, though, it is a highly contentious issue, and I expect that there will be some vigorous debate vis-à-vis amalgamation as we move forward.

But vigorous debate does not preclude good relations. In fact, we on this side of the House in this party pride ourselves on the vigorous debate that occurs within the party itself. In the New Democratic Party, you can have a hundred people in a room and have a hundred different opinions, and all of them are fought and hard fought, and I think that is a positive thing. The essence of democracy is having a vigorous debate.

So I do not think that we should confuse having a discussion and having a debate, a vigorous debate with being untoward. I do, however, regret the hurt feelings that some members of the MAST executive may have over last night, and, as I said earlier, I met with Mr. Toews out in the hallway, and we were laughing and poking each other.

So we will get past this irritant, and we will move forward together to work for educational excellence in the province of Manitoba. We will get past this particular irritant that exists today; and I know that, in good faith, all of us involved with public education, trustees, teachers, parents, all share the same belief, and that belief is one which strives for educational excellence in the province and to put the best efforts forward on behalf of the children of the province of Manitoba in this and every issue that we confront together. Thank you, Mr. Chair.

\* (17:20)

**Mr. Derkach:** Mr. Chair, I heard the Minister say that he regretted the umbrage that the association felt towards his comments and the fact that they had to put out this news release, but I did not hear the Minister apologize to this organization. I heard him use the word "regret" on at least three occasions, but he did not say that he was sorry for the words, and he did not apologize for his behaviour and his attitude.

Mr. Chair, that is such an easy thing, because I think that then you start on a new road with one of the stakeholder groups that you have to work with. We as an opposition do not have a lot of tools at our disposal to be able to force any minister to do the right thing. The only tools we have at our disposal are perhaps to call the Minister to task through various ways that are allowed to us within this Chamber.

I want to move, seconded by the Member for Minnedosa (Mr. Gilleshammer), that this Assembly censure the Minister of Education and Training (Mr. Caldwell) for his disrespectful attitude and behaviour toward the presenters of the Manitoba Association of School Trustees and to that organization and that the Minister of Education and Training apologize to the Manitoba Association of School Trustees.

**Mr. Chairperson:** On inspection of the motion, would there be unanimous agreement that we change the word "Assembly" to "committee," and instead of ordering the Minister, recommend that the Minister apologize. Is there unanimous agreement about these changes? [*Agreed*]

It has been moved by the Member for Russell (Mr. Derkach), seconded by the Member for Minnedosa (Mr. Gilleshammer), that this committee censure the Minister of Education and Training (Mr. Caldwell) for his disrespectful attitude and behaviour towards the presenters of the Manitoba Association of School Trustees organization; and that it is recommended that the Minister of Education and Training apologize to the Manitoba Association of School Trustees.

The motion is in order, and it is now subject to debate. Any debate on the motion?

**Mr. Caldwell:** Well, Mr. Chairman, I certainly appreciate the political point of putting this onto the floor here today. I know that it is the Opposition's obligation to make these political points.

**An Honourable Member:** Her Majesty's loyal opposition.

**Mr. Caldwell:** That is true. He says Her Majesty's loyal opposition.

So I do respect the right of the members opposite to put such a motion forth here. I do recognize the political aspect of it, certainly, because when Hansard does come out on last night's proceedings, as it will, I think it will reflect the fact that there were three or four questions that were asked by me. The first two or three were to put into the context of the current activities of MAST vis-à-vis this bill and vis-à-vis other lobby efforts that they have undertaken with regard to public education in the province of Manitoba.

I feel that it was very important to get a context for the work that has been done and is being done by the Manitoba Association of School Trustees in this regard. I think the Hansard will reflect that other questions referred to issues of historical realities vis-à-vis Bill 72, and the implications of that bill, the previous collective bargaining protocol previous to Bill 72, and what the historical realities were around that. [*interjection*]

I note the Member for St. Norbert (Mr. Laurendeau) asked me not to look in the rearview mirror, and I can understand why members opposite would want to forget about the past 12 years as well.

**An Honourable Member:** Oh, no, we are proud of it. Do not get me wrong.

**Mr. Caldwell:** The Member says they are proud of the last 12 years. Well, in public education, the last 12 years, of course, have been an unmitigated disaster. So the issues are very important in public education in the province of Manitoba. The challenges are formidable.

We, on this side of the House, are committed very clearly to providing increasing fiscal support to the public education system, as we did in this year's budget, by injecting an additional \$30 million into the public education system, the largest such injection in a decade. We, on this side, in this year's budget, increased the property tax credit available to Manitobans in recognition of the explosion in property taxation that occurred over the last decade, which affected Manitobans profoundly and negatively, Mr. Chairperson. So we are, on this side of the House, committed to supporting and

enhancing public education in the province of Manitoba, and will continue to do so.

In terms of the feelings of MAST, again, the members have put on the floor a motion of censure with regard to attitude and behaviour towards presenters of the Manitoba Association of School Trustees last night. It is true, Mr. Chairman, I asked some difficult questions and questions that members of MAST rightly, I think, in their judgment, would feel uncomfortable answering. But discomfort of presenters in answering a question, it is a long stretch from there to disrespect; it is a long stretch from there to state that we on this side of the House have no confidence in or no respect for trustees.

Quite the contrary, trustees in the province of Manitoba, like educators, are the stewards of our public education system and are deserving of the highest respect for sustaining, maintaining and enhancing our public education system. We will continue to express our respect towards trustees and teachers, something, I might add—I am not sure where the Member is from; she is the acting Leader of the Opposition who passed through committee last night, and she talks about respect, something that is in very stark contrast to a previous minister of Education who, frankly, goes down in infamy amongst educators and trustees in this province for the abuse that was heaped upon the public education system, heaped and heaped on the public education system some years past.

So while we have a conflict on this particular issue and we had a vigorous discussion last night, it is a very, very small blip in terms of relations between trustees, Manitoba Association of School Trustees specifically, and the Province of Manitoba. We will continue to support trustees and the very good work they do across the province. We will continue to challenge trustees; they will continue to challenge us. There is nothing new in that. In fact, through that discourse and through that process of continually challenging one another to do better, we will do better. That is, I think, the essence of a respectful process. It is the essence of democracy. It is how you achieve a good result, frankly, by engaging in vigorous debate. It is

how you achieve a better understanding of perspectives, as well, by challenging.

The members opposite recognize the political hay that they try to make through this particular resolution, but that is what it is. If the members opposite cared so deeply about public education in this province, they would not have taken tens of millions of dollars out of the public education system over the course of their tenure. They would not have continually denigrated the role of educators and the public education system over the past decade, and they certainly would have participated more actively and aggressively in supporting our public school system in the province.

\* (17:30)

So while we had last night a committee hearing that had some vigour in its debate, that is in fact what it was. More than that, I do not know what can be said. We continue and will continue to support trustees and teachers. We will continue to work assiduously to better the public education system in the province of Manitoba with trustees and teachers. We will continue to support increases in public school funding in accord with economic growth. We will continue to follow through on the commitments vis-à-vis property taxation in the province of Manitoba to begin to make up for the massive downloading that took place over the last decade. We will get past this very shortly and continue to work together for the benefit of the children of the province of Manitoba.

**Mr. Chairperson:** Any further debate on the issue?

**An Honourable Member:** No.

**Mr. Chairperson:** Is the Committee ready for the question?

**Some Honourable Members:** Yes.

**Mr. Chairperson:** The question before the Committee is the motion moved by the Honourable Member for Russell (Mr. Derkach).

#### Voice Vote

**Mr. Chairperson:** Shall this motion pass?

**Some Honourable Members:** Yes.

**Mr. Chairperson:** All those in favour, say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

**Mr. Chairperson:** Is it by the loudness of the voice?

**An Honourable Member:** The number of us.

**Mr. Chairperson:** This is Yeas and Nays. In my opinion, the Nays shouted louder.

**An Honourable Member:** Yeas and Nays, Mr. Chairperson.

#### Formal Vote

**Mr. Chairperson:** A counted vote has been requested. Call in the Members.

\* (17:50)

*All sections in Chamber for formal vote.*

**Mr. Chairperson:** In the section of the Committee of Supply meeting in the Chamber to consider the Estimates of the Department of Education, the Member for Russell (Mr. Derkach), seconded by the Member for Minnedosa (Mr. Gilleshammer), moved the following motion, that this committee censure the Minister of Education and Training (Mr. Caldwell) for his disrespectful attitude and behaviour towards the presenters of the Manitoba Association of School Trustees and to that organization and recommends that the

Minister of Education and Training apologize to the Manitoba Association of School Trustees.

The motion was defeated on a voice vote, and two members requested that a formal counted vote be taken. The question before this committee is: Shall the motion pass?

*A COUNT-OUT VOTE was taken, the result being as follows: Yeas 18, Nays 29.*

**Mr. Chairperson:** The motion is accordingly defeated. What is the pleasure of the Committee? Shall we pass item 1.(a)?

1. Administration and Finance (a) Minister's Salary \$27,300—pass.

Resolution 16.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$4,491,500 for Education and Training, Administration and Finance, for the fiscal year ending the 31st day of March, 2001.

*Resolution agreed to.*

This completes the Estimates for the Department of Education and Training. What is the will of the Committee? Is there unanimous agreement that we call it six? *[Agreed]*

The next department to be considered is the Department of Intergovernmental Affairs. Committee rise.

Call in the Speaker.

#### IN SESSION

**Mr. Speaker:** Is there agreement of the House to call it six o'clock? *[Agreed]* The hour being 6 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow morning (Thursday).



# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 26, 2000

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