



Third Session - Thirty-Seventh Legislature

of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HAWRANIK, Gerald	Lac du Bonnet	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.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	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, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan	Dauphin-Roblin	N.D.P.
TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 20, 2002

The House met at 10 a.m.

### PRAYERS

#### Introduction of Guests

**Mr. Speaker:** Prior to moving on to Orders of the Day, I would like to draw the attention of all honourable members to the public gallery where we have with us from Henry G. Izatt Middle School 78 Grade 5 students under the direction of Mrs. Joann Eliuk, Mrs. Heather Eby and Ms. Tanya Pfeifferle. This school is located in the constituency of the honourable Member for Fort Whyte (Mr. Loewen).

Also from Deloraine Elementary School we have 23 Grade 5 students under the direction of Mr. Herb Horner. This school is located in the constituency of the honourable Member for Arthur-Virden (Mr. Maguire).

On behalf of all honourable members, I welcome you here today.

### ORDERS OF THE DAY

#### GOVERNMENT BUSINESS

##### House Business

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, would you canvass the House to determine if there is leave to sit this evening from six until ten in order to deal with Bill 14?

**Mr. Speaker:** Is there leave of the House to sit from six till ten to deal with Bill 14?

**Some Honourable Members:** No.

**Mr. Speaker:** No. Leave has been denied.

**Mr. Mackintosh:** Would you please canvass the House, Mr. Speaker, to determine if there is leave of the House to sit on Friday, that is tomorrow, with Thursday hours in order to deal with Bill 14?

**Mr. Speaker:** Is there leave of the House to sit tomorrow, on Friday, with Thursday hours to deal with Bill 14?

**Some Honourable Members:** No.

**Mr. Speaker:** No. There is no leave. Leave has been denied.

**Mr. Mackintosh:** Would you please call—

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

**Mr. Speaker:** Order. We are trying to set the agenda for government, and I cannot hear.

**Mr. Mackintosh:** Mr. Speaker, would you please call debate on second readings, Bill 14.

#### DEBATE ON SECOND READINGS

##### Bill 14—The Public Schools Modernization Act (Public Schools Act Amended)

**Mr. Speaker:** Resumed debate on second reading of Bill 14, The Public Schools Modernization Act (Public Schools Act Amended), standing in the name of the honourable Member for River East, who has 17 minutes remaining.

**Mrs. Bonnie Mitchelson (River East):** It is quite interesting and amusing to hear the Government House Leader ask for leave to sit on Thursday evenings and Fridays to deal with Bill 14, when we could have sat in January and February and March and the first three weeks of April to debate this legislation. But, Mr. Speaker, it is a government that has bungled and mismanaged this whole piece of legislation that is now asking to ram this bill through after it has been introduced only some six short weeks ago.

There is not any controversial legislation like this kind of legislation that passes the Legislature that I have seen in my history since 1986 in this Legislature, that has been rammed through by any government. So this just shows the lack of organization, the lack of plan and the

lack of management of this Government. It is interesting that one of the most vocal people from across the way is the Minister of Industry—

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

#### Point of Order

**Mrs. Louise Dacquay (Seine River):** I am desperately trying to hear the comments of the honourable Member for River East. The honourable minister of industry, trade and tourism and a number of her colleagues are shouting across the Chamber so loudly that I cannot hear her, and I am sitting directly behind her.

I wonder if you would call them to order, please.

**Mr. Speaker:** The honourable Minister of Industry, Trade and Mines, on the same point of order.

**Hon. MaryAnn Mihychuk (Minister of Industry, Trade and Mines):** For three years, I have had the honour of being the Minister of Industry, Trade and Mines, coming up in October, and I would respect members across if they recognize the title correctly.

My second point, Mr. Speaker, is that the member who was speaking was suggesting that she has never seen a bill, something about being forced. I would have her remember their actions underway when they rammed the selling of MTS through this Chamber that has never seen anything in the history of this Chamber, the dreadful behaviour of members opposite.

**Mr. Speaker:** Order. Prior to recognizing the honourable Member for River East (Mrs. Mitchelson) on the same point of order, I would like to draw the attention of all honourable members points of orders are not to be used for rebuttal or for debate. Points of orders are to be used to point to the Speaker the breach of a rule or departure from Manitoba practices. I would ask the co-operation of all honourable members.

The honourable Member for River East, on the same point of order.

**Mrs. Mitchelson:** On the same point of order, Mr. Speaker. Here we have the Minister of

Industry, Trade and Mines standing in her place, who has not stood to speak on Bill 14 and put her comments on the record. When in Opposition she was vehemently opposed to amalgamation, forced amalgamation of school divisions. She has yet to speak on this bill and tell us why she has done a flip-flop and changed her mind.

On the MTS legislation, it was before the House for months, not six weeks.

**Mr. Speaker:** Order. On the point of order raised by the honourable Member for Seine River (Mrs. Dacquay), the practice of the House is for members to be heard. I would ask the co-operation of all honourable members.

When a member has the floor, all members should be able to hear the member's speech. Every member in this House will have their opportunity to debate, so I would ask the full co-operation of all honourable members, please.

\* \* \*

**Mrs. Mitchelson:** Thank you very much, Mr. Speaker. I look forward to hearing the Minister of Industry, Trade and Mines (Ms. Mihychuk) speak on this legislation.

They have heard from all members on our side of the House around amalgamation, but it is interesting that the Minister of Industry, Trade and Mines is silent when it comes to putting her comments on the record, and the Deputy Premier, the Minister of Intergovernmental Affairs (Ms. Friesen). They were two of the most vocal opponents to school board amalgamation when they were in Opposition but have miraculously flip-flopped and changed their positions.

It would be interesting to know what the discussion around the Cabinet table was, Mr. Speaker, when this piece of legislation was brought forward. What did the Minister of Industry, Trade and Mines say? Did she stand up and defend her principled position that she had when she was in Opposition, or did she cave to the pressure from the Minister of Education (Mr. Caldwell)? I hope that she will comment and will indicate to all Manitobans what has created the change in her mind as a result of moving from the Opposition benches to the Government benches.

Mr. Speaker, I also wish that the Minister of Education was here today in his seat again to listen to the debate on Bill 14 because this is one bill he has bungled, that he has tried to jam and ram through this Legislature. I would hope that he would, if he does read this debate, encourage the Minister of Industry, Trade and Mines (Ms. Mihychuk) to stand up and speak and defend his legislation, that he would encourage the Deputy Premier, the Member for Wolseley (Ms. Friesen) and the Minister of Intergovernmental Affairs, to stand in her place and indicate why she has flipped on forced amalgamation.

I see many students in the gallery today, and I want them to know, the students from Deloraine, that their parents will be paying increased education taxes as a direct result of this forced amalgamation by the members of the New Democratic Party, the Government of today. I hope that they have the opportunity to listen and to take that message home to their parents.

Again, this bill, if this Government was serious and felt that the deadline of July 1 was imperative to have this legislation through, which we have been told, really is an artificial deadline, because, quite frankly, the Premier (Mr. Doer) and the Minister of Education (Mr. Caldwell) have indicated clearly that they do not need this legislation. They can move ahead the school board amalgamation by regulation. So the deadline of July 1, if they felt it was so important, they could have recalled the House in January, in February, in March, or in the first part of April before the Budget was brought in and introduce this legislation.

\* (10:10)

School divisions are now only beginning to understand as they examine this bill in detail what the significant implications are going to be. They are coming to understand that this is just a power grab by the Minister of Education. It is a top-down, heavy-handed approach to dealing with school divisions.

It is interesting to note that they are dealing with some school divisions in one way and others in another way. They are going to be

looking and examining and micromanaging the budgets of those divisions that are amalgamated, but they are not going to look at the budgets and give the same scrutiny to those school divisions who are not impacted by amalgamation.

They are setting up a double standard within our education system. I think it is really something that Manitobans are just beginning to understand. I believe there needs to be significant time in order to hear from Manitobans, because I know that the Member for Wolseley, the Deputy Premier (Ms. Friesen), when she was in Opposition and when she vehemently opposed forced amalgamations said on many different occasions in the House many things.

I just want to quote again what she said. She said: We remain unconvinced of either the need or the desirability of amalgamation for the students, for the parents, and the ratepayers.

She also went on to say: We must answer the question of costs with respect to the harmonizing of collective agreements and the economic impact on small communities that may be threatened with the loss of their division office. Who will bear the cost of restructuring?

Well, they asked those questions in Opposition, but they have not been able to give the answers now they are in Government to these exact questions that they were asking. Why are they not open and honest and forthright and sharing that private information with Manitobans rather than trying to ram something through that is going to have no significant impact or improvement in the quality of education and we know is not going to save money, because those divisions that are being amalgamated have assessed and have done the analysis of what the costs of harmonization are going to be?

They have submitted those to the Government. That is public information. It is on the public record. Yet the Minister of Education chooses to ignore that analysis that has been done and continues to decree from on high that he has the answers and the solutions that are going to save money and children are going to be better off. Well, there is nothing that has come forward and there is nothing that the

minister has been able to say that can convince Manitobans that he is accurate with those kinds of statements.

The Deputy Premier, when she was in Opposition, made a really good suggestion. She said, "Find us the best practices; find the right principles; support those who are ready to amalgamate; create the kind of pilot projects that will demonstrate to us, that will show us where the improvements are to be made."

Well, she spoke from one side of her mouth in Opposition and speaks now from another side of her mouth. Well, she has not spoken yet, so we are not quite sure what her rationale or justification is, but it would be interesting to have her put her comments on the record. She went on, Mr. Speaker, to say, ". . . a lot of very, very concerned citizens feeling that they were going to be pushed into something that was not proven to them, for which they had no evidence that there were savings. In fact, they had evidence to the contrary." Well, again, Mr. Speaker, we see that the analysis that has been done by the school divisions has indicated that there will not be cost savings to this amalgamation, but again we have a government that is moving ahead and ramming this through without the kind of public discussion that there needs to be.

Mr. Speaker, I already indicated that the Minister of Industry, Trade and Mines (Ms. Mihychuk), while she was in Opposition, spoke against this legislation or against school board amalgamation, because we did not introduce legislation. She said, "Is the minister aware of the St. James-Assiniboia School Division's cost-benefit analysis which conservatively estimated at least a \$7-million cost, additional cost, for the amalgamation of only one of the proposed 22 divisions?" She, while in Opposition, believed what the St. James-Assiniboia School Division said the increased costs of amalgamation were going to be, but she seems to have forgotten what that analysis has said now. I again would encourage her to stand in her place and hopefully she might do that this morning or this afternoon.

I would encourage members on the Government benches to stand up. We have not

heard from the majority of those in the Government benches standing in their places and supporting this legislation, so I am looking forward to that happening. I would hope that the Minister of Industry, Trade and Mines would stand this afternoon and try to rationalize or justify to Manitobans why she has done this significant flip-flop.

Mr. Speaker, this is bad legislation. This is legislation that is not needed. The only reason the Minister of Education (Mr. Caldwell) has brought this piece of legislation forward is to silence the public, to retroactively put in place a law that says that everything that he did prior to the legislation coming in was right and valid under the law, so that he could not be challenged by citizens who felt they had a need to challenge through the courts this minister's actions. I think that their attempt to silence the masses, the general public out there, the taxpayers of the province of Manitoba who legitimately should be able to raise their issues and take this minister to court if they feel the need. So I am extremely concerned that we have before us today a piece of legislation now that the Government is asking for time to debate after hours when they had months and months and months to have introduced this and we could have had that debate.

Mr. Speaker, I move, seconded by the member from Turtle Mountain,

*THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following therefor:*

Bill 14, The Public Schools Modernization Act (Public Schools Act Amended) be not now read a second time but that the order be discharged, the bill withdrawn and the subject matter thereof referred to the Standing Committee on Law Amendments.

***Motion presented.***

\* (10:20)

**Mr. Speaker:** The amendment is in order, so it is open to debate.

**Mr. Mervin Tweed (Turtle Mountain):** I do want to put a few comments on the record, and I

want to read some of the comments from members opposite. I think it is important for new members in the Legislature to get a feel for the history of this place and actually things that were said by members before them, actually members that they sit with today in this Legislature who had a different opinion on the Norrie report back in '94-95. I understand and I accept, being a new member, that they have very busy schedules and hectic timetables, but I think that it would be incumbent and imperative upon them to read the history and read some of the comments that were made by their sitting members and actually most of them by their members who are now members of Cabinet in this Government.

It is quite ironic that the Minister of Industry, Trade and Mines (Ms. Mihychuk), in 1995, put on the record—and I think these are valid concerns. These are not issues that we on this side would argue with. When she stated on December 6, 1995, she said, "I am going to be talking about the serious question of cost analysis and cost-benefit of this report. She asks, "Is the minister aware of the St. James-Assiniboia School Division's cost-benefit analysis which conservatively estimated at least a \$7-million additional cost for the amalgamation of only one of the proposed 22 divisions?"

Now I am sure, and again I understand your busy schedules, but I think you should take a minute and look at that. What she is saying is exactly what we asked of the Minister of Education (Mr. Caldwell) of this Government to answer, and he has constantly refused.

We know, from talking to school divisions, that there are going to be increased costs to amalgamation. Members opposite agreed to that in '95, and I suspect and really cannot understand what has changed their mind, except perhaps the political opportunity that it may present to them today, but obviously a very good question, a very good question by the Minister of Industry to protect the taxpayers back in '95. She seems to have done a turnabout, and today she is not as concerned about protecting the taxpayers of Manitoba. I think that is a concern that we have, and that is a concern that we hear from people throughout Manitoba.

Another comment made by the Minister of Industry, again back in '95, and again I encourage all members, particularly new

members, to read the passages that are in Hansard and understand what the member was saying back then and what the member is saying today. Back in June 7, 1995, the now-sitting Minister of Industry in this province asked of a government, she said, "Where two divisions are being amalgamated, my question is, some contractual positions may be more favourable through historic settlements and there may be a payoff, in other areas, they may not have been the same provisions as others, but how are these going to be settled?"

Well, the suggestion is out there, and it is being made by all school divisions, that whenever you have an amalgamation of two working forces, as we all know, the cream rises to the top. So we are anticipating that divisions that are being asked to amalgamate together, that the salaries and the costs of those salaries are going to be elevated to the highest cost. So, again, who is speaking and protecting on behalf of the taxpayer in this province? Is it the Government? Was it the Minister of Industry back in '95 when she was in Opposition? Was she speaking on behalf of taxpayers on that day, but today she is singing a different song June 20 of the year 2002? Has she changed her position on this? Again, I would encourage all members opposite to read the history.

This Government has been known for saying one thing and doing another, and they are proving it again in their education bill that they have brought forward. First of all, the Minister of Education (Mr. Caldwell) did not need this bill to bring forward amalgamation. He has the right under the regulations that currently exist. He can change boundary lines. That is his mandate, and that is the power that has been given to him.

Again, Mr. Speaker, speaking of the Minister of Industry, Trade and Mines (Ms. Mihychuk), she says one of the assumptions that the boundary review made was that amalgamation of divisions would result in fewer administrators. Well, I am hearing from school divisions where they have two CEOs trying to get together and cut a deal. So what are they doing? They are changing positions. They are changing the titles of their working positions, but they are not losing any people. In fact, I

believe it was the Deputy Premier (Ms. Friesen) of this province who suggested that there would be no cuts in jobs, that nobody would lose their job. Well, if they are going to find savings in administration, I suggest to you that that has to happen. Obviously, this Government does not have the will to say that or the ability to say that, because they have not done the cost analysis of the whole project.

It is easy to stand up and it is easy to project that we are going to save \$10 million by doing this and by doing that but without one shred of evidence. Not one piece of paper has been shared in this House or with the people of Manitoba that would suggest that those savings can be made. But what do we have? We have a minister who in his legislation that he has brought forward in Bill 14 is saying: I am going to be the power, the almighty, the overseer of all amalgamated budgets for the first three years. By my power and the ability that I am enacting in this legislation, I am going to control and manage the budgets of those amalgamated school divisions for the next three years, and I will find those forced savings from the amalgamated school divisions.

I suggest he will not find them. I suggest that he is setting up a two-tier system of education in this province, where the divisions that are not being amalgamated are going to be able to operate and continue to function as they have in the past, and the amalgamated school divisions are going to be under the heavy hand of the Minister of Education (Mr. Caldwell) who I suspect after the legislation breaks in whatever season we happen to be in when it breaks will be replaced by a more competent minister, a minister who is perhaps more willing and able to listen to the people and not send edicts down from his department telling amalgamated school divisions how they are going to operate.

You know, Mr. Speaker, I do not need to present any proof. The proof is already out there. This is a minister who with the swipe of a pen eliminated an entire school board. He took the elected officials of Morris-Macdonald and fired them. So we know that he has the will and we know that he has the power to do this. He has proven it. He has done it, so there is a history there that says that he will and can. I guess

probably "will" is the key word. He probably will do it again when the elected officials of the amalgamated school divisions do not sing or do not curry to the minister's whims of the day at that particular time.

So we do have a concern, Mr. Speaker, about where this is going in the order of forcing amalgamation and then forcing elected officials of school divisions to submit a budget to the minister. I do not think people understand this, and I do not think the school boards understood this when they first got the legislation. I think that they were led to believe that everything would be rosy and cheery. Now that they are getting further into this legislation, they do find that the minister is imposing heavy-handed management on amalgamated school divisions, and he is going to oversee the budgets of the duly elected officials of the amalgamated school divisions.

\* (10:30)

If the minister wants to have that power, I suggest that he should just eliminate the school boards because that is the direction that he wants to take the education system down. I suspect that over the next year or so, you are going to see the minister with his hand in most amalgamated school divisions' business. He is going to dictate to them their policy. He is going to dictate to them the administration, and he is probably going to dictate in their hirings and firings within their departments, if there are any.

It is also ironic, Mr. Speaker, that we have the Deputy Premier (Ms. Friesen) of this province, now, again, here we have a Government, in Opposition in 1995, saying one thing and today in Government saying exactly the opposite. Again, Mr. Speaker, I want to emphasize I guess the people of Manitoba should not be surprised at that. We have seen the Premier (Mr. Doer) of this province flip-flop on so many issues. They say walking down the hall now it just sounds like he is wearing sandals, the noise of the flip-flop is so loud and clear. We have government changing positions and testing the water and then changing again. We have them saying one thing. We have them doing another.

In fact, the Premier of this province, to the MAST organization, the Manitoba Association



of School Trustees, stood in front of them very recently and said we will not force amalgamation on the people of Manitoba. It is not the Manitoba way. Unbelievable that a person can flip-flop so quickly.

Again, what we see is, when the Premier is out speaking to the public, he says one thing. When he is talking to Cabinet and is working within the government boundaries, he says an absolutely different thing and does an absolutely different thing. It is almost becoming a habit.

I often say to people that are listening to the Premier speak, whatever he says, think the opposite, and that is probably what is going to happen. We have seen him change his position so many times that nothing surprises us on this side of the House.

The sad part is that, by putting a false time line on this issue, they have created a stir amongst the school divisions that they have to get this done by July 1. In fact, they are reading letters from the school divisions that are saying, you know, we really encourage you to move forward on this and try and get it done by July 1.

Again, this is the message the Government is giving the school divisions, so I suspect that probably is not the drop-dead date. I suspect that there is not a drop-dead date because the minister does have the ability under The Schools Act, as it currently exists, to do what he is doing. What he does not have under the previous schools act is the power that it enables him to stand in and basically manage and micromanage school divisions that are being forced to amalgamate under this Government's reign of terror.

School divisions have been writing, and I know that the minister loves to jump to his feet and read letters that he has received from school divisions. Mr. Speaker, we have received some letters also. It is quite interesting that, yes, the school divisions are aware of Bill 14, and they are aware of the force that the Government is putting on them, the arm twisting, the threats, the cajoles to get them to have this done in a timely fashion.

I read just one letter from River East School Division. It just says here the board of trustees

wishes to formally register its objection to several provisions in Bill 14. They go on in their letter to say that Bill 14 shifts certain decision-making authority for fundamental issues from locally, meaning locally elected, duly elected, elected by the people, duly elected school trustees to the office of the Minister of Education. So what we are doing is we are taking the power out of the communities who elected these people, the people that have given these elected trustees the power of taxation, the ability to raise taxes in the communities in which they live to provide an education for the children that live in those communities, and they are shifting it, through the power of this legislation, to the Minister of Education. That scares them. That scares them immensely because they have seen the actions of this minister.

They have seen how he deals with people who challenge him. They see how he deals with people that question his decisions. They see how the minister deals with people that ask questions of him, looking for answers, looking, seeking the truth. They had seen it all. So there is a concern. There is a huge concern out there that school divisions, that the elected trustees of these school divisions, although duly elected, duly put in a position of the ability to raise taxes to provide education, will be circumvented by the Minister of Education (Mr. Caldwell). He will do it on a whim. It is not that he will go out there and talk to people and explain things and get an understanding of the issue. He will just do it when he feels like it, and, when he feels like it, I suspect all parts of Manitoba will feel the wrath of the Minister of Education if they do not agree with what he is saying.

The other letters that we have received, from Western School Division, they are encouraging the minister to take very seriously the recommendation of putting a three-year moratorium on the matter of class size.

Well, I want to go to some of the quotes from the Deputy Premier (Ms. Friesen). She, on April 26, 1996, said it was my sense that overwhelming arguments were being made against amalgamation on a forced basis. What has changed? The Government fought for the people in Manitoba.

You know what? The irony of this is, in '95 the NDP party in Manitoba, the opposition

members, were against amalgamation. They were against the Norrie report. They stood up and spoke against it time and time again. Today they are adopting the Norrie report. What has changed? What has changed in that time frame that makes them convinced that now, the Norrie report, is the time to move forward with it?

I mean, the Deputy Premier says: I think it is not proven that there are educational advantages.

Well, we say the same thing. We do not believe that this Government has shown any school division that there will be educational advantages.

The Deputy Premier, again, on that same day: Where are the opportunities for improvement on professional development? Has the government spoken to the teachers' association? Have they spoken to the Teachers' Society and said, you know, where do you think we should move forward on this?

I do not know. Nobody will tell us. We have asked questions of the Government, but nobody wants to answer that question. Did they consult with the people in the school divisions that they were talking about forced amalgamation? I cannot find anybody out there that tells me that they did.

The Member for Transcona (Mr. Reid), I believe that he did, I believe that he personally did. I commend him for doing that. But where was the Government? Where was the Government in Antler River and Souris Valley? They were nowhere. They were nowhere to be seen.

We have heard of the Minister of Education sending the Member for Dauphin (Mr. Struthers) out to Turtle River and out to the communities in that area, cutting deals with one town over another. That is not consultation. To me that is just trying to negotiate the best deal for your constituents on a split basis and hopefully try and make them all happy. I do not believe that is public consultation. If the Member for Transcona suggests and if he took in 14 meetings, I commend him for doing that. I wish he would suggest that his other members would do the same.

What the Government has done, instead of doing like the member of Transcona has done, has taken an eight-year-old report, dusted it off, as the Minister of Education said, and said this is our consultation process. Well, there was not a member on that side of the House that was involved in that consultation other than probably speaking at the meetings and attending them—*[interjection]* She probably made a presentation.

I think it is important if government wants the public to believe that they are listening to them that they go out and actually consult with the people. I mean, how far do we go back on reports to implement policy of the Government?

The sad part is, Mr. Speaker, they took the Norrie report, dusted it off, and said: This is the report we are going to go with. It is a good report. They challenged us on this side saying, you know, we sat on our hands and did nothing. Well, I would suggest that an eight- or nine-year-old report, if the minister wants to hold it up and say that that is his consultation process, then he should follow the recommendations of the report. He should follow the recommendations of the Norrie report, which drew the boundaries for the communities, but he did not. He chose to draw his own boundaries.

\* (10:40)

I suggest today that they were politically motivated. For no other reason, that is why we do not have amalgamation and consolidation across the province. I believe that the minister cherry-picked with a few political advisers—probably the Premier (Mr. Doer) was in that meeting, and, I suspect, the Deputy Premier was in that meeting—and said, you know, where is our opportunity here? What is our political opportunity here in creating these new boundaries. Does the old Norrie report reflect what we want to do politically? I do not think so. They probably had some doubts and some questions in their own caucus about how can we use a report that is eight, nine years old to tell people that we are going to use this as our consultation process but not listen to the recommendations of the report.

Other things that the Deputy Premier of Manitoba raised back in 1996—the current Deputy Premier (Ms. Friesen). I want to make sure that I clarify that. This is when she was in

Opposition and opposing amalgamation, opposing the Norrie report. She stated a lot of very, very concerned citizens feeling that they were going to be pushed into something that was not proven to them for which they had no evidence that there were savings, in fact, they had evidence to the contrary. Again, Mr. Speaker, we as a government of that day recognized that.

I mean, the question is: Why do you not move forward on a study? Well, obviously, if you agree with it, you move forward with it. If you disagree with it and it has not been proven to you that (1) there were cost savings, but (2) people had been consulted enough, (3) that it was going to benefit the education system, why would you do it?

The members on the opposite side asked those very same questions. Today they are not asking them. Today they are not standing up and speaking as they did back in 1995 and '96. I guess all I want to ask is: What has changed? What has convinced? Is it the new row of backbenchers? Have they got that much influence and power over the Cabinet decisions that they came to the ministers of government and said: We want you to do this. We have consulted with people. We want this to happen. Forget about what the Deputy Premier said; forget about what the Minister of Industry, Trade and Mines (Ms. Mihychuk) said four or five years ago, throw that out the window. We want this to happen. If it is, then I wish they would just stand up and say that, but they have created so much doubt out in the public's mind that this is a good thing.

I do not think anybody in this Legislature on any side of the political spectrum will argue that making education better for our children is an honourable goal, and it should be a goal that we should all strive for. But what people are saying and what members opposite said, what the Government of today said in Opposition is just such a contradiction that all we are asking for is a little bit of explanation.

Other statements made by the Deputy Premier (Ms. Friesen), again, on amalgamation, on April 25, '96, she basically said "that they could see no economies and asked for more

evidence of such savings . . . to increase the size of divisions goes against the philosophy of decentralization," concerns about local jobs, the longer transport times of children. You know, these were all things that we are concerned about too.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

Yet, when we asked the Government, when we asked the Minister of Education (Mr. Caldwell) to respond to those comments, he in a flippant way, says: The devil is in the details; do not worry. He goes to a public meeting where people are asking questions about the process and what has been happening, and he basically gives them some rhetoric and leaves the meeting and comes back to his office and does exactly what he wants to do.

I think if you were just honest and straightforward with people and tell them that, they might not understand and they might not accept it, but at least they would be led to believe that they are dealing with the truth.

Another thing that the current Deputy Premier of Manitoba (Ms. Friesen) said when she was in Opposition on April 25, 1996, "We remain unconvinced of either the need or the desirability of amalgamation for the students, parents and ratepayers." Today I have heard her say nothing. In this debate I have heard her say nothing about this amalgamation process that the minister is bringing forward. She has sat quietly, almost obliquely in this House, and made absolutely no comment on the amalgamation issue, because she knows that if she spoke what she feels and if she confirms what she has stated just a few short years ago in Opposition she would be in complete contradiction with the government policy of today.

And again, I refer back to the Premier, himself, in front of the Manitoba Association of School Trustees: That is not the Manitoba way. We do not force people to do things.

Well, you know, I guess what he spoke was probably termed an untruth. Amalgamation is something that can happen in this province. I do not think anybody disagrees with that. It probably should happen. But there are different

ways and different methods of doing it. If the Minister of Education (Mr. Caldwell) believes that by forcing school divisions to amalgamate he is going to create a better atmosphere for education in this province, I think he is sadly mistaken.

Amalgamation is people getting together and constructing a plan, a moving-forward plan, and working together. When you sit two people or two groups of people that have two differing views at a table, and, with the power of the minister, you say you shall do this, you shall do that, I think all you are doing is setting people up to be alienated from each other. You are not creating an atmosphere where there is a positive environment. I think that will reflect in the future on education in this province. I think that the government of the day will be judged by those decisions.

I guess what we are saying is that members, particularly the new members, should read the history of this, should read the history of the debate around the boundaries, the commission that was done by the Norrie report. I think then you would find that there is probably disagreement in all the rows across the floor.

One of the other letters, Mr. Deputy Speaker, that we received from organizations involved in the forced amalgamation—and again, the Minister of Education (Mr. Caldwell) stands and touts the demand from school divisions to get on with Bill 14. Let us get it done. Let us get out there, and whatever we have to do. Well, school boards across the province are saying, school boards call for a speedy passage of the amalgamation legislation, but they also say: cannot be construed as support or agreement with the Government's decisions.

So, yes, because of the imaginary time frame that the minister has put on this, he has school boards in a frantic position out there. Yes, they are trying to fall within the guidelines that have been established by the minister, but they do not agree with him, and there is a difference. There is a difference when you work in a system and you are given a time line that is true, you are given a time line and objectives as to how to complete these tasks, and people will get it done, but they do not agree with it and they are starting

to state loudly, they are starting to bring their voices and their voices are starting to be heard.

But the sad part is that by enacting their democratic rights by challenging the Minister of Education on this issue, they are being denied the ability to have their voices heard. They are saying to the public, no matter how you oppose this or what you wish to oppose, we will use the heavy-handed power of government and make it happen. You will do as we tell you to do and you will like it.

It kind of reminds me of the Chevy Chase movie, *American Vacation*, when the kids were starting to hesitate, you know, they were getting at an age where they did not necessarily want to travel with Mom and Dad anymore. I am trying to think of the family name. Clark Griswald. He says, you know, you are going on this vacation and you will damn well like it.

\* (10:50)

That is kind of the way the Government has taken this attitude on amalgamation. We are going to do it, you are going to do it, and you are going to like it. It is like taking cod liver oil. Nobody likes it, but you are going to like it. So force it down their throats, and if you do not like it, and this is the other part, if you do not like it, too bad. We got legislation that says it is going to happen and we are going to exonerate the minister from any wrongdoing in the whole process. Unbelievable.

I would have to be convinced or shown that any other legislation in the province of Manitoba actually validates a minister and says that he did nothing wrong in the process. Speaking of process, I do want to make one comment, and I want to make sure that I have it right. The one statement that the now-sitting Deputy Premier (Ms. Friesen) says is that there was no process followed. There was absolutely no process followed, talking about the Norrie report.

Well, again, we would just read those words back to you and say neither did you. At least we went out and talked to communities. We spoke to people across the province, and, you know what? We did not think the Norrie Commission was right in forcing communities and school divisions to amalgamate.

What did we do? We came forward with some volunteer plans, and what happened? We had school divisions starting to amalgamate. We already had school divisions sharing services. The next step was—*[interjection]* The member wants to say that it did not happen, but I can tell you that the Prairie School Division was an amalgamation of volunteers. It was a group of people from two school divisions who came and said these are the things that we can share and these are the things that we can do together. You know what else they said? They said we really appreciate the Government giving us a little bit of time to work out the fine details and not forcing this on us.

If the Government was willing to take that attitude, I think you would see these amalgamations happen. Now by forcing them on it, the biggest argument in rural Manitoba with forced amalgamation is where the school division office is going to be. Are they thinking about education at that point? You have alienated communities against each other that used to work together, and now they are fighting over where a school division office is going to be.

I do not think that is good progress, and I do not think that is progress in education. I do not think that is a benefit to anybody in the education process. It is similar to the way this Government today does business. If you do not like what we say or what we do, we will make you and we will legislate it. We will even put in the legislation that you are going to like it. There seems to be no care on the other side as to whether the people do or do not.

Now, we talk about the Government talking about the savings. Well, we are hearing from the taxpayers that their rates are going to go up. They believe that. I suspect when they get their first tax bill after this Government forces this legislation through, the people will see that it is not a savings.

I do not believe it was a savings. I did not believe it back when the Norrie report was first introduced to the government of the day. I did not believe that there was savings going to be made. Norrie even comments on that, basically saying if you are doing amalgamation to find savings, it is not really there. The idea was to improve education and reduce administration, but the actual cost savings are not going to be

there. We know that. We have seen it in other areas where there have been amalgamations, and what we find is costs continue to rise.

Manitobans are concerned about this legislation. What government would bring in part of a bill that basically says you can challenge us, you can do anything you want, but this act when passed discredits everything that communities and associations and organizations have done to challenge the Government.

I do not even know where in the world a government would write legislation that basically limits the ability of people to challenge the authority of government. Well, I can think of a few places, but I would hate to draw that comparison to the province of Manitoba.

I think that it is unfortunate that the government of the day has chosen to eliminate the public from the decision-making process, particularly when it deals with education, particularly when it deals with the children of the province of Manitoba. I suspect that parents will look at this piece of legislation when it is enacted. They will judge it, and they will make their decisions based on that.

The other thing I am hearing in rural Manitoba, particularly rural Manitoba, is what is next. The Deputy Premier (Ms. Friesen), the Premier (Mr. Doer) says forced amalgamations are not the Manitoba way, then goes out and forces amalgamations on school divisions. R.M.s are worried. You bet they are. They are worried that this Government is going to say, hey, seize the day, take the power and force it on us. There is a huge concern out there.

If you go to the AMM meetings that are happening right now, they are concerned that this Government is going to inflict upon them their vision of Manitoba and their vision of amalgamating and forcing. And do you know what? I suspect the Premier at an AMM event in Manitoba, in front of a thousand delegates, will stand up before them and say in all his fine glory and might: Do not worry R.M.s, do not worry municipalities, this Government does not believe in forcing amalgamation. It is just not the Manitoba way.

But I suspect when they go home, when the Premier comes back into Winnipeg and into the

Legislature and into the shelter and confines of Cabinet and Government, he will say, you know, I think they really believed what I said out there, so let us start looking at drawing up some regulations and some rules, and we can force them to do that, too. Just think, we would have less people to deal with, less people calling us, less people bothering us about issues. We would not maybe have to shut off our fax lines so that concerned citizens of Manitoba would not be able to get their message through. There may not be enough of them out there to object to it. So it is the first step. People are starting to become aware of the Government's ambitions and the Government's agenda, and there is a great concern.

It is interesting in this piece of legislation, Mr. Deputy Speaker, that the minister would want the almighty power and ability to micromanage the amalgamated school divisions. Do not worry about the elected officials. Do not worry about the trustees who were put in that position to represent the people, the taxpayers and the communities that they live in. If I as a Minister of Education choose, and I will, to redo your budget after you submit it to me and I disagree with what you are doing or the direction that you are going, then I, the almighty one, will make the changes and you will live by them. That is the legislation. That is what it says.

What does it say to the people of Manitoba? It says be very afraid, be worried, be on alert because this Government is moving forward with an agenda that will take the power away from the elected officials in the province of Manitoba. We will undermine. We will do anything we possibly can, but we will do it, and if we have to we will do it through legislation. Anything else to achieve our goal, to achieve our objective will be done. As Clark Griswald said, you will like it.

So I support the amendment brought forward by the Member for River East (Mrs. Mitchelson). I think this Government should take a step back, should rethink their position, should look at going out and consulting with the people of Manitoba and at least talking to school divisions and giving them an opportunity to have some input into the decision making that they are duly elected to do. I think that it is only appropriate that the Government take the step

back and do the right thing for the people of Manitoba and for the children. Thank you.

\* (11:00)

**Mr. Glen Cummings (Ste. Rose):** Mr. Deputy Speaker, I heard one of the members across the way asking for the question. In fact, there are a lot of questions around this bill. The question that needs the most thought and the most appropriate answer is whether or not this bill is necessary or whether this bill is in fact part of a hidden agenda that the Minister of Education (Mr. Caldwell) is pursuing, or is it part of a hidden agenda that the Government as a whole is pursuing in terms of relationship with independent, duly elected authorities in this province?

Now I am a former trustee, and I can assure you, Mr. Deputy Speaker, that I took my responsibilities seriously. I would be the first to acknowledge that there were not a lot of people clamouring to be trustees. You generally did not have four people lined up seeking the right to be elected, but very often there were elections. But, in the end, when people have to make a decision whether or not they are prepared to give up the opportunity to speak directly to a locally elected person or the opportunity to speak directly to administration that has a significant impact on their taxes, to prepare to give that up for more of a central and a little bit more remote governance, they will, in the main, and, I would say, in the significant majority, want to maintain school board presence.

Now, this bill does not do away with school board presence, but it does allow government to interfere and in fact provide micromanagement, or macromanagement, I would suggest, probably is a more appropriate way of approaching it, because they have the big stick. They retain the ability, through this bill, to be able to dictate costs in a school division. It does raise therefore a spectre relative to local government. It raises a spectre of whether or not duly elected people can be trusted to make decisions that are in the best interest of their community.

Looking at the parameters that are laid down in this bill, there are a lot of people out there who are not directly affected today by amalgamation, who are saying do we really want

to go down this slippery road to where central authority has some kind of veto power. Now, there is an argument that perhaps that is appropriate, but, during the course of amalgamation, there are two or three things that are inevitable and cannot be avoided. One is that there will be a merging of staff, merging of services, eventually some universality in terms of mill rate, but the one thing that is not inevitable as a rule is that a government, the central government in the province of Manitoba, in this case, can override decisions to the extent that it will cause the division to have to make significant changes, changes that in fact are not that easy to arbitrate from the outside. Is the minister wanting to reach down far enough to be able to say, well, this caretaker should be kept ahead of this caretaker? Well, if there is a union in place, then I suppose it is going to be ascribed by the union protocol, but there will be some inevitable merging of staff, and that means an inevitable merging of the pay scales. That will drive some of the costs.

I suspect the minister, while he spoke very bravely in the early part of his mandate about amalgamation and about how he was dusting off the Norrie report and now he was going to act on it—the Norrie report has gone far enough. Most people felt that, while there certainly were segments of it that were valuable, it started a valuable debate, and it gathered information and assembled it in a way that we could all understand some of the impacts of amalgamation. It also clearly showed that, in the end, there were not macrosavings in amalgamation.

What there needs to be in amalgamation is a better reflection of the educational needs of the students in the various components of the amalgamated school divisions. If that were the benefit and the objective, the only objective of any amalgamation, then I think the vast majority of people would stand up and salute this bill and the principles and the intent behind it. But, when I look at some of the amalgamations that are proposed and that this bill will enforce, it leads me to wonder whether the minister has now found out that in fact the dollar savings that he promised so bravely when he spoke to the concept of amalgamation—he spoke very bravely and with some very large numbers in mind. He spoke about \$10 million worth of savings that he was going to be able to achieve.

Mr. Speaker, this is where this Government totally departs from the principles that were involved and that were clearly stated in the Norrie report. The Norrie report said that savings, where they could be found, should be made available to the benefits of the students within the amalgamated areas or within the province as a whole, because they were proposing an entire reassemblance of boundaries across the province.

That is a laudable and honourable approach to amalgamation. What it does is it recognizes the reality of educational deliverance, if you will, or the ability to deliver education in this province. It recognizes that in some of the rural areas, some of the fringe areas around the city for that matter, and probably some core area schools, the ability to deliver a broad range of programming can be limited because of the configuration of the schools, because of the funds available to the school division. Now, I say core area. Generally out in the country we believe that Winnipeg 1 is massive and very well funded and delivers a wide variety of programs to its students. This is not a shot at Winnipeg 1, but it is in my personal experience related very often to where there are distances and population issues that cause problems for school divisions in delivering programs.

One of the things that falls into that, once you get past transportation of students on a daily basis, is the bigger picture of whether or not you transport students for programs or whether you electronically transport the programs to them. Either way there are some serious impacts and some long-term questions that need to be answered.

This bill is not necessary to answer those questions. Those questions can be dealt with from an educational perspective within the confines of the ability of the community to deliver tax dollars and/or the funding formulae in the Province to rationalize the availability of funds to those divisions and to those students.

But this minister went on record early on saying there was \$10-million worth of savings in his amalgamation. Then he proceeded to produce this bill, Bill 14, and that was purported to be the bill that was going to make all of this possible

and legal. Then we saw just this week where a group of parents in Springfield fought the issue of whether or not the amalgamation could proceed before this bill was in place or whether or not, in fact, there had been some illegal moves made towards amalgamation. The courts saw fit, as I understand it, to say that amalgamation could proceed, that the minister had the authority and that this bill really did not have relevancy in terms of his ability to impose or require amalgamation.

So that really leads me, Mr. Deputy Speaker, to the question around why this bill. Has the minister now attached so much of his own pride and his own credibility to this bill that he is prepared to ask his colleagues that they must proceed to get this bill through the Legislature? We have spent nigh on to two weeks debating this bill, it seems to me, and the Government is either not listening or is unwilling to remove from the Order Paper this bill.

\* (11:10)

What reason is it that they are proceeding with this bill? I look across at the members on the Government side. I see a fleeting smile or two. Being in here through July continuing the debate on this bill is probably not a very attractive thought to most of us. But what can the minister say, what can the Government say to justify this piece of legislation? They have just been told that they do not need this for amalgamation. So why do they need it?

Do they need it to control those school divisions out there in terms of what they might do for expenditures as a course of amalgamation? The normal processes of local autonomy, local input, do they think that will not weigh heavily on the minds of the new divisions? Do they think that the new divisions will somehow elect board members who are of lesser calibre and who will do something to abuse the tax structure in this amalgamation process? What is it about this bill that the Government is so attracted to?

I can see that, when the Minister of Education (Mr. Caldwell) brought this forward, he said: I need this bill in order to make amalgamation happen. I can see where his

colleagues would have said, after reviewing it, well, you know, maybe you are right, you need this authority, and you know, you are putting some controls in place here so that nothing goes awry, but now that we know he does not need this authority for amalgamation, I would like to hear anybody on the Government side stand up and defend why they need these additional authorities.

If we are going to take away authority from school divisions, why are we only taking it away from the ones that are amalgamating? Does this Government believe that locally elected education authority should be reduced? Do they believe that they need additional expenditure control on schools? If they do, and I suspect they do, although they do not want to say so because that would be a bit of a lightning rod certainly with the public, but if they need additional controls on educational spending and if they want somebody to blame it on, in this case the school divisions, then why is it that they are just imposing it on these divisions? Why are they not brave enough to stand up and say that they believe the educational authority in this province should not rest to the extent that it does with the locally elected trustees but that it should rest with the Minister of Education? He is the educational leader in this province presumably, but that authority is delegated to local authority, i.e., the elected trustees, to be able to, with the best of their knowledge on local situations and local requirements and local ability to pay, which, by the way, this Government also removed the ability to pay from some of the collective bargaining process. They have now set up a double standard.

I appreciate that a member of the educational fraternity on the Government side is sort of muttering under his breath about how this might not be the way I am interpreting it. Well, I would invite him to challenge his minister or his Premier (Mr. Doer) to stand up and defend why it is that they need to override the authority of locally elected, responsible citizens. I do not think it is too long a bow to draw that local municipalities are going to have to start looking over their shoulders as long as this Government sits where it is, because if the principle holds true on school boards, then this principle might well hold true for municipalities. If it holds true



for municipalities, is this Government going to force march some municipalities into amalgamation? Look across the country, there is a bit of a history of some governments doing this, some governments on either side of the political spectrum, I might add, but nevertheless that is not a direction that I see that this province should be going, or if it is going to go that direction, it should not go piece by piece, which is what we are seeing in this bill.

We are seeing a double standard being imposed on local elected authorities. The reason that I roll municipalities into this is because most of us in this room who had anything to do with local governance in rural Manitoba know that municipalities used to have to have their budgets approved by central authority. They also could not go into debt. That was part of the law of the land. You know, somebody finally woke up after some significant prodding from the municipal organizations to recognize that they are autonomous, that they are elected to reflect the desires and the needs of their local constituents, that they should have sufficient ability and responsibility to make the decisions around their budget. They still cannot run deficits, but they can set their budget.

That seems to be sound planning, by the way. If you cannot run a deficit, that means that you are held responsible to tax during the years of the decision that has been made to pay for the decisions that you make. So it is a sound, democratic principle. It is not an infringement, but it is a principle that they are expected to live up to.

I believe that principle should be the same one that is imposed on school boards. This bill does not take away the responsibility of school boards except the ones that are being amalgamated. It is a double standard, ladies and gentlemen. My honourable colleagues must have a better agenda for this bill than the one they are talking about. They cannot prove that there will be \$10 million worth of savings in this amalgamation. I suspect that that is why they are coming forward with the heavy hammer and said to the amalgamated school boards that you must have our approval.

There is another part of this bill that I find interesting as well. That is the one that refers to

school closures. We have school closure guidelines in this province that presently exist. I cannot quote them verbatim, but it seems to me that it speaks of notice, it speaks of consultation. All those things are repeated in here, but in this case I have to wonder if this Government has a different view of amalgamation than the Norrie report took or different than frankly what most of us took from any consultation and discussion around amalgamation.

It relates to whether or not there should be school closure. Amalgamation does not necessarily mean school closure. In fact, it need not mean school closure, but the fact that it is included in here and specifically referred to tells me that perhaps this minister does not want to take responsibility for the fact that if some of the conditions that he imposes cause school divisions to be under financial stress that they cannot consider closure of a school as a way of alleviating themselves from that stress.

The fact is that amalgamation was intended, in my concept, to provide efficiency of delivery of school programs in terms of availability. It was meant to provide efficiency in terms of where there might be some savings relative to administration, but, as the Norrie report said, and if there is one member in this House who says that school funding is too high today, I hope they will stand up and contradict me very shortly, because the fact is that if there are savings that can come out of amalgamation, those savings generally are expected to go into the education of the student body. This bill does not recognize that principle.

It seems to me that it may well be set up to allow this minister to save face and this Government to save face by saying, well, there really are savings that I said were in this bill. There really is \$10 million or \$9 million, and I am going to darn well have it, and, if the school board tries to frustrate me in an effort to prove that there is that much saving, then I am going to intervene and force them to have that much saving.

I was talking to someone this morning who is rather wise in terms of experience of public administration and public office. The reaction was, well, is that not interesting, very interesting.

Does that mean the Minister of Education (Mr. Caldwell) is going to actually start making some of these decisions down at the ground level about which employee stays and which employee goes, or, as I believe is the case, the minister is going to say: You have got to reduce the budget, but it is up to you to figure out how it goes, but you cannot close schools and you have to follow the union agreement. That leaves potential elected trustees in these new amalgamated areas frustrated, unhappy, and neutered in terms of being able to carry out the duties that they are generally responsible for.

\* (11:20)

You know, this Government, we talk about saving money and talk about funding of education. I cannot let this opportunity go by without reminding them and reminding the public who may choose to peruse Hansard—there are not too many people who are that interested in Hansard most days. But those who are interested in this debate, I want it clearly on the record that, while this Government brags about its increased funding to school divisions, the fact is that the percentage of real expenditures, as I refer to them, or operational expenditures in school divisions that are supported by provincial government has now fallen below 60 percent.

We can talk about the macro dollars that are being spent in education, but this Government has simply rolled in the homeowner rebate program as part of education expense. Well, from a pure accounting perspective, you can call it education expense because it is returning some of the education dollars that were taxed in the name of education. The bottom line is that they are additionally, and certainly in some of the school divisions that I represent, they saw a flat or a reduced provincial support. So here we have a minister who, on the one hand, takes that kind of action, on the other hand, says that there are savings in amalgamation, and thirdly, and there really is not a third hand to this, thirdly, that minister, Mr. Deputy Speaker, is also saying I am going to prove that there are savings, and I am going to do it through Bill 14.

Well, if we are going to have a debate about the independence of school boards, about the

ability to make local decisions relative to education, and, look, this is based on long-standing traditional educational values. There are people who are willing to pay additional money out of their own resources to have their children attend schools of their choice. They are willing to pay extra to have them educated in a standard and in a manner that they believe is appropriate to their lifestyle, to their moral and religious convictions. So education is one of the real cornerstones of how our society operates.

Private schools, that I just referred to, would not exist if there were not a principle, a significant principle involved on the part of those families. Most families do not throw that kind of money away readily or willingly. It would surprise you that, despite the criticism, a lot of people say, well, it is just the most affluent who would choose to pay extra to have their children educated in a particular way. That is not true. I know people of very modest income who take what modest income they can make available to make sure that their children are educated appropriately according to their opinion.

My own principle is that I want my children to go to a public institution. I did not even consider sending them to a private one. So I support the public system. That is why I believe I can speak with some authority, or certainly with some credibility, about the fact that this bill intervenes in the public system in a way that I think is inappropriate.

I look at the government of the day, and I say, now that the matter has been clarified around amalgamation, is it really, really worth, in a piecemeal way, carving away at the autonomy of the local school divisions. I suggest to you it is not. I suggest to you that, before too long, it would be appropriate for your caucus to sit down and say to the Minister of Education (Mr. Caldwell), Just why do you need this bill. You have the sufficient authority, and you have the capacity to do the amalgamation. Is the seizing of authority or the intervention in the activity beyond what is normally expected in this province of the local school boards? Is that worth the problems that it is creating for the educational system in this province?

I recognize that there is a significant body of influence out there, and it generally speaks through the Manitoba Teachers' Society, that are largely in favour of amalgamation. At least certainly the ones who have spoken to me would imply that. They have, in their mind, valid reasons, but they do not talk, as far as I know, about the veto powers going to the provincial government in terms of the budgetary process and the funding of school divisions.

In the mid-nineties, when budgets were tight, government went through this debate. Government asked school boards to take a freeze. Government asked teachers to take a freeze. They asked civil servants. But they worked through the duly elected system. They said to the administration of that duly elected system we need a freeze, but, in the end, we said you are the decision makers. Here we have a government that is saying the other way around. You are the decision makers, but we will be the ultimate juror and judge on whether or not that budget is appropriate.

Sometimes, Mr. Deputy Speaker, budget is code for program in educational funding. Budget is not code for trustee remuneration. I mean, you could throw out all the trustees and make it all voluntary. You would not save enough to pay for very many more than a few hours' worth of staff in any one school division. Certainly, you can deal with, in many cases, amalgamated superintendents, but what you are going to end up with instead is the strong principal model in your schools. That may not be a bad thing. That, frankly, may not be a bad thing.

*Mr. Speaker in the Chair*

The strong principal model is certainly an appropriate and accepted administrative way of having your principal held responsible also for your educational lead, but that administration within the education system is still going to try to function at an appropriate level. If you get rid of two superintendents and have one, you may end up with three assistant superintendents instead of two. I mean, there are certain responsibilities—[interjection] Well, the minister rightly says: So why do you think we got cost caps in? I am asking him: Is he now saying that, in terms of educational development, perhaps

those assistant superintendents are redundant, and, if they are truly redundant, then are the school boards not doing their job in dealing with that? Is that what he is saying? Because if that is what he is saying, then he says that the authority for managing the school divisions should rest in his office. He will take that authority, and that is why he needs this bill.

If he will stand up—[interjection] Well, Mr. Speaker, it is always nice to have a little repartee with the Government at a time like this, because in fact I came from a division of seven trustees with a \$6.5-million budget when I was there, one superintendent. I thought, obviously, I would never say otherwise, it was a well-run school division, and it is not one that this minister chooses to amalgamate.

\* (11:30)

My point is that he is setting up a two-tier system, as I said earlier in my comments. He is not treating all school divisions equally, and during the amalgamation process, he seems to, through the wording of this bill, have a fear that, for some unknown reason, this amalgamation will not produce what he expects it to produce. By golly, according to Bill 14, it is going to produce savings in finances, and it is going to, as he says, reduce administrative cost.

The minister, whether he had his monitor on or not, I would go back to my point about savings. The Norrie report, the principle behind the Norrie report was that, if there were savings to be found in amalgamation, those savings should be able to be used to benefit the student education in the division. That is not the principle that we see in this bill.

What we see in this bill is central savings for education. I am very sensitive about this because, in 1986, the argument was whether or not provincial funding would remain around the 80% level, and for a number of years, when I was on the government side of the House, we took a lot of heat because we could not keep it at 80 percent. It came down and down, and some of the school divisions backfilled. Their expenditures went up, but this minister has not reversed that trend. This Government has not reversed that trend, and it is devastating to the way we finance education in this province. I think

finance education in this province. I think everyone in this House would agree that the time has come to look at that situation and how do we appropriately deal with it.

My argument is that Bill 14 does not appropriately address that problem. We can deal with Bill 14, I would suggest, by voting in favour of the motion that we are debating here, which effectively says we are not going to go down this road today and we will debate this in the future.

The minister has the authority to go ahead with his amalgamations, and I invite him to do so. There are problems out there in some areas, and we will raise those issues and concerns that go with those amalgamations where we see they are inappropriate. Local school boards that were not affected by amalgamation are saying to me they attended a meeting in Brandon and the minister's representatives would have been there, I am sure. One of the reasons that they were attending was whether or not the authorities under Bill 14 on terms of approval of budgets might be extended. Will it be extended through this bill? I do not quite read it that way, but if it is in this bill it would only take a flip of the wrist to see that it could be extended the rest of the way, and that raises legitimate concerns among duly elected and competent boards of trustees.

**An Honourable Member:** It is only for three years, only for amalgamating divisions.

**Mr. Cummings:** Well, the minister says it is only a short time and it is only for amalgamated, and I accept that. If he is willing to put that on the record, that is fine. I accept that he has a time limit on it. But my experience in principles that are involved here is that once this principle is ingrained where the central authority takes the responsibility of making the final decision over the heads of locally elected and appropriately managed local autonomy, school boards, then it really does beg the question whether or not at the end of three years somebody would decide now this worked so good there, we are just going to extend it to the rest.

Look, he who pays the piper calls the tune, and that is what is starting to come in question here. The Government of the province of

Manitoba is reducing and reducing and reducing, and I will accept all of the range of arguments as to why this has happened, but it has not reversed under this administration. Much as during the run-up to the last vote, members of this Government implied that education was significantly going to change under their administration.

Well, it changed all right, but the funding has not improved much. In fact, the funding has dropped below 60 percent when you extract the homeowner rebate. I for one, and I want it clearly on the record, as far back as 1984 I felt that the homeowner rebate program disfigured and misshaped the intention of taxation for education to the point that it was creating an untenable and unprincipled position around homeowner rebates. It is unprincipled, and I will go back to my beginning association with this. It is unprincipled in the point that there were people who were paying zero taxation in those days in small communities in my riding in terms of their school taxes, in fact in terms of their entire tax bill. Their homeowner rebate covered their taxes. Now you could argue that reflects the low assessment value, and it does. But it does something about decision making relative to education. Guess where most of the concerns came from about education? They did not come so much from the ones who were paying their share. They came from the ones who said I need more. I want more service and it is not costing me anything so give me more service. It seemed to be the story behind their debate. The fact is, and the word I was seeking, it is a distortion of the tax system when you on the one hand tax in the name of education but on the other hand you give it back.

Frankly, I would suggest that it is given back in the name of the NDP. That is what the difference is, and that is why it is a crude distortion of what was meant to be a fair and reasonable tax system. We now have a tax system for education that is coming under attack from all sources because people are saying the ability to pay for education is not necessarily related to the roof that I have over my head all the time. It is related, frankly, to the needs of society, and I suggest that any government that moves appropriately in that direction will do much better to just simply use the homeowner

rebate, which is a political fix, and it is a political fix. I cannot be convinced otherwise.

I would frankly feel that in my mind, and I have much more respect and esteem for the taxpayers apparently than this Government does, I almost feel dirty getting involved in this debate because it is not a principled debate. It is a debate about politics. It is a debate about we are going to fix your school taxes. We are just going to give some of them back to you, and then where it gets dirty is you add that on to the total amount of money paid for education in this province. That is absolutely wrong because the educators do not see it, the kids do not see it, the bus drivers do not see it. All it is is a cheque from the Government to say see what good boys and girls we are. That is wrong. It does nothing for improving educational opportunity in this province.

I can acknowledge that a proper amalgamation should have some benefits for educational opportunity if it is done appropriately, if the areas are compatible, all of those things. But to start off in this manner, with this bill, Mr. Speaker, strikes me as being inappropriate. You know, this bill has the ability to withhold funding if the divisions do something improper. I am speaking to the principle of the bill, not the specifics of that clause, but that again strikes me as a ham-handed and inappropriate way to deal with it.

There is a funding model. There is a funding model that we should be following in terms of education. I do not care if it is a newly amalgamated board or not. A one-year freeze in terms of funding or a one-year approval of budget, that would be a different thing, but to put into legislation that all of these other things now have discretionary authority imposed on them, that is different.

A school division needs to be able to make discretionary budgetary decisions to the benefit of their students. This bill cannot be judged in any other way than that relative to governance, and the governance in this case is simply wrong. The minister has got it wrong, and he is causing his colleagues a lot of grief by standing up and continuing to say that he needs this bill for these reasons. He can only justify one reason as I read

this bill, and that is that he needs, he wants the authority and he going to take the authority.

Why can we not use a budgetary template for the newly amalgamated school boards the same way we do with the rest of the school boards? The fact is that every time there is amalgamation, even as it is in the—

**Mr. Speaker:** Order. The honourable member's time has expired.

\* (11:40)

**Mrs. Joy Smith (Fort Garry):** Mr. Speaker, I thank you for this opportunity to put some remarks on the record concerning this amendment. Bill 14 is a bill that truly is something we are definitely opposed to because there are many members on this side of the House who have many concerns about Bill 14.

What I have seen over the past few weeks in this Legislature has been something that has been extremely worrisome. I have seen ministers opposite and the Minister of Education (Mr. Caldwell) stand up and set up questions, where in Question Period instead of letting questions come forward from the floor, they set up a member of their own caucus with a set-up question.

The other day, the honourable member had to actually stop and be corrected by the Speaker because the Member for St. Vital (Ms. Allan) had stood up and made a derogatory reference to the Member for Tuxedo (Mrs. Stefanson) and myself. Having said that, it was sad to see that a government in power had to go to that extent to cover up what has happened in Fort Garry.

Mr. Speaker, we hear over and over again as we hear how good everything is because of Bill 14 for Fort Garry, in spite of the fact that the letter from the Fort Garry School Division was read out and talked about right in this House saying this bill is not good for Fort Garry and the reasons why it is.

In spite of that, members opposite actually stood up the other day to let everyone know that in their opinion what was happening with Bill 14 was good for Fort Garry, in spite of the fact, in a democratic society, there was no acknowl-

edgement from members opposite that the trustees and the taxpayers in Fort Garry have serious concerns about Bill 14. Having said that—  
[interjection]

*Ms. Bonnie Korzeniowski, Acting Speaker, in the Chair*

### Point of Order

**The Acting Speaker (Ms. Bonnie Korzeniowski):** The Member for Fort Garry, on a point of order.

**Mrs. Smith:** Madam Acting Speaker, I want to put on the record that, as I am trying to give my speech out and give the concerns that Fort Garry has, we have the Minister of Education shouting out: Oh, someone is going to be challenging you in your nomination; or "talking" about politics, threatening: Who cares?

This is unacceptable. This Government has said time and time again that it wants to collaborate, it wants to go out and listen to the public. We have here this morning the Minister of Education being very derogatory across the way, shouting insults at me. I want this put on record, and I would like you to call the Minister of Education to order so he can listen to what I have to say about what the Fort Garry people have to say about Bill 14.

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Madam Acting Speaker, penetrating the Member for Fort Garry's thin skin is not a point of order.

**The Acting Speaker (Ms. Bonnie Korzeniowski):** I would like to take this time to remind all honourable members to please give the courtesy of giving attention to the person who has the floor. Perhaps, if people want to engage in remarks or debate, they could go to the loge or the hallway.

\* \* \*

**The Acting Speaker (Ms. Bonnie Korzeniowski):** The Member for Fort Garry, please continue.

**Mrs. Smith:** Madam Acting Speaker, truly I do understand that members opposite and the

Minister of Education are very sensitive in this area, and I do understand that the remarks that I am putting on the record would be worrisome, but I would point out that it would not be worrisome if the minister would be listening to the people of Fort Garry and to the trustees.

Regarding Fort Garry School Division No. 5, I will go back to the letter, Madam Acting Speaker, from Fort Garry School Division, and I quote from the letter. This comes from the trustees, the Fort Garry School Division No. 5, from the chair of the board of the Fort Garry School Division.

*Mr. Speaker in the Chair*

**Mr. Speaker:** The honourable Member for Fort Garry, are you rising on a point of order?

### Point of Order

**Mrs. Smith:** Mr. Speaker, I am rising on a point of order once again as I am giving my speech. I want the Minister of Education to listen. He is catcalling across the way, talking about who the next candidate for nomination is going to be in the political field.

Mr. Speaker, with all due respect, I am not interested in that this morning. What I am interested in is talking about the concerns that the trustees have about Bill 14. That is the purpose of my standing here this morning. My purpose is, with the minister sitting in this House, for him to listen without making disparaging remarks. I will refuse to continue until he sits up and behaves himself. Thank you.

**Mr. Speaker:** The honourable Minister of Education, Training and Youth on the same point of order?

**Mr. Caldwell:** Yes, Mr. Speaker, you know, there is no lack of hearing the member speak. All members on this side of the House could clearly hear the member speak to the issue on which she has chosen to speak. I cannot be accountable for her thin skin, but I will say that there is certainly no lack of hearing her remarks in this House. It is quite quiet in this House right now, in fact.

**Mr. Speaker:** On the point of order raised by the honourable Member for Fort Garry, I would

like to, once again, remind all honourable members that the member who has the floor should be able to be heard. I would once again ask for the co-operation of all honourable members.

\* \* \*

**Mrs. Smith:** Mr. Speaker, I will go on so that the members opposite can clearly hear that Fort Garry School Division has real concerns about Bill 14. These are the concerns. It is the local authority which best understands the circumstances and considerations which bear on the decisions made at the school division level. Having said that, I quote from the letter dated May 28 to the Honourable Drew Caldwell, Minister of Education: This legislation would permit the minister, who is further removed from the schools, to impose arbitrary and limitless decisions on the local school divisions, which may not be practical or necessarily even in the best interests of the students in the local community. Further, the minister is not accountable for these budgets.

Mr. Speaker, the concerns that the trustees have is the bill switches the power, the local authority, from the local trustees to the Minister of Education. This letter goes on to say: There is no objective reason for the shift of authority from local school boards to the minister. The only logical conclusion to which a reasonable person can come is that this legislation is politically motivated.

Having said that, I can see this morning why the current minister is making all the political comments this morning and members opposite, because this is sensitive. They know that this is punishment politics, that in some areas in this province the current Government is not treating the people fairly and equitably.

\* (11:50)

The amalgamation, the lack of listening to the trustees in Fort Garry is a serious consideration. The fact of putting Bill 14 forward is worrisome because in actual fact the Minister of Education and the Premier (Mr. Doer) of this province originally said that amalgamation would not be forced. It was not "the Manitoba way."

Now, Mr. Speaker, what is happening quite clearly is that there has been, either planned from the beginning or now, a change of heart for the minister to be able to put forward a bill, Bill 14, which has some worrisome components in it. Not only does it give the minister the authority over the school divisions that are amalgamated, the ones that are not amalgamated are not obligated to follow the guidelines in Bill 14.

So here we have an unequal, unfair, inequitable dealing with different parts of this province. Mr. Speaker, as we go on and on and on in Bill 14, trying to get this message across, we see members opposite becoming more agitated, more vocal in their derogatory remarks, because they know if the public was sitting in the gallery and listening to this debate, they would know that there is an inequality here. They would know that Bill 14 is not a bill that is necessary. There is no reason for it. It is politically motivated, and, yes, members on this side of the House are trying to stop that bill. It is bad.

In this particular letter, the trustees have said the minister would be placed in a position to tailor the budgets of amalgamating boards—and I want to emphasize amalgamating boards—to suit the political ends of the Government. The question is: What about the boards that are not amalgamated? The board that is referring to Fort Garry School Division believes that all stakeholders, whether the provincial governments, school boards or any others, should pursue ends which serve to enhance the quality of education for students which serve to make the most responsible and sensible use of the tax dollars and which serve to have decisions made by those who know their own circumstances the best.

The people of Fort Garry have a high regard for the trustees, have a high regard for their judgment. I, as MLA in Fort Garry, have a high regard for what they are saying. Yes, as MLA in Fort Garry, I am standing up in this House, and I am telling the present Government what the concerns are when they are respectful enough to listen and whether they are not they can read it in Hansard. The fact of the matter is we are on record as talking about these concerns.

Now the minister very selectively picks out letters and little blurbs to enhance his particular

point of view. Today, in the *Winnipeg Free Press*, I would draw the minister's and members' opposite attention to the letter written by Brent Pooles, school trustee of Fort Garry School Division. This trustee is an excellent educator. He has high regard in Fort Garry and in other places and who I look to, in many respects, for a lot of the kind of guidance and knowledge that he has at the board level in the Fort Garry School Division, a highly respected member of the Fort Garry-Fort Whyte area. I quote. This is from Mr. Brent Pooles' actual words in the *Winnipeg Free Press* today: "I read with interest the article, Whyte Ridge students face busing, June 17, with respect to HGI Middle School.

"As a Fort Garry school trustee, I have had the opportunity and privilege to be chairman of the building committees for both Whyte Ridge Elementary School (K to Grade 4) and Henry G. Izatt Middle School (Grades 5 to S1) where I dealt directly with the Public Schools Finance Board on both occasions. At no time was the core facility number (550) ever discussed as a potential roadblock in expanding the school (HGI) to meet the needs of the community. In fact, the first time I appeared before the PSFB as a representative of our community, I was told by then-chairman Tony Frechette that we would never even fill a school in Whyte Ridge. Today there are over 1,200 children attending these two

"What is insulting is the suggestion that there are spaces at Viscount Alexander and Chancellor schools. Viscount Alexander is a single-track French immersion school and Chancellor is an elementary school.

"The logistics would require deciding which classes/grades at Henry G. Izatt to relocate, thereby splitting up families and the entire community. How educationally repugnant. How is it in the best interest of the student to transport some, but not all of a grade"—

**Mr. Speaker:** Order.

#### Point of Order

**Mr. Caldwell:** On a point of order, I wonder if the member could table the letter for members of the House that she is reading from so that we

could have it. If the members opposite had not left a quarter-of-a-billion worth of infrastructure deficit in the public school system, perhaps we would not be in the pickle we are in terms of school expansion in this province.

**Mr. Speaker:** Order. On the point of order raised by the honourable Minister of Education, Training and Youth, the rules of the House that, if it is a private signed letter, then the member should table it. Otherwise, it is entirely up to her if she wishes to table it or not. Is it a privately signed letter? It is not a privately signed letter, so it is up to the member if she wishes to or not.

Order. I have been corrected, if it is a private letter. Is it a private letter? It is not a private letter. Then it is entirely up to the member.

\* \* \*

**Mrs. Smith:** Mr. Speaker, I must say that, if the Minister of Education opened up today's *Winnipeg Free Press*, he could actually read the letter, and I am reading that letter out right now, but I would be very happy to table it if he is unavailable to open up today's *Free Press*.

**Mr. Speaker:** If the member wishes to table it, she can table it. If it is in the paper, obviously it is a public letter, so it is up to the member.

\* \* \*

**Mrs. Smith:** Mr. Speaker, I do not have the four copies because I must admit I was surprised at being asked to table a letter that is in the *Winnipeg Free Press* today. Following my reading of the letter, I would be only too pleased to table it later on if that is acceptable to you.

The trustee, Brent Pooles, says: "How educationally repugnant. How is it in the best interest of the student to transport some, but not all of a grade, to an out-of-catchment school? How do you decide who in a particular grade gets shipped out and who gets to stay? It is outrageous that the government would ask us to operate a parallel English system in a single-track French immersion school. There are significant costs involved with respect to this option.



"The fact of the matter is quite clear. There is an urgent need to approve additions to the schools in Whyte Ridge to educate its growing population of children while enrolment numbers continue to exceed expectations every year. While the NDP government continues to approve capital expenditures in other areas, one must legitimately ask whether the residents of Fort Whyte and Fort Garry are consequently being penalized for not electing"—can I say an NDP member in the House?—"an NDP member to the Manitoba Legislature.

"They have weighed the political cost of denying a legitimate request for additions at HGI Middle School, and have made the political decision that it is not in the best interest of the students."

**Mr. Speaker:** Order. The hour being 12 noon, we will recess and reconvene at 1:30 p.m.

When this matter is again before the House, the honourable member will have 21 minutes remaining.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, June 20, 2002**

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