

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, February 15, 1990.

The House met at 1:30 p.m.

PRAYERS ROUTINE PROCEEDINGS TABLING OF REPORTS

Hon. Harold Neufeld (Minister of Energy and Mines): Mr. Speaker, I am pleased to table Perspective 2000, Manitoba Hydro's report on their focus on the future. This is in keeping with our commitment to openness.

INTRODUCTION OF GUESTS

Mr. Speaker: Prior to Oral Questions, may I direct Honourable Members' attention to the gallery, where we have from the Goose Lake High School, forty-two Grade 11 students. They are under the direction of Irene Buytendorp. This school is located in the constituency of the Honourable Minister of Education and Training (Mr. Derkach).

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

ORAL QUESTION PERIOD Western Diversification Fund Spending Agenda

Mr. Reg Alcock (Osborne): Mr. Speaker, when talking about Western Diversification, Charlie Mayer, the Minister responsible for the fund, has stated that Ottawa, not Manitoba, will set the spending agenda despite the fact the cost is being split equally between the province and Ottawa. He is also quoted as saying that we have talked about priorities, but that Ottawa will take the lead. Mr. Speaker, last night I attended a speech given by the Prime Minister.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. The Honourable Member for Osborne.

Mr. Alcock: All Canadians paid for that dinner. Last night, the Minister of Justice (Mr. McCrae) sat there and paid attention to the speech when the Prime Minister of this country threatened us in this province that if we did not sign the Meech Lake Accord we would face dire consequences.

Mr. Speaker, I have a simple question to the Premier (Mr. Filmon). Is this action on the part of Mr. Mayer an acting out of that threat?

* (1335)

Hon. Gary Filmon (Premier): Mr. Speaker, I guess we have to begin by going through all of the irrelevant

areas of preamble that were touched on by the Member for Osborne. To begin with, he alleges that the Western Diversification initiative is a cost-shared program between the federal Government and provincial Government. Nonsense, it is a total federal program, and he has been here for a couple of years and he does not know that. I cannot believe the ignorance of the Member for Osborne (Mr. Alcock) who has had the benefit of being the first speaker today, the first questioner.

Mr. Speaker, secondly, I will wait to get a transcript of the Prime Minister's remarks before I take anything from the Member for Osborne with respect to Meech Lake, but I can tell him, as I will tell anybody else, that this Government's position on Meech Lake will not be bought. We are opposed to the Meech Lake Accord without changes and we will remain so, regardless of what any politician, federal or provincial, and any businessman will tell us.

Mr. Alcock: Mr. Speaker, Mr. Mayer said, "Ottawa will set the spending agenda even though both levels of Government will split the cost equally."

Some Honourable Members: Oh, oh!

Mr. Speaker: Order. The Honourable Member for Osborne.

Mr. Alcock: Mr. Speaker, perhaps the Premier would like to rise and explain to us why he is allowing Mr. Mayer to set the economic agenda in this province?

Mr. Filmon: Clearly, Mr. Speaker, the Member for Osborne is now getting his education on his feet as he is corrected for every statement that he makes. He would be better perhaps to sit in caucus and get his education sitting on his rear because he is not correct. The Western Diversification initiative is not a cost-shared program. I am not sure what Mr. Mayer was referring to in that article, but I can tell him very clearly that the Western Diversification initiative is a federally funded program and the federal Government obviously sets the priorities in a program which they pay full 100-percent dollars for.

Mr. Alcock: Mr. Speaker, he can avoid answering the question as much as he wants, but the facts remain that he is not acting on behalf of this province, he is allowing Mr. Mulroney and Mr. Mayer to set the agenda, and that is not acceptable.

Federal Funding Premier's Position

Mr. Reg Alcock (Osborne): Mr. Speaker, over the four years of the Mulroney Government that are reported in the Public Accounts, they have cut regional economic agreements by some 23.6 percent in real terms. Now

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they are now offering us \$60 million to replace \$240 million of federal agreements, and this Premier (Mr. Filmon) is not standing up for this province. Now why not?

Hon. Gary Filmon (Premier): Mr. Speaker, just a matter of a week or 10 days ago the Members on the other side were alleging that we would not get the \$60 million, they were alleging that as a result of rumours that they had heard in Ottawa we would only get \$33 million. They were wrong about that. Last evening they were told that we will get \$60 million, which is double what they suggested 10 days ago we were going to get, and the fact of the matter is it is just the beginning, it is a step in the right direction.

We continue to talk with Ottawa about cost-shared programs, as last year we signed a soil and water accord, cost-shared \$12 million program; last evening was announced a \$60 million cost-shared program that we are going to be having matching our funds and also involving others. We are working on other aspects of federal-provincial cost-shared agreements and those will be announced in due course.

Some Honourable Members: Oh, oh!

Northern Development Agreement Government Initiatives

Mr. Speaker: Order, please. The Honourable Member for Osborne.

Mr. Reg Alcock (Osborne): We got \$60 million out of \$94 million in lapsed funds. This Government allowed \$94 million in those regional development agreements to lapse on March 31, 1989, and \$37 million of that, Mr. Speaker, was from the Northern Agreement. Last night the North got nothing. Perhaps the Premier can enlighten us today and tell us what they are planning for the North?

Hon. Gary Filmon (Premier): Mr. Speaker, again the Member for Osborne is wrong. Funds did not lapse on March 31, 1989. There is a carry-over, and funds have been expended throughout the period of 1989-90 up until and including as a matter of fact I believe it is September of 1990. We can go all the way to there. That is why we continue to be working on developments such as in the tourism area, the resort hotel at Gimli. That is why the resort hotel at Grand Beach is out for proposals right now. Those are all part of that former ERDA envelope of funds that have yet to be expended, that are committed and indeed will be expended.

I could go on throughout all the programs. Money was spent on the forestry renewal agreement. Money was spent during this 1989-90 fiscal year. Mr. Speaker, I would implore the Member for Osborne to go and get some real research done, to get some facts that make sense and to come back without -(interjection)-

Mr. Speaker: Order, please; order, please. The Honourable Member for Osborne.

Mr. Alcock: Mr. Speaker, I agree that the facts are somewhat dubious because they come from the Minister's office.

* (1340)

Tourism Agreement Replacement

Mr. Reg Alcock (Osborne): The Premier references tourism. Last night Mr. Mayer spoke about tourism; he spoke about a \$10 million tourism agreement. Now is this to replace the \$30 million agreement that is lapsing on March 31 of this year, that is ending on March 31?

Hon. Gary Filmon (Premier): Again the Member for Osborne does not know the difference between lapsing and ending, Mr. Speaker. The fact of the matter is that specific details on the cost-shared ERDAs will indeed, on those Economic and Regional Development Agreements, be made in due course. As he may know—-(interjection)-

Mr. Speaker: Order, please. The Honourable First Minister.

Mr. Filmon: As he may know, those ERDA agreements involve areas in which the province sets its priorities, areas in which there is shared priority with the federal Government and under those circumstances we will be working out the specifics and making announcements in due course, Mr. Speaker.

Sustainable Development Centre Announcement

Mr. Reg Alcock (Osborne): Mr. Speaker, there was as much to note in what the Prime Minister did not say as what he did say. Once again he missed an opportunity to announce the centre for sustainable development. Now he has made that announcement in New York, he has made it several times in Ottawa, yet when he is here in the province, when he has got an opportunity to speak before Manitobans, we hear nothing. Can the Premier tell us when we are going to have that announcement?

Mr. Filmon: In due course, Mr. Speaker.

ERDA Agreements Program Cutbacks

Ms. Judy Wasylycia-Leis (St. Johns): Mr. Speaker, on this broad, very important issue of federal-provincial agreements, when it comes to economic development here in Manitoba, I think it is time to cut through the rhetoric and the baffle-gab of the First Minister and address the fact that we are talking about 10 ERDA agreements and a Northern Development Agreement which totalled \$800 million now down to, as confirmed in yesterday's address by the Prime Minister, \$60 million, a fact which we brought to this Chamber over 10 days ago on January 29 and asked this Government to confirm the fact that the federal share of dollars for

Economic Regional Development in this province was being cut by 75 percent.

The \$60 million we heard about yesterday from the Prime Minister is a far cry from the almost \$300 million in federal funds available under the current Economic Regional Development Agreement.

I want to ask the First Minister (Mr. Filmon), since he did say this is a step in the right direction, we fail to see how going that direction—backwards—is a step in the right direction. Will he tell us today which programs will be cut as a result of ERDA funding being slashed?

Hon. Gary Filmon (Premier): Mr. Speaker, I might say that the Member for St. Johns (Ms. Wasylcyia-Leis) leaves out many, many items that are on the agenda of federal-provincial programs. She completely ignores the fact that when her NDP administration was in office, in nine months—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. The Honourable Member for St. Johns has posed a question.—(interjection)— Order, please. I am sure the Honourable Member for St. Johns would like to hear an answer. The Honourable First Minister.

Mr. Filmon: For instance, Mr. Speaker, when her administration was in office the NDP in almost the first year of the Western Diversification initiative brought some \$7 million of programs to Manitoba. We have, since taking office, added more than \$80 million of projects to Manitobans through the Western Diversification.

In addition to the \$60 million that was announced last evening there have been of course the soil and water accord, that added \$12 million, Mr. Speaker.

In addition to that we are working on a number of other initiatives to do with federal spending in Manitoba. They cover a wide range of issues. They cover a wide range of potential agreements between our province and the federal Government, and indeed as I indicated to the Member for Osborne (Mr. Alcock) more announcements will be forthcoming. We regard this only as a step in the right direction.

* (1345)

Economic Growth Government Initiatives

Ms. Judy Wasylcyia-Leis (St. Johns): Well, the fact of the matter is, Mr. Speaker, as was confirmed yesterday, we know that the federal share of dollars for economic development in this province has been reduced by 75 percent, something this Government has known for some time and has yet to raise a whimper to the federal Tories in Ottawa —(interjection)— not a whimper. Today they are nothing but apologists for this kind of action on the part of the federal Government.

Will the First Minister (Mr. Filmon) confirm today that the cut in our share of federal-provincial development

dollars by 75 percent—will he confirm that fact? Will he table today any strategy that this Government has developed to deal with the potential looming crisis in Manitoba's economy?

Hon. Gary Filmon (Premier): Mr. Speaker, each and every day the Members from the New Democratic Party get up and talk about an impending crisis. The only impending crisis in this province was in the latter stages of the NDP administration when all of their maladministration, when all of their wrong-headed policies on taxation, on deficits, on labour legislation, on all of those things came to a head and crippled this province and its future growth potential. That was the crisis, and we have long since passed that. We are now embarking on an era of better relations, on an era of better opportunities for future economic development.

I say to her, Mr. Speaker, in addition to the announcement of last evening we have the Soil and Water Agreement. We have in fact Northern Development Agreement that is still being worked on and discussed. We have many other areas of shared costs, federal-provincial agreements, that will in due course be announced for this province.

Ms. Wasylcyia-Leis: I fail to see how 10,000 unemployed in this province, the highest bankruptcy rate in this country, thousands of people leaving this province, is a figment of anyone's imagination. You tell that to the unemployed people in Manitoba.

My question, Mr. Speaker, relates to this very important issue since each of the potential agreements talked about being on the bargaining table represents a dramatic drop in funding. Tourism which was \$30 million is rumoured to \$10 million; Culture and Communication formerly \$21 million is said to be cut to \$10 million; Mineral Development cut from \$24 million to \$16 million.

Will the Premier (Mr. Filmon) tell the House today exactly how the Government plans to make up for the potential loss of \$220 million from Manitoba's economy over the next several years?

Mr. Filmon: Mr. Speaker—

Some Honourable Members: Oh, oh!

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

Mr. Filmon: I have already indicated to the Member for St. Johns (Ms. Wasylcyia-Leis) that Western Diversification has committed more than \$80 million in the less than two years that we have been in Government, to projects that will grow, because Western Diversification will indeed provide much more in the way of support for Manitoba in the future. I have already indicated to her that in addition to the \$60 million that was announced last evening there are other projects that have been announced, such as the Soil and Water Agreement.

There are other projects that are being worked upon to do with northern development, but of course there is also private sector response, things such as \$1 billion

from Repap in The Pas, an agreement for a sale of hydro-electric energy to Ontario that will involve \$5.5 billion of investment over the next decade.

To address the very real concerns that were left by the six and a half years of maladministration of the NDP, why has there been 90 percent unemployment in the Native reserves when we took over office? Why was there that 90 percent, because of the things that the NDP did, the failures of the NDP in northern Manitoba. We are working to correct those failures.

* (1350)

Federal/Provincial Agreements Renewals

Ms. Judy Wasylycia-Leis (St. Johns): Today we are learning once again how this Government is prepared to sit back and be a doormat and apologize for the federal Government shafting this province once again. Yesterday we learned how this Government is very directly involved in shafting this province through the Core Area Agreement, in news that was released yesterday.

In fact, tying it all together, we realize that in all of these federal-provincial agreements there is no commitment to renew any agreements with respect to core area, with respect to transportation, with respect to Churchill, no news mentioned whatsoever in terms of federal-provincial discussions. I want to ask the First Minister (Mr. Filmon), where are the plans for federal-provincial agreements in those very critical areas? When are we going to hear about the—

Mr. Speaker: Order, please; order, please. The question has been put.

Hon. Gary Filmon (Premier): Mr. Speaker, the Member's face ought to be as red as her sweater when she talks about shafting Manitoba. Her administration, of which she was a proud part, drove our debt on a per capita basis up to the second highest of any province in the country, drove our taxes up to the highest level of any province in the country, brought the economy to its knees and left in the communities of northern Manitoba, which they represent, an unemployment rate of 90 percent in many of those communities, that as a result of the conscious decisions and policies of the NDP in this province. She ought to be ashamed of herself when she talks about shafting Manitoba because she represents that remark.

Senate Reform Committee Formation

Mr. James Carr (Fort Rouge): This morning, the Minister of Finance (Mr. Manness), on the radio was congratulating himself and his Government for creating distance between his Government and the federal Government, and now the Premier (Mr. Filmon) is announcing a dawn of a new age in federal-provincial relations.

I am sure all Manitobans would want to welcome Premier Clyde Wells, the Premier of Newfoundland and

Labrador, who is in Manitoba today, which inspires a question to the First Minister (Mr. Filmon) on the issue of Senate reform. The all-Party Task Force on Meech Lake in October of 1989 unanimously recommended to the Government that there be immediately created a committee to discuss the issue of Senate reform and report back to the Government. Four months later, we have heard nothing from the First Minister. Can he tell the House when he intends to establish the committee on Senate reform?

Hon. Gary Filmon (Premier): Mr. Speaker, I certainly have a good deal of admiration for the Premier of Newfoundland on many issues. We see a lot in common. There are some issues of course in which we disagree. In the budget that we passed in this House in May or June of this year, we cut personal taxes by 2 percent. The Premier of Newfoundland raised them by 1 percent in his budget that very same month. I might say that the Liberal Opposition in this province, who voted against our reduction in taxes for Manitobans, wanted us to follow his advice and we would not do that.

With respect to Senate reform, Mr. Speaker, we will be happy to set up a committee to deal with Senate reform whenever we can finish this Session. The fact of the matter is that Members of the Legislature are already overworked and overstressed in terms of their commitments to this House, to the very important areas of passing the Estimates of expenditure, of getting the funding out to make sure that the departments know where they stand with respect to funding and know where they stand with respect to development of next year's Estimates. We need to finish that very important work. Of course the Member for Fort Rouge (Mr. Carr) wants to forget everything else that is going on and go on another tangent. We have to prioritize. Obviously, we have to prioritize the work of this House as Government. When we eventually finish the work of this Session, we will be happy to strike that committee of which he speaks.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. The Honourable Member for Fort Rouge.

Mr. Carr: I am sure the people of Manitoba will be interested that the Premier now considers Senate reform to be a tangent, Mr. Speaker. It was a major recommendation of the Meech Lake Task Force. The clock is ticking to the June 23, 1990 deadline. Does the First Minister intend to consult Manitobans and the Legislative Committee to be struck before the Meech Lake deadline, regardless of when this House may lift?

Mr. Filmon: Mr. Speaker, Senate reform is indeed a tangent with respect to the priorities of this Legislature to get through the Estimates of expenditure of this Government and the funding for all of the programs that he and his colleagues ask about day after day, funding for health care, funding for community services. What do they ask questions about day after day after day? All those important priorities.

Now he says, forget them all, do nothing about them, just go off on another topic of Senate reform, Mr.

Speaker. Now we know why the Liberals are so absolutely hopeless. They cannot set an agenda. They cannot stick to an agenda. They cannot manage time and they cannot operate in any way in a respectable manner. That is the issue right here today.

* (1355)

Mr. Carr: Mr. Speaker, I am sure the many thousands of Manitobans who believe in Senate reform and who believe in an elected Senate will be appalled and dismayed at the attitude that is being adopted by the First Minister in the House today. Will he make a commitment to the people of Manitoba that that committee will be established before the June 23, 1990 deadline for the Meech Lake Accord?

Mr. Filmon: Mr. Speaker, I have indicated that we are prepared to establish that committee and to have that committee sit when it is reasonable for them to do so. They cannot do so as long as we are in Session. He has a role to play in this. He can either be a part of the solution or a part of the problem, which he usually is.

Urban Native Strategy Board Establishment

Mr. Herold Driedger (Niakwa): Mr. Speaker, my question is for the Minister of Northern and Native Affairs (Mr. Downey). Last October the Minister indicated that the Government was working very closely with the Native community to develop an urban Native strategy. On Monday of this week the Minister said he was working aggressively at developing or implementing, he was not quite sure which, but he was working aggressively at developing or implementing a Native urban strategy.

He has had on his desk, since November 3 of last year, a consultant's report called Developing an Indian and Metis Urban Strategy for Manitoba, a key recommendation of which was simply the establishment of an Indian and Metis Urban Strategy Board. My question is simple. Has the board been established, and what is its mandate?

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. The Honourable Minister.

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, being as inexperienced as I am in the House, I want to thank the Members opposite for their help and their coaching in responding to that important question.

Let me respond to the Member, Mr. Speaker, who I tried to answer the other day when I was what I would consider rudely interrupted by the New Democratic Party as it related to the Native issues of this province, and say that we are advancing to develop the council which will be representative of the Urban Indian Associations. We have Mr. Ed Wood working

aggressively in the development of that council, and as well, at the request of the Native leadership, the continuation of resource initiatives in the development of the policies.

Mr. Speaker, the question and the issue of the movement and the migration of our Native people to Winnipeg and our other urban centres is something that was neglected and is an absolute and direct result from the inactivity of the New Democratic Party providing employment opportunities in the northern and remote communities.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. The Honourable Member.

Working Groups Establishment

Mr. Herold Driedger (Niakwa): I hear in that answer an attempt to continue the consultation process. I hear that there is an initiative to try and do this, and I am just wondering if whether, in this consultation process, the six working groups which were suggested to be implemented also in that same report, which were to assemble the inventory of services and programs for Indian, Metis people in urban centres, whether those six working groups have actually been established and are working. If they are, how often have they met?

* (1400)

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, I appreciate the fact that the Member of the Liberal Caucus does not clearly understand how policy and how program development takes place. The development of a policy—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please.

Mr. Downey: —dealing with Native housing—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. The Honourable Minister of Northern and Native Affairs.

Mr. Downey: Mr. Speaker, the issue dealing with Native housing, social programs, education is one of ongoing need. One does not say today that you have a certain policy. There is a major need for economic development as well, which is part of the overall policy development.

Mr. Speaker, I take the issue seriously. The Members of the Opposition may not and when they are ready to get serious about it I am prepared to deal with it in that manner.

Recommendations

Mr. Herold Driedger (Niakwa): Mr. Speaker, if I agreed in part with the answer, which was to consult and to get the information, yes, this is necessary. Bring the

people on side, do not go back to a consultant. Why did he go back to a consultant to do the same darn thing that the initial consultant recommended, why go back and find out what recommendations he should now accept? Why does he not make the decision, why does he not now decide?

Hon. James Downey (Minister of Northern and Native Affairs): Because, Mr. Speaker, the leadership of all the Native organizations we have dealt for requested it.

Northern Development Agreement Negotiations

Mr. Elijah Harper (Rupert's Land): Mr. Speaker, my question is to the Minister of Northern Affairs. For many years the North has been provided with a cost-shared program Special ARDA and NDA. This cost-shared program has come to an end as of 1989, although some parts were extended to 1990. I am asking the Minister the status of that negotiation. In respect to, as he mentioned earlier in talking with the federal Government, can the Minister assure the northern people, the aboriginal people, that the cost-shared program will be renewed and as to what progress he has made?

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, let me say that I believe progress has been made. I am working very desperately and seriously to accomplish a lot more than was accomplished under the Member for Rupert's Land and his Government, who left us and the Native and northern communities with an unemployment rate of some 90 percent after having spent \$287 million, a record that no one should be proud of.

Yes, Mr. Speaker, there were some good programs in education, and there are some other good programs that I believe will lead to long-term economic opportunities and job creation. We are trying to pick the best of those programs and work with those northern and Native communities to continue on with an agreement that would be advantageous and improve the employment opportunities for our northern people.

Program Continuation

Mr. Elijah Harper (Rupert's Land): Yes, I ask the Minister as to where the priority of this Government is? In today's news, I read that there has been a Southern Development agreement for southern people, but I believe the NDA, which was worth \$270 million, is lost. I want to ask the Minister, can he guarantee that the programs such as northern nursing, social workers will be continued so that people in the North can continue to have opportunities and job opportunities?

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, let me point out to the Member that I believe, and our Government believes, that improved education is the basis for which we will see improved employment, full participating opportunities for our northern and Native people. I say that most

sincerely. I do not see us embarking on the kind of misleading programs and political posturing by the former administration under such things as the Limestone Training Program, which in a lot of cases misled the people of northern communities to believe there were meaningful jobs for them. I believe it is incumbent upon us to make sure that when we sign agreements, they are based on strong educational programs for future opportunities to fully participate, not only in a specific line of work as it relates to Hydro, but it gives them a broad base for entry and participation in society as a whole.

Job Training Programs

Mr. Elijah Harper (Rupert's Land): Mr. Speaker, all I ask is, where is the beef? There has not been anything in the North. Where is the provincial Government going to get the money, which was cost-shared 60 percent by the feds, to train the people in the North? I believe we put in \$100 million under the human development program. Where is the provincial Government going to get those resources to train the people in the North, such as Limestone Training, the resource development, Repap and maybe in the mining development? Where is the provincial Government going to get the funds to train the people in northern Manitoba?

Hon. James Downey (Minister of Northern and Native Affairs): Unlike the former administration, who spent \$500 million annually to pay interest to the banks of Zurich and New York and Japan, we believe it is important to have a joint effort between the province and the federal Government and private sectors, a billion dollars in Repap, which is strongly supported by the Native communities of the northwest region, the Conawapa activities and the development of a road up the east side of Lake Winnipeg, which gives those people the long-term opportunities for economic development.

Project specific is what we are talking about. We will enhance the programs for education. We are on the verge of an agreement as it relates to northern Manitoba, but we will announce it in due course as we fully complete our discussions with the communities and not—Mr. Speaker, I thank you for this opportunity of quiet on behalf of the northern and Native people so they can get a clear understanding that this Government—

Mr. Speaker: Order, please.

Drinking and Driving Sentence Lengths

Mr. Paul Edwards (St. James): Thank you, Mr. Speaker.—(interjection)—

Mr. Speaker: Order, please; order, please. The Honourable Member for St. James.

Mr. Edwards: Mr. Speaker, I understand I was slandered yesterday in my absence in this House. Although I will not bring a Matter of Privilege, I

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understand that certain comments were made by the Minister of Justice (Mr. McCrae) that I had brought to this House false information. I want the Minister to know that I would agree with him if he were right, he is just never right—

Mr. Speaker: Order, please. Is this the Honourable Member's preamble to a question?

Mr. Edwards: Yes, Mr. Speaker.

Mr. Speaker: Kindly put your question now then, please.

Mr. Edwards: The Minister said yesterday that everyone who has a 14-day sentence serves nine or 10, no less than seven. That was his statement. In fact Headingley jail counts—

Mr. Speaker: Question, please.

Mr. Edwards: —from Friday at six to Sunday at four—

Mr. Speaker: Question, please. The question now, please.

Mr. Edwards: —as three days. To everyone else in Manitoba that is 46 hours; to Headingley jail it is three days. My question is, given that those are the facts, how does that square with this Minister's Mr. Tough Guy image on drinking and driving? People get out of jail after three—

* (1410)

Mr. Speaker: Order, please; order, please. The question has been put.— (interjection)— Order, please. The Honourable Minister of Justice.

Hon. James McCrae (Minister of Justice and Attorney General): I said yesterday, Mr. Speaker, that the policy of the Corrections Division of my department, as it was stated by myself—and if the Honourable Member has a case that he would like to share with me, I suggest privately, because we are talking about individual human beings in this province. If he has a case of someone who has served four days, as I said yesterday, I would like to know about it so I can look into it.

Mr. Edwards: Mr. Speaker, I asked for the list of all cases at Headingley jail. They would not give it to me. They will give it to this Minister. I cite every case. The fact is that they count Friday at six o'clock to Sunday at four o'clock as three days. It is only two. That is the way it works, because Headingley jail does not make a person who is sentenced to a day serve a day.

Mr. Speaker, Headingley jail agreed with me. The AFM says that certainly does happen. Will the Minister start having Headingley jail require a day served to be a full day so inmates do not serve 46 hours and get credit for three days?

Mr. McCrae: I have canvassed this matter thoroughly with the Corrections Division. If the Honourable Member

can show me cases where people have served four days I would be interested in it so I could take the matter up with the Corrections Division. The Honourable Member has not done that.

Mr. Edwards: Mr. Speaker, Headingley jail themselves will candidly admit everything that I have brought to the Minister's attention today. They admitted it to me yesterday, today again—two weekends, 46 hours per weekend and people get out on occasion. They always get out after three weekends.

Mr. Speaker, my —(interjection)—

Mr. Speaker: Order, please; order, please. Time is extremely scarce. The Honourable Member kindly put his question now, please.

Mr. Edwards: You are the one running.

Mr. Speaker, I am not asking this Minister to change the law, simply to enforce it. If he wants people to serve nine or 10 days will he make them serve five weekends, which is 10 days? Will he at least enforce the law and ensure that people serve a day for a day and the nine or 10 days he says he wants them to serve?

Mr. McCrae: I find the Honourable Member's lack of remorse for misleading the public in this province very disturbing, Mr. Speaker. I can tell the Honourable Member, indeed I have taken this matter up with the Corrections Division. Since this Government announced its anti-impaired driving initiatives the Corrections Division has indeed toughened up in terms of the time spent on these mandatory 14-day sentences.

The Honourable Member continuously, day in, day out, brings false information to this place. Mr. Speaker, I am not going to respond to his questions until he—

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

Mr. Speaker: The Honourable Member for St. James, on a point of order.

Mr. Edwards: Mr. Speaker, I have just shown again to this Minister exactly the opposite. This Minister is the king—

Mr. Speaker: What is the point of order, please?

Mr. Edwards: —of insult and innuendo, and he is never—

Mr. Speaker: Order, please; order, please. On your point of order raised, it is clearly a dispute over the facts.

On the remarks made by the Honourable Government House Leader (Mr. McCrae), I must also warn the Honourable Minister, his remarks do absolutely nothing for the decorum in the Chamber. The Honourable Minister.

Mr. McCrae: Mr. Speaker, I accept your rebuke on that matter. I certainly did not mean to leave the

impression that the Honourable Member is deliberately bringing false information, but he is indeed bringing false information to this House.- (interjection)-

Mr. Speaker: Order, please.

Infrastructure Renewal Funding Ratio

Mr. John Plohman (Dauphin): Mr. Speaker, the dismal statement by the Prime Minister in Brandon yesterday on economic development programs for this province is a disaster for Manitoba and illustrates a shocking display of incompetence by this Government in dealing with the federal Government. An 88 percent reduction in federal funding, if you include the ERDA agreements and the Northern Development Agreement, an 88 percent reduction in federal funding, and an 80 percent reduction in provincial funding as announced in Brandon yesterday, and we are supposed to applaud that.

Mr. Speaker, the funding has changed to 50-50 instead of the 60-40 that has been historical with the federal Government picking up 60 percent of the federal-provincial agreements. I ask the Premier (Mr. Filmon) how he got snookered into 50-50 funding instead of the 60-40 that has historically been the case in this province.

Hon. Gary Filmon (Premier): Mr. Speaker, you know, the interesting thing here was that the previous NDP administration of which the Member for Dauphin (Mr. Plohman) was a part, in fact was in Cabinet, was proposing that, of these costs of infrastructure renewal in sewer and water, the municipalities were going to have to put up 50 percent of the cost of the project.

I quote Hansard of May 25, 1987. This is the Honourable J. Bucklaschuk, "municipal officials have told us that if we were able to obtain funds from the federal Government, that they would still like to go on a 50-50 cost-share." He goes on to explain how they believe that was a good deal to have the municipalities put up 50-50.

That was a restatement of their policy of the 5th of March 1986, NDP fund for Rural Development will help renew rural communities. Municipalities will be expected to provide 50 percent of the money for projects supported by the fund. We have negotiated an agreement whereby the federal Government and the province and the municipalities will share equally. We will renew infrastructure, much needed infrastructure, to help communities such as Dauphin, Brandon, Portage la Prairie, Steinbach, Morden, many other communities throughout southern Manitoba to renew their infrastructure, to be able to diversify, attract industry, economic development. We think that is a good initiative. It is something the NDP were never able to achieve, and if they had achieved it they were willing to accept the fact that municipalities would not put up 50 percent.

Mr. Speaker: Order, please. Time for Oral Questions has expired.

Prior to Orders of the Day, I would ask Honourable Members if you would not mind wearing your translation

devices because I believe Honourable Members are going to want to hear this announcement.

* (1420)

INTRODUCTION OF GUESTS

Mr. Speaker: Prior to recognizing the Honourable Member for St. Boniface (Mr. Gaudry), j'aimerais attirer l'attention des députés à la tribune à ma droite, où nous avons parmi nous aujourd'hui: M. Roland Boisvert, le président du Festival du Voyageur, M. Raymond Bisson, le président de la Société franco-manitobaine, M. Louis Paquin, l'administrateur du Festival du Voyageur, et les membres de l'administration. Au nom de tous les députés, je tiens à vous souhaiter la bienvenue ici aujourd'hui.

(Translation)

I would like to draw the attention of Honourable Members to the gallery to my right, where we have with us today: Mr. Roland Boisvert, the president of the Festival du Voyageur, Mr. Raymond Bisson, the president of the Franco-Manitoban Society, Mr. Louis Paquin, the administrator of the Festival du Voyageur, and members of the administration. On behalf of all honourable Members, I would like to welcome you here today.

NON-POLITICAL STATEMENTS

Mr. Speaker: Does the Honourable Member for St. Boniface (Mr. Gaudry) have leave to make a non-political statement? (Agreed) The Honourable Member for St. Boniface.

Mr. Neil Gaudry (St. Boniface): Monsieur le président, hier, le mercredi 14 février 1990 est un jour de deuil pour la province du Manitoba; l'Ouest canadien est en peine, une page de l'histoire de notre pays vient d'être tournée.

Un Canadien, simple, sans ambition personnelle, toujours à la recherche d'améliorer notre pays, un Manitobain. Georges Forest nous a quitté hier pour répondre à l'appel de notre Seigneur.

Quelles coïncidences: Le premier "Festival du Voyageur" de la dernière décennie avant l'an 2000; le premier Voyageur officiel du Festival du Voyageur; un des fondateurs du Club Richelieu de Saint-Boniface; un des pionniers de la Société franco-manitobaine; un défenseur des droits, vient de nous quitter. Quelle coïncidence que le Seigneur décide de rappeler Georges Forest à ses côtés à une date aussi significative que 1990.

En 1890, le parlement du Manitoba faisait défaut à la constitution du Canada. En 1990, un des héritiers de Louis Riel nous quitte.

C'est avec émotion et douleur, qu'un de mes "Amis", un "Frère", un patriote canadien du Manitoba vient de nous quitter.

Ami intime de longue date, Georges me confiait souvent ses préoccupations quant à l'avenir de notre province et de notre pays.

Georges Forest s'est toujours exprimé à défendre les droits des canadiens. Que cela soit pour le respect des droits des Francophones ou des droits des Anglophones, M. Forest possédait un sens de justice à l'égard de lui-même qui se traduisait dans son devoir absolu de dévouement auprès de la grande communauté canadienne et cela, en vivant avec respect les traditions de nos ancêtres.

Essayer de prétendre d'effleurer ce que Georges Forest a accompli dans le domaine culturel, social et politique au Manitoba et au Canada, ne serait qu'essayer de mentionner l'histoire de notre pays et cela ne serait évidemment qu'une occasion d'oublier certains faits tellement significatifs.

Grâce à son souci continué de respect des droits fondamentaux de chaque Canadienne et de chaque Canadien à s'exprimer dans la langue officielle de son choix, nous pouvons aujourd'hui nous exprimer démocratiquement dans cette Assemblée dans la langue que Georges aimait avec tant de passion et qu'il défendait avec tant de vigueur. Je suis particulièrement ému aujourd'hui de pouvoir ici-même dans cette Assemblée rendre cet hommage personnel à mon ami Georges, dans la langue de ses ancêtres.

Monsieur le président, en hommage à ce grand personnage manitobain, en respect de la mémoire de cet héritier de Louis Riel, en prière silencieuse pour le repos éternel de son âme, Je demande à tous mes collègues de cette Assemblée Législative manitobaine de se joindre à moi pour un court moment de silence. Merci.

(Translation)

Mr. Speaker, yesterday, Wednesday, February 14, 1990, was a day of mourning for the Province of Manitoba. The Canadian west is saddened by the turning of a page in our country's history.

A simple Canadian without personal ambition, always seeking to improve our country, a Manitoban, Georges Forest, departed from us yesterday to answer the call of our Lord.

What coincidences, the first "Festival du Voyageur" of the final decade before the year 2000, the first official Voyageur of the Festival du Voyageur, one of the founders of the Richelieu Club of St. Boniface, one of the pioneers of the Société franco-manitobaine, a defender of rights, has passed away.

What a coincidence that the Lord decided to call Georges Forest to his side at such a significant time as 1990.

In 1890 the Manitoba Legislature defaulted on Canada's Constitution. In 1990 one of Louis Riel's descendants has left us. It is with emotion and sorrow that I announce that one of my friends and brothers, a Canadian patriot of Manitoba, has departed from us. A close friend for many years, Georges often confided his concerns to me regarding the future of our province and our country.

Georges Forest at all times expressed himself in defence of the rights of Canadians, whether in regard

to respect for the rights of Francophones or the rights of Anglophones. Mr. Forest possessed a sense of justice which was translated into an unswerving devotion to the great Canadian community while respectfully living up to the traditions of our forefathers. To even attempt to touch upon what Georges Forest accomplished in the cultural, social and political spheres in Manitoba and in Canada would constitute nothing less than an attempt to discuss the history of our country, and obviously would cause us to forget certain highly significant facts.

Because of his continuing concern for the respect of the fundamental right of each and every Canadian to express himself or herself in the official language of his or her choice, we can today express ourselves democratically in this Assembly in the language that Georges loved so passionately and which he defended so energetically. I am particularly moved today to be able, in this very Chamber, to pay this personal homage to my friend Georges in the language of his forefathers.

Mr. Speaker, in homage to this great Manitoban, in respect for the memory of this descendant of Louis Riel, in silent prayer for the eternal repose of his soul, I request all my colleagues of this Legislative Assembly of Manitoba to join with me in a brief moment of silence. Thank you.

(A moment of silence was observed)

Mr. Speaker: Does the Honourable First Minister have leave to make a non-political statement? (Agreed) The Honourable First Minister.

Hon. Gary Filmon (Premier): Mr. Speaker, following upon the eloquent words of the Honourable Member for St. Boniface, (Mr. Gaudry) and indeed the moment of silence that has been expressed by all Members of the Legislature in recognition of the passing of Georges Forest, I certainly wish to rise and associate the Government of Manitoba and myself with the remarks of the Member for St. Boniface in expressing sincere condolences to the family of Georges Forest in recognizing his commitment to Franco-Manitobans and indeed to his province and his country.

I think that if there can ever be an appropriate time, the fact that Georges passed away as he attended and participated and enjoyed the Festival which was so much a part of his life, if we can appreciate that this was a moment and a time that he would have chosen. As a founder of the SFM, as the first official Voyageur of the Festival, this would certainly, the time and the place that he loved.

Mr. Speaker, Georges Forest was indeed a man of great conviction who demonstrated throughout his career a strong and unswerving commitment to his people, to his province, to his country. He fought for his principles and his beliefs, he defended his traditions and his culture and the language of his forefathers. Certainly all of us mourn his loss and extend our sincere condolences to his family and his friends.

Mr. Speaker: Does the Honourable Member for St. Johns (Ms. Wasylycia-Leis) have leave to make a non-political statement? (Agreed) The Honourable Member for St. Johns.

Ms. Judy Wasylycia-Leis (St. Johns): Merci, M. le président. Je voudrais me joindre avec le député du Saint-Boniface et le premier ministre en exprimant notre sincère sympathie à la famille Forest pour leur dur deuil et aussi nous voudrions reconnaître la vie et célébrer la vie de Georges Forest et reconnaître la contribution de M. Forest partout dans la vie de notre communauté francophone et aussi partout dans la vie de cette province.

Comme le député de Saint-Boniface a indiqué, il a contribué beaucoup pendant sa vie à la justice pour tous les membres de notre société. Il a lutté pour le bilinguisme, il a par implication lutté pour les droits de tous les citoyens de cette province. La nouvelle hier soir est pour tout le monde choquant et nous sommes tous très, très tristes et avec les sentiments que nous pouvons exprimer, nous voulons encore exprimer notre sympathie et aussi reconnaître la grande contribution de Georges Forest à la vie de cette province.

(Translation)

Thank you, Mr. Speaker. I would like to join with the Member for St. Boniface and the First Minister in expressing our sincere sympathy to the Forest family in their mourning. We would also like to recognize and celebrate the life of Georges Forest and acknowledge his contribution to the life of the entire Francophone community but also his contribution to the life of this province.

As the Member for St. Boniface indicated, he contributed a great deal during his life to the sake of justice for all members of our society. He struggled for bilingualism and, by implication, struggled on behalf of the rights of all citizens of this province.

The news last evening was a shock for all of us and we are all extremely saddened by it, and with the deepest feeling that we can express we wish to convey our sympathy and recognize the great contribution made by Mr. Georges Forest to the life of this province.

Mr. James Carr (Fort Rouge): Mr. Speaker, may I have leave to make a non-political statement?

Mr. Speaker: Does the Honourable Member have leave to make a non-political statement? Leave. The Honourable Member for Fort Rouge.

Mr. Carr: It is with great pride and sense of occasion that I rise on behalf of my caucus to mark the 25th anniversary of the Canadian flag. We all know, as we recall back these many years, that the flag was born out of controversy and that indeed the City of Winnipeg played a very important role in the events that led up

to the approval of the flag that we know with such great affection today. It was the late Prime Minister Pearson who, in a speech to the Royal Canadian Legion in Winnipeg on the 17th of May, 1964, announced his intention and the intention of his Government to begin the search for a new Canadian flag.

Symbols are very important to all people, Mr. Speaker, and they are particularly important to countries. I can remember, if I can speak personally only for a moment, as a teenager and as a young adult travelling in Europe and in Asia with a knapsack that had the Canadian flag sewn to it, the immediate recognition and the sense of satisfaction that I received from people from all around the world when they recognized the Canadian flag. They saw the flag as a symbol of tolerance, of democracy, and more than anything else I think, of freedom.

As Canadians, when we hear the national anthem played and when we see the Canadian flag raised at international sporting events, there is a moment of focus, a moment when provincial boundaries melt away and disappear, when we are all Canadians and we feel a sense of purpose and of unity. So on this very happy anniversary, may I say to all of our colleagues in the House that we wish the maple leaf and the Canadian flag many more generations and indeed centuries of symbolic importance to all Canadians, wherever they may come from in this very great country.

* (1430)

Mr. Steve Ashton (Thompson): Yes, I would like to have leave, Mr. Speaker.

Mr. Speaker: Does the Honourable Member for Thompson have leave to make a non-political statement? Leave.

The Honourable Member for Thompson.

Mr. Ashton: Mr. Speaker, I would like to associate myself with the comments of the Member for Fort Rouge. I have had the experience the Member for Fort Rouge has expressed. I have had many opportunities to travel, been very fortunate, and there is nothing that gives you a better sense of pride than not only seeing the Canadian flag, but knowing its reputation.

I still remember one visit I had a number of years ago when I ran into somebody in the Paris metro who had a Canadian flag on his backpack. I asked him where he was from. He said he was from Oregon, Mr. Speaker. Apparently he had found that it was easier to get rides as a hitchhiker wearing the Canadian flag than the American flag. I do not mean that as any offence to the United States, but I do believe it is indicative of just how high a standing Canadians are held with abroad and how much the Canadian flag has come to symbolize in terms of our international reputation.

As one who is in this case speaking of his adopted country, I can say that I fully associate myself. I know that it was a very controversial issue at the time. I do not mean to deal with the controversy at that time, but

I think now, 25 years later, Canadians can be justly proud of the individuals at the time who saw the fact that it was time for Canada to have its own distinct flag, Mr. Speaker, a flag that I believe expresses our sentiment as Canadians throughout the world, something I am very proud of, and our caucus certainly is very proud of this day, 25 years, marking the Canadian flag.

Mr. Speaker: Does the Honourable Minister of Natural Resources have leave to make a non-political statement? Leave.

The Honourable Minister.

Hon. Harry Enns (Minister of Natural Resources): Thank you, Mr. Speaker, for reading my mind. I was about to make a non-political statement.

I am delighted to join with other spokespersons for the other Parties in the Chamber to voice similar sentiments. It is my privilege to have been designated by the Government to join his Honour the Lieutenant-Governor briefly at Government House in a few moments to officially recognize the birthday of our Canadian flag. I suspect that perhaps I was so designated because my entry into politics occurred just about the time that we bid adieu to the flag that flew over this nation for a number of years, indeed one that many still probably remember, the red ensign. That was the flag that our servicemen fought under in two world wars.

I join all Canadians in recognizing the identity of our flag that is now 25 years old. It would be my hope, as expressed by the Member for Fort Rouge (Mr. Carr), that it is the flag that flies from sea to sea.

At the time of the competition for the new design, the one that probably came closest to rivaling it was one that had two blue bars on the outer edges of the flag that symbolized the Pacific and the Atlantic that truly this was a land that stretched from sea to sea.

One hopes that in the deliberations we sometimes allow ourselves to get into on the heavy constitutional matters that the wishes expressed in this Chamber by all of us, I am sure, that this is a flag that we will proudly celebrate at its 50th anniversary and its 100th anniversary and for many anniversaries to come. I will be proud to take that message to His Honour on behalf of all Members of the Legislature in a short while.

ORDERS OF THE DAY

Hon. James McCrae (Government House Leader): Mr. Speaker, would you be so kind as to call the Bills in the following order: Bill No. 31, Bills 49 to 52 inclusive, 57, 35, 19, 84, 70, 47, 48, 59 and 60.

DEBATE ON SECOND READINGS

BILL NO. 31—THE LABOUR RELATIONS AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of Labour (Mrs. Hammond), Bill

No. 31, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, and the motion of the Honourable Member for Churchill (Mr. Cowan), that Bill No. 31, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, be not now read the second time, but be read this day six months hence, standing in the name of the Honourable Member for The Pas (Mr. Harapiak), who has seven minutes remaining. Stand.

Is there leave that this matter remain standing? There is no leave? The Honourable Member for Elmwood. The Honourable Member for The Pas (Mr. Harapiak) has lost his last seven minutes. The Honourable Member for Elmwood.

Mr. Jim Maloway (Elmwood): Mr. Speaker, I am very pleased to rise at this time to put a few comments on the record concerning the matter of the proposal for a six-month hoist. We in this caucus feel that at this juncture in the proceedings that this is the appropriate method by which we should address the problem. We feel that by allowing a six-month hoist, this would allow all Members in this House to give this matter a sober second thought before we make a final decision one way or the other. Perhaps it is an easier way out for all Members of this Assembly.

The fact of the matter is, however, that the Government shows no inclination to support the idea of a six-month hoist nor do the Liberal Opposition at this point. I make that case because at no time during the debate on the hoist has any Member of the other two Parties risen in their place to make comments on this issue. I can only assume that both of the other Parties are opposed to the motion for the hoist.

Mr. Speaker, I was rather interested at the new sort of tack that the Premier (Mr. Filmon) took today during Question Period. A week or so ago in this House when one mentioned the name Brian Mulroney, the front bench in this Government would throw up their hands and say, Brian who? They did not know the guy a few days ago.

(Mr. Harold Gilleshammer, Acting Speaker, in the Chair)

Now that he is announcing a program to spend money for infrastructure in Manitoba, the Premier now seems to be supportive of the Prime Minister. They are trying to have it both ways. They are trying to keep their distance from the federal Government. They are trying to keep their distance from the Prime Minister. On the other hand, they are trying to take credit for the programs that the federal Government announces.

I believe that in the long term this in fact may work. They may feel it is working in the short run. I think that is about what will happen, that it will only last for the short run, that in the long run they will be painted with that federal brush. It will not be possible for them to escape the reputation and the image of their federal cousins. In the same way that the voters of Manitoba returned seven New Democrats federally in 1980, I believe in reaction to the provincial Lyon Government, I feel that it is only a matter of time before the actions of one level rub off on the other level of Government.

Regardless of what this provincial Government tries to do in terms of trying to distance itself in the public arena from its federal counterparts, the fact of the matter is that people know that a Tory is a Tory is a Tory. People know that they share the same ideological bed. People know that when the chips are down that they will in fact, the chickens will come home to roost, and they will be both in the same hen house. The federal Tories and the provincial Tories will be in the same hen house. They will operate in a lock step. We see some evidence of that today in Question Period with the Prime Minister now taking a little different view of the Prime Minister.

A week ago they did not know. It was, Brian who? If they had their choice, they would not let him in the province. When he comes in to make an announcement to spend some money here, and more than likely this program has been announced before, this is probably one of these programs that gets announced half a dozen times before any real money is spent -(interjection)-the Member for Churchill (Mr. Cowan) asked me, how many times has it been announced? I quite frankly do not know, but I am sure it has been announced a few times already. I am sure that it will be announced several times again as new news when the need arises for the federal Government.

The fact of the matter is, the federal Government is in serious, serious trouble as indicated just the other day as the results of the Chambly by-election became known. I do not know how many elections or by-elections in the last 100 and so years have returned results like that. I suspect not many. When the NDP made its breakthrough in Quebec, it did so in quite convincing fashion, I believe a five to one result over both opponents. In fact the federal Government candidate lost his deposit, and I believe the Liberals came very close to losing theirs. That once again I believe is a reflection of the esteem that the people in that particular riding hold for the Prime Minister, perhaps a reflection of the esteem that they hold the Liberal candidate in that area as well.

* (1440)

It certainly must be the case that the goods and services tax and the other actions or inactions of the federal Government have certainly come to bear in that riding. The provincial Conservatives in this area in Manitoba so far have dodged the bullet. So far they have managed to distance themselves in different ways from the federal Party, but once again I think that is simply temporary. Sooner or later we are going to see the cumulative effects of the actions of the federal Government and how it meshes with the provincial Government here.

I think we will see a microcosm of the—or the Chambly by-election is simply a microcosm of things to come, a foreboding of things to come. What you are going to have in due course in Manitoba is the same result here where the public will decide they have had enough of Conservatives at all levels and that they too will sink to very low levels in the polls.

I do not believe for a moment that they are going to be able to convince people that they are totally

separate and distinct from their federal cousins. They have done a good job so far in trying to do that. I give them credit for being able to dodge the bullet thus far, but they have a lot more bullets to dodge and the next one is coming up with the federal budget on Tuesday. I would not want to be in their shoes when that budget comes down. I can see some of them starting to squirm right now in anticipation of next Tuesday.

Mr. Acting Speaker, the fact of the matter is that this particular Government, no matter how moderate it pretends to be is in lock step with other Conservative Governments in this country, with the federal Government in this country and with the general sort of right-wing philosophy of the American Government.

That is where it ties in to Bill 31 and the final offer selection, because final offer selection is a very, very progressive labour law, one of many that we have in this province that have been built up through successive years of good progressive NDP Government and labour law gains made by the working people of this country when they were able to squeeze such legislation out of Conservative Governments of the Day or Liberal Governments of the Day. I cite things like child labour laws and minimum wage laws and the like.

The fact of the matter is, there is a mind set, there is a group within the Conservative Party, the Fraser Institute in B.C., is probably I suppose the vanguard of that movement in Canada. I suppose there are others who preach that the best type of Government is one that governs the least, a hands-off approach to the economy, total unfettered free enterprise, let the markets govern. Not only are these right-wing capitalists prepared not to live with the current laws, but they want to roll back because they, in their own way, feel threatened and they want to roll back what we have in terms of existing law, because they feel that they are negative towards "the business climate." That is what you hear a lot of in the business community. They talk about the business climate and they use the same arguments, whether they are dealing with a NDP Government, whether they are dealing with a Liberal Government or whether they are dealing with a Conservative Government.

What they do is go cap in hand, suitcase in hand across the province hopping into the provincial capitals or the American states after free trade gets further along its way. What they have done and what they will do is simply play one Government off against the others. What they do is they come into Manitoba and no matter what laws you have, no matter what taxes you have, no matter what tax rates you have, it will always be too high for some of these companies. They will always be able to tell you that the grass is greener on the other side, that Saskatchewan has a better law here, or Alberta has a better law there.

What this Government probably—I am sure they realize it, but what they will not recognize publicly is that these same people are doing the same thing in the other provinces. They go to the Conservative Government of Grant Devine and say, my God, you are too red, you are too progressive, you have too many laws that infringe on the rights of businesses. We would like a grant here, a grant there, a tax lowered here, or

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a tax lowered there in an effort to get the best possible deal or get the best concessions out of the local Government.

I guess in the type of economy we are in that is fair game, because they are doing the best that they can for their shareholders or for their own. If the Government is stupid enough to be handing out bushels of taxpayers' money, then if the Government is stupid to do things like that, then of course, I suppose that these people are within their right to go around and try to drive the hardest bargain they can.

Once again, this is all part of that overall philosophy of trying to pull back and eliminate as many of the good laws we have and regulations we have on business to achieve that pure Adam Smith free market economy that these people aspire to. They know they will never get there. They know they will never get there ultimately, but that is what they are working towards little by little.

Whenever they can repeal a law here or repeal a law there or fight the implementation of good laws, they see this as a benefit to business and a help to the business climate. We in this Party have never believed that is the way to go. We have never felt that is good for a healthy economy. We have a lot of examples worldwide that we can cite where in fact it has the opposite effect, that where you have, relatively speaking, a totally free business environment, i.e., no laws against child labour and no minimum wage and an utter lack of labour laws as we know them today in Manitoba and in many parts of Canada, what in fact you have is abject poverty. You have a small class of rich people who get richer and richer and richer, and no middle class to speak of, and huge amounts of poor people. The results end up in revolutions, bloodshed and constant turmoil. We have seen many, many countries where that in fact has happened.

Because of the lack of these minimum wages and proper labour laws, what has happened is children are starving, people get ill much quicker, and that in turn draws down the economy because the medical costs go up. You drive people into a state of mind and a state where they have no choice but to take up arms against the Government. That is what you are promoting when you take this free market philosophy to its ultimate conclusion.

We have decided in our society, for better or for worse—I think for better—to try to strike a balance between those who would like to eliminate all the labour laws and those on the other hand who would like to have regulations piled upon regulations. That is the problem that we face, trying to decide how much or how many regulations are sufficient to get the job done.

We do not feel now, nor did we before, that we have passed too many labour laws, too many restrictions in this province to scare off business, because you have to understand that we were dealing in the national market, we are dealing in the global market. We, too, had to deal with the people coming to this province with their suitcases in hand, trying to ask us for this concession and that concession, and reducing taxes here and there for them to locate a plant here because otherwise they would head off to some freer enterprise province like B.C. or Saskatchewan or Alberta.

All the time we were in Government or have been in Government over the past years, we have had to deal with that, the reality that if we did not have a proper business climate we would in fact not be drawing business here. But what we proved in the time that we had been in Government is that we could attract business here, was that business in fact would come here and would locate in Manitoba in spite of maybe a half point higher in the tax rate than in another province, because there were some offsets that they were looking for.

* (1450)

We feel we had the right mix. We feel we do have the right mix to attract businesses because we proved that businesses will settle here, and what this Government is trying to do now is to offset the balance. You know, I admit that this particular piece of legislation—the Premier is building this up into a fairly big issue, and I suppose we all are to a certain extent, but what happens if they are allowed to withdraw this or repeal this piece of legislation? This is just the beginning—I address this to my friend from Transcona. The fact of the matter is that they will attempt to repeal final offer selection law today, but then in the next Session it will be something else, it will be first contract legislation. Then where do we go from there? It will be repeal minimum wage laws, because by then the free trade deal will have been in for a couple of years longer. There will be pressures then from companies who can go down to Alabama and other states where there are no minimum wage laws.

An Honourable Member: Right to work.

Mr. Maloway: Right-to-work states, as the Member points out, and these companies will be moving down there. Then there is going to be pressure on us in this Chamber to eliminate the minimum wage, and we are going to say: well, you know we have to compete on an international basis here. If we do not repeal the minimum wage laws, we are going to lose all these firms down to the United States, and the Government of the Day will be bringing in another repeal Bill. That is the problem. Where does all this end?

An Honourable Member: It does not end.

Mr. Maloway: That is right, the Member for Churchill (Mr. Cowan) said it does not, and he is right, it does not.

It is a constant tension that has been with us since the beginning of the industrial revolution and it will continue. We feel that the workers of this—you may be able to fool the workers of this province once, and be able to sell them on the idea that somehow this particular Bill is not in their interests. But, you will not get away with it in the long run because then you will attack them on another law, and sooner or later they are going to see from whence you come and understand from whence you come and you are not going to be able to pick and choose.

We say, well, let us withdraw FOS, but then we will support them on another one. No, I do not think that

will work because the Liberal Party—the Conservatives are already a lost cause. We know that. The public know where they stand on labour legislation, but the Liberal Party is somewhat unclear. I mean, even in their own ranks I am sure they do not really know where they really stand on this issue.

I am directing my comments at the Member for Transcona (Mr. Kozak), because the fact of the matter is that the Liberal Caucus has to decide on which side of the fence they are on on this particular issue. Their Leader in the last couple of days has drawn them more firmly into the Conservative camp on this. Their Leader has made public statements saying there will be no backtracking on this. We are going to repeal this law because it is anti-business. The Labour Critic, the Member for St. James (Mr. Edwards), he too has made statements saying that this has to be taken out, and no one from the other side, nobody from the Liberal Party, has spoken representing the other side.

I am sure there are people in that caucus who in fact share the views of the people over here on this particular issue. So the question is where the Liberals will finally drop down on this issue. We have said, both in my comments on the Bill itself and some of my other colleagues have talked about the Liberal Party, who is really running the Liberal Party? We have suggested that based on their contributions from the last year, 1989, that in fact their contribution listing reads pretty similar to that of the Conservative Party. So it is fairly clear to me that—(interjection)—the Member for Churchill (Mr. Cowan) says, they had more out-of-province corporate donations than the Conservatives.

The fact of the matter is that it seems to me that there is a competition here for business attention and business money. They are trying to out-tory the Tories on this particular issue, because they know that this \$326,000 that they received by and large from business may not be there to fund their election campaigns if they do not toe the line on this issue. So, Mr. Acting Speaker, they are finding themselves as sort of johnny-come-latelies in this process, having to compete with some old pros over here in the Tory ranks, because these old pros in the Tory ranks have been around a long time. They know where all this money is. They have been harvesting it for the last God knows how many number of years.

The fact of the matter is, until recently, until this statement came out, until 1988 provincially the Liberal Party was lucky if it could scrape up \$50,000 for an election campaign. It could not get \$50,000.00. After 1988, all of a sudden miraculously it managed to get \$326,000, up from \$50,000.00. That was the best they could do before. So business had jumped on board. No doubt the management of the Liberal Party was very pleased with that happening and they saw that now the businesses were paying attention to them. But now it came time to define policy.

When it came time to define policy, who would have to vet this policy? None other than the people that are making the contributions—The Motor Dealers Association, James Richardson & Sons gave them \$20,000.00. I am sure they did not just write the cheque and say, well, we like you, and we think democracy is

well served by having another horse in the race. The fact of the matter is that they would not contribute this money unless they felt reasonably certain that the Party would somehow reflect their general attitudes and views—

An Honourable Member: They do.

Mr. Maloway: —and they do, that is right. History is proving him right, that they would not contribute this kind of money if they were not getting the sort of results they were hoping for when they made the contribution.

I do not know how much the Conservatives got. In fact, this may be a pittance, this may be just pocket change, \$20,000, for James Richardson & Sons, perhaps they gave the Tories 10 times as much, I have no idea. I am saying this is a good start for the Liberals, certainly a good starting off place, \$20,000.00. There are many others, there is Power Corporation on this list for \$5,000, there is Superior Shipping, there are companies I have never heard of on here.

An Honourable Member: Name them.

Mr. Maloway: Well, there is Westfair Foods for \$15,000, well there is one I have heard of, \$15,000 from Westfair; Parkside Ford for \$1,000, just little pikers at Parkside Ford, only \$1,000.00.— (interjection)—

Well, my colleague for Churchill (Mr. Cowan) asked about land developers. There are a fair number here to make up \$326,000, actually though not that many, there are only 247 but it would take me too long—I do not have enough time to go through each and every one of them. I will just sort of light on the bigger ones, the \$5,000-and-up group, that is sort of a smaller more manageable group. Federal Industries contributed \$3,000; there are contributions here from Great West Life for \$5,000; Inco for \$7,000—there is an interesting contribution—and many, many more. Nabisco Brands; Cargill Limited for \$5,000.00.

You see you get the idea that the Liberals are starting to join the big leagues, up from \$50,000 just a couple of years ago, they have really hit the jackpot. I think they want to stay there, and to stay there they have to give something back to the people who are giving all this money to them. Being in Opposition they have not been able to do a lot so far in the last couple of years, because the Government is so concerned about keeping its own skin and trying to hold the thing together. They have had to offer something to their business people and this is their offer. They have taken this tentative step in lock step with the Liberal Party, so it would seem thus far, although there is still time for that to change.

Mr. Acting Speaker, I see I have found another page here of contributors and I would be remiss if I did not deal finally with a couple of them, Hiram Walker for \$5,000; Bank of Montreal for \$5,000; Imperial Oil, another familiar name, for \$6,000; ICG Liquid Gas Limited for \$7,500; Bank of Nova Scotia for \$9,000; Royal Bank of Canada for \$7,000, and that completes the bigger contributors at this time.

* (1500)

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In any event, the fact of the matter is that I feel that is the motivation so far behind the Liberal actions at this particular Bill. They will have the opportunity to prove me wrong, and I hope they do. We are giving them the opportunity to prove us wrong with these statements. We have drawn a conclusion based on evidence that we have found. We feel that they are serving their corporate masters here in the positions they have taken.

We have heard from their critic for the Attorney General, we have heard from their Leader. We have not heard from any of the others. Where is the Member for Transcona (Mr. Kozak) in all of this? Where is the Member for Inkster (Mr. Lamoureux)? We can guess where the Member for St. Norbert (Mr. Angus) is, where the Member for St. Vital (Mr. Rose) might fall down, although we can never be sure, after all they are Liberals.

(Mr. William Chornopyski, Deputy Speaker, in the Chair)

Mr. Deputy Speaker, the fact of the matter is that we are going to be very interested in seeing where the Liberal Party finally comes to rest on this issue. I think they have to realize that they are not going to be able to cherry pick on labour law, that they are not going to be able to get away with backing the Government on this one, and then on the next labour Bill be it first repeal of first contract legislation, for example, they are not going to be able to jump to the other side and say, well, on this one we support the unions, and think that somehow they are going to be able to convince people in this province that they have a balanced approach. I am sure that thought sort of entered their mind that, well, we can pick and choose, we will support this labour law, then we will not support the other one. We will kind of keep business on the hook with all this \$320,000 that they give us. We will keep enough of our supporters in some of the heavy labour areas by supporting labour law, at least talking the good line on labour law every once in a while. We will be able to fool enough people into supporting us that one more time.

The fact of the matter is that is not going to work, they managed to fluke themselves into a position of having 20 seats that had more to do with us as a Government and the current Government over here than it had to do with them. They just happened to be in the right place at the right time. If the COR Party had been around at that time and had nominated, or Reform Party had nominated, candidates in all of the ridings, they would be sitting here with 20 seats. It had nothing to do with people's appreciation of the Liberal position on any issue. It was a negative reaction to the Government of the Day, and also a negative reaction to the Opposition of the Day. Basically, it became a plague on both of our Houses, and people turned to the only other candidates on the ballot. They should not have any solace in that, because the election was decided not on a positive vote but on a negative vote.

This time around the conditions are going to be somewhat different. They are going into an election not having that benefit. They are going into an election on the basis that they are going to have to justify their

existence here for the last couple of years. Some of them may be able to successfully do that, but many of them are not going to be able to do that. They are going to be dealing with a new reality very soon I would suggest. It is not going to be as easy as some of them have thought in the last little while.

Now, Mr. Deputy Speaker, the fact of the matter is that the whole area of labour law was dealt with earlier when I was talking about how the labour laws delve into the area of the free trade. As the Free Trade Agreement takes effect over the next few years, what we are going to see before us is a pressure for harmonization. We are going to see a pressure for elimination of all sorts of forms of direct subsidies, not necessarily subsidies but amounts of money that can be interpreted as subsidies, that is going to be a big area to be decided in the next little while.

Part and parcel of that whole area will be trying to make a decision as to what labour laws we keep and which ones we do not keep in an effort to appease the free market people, who are running this country and are running the businesses.

If we do not make a stand at some point, we are going to find ourselves stripped of all labour laws in this province. We are going to find ourselves 10 years down the way here with a privatized health care system, a privatized road system, no labour laws, people working for minimum wage and below, next to no union jobs in this province, and ultimately we will have the assimilation of Canada into the United States as one big fortress North America, a world trading block with always playing to the lowest common denominator.

Ultimately, when you take that maybe 50 years or a hundred years further down the road, what you will have is large amounts of poorer people, very little middle class, and a very rich upper class, that is going to lead to more strife and problems in the long term.

So I would suggest that once again the Liberals have some time, more time, to make up their mind on this issue. I would encourage them strongly to come to their senses and support the idea of a hoist, which, once again, simply takes it out of the current, basically gives us a sober second thought on the issue. Some would say maybe just moves it six months hence, but certainly brings it into a different milieu and allows us to discuss it a little more fully.

Some of the Members of the Liberal Party have been operating under the assumption that somehow labour was split on this issue. Of course, that has been proven to be wrong, because I believe there was a press conference recently and letters were exchanged in which some of the unions that had been previously opposed to final offer selection in fact came forward and made it known that they are opposed to the repeal of this law. So that should be something that the Liberals should take to heart, because if they were hoping to hang their hats on the notion that labour was divided on the issue then that is just one issue that they will have to reconsider.

Now I wanted to spend the last few minutes of my time—I do not anticipate that I have much time—to

deal with the history of final offer selection and what in fact is at stake here. What we have demonstrated over the last couple of weeks, I suppose, is that the final offer selection Bill was actually put in force January 1, 1988, so in fact it has been in place now for all of '88, all of '89. It has been in force now just over two years and in fact it has a sunset clause of five years. It becomes history in five years anyway.

What the Government and its Liberal supporters are going to do by repealing this Bill is repealing a Bill that is going to be history in three years anyway. Not only that, but they are repealing a Bill that in fact has a track record of success to the extent that it has been tried.

For example, to date 72 applications have been received and this was as of January 30, 1990, and so far of the decisions that were filed, there have been three filed for the union and two for the employer. There is the—the Conservatives have sort of taken the view, or the employers have taken the view, that this is a Bill that is working against their interest.

* (1510)

The fact of the matter is that experience so far would indicate that relatively few people are using it to start with, but those that are, the results coming out of them, have been three for the union and two for the employer, pretty well close to a saw-off. In fact there is a tremendous number, 49 to be exact, where the parties reached agreement prior to the selector being appointed. What seems to be happening is that parties are resolving their differences after getting into this process before a final decision is being made.

I also pointed out the other day that FOS is nothing new, it has been used in the past I believe in the Scandinavian countries to a very positive effect. It has been used at the University of Manitoba by the Faculty Association for a couple of years anyway. I do not know how many years they have been using it, but I know they have been using it for a few years with some success. I believe the doctors association, the medical association is supporting us in our efforts, and the fact of the matter is that it is a very enlightened view to the issue of strikes in our current environment.

I mean if we are going to go back to the days where we are going to have large strikes, massive strikes and tremendous numbers of days lost to labour shortages, then nobody wins in those situations. When the union goes on strike, neither the employees nor the management win. The sooner people recognize that, the better we will all be. This mechanism was thrown in there not to eliminate strike action, but to give an alternative.

We would encourage, I think as a society we should encourage, people to follow routes and follow a method by which people are not hurt. People are not hurt as long as they are working and their contract decisions are being adjusted in this fashion.

If you were to take the situation where in fact the workers went out on strike rather than opted for the FOS solution, what you would have is the worker

perhaps losing what little savings they may have, if they have savings, and put them in a very, very difficult position, plus you get them not producing goods and services that the country needs.

Management on the other hand loses whenever there is a strike. It loses in the profits that it might be making, and sometimes I do not know how often this happens, but sometimes in fact it could meet—management can end up in fact losing the company in the end because these things can escalate.

Why would we want to encourage a strike base solution when in fact we can encourage a solution that does not hurt people in terms of lost work and lost money that they need to feed their families and produce the goods? Why would we encourage people to take basically counterproductive action when we can encourage a solution that is fostered by an Act such as this? I realize why the Government is doing what it is doing because of its ideological bent and the masters that it chooses to serve. I find it difficult to believe that the Liberals would be so stupid as to follow their action, but they have their—

Mr. Deputy Speaker: Order, please. The Honourable Member's time has expired. The Honourable Member for Brandon East.

Mr. Leonard Evans (Brandon East): Mr. Deputy Speaker, I am pleased to be able to have this opportunity to participate again in this very important item that is before the Legislature of Manitoba, namely, final offer selection. It is unfortunate, however, that we are having to spend so much time debating one Bill at one time. As much as we would like to hear about the—

An Honourable Member: It seems to be your priority.

Mr. Leonard Evans: Well, you see, Mr. Deputy Speaker, it is not our priority in terms of the order of the business of the House, because while we are prepared to debate this any day and every day we have also said that there are other important pieces of legislation as well that can be debated, that should be debated. For whatever reason, the Government House Leader (Mr. McCrae) is not bringing them forward and I believe therefore is doing a disservice to all of us in this House, because we could all be debating these. I dare say that a great many of them would have already been passed. Why is it? I do not know how many Bills are still outstanding to be discussed -(interjection)- there are 28 Bills left to be debated and passed for second reading and then go.

We are trying to be reasonable and co-operate. We are prepared to discuss this, but the Government simply refuses to bring up the other pieces of legislation, most of which are not that controversial. If they are controversial most of them are maybe minor in terms of the controversy. I think whether it be certain family law improvements or whether it be environmental legislation improvements or whatever it is most of them tend to be rather innocuous. There is not that much controversy over it among the three Parties.

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These matters could have been dealt with. We could have had committee hearings on some of these other pieces of legislation and so on. I would have thought this is the way the Government House Leader (Mr. McCrae) would go, and then he could still call this Bill, Bill 31, the final offer selection legislation. We would continue to debate it and hopefully to be able to persuade Members of the Legislature that it is something that is worth leaving on the statute books, that it should not be eliminated, as this legislation before us would have happen.

This legislation before us that the Minister of Labour (Mrs. Hammond) has tabled will effectively kill this innovative piece of labour legislation, which I would remind Members does have a sunset clause anyway. It has a sunset clause of five years, and we have been operating for two—

An Honourable Member: There are only three years left.

Mr. Leonard Evans: Yes, there are only three years left on this. We said at the time, let us give it a try. Five years seemed to be a reasonable amount of time and, indeed, in that period of time in the first couple of years it seems to have been working. Therefore, why not be reasonable and allow it to continue on for another three years? I think it is a little less than three years now, because the experience to date has been favourable—(interjection)—So, I would say that—

Some Honourable Members: Oh, oh!

Mr. Deputy Speaker: Order, please. Order.

Mr. Leonard Evans: I would hope that we could have a little more order in the House, so that I can proceed with my remarks here—(interjection)—We will talk to your colleague across the way here too. We will be discussing this for a while, and eventually I guess it will go to the committee stage maybe, but then the people of Manitoba have an opportunity to be heard.

People of Manitoba—I understand already the Clerk's Office has received 45 representations, 45 different groups, I am told, individuals and groups and associations who want to make presentation. One way or the other, they want to be heard on this. I suspect that there are going to be many hours spent in the committee listening to the people of Manitoba on this. Let us hear what they have to say.

Then if it gets to third reading we may have to engage in other efforts depending on the committee hearings of course, but assuming it does go to third reading, well, then we may have to put more effort into this matter than we have to date. We will see what happens.

Mr. Deputy Speaker, I am confident that there is a great deal of support out there. It is a growing amount of support that is out in the community for this. As the weeks and months have gone by in the last while, we have had an increase in the amount of support. It is not diminished, it has been increasing and the Government would be well to listen to the voices out there.

* (1520)

One very important organization, and I would like to remind all Members of the House that one very important organization, the Manitoba Women's Agenda, a very important, very fundamental umbrella group of women's organizations representing 36 different women's groups in the province—36 different women's groups are represented by the Women's Agenda who say they support the position of the New Democratic Party in this legislation; and that we believe, we the women of Manitoba, as represented by the Manitoba Women's Agenda say, this legislation, the final offer selection legislation should stay on the statute books and Bill 31 should not therefore proceed.

This organization, the Manitoba Women's Agenda, in representing 36 groups, speaks for approximately 200,000 women in the Province of Manitoba and that, Mr. Deputy Speaker, is a lot of people. It is a lot of women, 200,000 according to the information that I have. I would say the Government to their peril is, and I am convinced that they will be at the committee hearings and to make their views loud and clear, that they believe this is legislation that favours women, particularly women who are in small unions, weaker unions, who have to negotiate with very strong companies or very strong management groups.

Unfortunately, there are just too many women in this province who are in a position of being in positions of working in low-paying jobs, jobs with very few fringe benefits. A lot of the jobs are part-time jobs and they see this legislation as a way of improving their lot in life. I would trust that all Members of the House would agree that women in this province have a long way to go to improve their standard of living and to achieve, therefore, a greater and a more livable wage than the average woman has been able to attain in this province so far.

So there are the women. I look forward to their representations to be made at the committee. I am sure there will be many of them there who will state loudly and clearly their support for the stand taken by the New Democratic Party and this caucus.

Then there is another organization which may come as a surprise to people, but we have mentioned it before in this House, and that is the Manitoba Medical Association, the MMA.

An Honourable Member: Who is the president?

Mr. Leonard Evans: Dr. Lloyd Bartlett, a very fine man.

An Honourable Member: Where is he from? Is he from Brandon?

Mr. Leonard Evans: No, he is not. A very fine man, and he unfortunately has been the object of a lot of criticism by the Minister of Health (Mr. Orchard) which I think is very unfair and very unprofessional on the part of the Minister of Health.

Regardless, the Manitoba Medical Association, I believe before Dr. Bartlett became president, has been put on record as supporting FOS. The Manitoba Medical

Association wants to avoid controversy. As I understand it, they want to avoid strikes. They would like matters to be settled rationally, carefully and clearly and, therefore, the Manitoba Medical Association have come out clearly in favour of FOS, final offer selection. So that is another very important group. I would trust they, too, will be at the committee meetings whenever they may be called, whether they be next week or next month or whatever.

Of course, Mr. Deputy Speaker, we know that another organization, the Manitoba Federation of Labour, has come out very strongly in favour of our position. They have stated it on a number of occasions publicly and through the media, that the FOS legislation is working and should be allowed to stay on the books until the full five years is completed, at which time it should be assessed and determination made whether or not it should stay on the books.

But the Manitoba Federation of Labour has stated that working people in this province will suffer if this provincial Government continues to change labour policies of this province, including FOS. They presented a brief, Mr. Deputy Speaker, to the Government last year where they were very concerned about the Government's attitude in this matter of labour legislation, and they were very disappointed in the Government's plan to repeal final offer selection.

This was a major concern of the Manitoba Federation of Labour. Mr. Wilf Hudson, the President, very eloquently stated the case for the Manitoba Federation of Labour. As he said, we will fight this move on behalf of the workers and the businesses who cannot afford strikes. I make that point because, unfortunately, some of the Members think that this is strictly legislation that will favour unions. That is not the case at all. What it will favour are small organizations, whether they be small unions or whether they be small business. A small business up against a huge union may find that this legislation may help to bring about a more level playing field. Therefore, I say small business should be very much in favour of FOS.

Mr. Hudson, the president of the MFL, made this point when he commented on the Government's seeming move to change labour policies in this province, which he believed would be to the detriment of the provincial economy. He believes that this move to eliminate final offer selection is indeed a signal that the Government may want to have more confrontation in labour relations. These are not my words. These are the words of the former president of the Manitoba Federation of Labour. He recently retired. These were his words, that this move to eliminate final offer selection is a signal that the Government may prefer confrontational labour relations.

Mr. Deputy Speaker, that surely is something we want to avoid. The idea of good labour legislation is to minimize confrontation, to minimize strikes, to minimize lockouts, to maximize work days, to maximize the production of goods and services in the province. Surely we should be very careful in the consideration of this and not be so ideologically bound as some Members of the House seem to be against this progressive piece of legislation.

There are all kinds of individual unions, Mr. Deputy Speaker, who have spoken out on this. There is not only the Manitoba Federation of Labour, but there are other specific unions that have said from their experience this legislation is a good piece of legislation and is something that they have found very useful.

There was one particular reference—I had it here a minute ago—to a pending beer strike a couple of years ago, shortly after the legislation was brought in. Thanks to the legislation this beer strike or closing of the brewery industry was avoided. This was back in, I guess it was last summer, where the final offer selection allowed Manitobans to enjoy the great taste of beer through the long, hot summer.

This is an article in the Winnipeg Sun of Thursday, the 17th, 1988. So this is a year and one-half or so ago where a representative of the Manitoba brewery workers said that the province would have been hit by a beer strike if it was not for the final offer selection. The pressure imposed by the final offer selection provided incentive to both parties to sit down and to negotiate seriously. This is a statement made by Mr. Russ Smyrichinsky of Local 330 of the United Food and Commercial Workers Union. Mr. Smyrichinsky said that he was disappointed with the Tory Government here, its decision to try to repeal the controversial labour dispute settlement mechanism. From his point of view, from the point of view of that union and I am sure from the point of view of that company, it proved to be very useful.

* (1530)

In fact in that particular case labour and management did not go as far as having to submit their final offers for selection. The point is this: the fact that the final offer selection legislation was in existence, that that was the technique that was available, it put the pressure on the three breweries in this case and the Associated Beer Distributors to sit down with the union to negotiate a settlement before the process was used. I think that is to the credit of this particular legislation. It is working. I think the people of Manitoba, particularly those who enjoy drinking beer, especially in hot summers, would have appreciated the fact that this legislation was in existence and did indeed allow the industry to carry on producing. It caused management and labour to sit down and to make us come to a settlement.

Of course, I know on the other hand I have said there are a lot of people supporting it. I know there are groups that are opposed to it. Particularly the Winnipeg Chamber of Commerce, I know are delighted. In fact, the executive of the Winnipeg Chamber of Commerce are on record as saying they are absolutely delighted that the Government is moving to repeal this final offer selection legislation.

I say, therefore, we must have a Government—it seems to me, Mr. Deputy Speaker—that is listening very carefully to the Winnipeg Chamber of Commerce and maybe other business groups, particularly big business, who want to see this Government carry out their wishes. It seems to me that they are determined to carry out the wishes of what I consider to be one

particular group in our society, that group that sees itself as representing business. But as I said, small business will benefit by this legislation.

I say, I maintain, the people who are really interested in looking after the interests of big business or big organizations, and that includes big unions, would want to push forward Bill 31 and, therefore, oppose and see the end of final offer selection. There is no doubt about it, that this legislation helps the small groups, the small businesses, the small employers on one hand and on the other hand the small employee organizations, the small unions on the other.

But regardless, we have the Chamber of Commerce executive, it was Mr. Michael Hill the president of a year or so ago, who applauded the decision of this Government. The Chamber of Commerce is most anxious to see this Government carry on as it has been.

Mr. Deputy Speaker, regardless, this Government and the Minister of Labour (Mrs. Hammond) are going to have to answer in my judgment to all these organizations and to all these groups, who are going to be coming to the committee voicing their opposition to what the Government is up to.

There is a lot of information available which shows that this particular legislation is working. We have detailed information case by case. I believe as of about a month ago or as of the end of January of this year 1990, 72 applications were received. Of those 72 applications, only five had to go to the selector. Only five out of the 72, which means that most of the parties reached agreement prior to the final selector appointment or prior to the matter being the solution. As the Member for Thompson (Mr. Ashton) says very clearly, it means that this legislation is indeed working. These are the facts.

Incidentally, Mr. Deputy Speaker, of the five that went to the selectors for decisions, the decisions filed were not all for the unions, as some would like to think would happen. That was not the case. Three were for the union proposal and two were for the employer's proposal. It is almost 50-50.

If you had more examples, I am sure it would reveal probably a similar pattern. This is something that we are prepared to wait and see and this is why we wanted the five-year trial period. As I said, the bulk of them, 49 out of the 72, were cases where the parties reached agreement prior to the selector appointment.

There are some other statistics here. There are six pending. There has been nothing issued to date. One is awaiting the appointment of a selector and so on. The interesting thing about all this is that there is a wide variety of employers and unions involved, a wide variety of Manitoba's society and population. I will use some examples. This is information that is available from the Manitoba Labour Board. It is public information.

For instance, January 20, 1988, the Rural Municipality of Springfield filed an application. The union involved was the International Union of Operating Engineers, Local 901. In that case, the union applied, the board issued an order, there was a vote, and the results of

the vote—it was conducted on the 16th of February, 1988—was to use FOS, final offer selection. The board appointed Mr. J. Chapman as the selector. In this case, Mr. Chapman filed a decision as of June 24, 1988, and his decision was for the union proposal. So this is the one example which was filed in favour of the union. It was one of the three.

Another application was received by the Labour Board on January 22, 1988. Blackwoods Beverages Ltd. was the employer. The applicant in this case was the Manitoba Food and Commercial Workers, Local 832. The Labour Board issued Order No. 705 on February 29. A vote was conducted. In fact, the vote was conducted on March 10, 1988, and the employees voted to use FOS.

Both the management and union agreed to a selector, and again it was Mr. J. Chapman. Prior to Mr. Chapman coming down with a decision the parties reached an agreement. In this case, again I think it is an example of it working. The selector did not have to come down to make the decision. The two parties involved made the agreement themselves. I think that is commendable.

On January 25, the Hudson's Bay Company Northern Stores Incorporated, located in Thompson, were in negotiations with the Manitoba Food and Commercial Workers, Local 832. This is the third application example I am using, received by the Manitoba Labour Board. They issued Order No. 704 on February 29. A vote was ordered of the employees. The results of the vote indicated that FOS should be applied and again both parties agreed to select Mr. J. Chapman. This was agreed. Mr. Chapman is not imposed by the Labour Board; the employees and the employer together have to agree who they want, and they agreed to have Mr. Chapman. Again, interestingly enough, the Labour Board received notification on April 20, 1988, that the parties reached agreement prior to the selector making a decision. Again, Mr. Deputy Speaker, it is an example of it working.

On January 25, the Hudson's Bay Company Northern Stores Incorporated, located in Lynn Lake, were in negotiations with the Manitoba Food and Commercial Workers, Local 832. The Manitoba Labour Board issued Order No. 703. A vote was ordered. The results of the vote again were to use FOS. Again, Mr. J. Chapman was selected, but lo and behold, the Manitoba Labour Board received notification on April 20, 1988, that the parties had reached agreement. So again the selector did not have to make the decision. The selector had been chosen by the parties but nevertheless he did not have to go to make a decision. So again, it is working.

* (1540)

February 19, 1988, Modern Dairies in Flin Flon and Modern Dairies in the Pas, who had been in negotiations with the Manitoba Food and Commercial Workers, Local 832, applied. Order No. 707 was issued on March 11. They ordered a vote. The vote was conducted; the employees wanted to use FOS. In this case a selector appointed by the board on agreement was Mr. M. Freedman. Again, the board received notification on

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the 2nd of August that the parties had reached agreement. Again, this is prior to the selector having to make a decision. Nothing like the facts.

On February 19, here is another example: Vista Park Lodge, again in negotiations with the Union Local 832, Food and Commercial Workers. The board issued Order No. 708. On March 11 a vote was ordered. A vote was held; the employees wanted to use FOS. Mr. Chapman was selected by the parties. At any rate, there was a decision. In this case, the decision had to be made by the selector. In this case the selector, Mr. J. Chapman, decided in favour of the union's proposal.

Another example: the Labour Board received an application on February 23. The employer was the Indian and Metis Friendship Centre. So we have all kinds of organizations involved in this. Again, the employees, without going into reading all the details, there was an agreement to have a vote. They selected Mr. L. Plantje and again, before the selector had to make a decision, the board received notification on the 31st of January, 1989, that is almost a year later that the parties had reached agreement.

So you can see there are other examples here showing you the variety of employers involved. There is a grocery store, there are construction companies, examples of B-A Construction Limited, Borland Construction Limited. In these instances, it was the TEL Council of Manitoba, the Teamsters Operating Engineers and Labourers union in both cases, in both the B-A Construction and the Borland Construction cases. These, I might add, were received on March 30, 1988. In both cases, both parties agreed to a selector. In one case it was Mr. D. Bowman; in the other case it was Mr. J. Chapman. But in both instances the parties had reached agreement before the selector had to make a decision. The board was so advised by the parties.

You get other examples here, United Steelworkers of America and the Hudson's Bay Mining and Smelting Company Limited. In this case, the application was made by the company, not by the union. The company made the application August 8, 1988, and a vote was ordered. The result of the vote was against the use of FOS, but at any rate there was a dismissal order issued, No. 818.

Another case, the Flin Flon Hotel—I am just using these to show you the wide variety of cases and what had happened. As I say, most of the cases never did get to the point of the selector having to make a decision. One case was the Unicity Taxi Limited where there was a decision made. It was made in favour of the union. As I read through this list, there are so many of the cases where the applications were simply withdrawn after further discussion between the two parties.

At any rate, Mr. Deputy Speaker, I would have thought that the Minister of Labour (Mrs. Hammond) would have had her research staff look at what has been happening with FOS since its inception and assess whether or not it was disrupting labour-management relations in the Province of Manitoba, because some people in this House have alleged that. I think the evidence is that there has been no disruption of labour-management

relations. The fact is that it has enhanced, in our judgement it has enhanced major labour-management relations. It has avoided or averted strikes or lockouts. Surely that is the purpose of good labour legislation.

For whatever reason, the Minister of Labour seems to be more ready to listen to the Winnipeg Chamber of Commerce and comes in with Bill No. 31, insisting that this Bill has to pass. Come hell or high water, Bill No. 31 has to pass. We will put all the legislation of the House aside, we are all in agreement, we should pass. We could be debating them, we could have probably passed all the outstanding Bills by now, looking toward termination of this particular sitting or this particular Session. That is not to be. We are supposed to continue on simply discussing this instead of rethinking the matter, going to the research staff and saying, well, just what is happening with FOS in terms of labour management relations in Manitoba?

The answer would have come back that it is working, the answer surely would have come back, why not allow it to continue to stay on the books and continue to be part of that innovation, that innovative measure, that innovative thrust that we introduced a couple of years ago, that it continue. It is one piece of legislation that is innovative for Manitoba. It is not innovative in other jurisdictions, but it is innovative in Manitoba. Let us leave it; let us give it a fair chance. We felt five years was a fair amount of time.

For whatever reason, the Minister of Labour (Mrs. Hammond) does not seem to be prepared to study this, to examine it, to see from her own staff, from her own advisors, because we have not had any, to my knowledge we have not had any points made by the Government's side, by the Minister's side, to the effect that it is disastrous, that it is causing strikes, that we are losing days and weeks of working time because of this. It is certainly not the case.

The one person that has done some study of this legislation is Professor Hugh Grant, an Economics Professor at the University of Winnipeg, who looked at the experience of the FOS when it had 20 months of operation. At that point, he had 42 FOS applications to examine. He goes into a lot of detail as to the categories, the industries involved, how many there were, what kind of unions were involved and so on. He pointed out in his analysis, and as I have described in my review of the applications to date, the applications received at the end of January were from a variety of labour unions. They were not all from one union. Only five decisions having been made, they were not all one way or the other. In some cases the employers received a favourable decision; in other cases the employees had a favourable decision.

* (1550)

He used as some examples, and a couple of these I may have mentioned when I went down the list, the one example was the town of Springfield. What was at stake there I gather was the matter of wages. It was a matter of the percentage increase over a two-year contract that was being asked for by the union, and as was pointed out in this case, Mr. Jack Chapman,

the selector, awarded in favour of the union. The second example that Professor Hugh Grant looked at was the Domgroup. This is one of the last two Dominion grocery store companies operating here. There was an application by the Food and Commercial Workers with regard to severance pay, and the decision was in this case in favour of the employer, not in favour of the union, not in favour of the employee, but in favour of the employer.

The other example that Professor Grant refers to is Vista Park Lodge. In this case, they were not dealing with a direct wage issue. It was a non-wage issue. This case was dealing with pension plans and this one was settled in favour of the union.

A third example that Professor Grant highlights is the Unicity Taxi example. This was with reference to a wage increase. Yet another example was the town of St. Clements. In the town of St. Clements, the selector came down on the side of the employer. It rejected the union's position and favoured the town of St. Clements, the employer, arguing in that particular example that the union requested shorter qualifying periods and more generous benefits well in excess of prevailing standards in surrounding jurisdictions.

So, from all of this examination of these cases by Professor Grant, the 42 applications, he said that there were some inferences that could be made to that date based on the limited research that he did. He said first of all, the first inference was that FOS has proved to be flexible in permitting ongoing negotiations, and that is important. It is noteworthy that the employer has appealed for FOS in four of six instances where an application was made with a strike in process. So I think that is something significant that he raised, that he pointed out.

A second positive feature which was a result of his study was that FOS has indeed acted as a safety valve for small bargaining units wishing to avoid a long strike. He uses a number of examples and he goes into a lot of detail. I will not take the time here to do that, but his conclusion then was that while the use of FOS has been largely restricted to a relatively small number of trade unions, it could be argued that FOS in Manitoba has not interfered with the selective bargaining process. It has not led to any unreasonable wage gains and at least in one instance has proved beneficial to a small bargaining unit facing an employer attempting to break the union.

So, Mr. Deputy Speaker, I say that all the evidence points to a rather positive experience with this legislation. As I inferred a moment ago, we are not trailblazing in Manitoba; this is nothing new under the sun. In fact, it was tried in part in Britain before World War I; in the coal industry there was some experience with it. There are indeed other jurisdictions, as I understand, who experienced final offer selection at one time or another. In the United States the State of New Jersey, the State of Massachusetts, Wisconsin, Oregon, Michigan are all states that have had experience with this, were prepared to try this, indeed the Province of Ontario. So it is not as though we are doing something that has never been thought of. It is not a radical piece of legislation, it is a reasonable

piece of legislation, as I have well documented in my earlier remarks and as has been documented by Professor Grant.

An Honourable Member: Len is running out of gas.

Mr. Leonard Evans: No, Mr. Deputy Speaker, I have enough material here. I think I could emulate the Member for Churchill (Mr. Cowan) if I was given an opportunity. I know I do not have unlimited time, but I can tell you—

An Honourable Member: Only thing is you do it better than Jay did.

Mr. Leonard Evans: Well, thank you, thank you, thank you, I will take all—I will tell you, Mr. Deputy Speaker, we have lots of material, but time will not permit us to go into all of it. I wanted to make the observation, I am not sure whether my other colleagues in the House made reference to this or not, but I discovered that—well, Mr. Deputy Speaker, I guess we cannot refer to the absence of any Minister or Member, but I was going to say—does that mean I have two minutes or five? One minute?—well, as I was saying, I appeal to the House Leader (Mr. McCrae) to get on with the business of this House. Look at all the legislation we could have already passed. Surely we could have passed a couple dozen legislation. Oh, yes we could, and I say we could have debated this day by day, but we could have still come up and we could have had committee hearings and so on and we could have practically been finished the business of the House.

So I appeal to the Government House Leader in my closing seconds of time that I have available to be reasonable. Let us get on and let us talk about some other important legislation. I am sure we could be very expeditious in this. He said he is full of sweetness and reason, so I would like him to call the next Bill. I gather my time is up. I wanted to make reference to the National Transportation Act where the federal Government is actually implementing something that is very comparable to this. Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: The Honourable Member for Logan has the floor.

Ms. Maureen Hemphill (Logan): Mr. Deputy Speaker, once again it is—

An Honourable Member: Do they have FOS in China?

Ms. Hemphill: If they are smart they do.

Mr. Deputy Speaker, once again it is a pleasure to rise in the Chamber and continue to add to the information that is being put forward in this House about this very progressive and very important piece of legislation.

Unfortunately—and I guess it is a big disappointment to us—the information, the positions and the feelings about this legislation are only being put forward by our Party. We wish that was not the case. We would really

liked to have heard how the other two caucuses and how the other two Parties feel and what it is they object to and what their concerns are so that we could then deal with those.

What we have had to do is attempt to put everything we know that we have learned from what has happened with FOS in other jurisdictions, and the statistics and information about what has happened with FOS in Manitoba and additional research that has been done, where we had our research staff make telephone calls directly to the people who had been experienced and who had used FOS as an option to get some agreement and to avoid moving on to a strike, to ask them how they found the experience. I mean, did they have any problems with it? We wanted to know.

When we brought this legislation in we did not think it was the be all and the end all. We did not think it was the only tool. We did not think it was the only option. We did not think it was a perfect option. We did not think it would avoid all strikes, and we did not think it should be used all the time. We did think it was an option that could be chosen and that might give them another opportunity to come to a negotiated, constructive, co-operative agreement without having to resort to the extreme option of strikes and lockouts. I think that has demonstrated that is true.

There has been a lot of bargaining and a lot of contracts in a year in the Province of Manitoba. In 72 cases, I think, they have chosen to apply for final offer selection. That says to us, that is an option that was important to be there for those groups and for those people, those people who selected that as an option and then found, through their personal experience, that it was a very good option, because in most of the cases, in 49 out of the 72 cases, they came to an agreement before they even got to the point of having the selector, who had been appointed, deal with the two positions that were on the table.

Another thing that they have demonstrated is that even where they do not get a complete agreement in FOS, and they do go on to having a selector look at the two positions, they almost always have narrowed the number of issues that are on the table. In many cases they had agreement in every area except perhaps one. Only that one issue was then dealt with by the selector, because this process is one that allows them to come to an agreement at absolutely any point in time including during an election. There is nothing and at no stage are they stopped from sitting down and working out their own agreement.

It is disappointing to us. I think there are a couple of things that are disappointing. It is good to have the Government House Leader (Mr. McCrae) here so we can make the point that is sweet and light as he is and as co-operative as he suggests that he is.

* (1600)

You know we have been indicating in this Chamber that we not only want to debate this very important piece of legislation and not only do we want to put the information and statistics that are available to us to really take a good look at how it is working, because

we are willing to do that. If there are problems that are identified, and if there can be improvements, or if there can be changes that should be made, either now or when we reach the period of the sunset clause, we are waiting to hear what they are.

As I said, the reason that we did not put it in as a piece of legislation that would stay for all time, the reason we put a sunset clause in, is that we wanted to know how it was going to work in Manitoba. We wanted to know what the Manitoba experience was, and we wanted the opportunity to make changes or to not have the legislation continue if it did not turn out in fact to be as useful an option as we hoped it would.

What we have been putting on the record, in the last week or so, and even prior to that, is that we not only want to debate this piece of legislation, but we would be very willing, and have asked the Government House Leader (Mr. McCrae), to bring forward other pieces of legislation, because their Government has been saying that they want them passed. They want legislation to go through. They want them debated. They want them dealt with. They think that the Session has gone on too long as do we all. They would like to carry on with the business of the House and so would we.

I think our Government House Leader has been putting on record daily through the discussions he has had with the Government House Leader, the legislation that we have agreed to and that we are willing to put through as judiciously and quickly as possible. Had the Government been working on those, well, we would have gone a long way to moving the 28 or 29 Bills that are still sitting on the Order Paper to moving them, to moving them through, and that both of them could have been done at the same time.

So there are two disappointments. One is that they have not been willing to do the business of the House and to carry on with other important pieces of legislation, legislation that they say they want carried out.- (interjection)- My colleague keeps encouraging me to sort of look at the list and to read them all out, but it does go on and on and on. There are several pages, and we could have been dealing with these.

The second disappointment is that nobody else has said what they think about this Bill. They have taken strong positions, the Government has, that they are going to repeal it. They are going to stick with what they said in the election and what they have promised to the Chamber of Commerce. They are going to repeal it.

The Liberal Caucus is sticking with the position that they have announced; that they are totally opposed to it, and that nobody has stood in this House and No. 1 refuted the information or statistics that we have been presenting actually over and over, information that has not come from us, but that has come from objective studies done by universities and by professors who were carrying out studies on other jurisdictional experiences with FOS and the Manitoba experience.

It has come from individuals, both employers and employees, who have actually bargained using FOS as

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a tool asking them specific questions. The questions they were asked all related to the criticisms and the concerns that were raised by both the Liberal and the Conservative Caucuses. In other words what we did is said, these are the things that they say are the problems with FOS. These are the concerns they have. We put them in the form of about 12 questions and called them up and said: did you find this to be the case? Was this a problem for you?

The reality was their answers said that they did not have a problem with any of the concerns. In fact, they turned out to be fears that were not based on any reality. When they went through the bargaining process, none of them were apparent, none of them were felt, or none of them were stated by those that had gone through the experience.

So it is disappointing that they are taking such strong positions and that they are totally avoiding the opportunity to stand up and debate. Why are they not refuting the statistics and information we are presenting if they think it is wrong? If they do not think it is wrong, and they have nothing to refute it, how can they continue to not take a good second look at this, and not try to see if perhaps it should not continue its limited life, which was put in the legislation with the sunset clause, where it will expire after a five-year period if it is not seen to be useful?

One of the things that is absolutely clear to us after studying this, and being willing to look at it from a very critical point of view, is that it is working and it is working fairly well. It is working well enough to suggest that it should be allowed to continue for another period of time to see that if the next two years gives us the same positive experiences as the people who have used FOS have found in the first two years.

I mean if we have two bad years where it does not seem to be working, they are not applying, they are not getting agreement, it is causing hostilities and problems, it is causing conflict between the unions and their members, all these things that they have been charging it is going to do, which has not happened to date. If it does happen in the next two years, well, then clearly we have to look at the culmination of all of the experiences and make some decisions.

What if it continues on the next two years the way it has the last two years, 72 people applying, 49 of them coming up with an agreement before the selector either is named or sits down to deal with the two positions on the table? What if 72 people, groups, apply for final offer selection and only five of them have to be determined by the selector? What if, in the cases of the five that were determined by the selector - (interjection)- well, if that happened again in the next two years, then I would say we have a darn good piece of labour legislation that should be left as an option for people to choose when they wish. What if - (interjection)- no, I am basing those comments on the actual experience of the last two years. This is the experience of the last two years.

The 72 cases were the 72 cases that applied. The 49 people, groups, that came to a conclusion by themselves without the selector even being appointed

is a reality. It is not, what if. It is what happened. Why is this Government, and the Members opposite, not willing to look at what actually happened in Manitoba in the last two years with this piece of legislation?

One of the other things that happened that they were concerned about is, is this unfair on one side? Is this just for the unions? Does this give them an unfair opportunity? When you look at the cases of the selectors, and you see that sometimes they went for the employer's position and sometimes they went for the employees' position, you can see that it is a fair, reasonable tool where sometimes the employer wins and sometimes the union wins. That it is not biased on one side or the other.

We have been disappointed in that they have not been willing to stand up, debate, put their position on the table and tell us what is wrong with our position, what they disagree with. If they have statistics or information that is different than what we have been putting on the table day after day, then we would like to hear it. There has been a deafening silence on both sides where they just seem to be prepared, based on ideological grounds, on old perceptions and misunderstandings, attitudes and philosophy, without really giving it a fair chance and without really looking to see whether they are removing a tool or preparing to remove a tool that is giving just one more option to people who are sitting at the negotiating table that may keep them out of a strike or a lockout situation, and that is so far adding to the very good labour relations climate that we have in the province.

This climate has come not by accident, it has come over a long period of time with a lot of work and a lot of effort by those people who are concerned with having good tools and a good climate for both workers and management in our province, and through some of the most progressive labour legislation in the country, that had people as frightened about, when it was being introduced, first contract legislation and many other pieces of legislation that they said the same things about 5, 10, 15 years ago as they are now saying about final offer selection. They have proven themselves to be effective and useful and to be the tools that are some of the reasons that we have been able to achieve one of the best labour relations climates in our province.

* (1610)

We know that final offer selection is a type of interest arbitration and it was heralded as a new innovative type of arbitration which was first proposed by Carl Stevens (phonetic) in 1966. His paper concluded that a strong compulsory arbitration system may be compatible with collective bargaining. I think the cases that we have had to date show that it is compatible with collective bargaining. He says by a strong system he means one which - (interjection)- are you listening to this, because I know this is a very important point for you.- (interjection)-

I know this is a very important point. I know that you are just waiting to hear what it is that Carl Stevens said in 1966, are you not? Carl Stevens in 1966 said that a strong compulsory arbitration system may be

compatible with collective bargaining. That was one of your fears. You thought that it was not, but he goes on to demonstrate that it in fact is. What you should be looking at more than anything else is the Manitoba experience, is what has happened in Manitoba with those 72 cases.

An Honourable Member: Was it a maybe, or was it a miss?

Ms. Hemphill: No, it was a positive. It was a positive -(interjection)- Mr. Deputy Speaker, I am going to continue telling them what it was that Carl Stevens said because I know that they are just holding their breath to find out. He said a strong system is (1) which resorts to a strike or a lockout is precluded and (2) it bases its awards on one or the other principle. The availabilities to the parties of an arbitration strategy under this type of system would serve some of the functions usually associated with a strike strategy. What he is saying there is that having the availability of this option allows them to negotiate and it serves some of the same purposes that they are served when they go to a strike or a lockout without having to resort to a strike or a lockout.

We know that the effects of strike and lockout are really horrendous. The costs are terrible. Their personal cost, their financial cost, the costs are for both the management and the employer, the families and the employees. They all lose. We know that strikes and lockouts are sometimes necessary and that they are a tool that people should have the right to use if they feel they have no other choice, but we want to avoid that if at all possible and final offer selection has given them another choice.

It is interesting to see that there are a number of other experiences in the United States where they have used final offer selection in very creative, very flexible and innovative ways. They have many more options and many more models than we have available to us. I think it shows that this is an option that can be designed or where there can be a number of models and they all seem to be working. For instance, in Eugene, Oregon, they have strict timetables with the availability of mediators and encouragement to the parties to bargain throughout the process and that this ensures a fast track resolution to the FOS process. Now we have that too. We have time lines. We have limits. They have clearly told us one of the things that made them get down to very serious bargaining and put very reasonable positions on the table is the time lines and the time limits. They could not put extreme positions on the table and waste two or three months when they had to meet the deadlines and the time lines of FOS. It does not interfere with collective bargaining, it enhances, encourages and promotes good collective bargaining.

Massachusetts reserves FOS for firefighters and police and only after mediation and fact-finding have taken place. They restrict theirs to the public sector of bargaining. Fact-finding is a process where an important party examines the facts and issues in a dispute and makes a report. They can also make a report with recommendations.

The U.S. experience has been more extensive and has got more variation and more options in Canada. In Iowa it is preceded by a fact-finder's report and the selector chooses one of the final offers of the fact-finders recommendation. In Wisconsin, both parties can opt for conventional arbitration, but if they do not agree a selector is appointed and chooses one of the final packages. The parties are free to amend their final offers during the process and arbitrators may try and mediate. New Jersey is very flexible and parties can opt for FOS by package, by issue, and they have the option of splitting the non-economic and economic issues. In New Jersey, selectors may also be asked to mediate, thus creating a combination mediation and arbitration system.

(Mr. Speaker in the Chair)

So what we are showing there is in the United States where they have had final offer selection for a much longer period than we have, they have also developed not just one model of final offer selection but really dozens of models of final offer selection, most of which are working either for a specific target population or for a geographical area. They are working very well. They not only have the flexibility of this option, but they have flexible models within the final offer selection from which to choose.

In Canada, it has been used sparingly prior to the amendment here, The Manitoba Labour Relations Act, that was proclaimed on January 1. The earliest application in Canada was by Ontario Hydro and its professional engineers. It has been subsequently used by the Wentworth County School Boards, Sault Ste. Marie School Board, the Ontario Secondary School Teachers' Association. It is available to school boards and teachers through the boards and teachers collective negotiations act.

In Manitoba, the University of Manitoba and its faculty association voluntarily used FOS during the 1970s. Our experience up until the time we had proclaimed this Act was very limited. We have had a good experience since then. In the first 20 months we had something like 42 cases that had been heard. There were not really assumptions that were coming out of that study but there were trends showing after the first 20 months.

After we have now had one full year of experience and we have had 72 cases, it is much easier to look at the results of them and say, these do not just seem to be trends, these seem to be the consequences of having an option available that more and more people are choosing and that is the option of choosing final offer selection.

It is interesting, and the parties in any bargaining relationship are going to reach agreement only when they perceive that the costs of remaining in disagreement exceed the costs of agreeing, and the threat and the use of strikes are the primary means for imposing the cost of disagreement.

Mr. Speaker, the Manitoba model is different from some of the models that I suggested were available in the United States, and our legislation adopts the principle on a total package basis with the selector

being either agreed to by both parties, or if there is no agreement, being appointed by the Manitoba Labour Board. But our experience there, since people were concerned about the Manitoba Labour Board appointing the selector, is that the parties are able to agree to the selector and in most cases I think have done so.

The parties submit a list of items that they have agreed on, and a list of items in dispute, and their final position or offer on the items in dispute. One of the really interesting things that came out of both the studies and the questions that were asked of people that had been bargaining at the table using final offer selection is that they all said, on both sides, that they thought it forced them to put more reasonable positions and offers on the table because they wanted to be fair, they wanted the selector to believe that they were being reasonable and fair with the positions that they were putting on the table because in this case he does not take it and blend the two things, and say, well, this is their position here, and this is another position over here, so I am going to saw off between the two and come up with some middle ground. They know that the selector is going to select one or other of the final offers that is put on the table by either the union or the management and they want their position to be the fairest and the most reasonable, and they want it to be the one that is selected, and because they do they are moved away from putting extreme positions on the table. You know how they sometimes do, they say they want 14 percent when they really want 3 percent and then it takes six months to get down within the range of the area that they really want to bargain in and it wastes a lot of time and it is a lot of posturing and a lot of games.

* (1620)

Well, final offer selection seems to rule that out for a couple of reasons. One is they have time lines and they have to work within the time lines; and two, they know that if they get to the point where they do not have agreement themselves the selector is going to choose one of the positions and he is going to choose the one that he thinks is the most reasonable. It is another reason why everybody that was bargaining told us that not only do they want the position to appear to be more reasonable, they want to support it with factual information, so that in a lot of cases, instead of just making outlandish statements and having them—(interjection)—Never, nobody that is bargaining would ever do that—that they felt required to back up their positions and what they were saying with documentation and statistics so that there is not only a more reasonable position put on the table through final offer selection, but it is a more substantive one that is backed up with more documentations and statistics justifying the position that they are taking.

So all of these things that are part of the Manitoba model have been enhancing, improving, encouraging and supporting the bargaining process, and the negotiations, not interfering, not taking it away from the hands of the two parties, but really giving them every opportunity to have the most constructive negotiations that is possible.

Now the other interesting thing here is that in 49 of the 72 cases where they had applied, and one of the things they are doing is they are applying very early, in the early window, the first window between 30 and 60 days is when most of the applications are coming in, because if they do not do it then they cannot apply, I think, until they have been a couple of months into a strike. What they seem to be doing when they want it is that they are applying early so that they have another option in case negotiations break down, in case they cannot come to a conclusion. The mere process of involving themselves in the final offer selection process is one that encourages good positive negotiations.

In most of the cases, although they had applied for final offer selection within the 30 to 60 days, they turned around and settled it themselves, either before the selector was named or before the selector had to rule. They came to complete agreement by themselves. Even though they had the option and part of the package that they had chosen gave them a selector to determine the final outcome, they decided to do it themselves. It is the process of final offer selection that encourages reasonable, fair bargaining that has allowed that to happen.

The selector holds a hearing then, and he allows both parties to present evidence and their arguments. The selector's decision on what package has been selected is handed down between the seventh and the fourteenth day following the end of the hearing. The decision along with the items previously agreed to forms the collective agreement and is binding on both parties.

One of the other pieces of information that has come out of the studies that have been done is that, although 49 out of the 72 cases got complete agreement on their own, even in those cases where they went on to have them determined by a selector, the number of issues were narrowed, and in many cases they were down to only one issue. In fact, they have come to an agreement on everything except one issue, and it is only then that one issue that goes on to be determined by the selector. Even in the cases where they did not come to a complete agreement and a full agreement, they narrowed the number of issues that they could not agree with.

Any of those things that have been demonstrated to have happened through those that have gone through the experience of using final offer selection as a tool can only be seen to be positive and to be improvements and to be options that should be allowed to be chosen through the very sometimes difficult and very costly contract negotiations process.

The Manitoba model is different in a number of ways from other forms that are used in various jurisdictions. The workers in the bargaining unit can veto any application, either by the employer or the union, to use FOS. This is an interesting point, too, because some of the suggestions that were made, or one of them was that this was going to cause bad feelings and difficulties between the unions and their members. That has not turned out to be the case in 29 out of the 30 cases where the unions chose to go for final offer selection. They were supported through the vote of the union members, 29 out of 30. In one case they did not.

I think that is very healthy, because it shows that the union members who should be the ones that make the final decision do not have to go or accept final offer selection just because the unions decide they want to. It is up to the members. In some cases they have voted against a request for the employer to apply final offer selection, and in some cases they have voted against the request of the union to go for final offer selection.

It can only be applied for between the 60th and the 30th days before the expiry of the collective agreement or between the 60th and 70th day from the commencement of a strike or lockout. If they do not agree to use the first window, it is not available to them again, as I mentioned before, until they are two months into a strike or lockout and then only if they apply within the 10-day provision. What this seems to be doing is encouraging anybody who is even remotely considering applying for final offer selection to apply for it very early in the first window, to put their application in and then see how the negotiations are going. If they choose to continue with the process, they can do so. If they can get agreement themselves, then they are encouraged to do that.

Up until two days following the close of the hearing, the parties could by mutual consent remove items from the selector. They are of course free to reach total agreement anytime during the process. At no time do they lock themselves into a position where the selector is dealing with all of the issues that are on the table including those that they have come to agreement with just because they have not been able to agree on all the issues. They can agree on 90 percent of the issues and have disagreement on 10 percent. The 90 percent that they reach their own agreement on stands the way they have agreed and only the 10 percent that was unsettled between them goes on to be determined by the selector.

It allows the parties to feel pressure to bargain following the hearing. To allow the parties to feel the pressure to bargain following the hearing, the selector is restricted to waiting at least seven but not more than 14 days after the hearing before bringing down his or her decision. Even after the hearing has been held, they have built into the procedure a process that even though they have gone through the hearing, there is still a period of time in which they are encouraged to solve it themselves and to solve it before the selector comes down with his decision.

I think one of the best things about this piece of legislation is that at no time are they ever precluded from coming to a mutual agreement themselves and that they only go on to have the selector determine it for those issues that they have not been able to come to agreement themselves.

One of the other unique things about the Manitoba legislation is that the legislation has a sunset clause. It expires in five years. One has to wonder, since that was built in to allow us to have and to go through the experience in Manitoba to see how it was working before it was put in as a piece of labour legislation that would continue on and on. The big question is, why is the Government so determined to have it die prematurely? We have had two good years of experience. Why are

they not willing, based on those two years of experience, of positive experience as stated by everybody that has gone through the experience, the employer and the employee that have used final offer selection have all disputed the fears and the concerns that have been raised by both other Parties in this Legislature. They have said that they do not happen. They have said that they are not true. They have said that they are just fears. Why, knowing that, they are not agreeing to allow it to continue to the completion of the sunset clause is really very difficult to understand. They are not giving it a fair try.

We could understand that if the two years had been a bad experience, if for instance when the selector was named the unions won all the time and if the employers that went through it said, this is not working. We were afraid it was going to be unfair and biased and we do not like it. They are not saying that. If the experience has been bad, if 49 out of the 72 had not reached agreement themselves, if the selector had not sometimes voted for the unions and sometimes voted for the employer, then we could understand the position that they were taking. To understand it with the experience that we have had to date is really very difficult.

One of the most telling points, I think, is the annual work stoppage in Manitoba figures that have shown that in the first full year of experience of final offer selection being in place, the number of person-days lost in Manitoba went from 54,178 to 2,156 and that even in the first year, which was a partial year, they went from 76,268 to 54,000. Already in the first year where final offer selection was in place for only a short period of time, the number of person-days lost dropped considerably, but in the first full year that final offer selection was in place for the entire year, it is such a dramatic drop that one wonders how the Government could ignore the importance of this figure, where the number of person-days lost have dropped from 54,000 to 2,156.

* (1630)

Surely it is the best figure in the 17-year period previous, and one would wonder if they do not want that to continue and if they do not recognize that one of the reasons, not the only reason, but one of the reasons for the reduction in the number of person-days lost is having the option of choosing final offer selection in the negotiating process. That drop, by the way, was a 96 percent drop of person-years lost in a one-year period, a drop of 96 percent. I mean, surely that is a figure that has to carry some weight.

Of course, when we look at how we compare to other provinces for person-days lost, we are way lower than all of the other provinces except Prince Edward Island. From January to May '89, we have only 700 person-days lost in our province compared to provinces like Newfoundland with 212,000, provinces like Quebec with 293,000, Ontario 365,000, British Columbia 150,000. Manitoba has 700 person-days lost.

Does that not make one think that there might be something happening in Manitoba that is not happening

in those other provinces? Does it not make one think that maybe if there is a negotiating option there for bargaining like final offer selection that does not presently exist in the other provinces, that may have some effect on their reduction in person-days lost? Would you not think that they would be willing to keep an option that not everybody has to choose, that not everybody does choose, and that I said before is not going to stop all strikes but is going to prevent some strikes, that is not needed or useful at all times but is an option that we think people should be able to choose?

Mr. Speaker, I had mentioned before that a lot of the criticisms they have been talking about have turned out not to be accurate. They said that it takes away the right to strike. It never takes away the right to strike. They always continue to have the option of the right to strike, but it does give them a tool to avoid a strike and to find a way of getting a reconciliation and agreement without having to go to strike that many of them are choosing. It does not take away rights, it adds. The experience showed that although some people were afraid that major gains that had been made in previous negotiations may be lost through final offer selection, that has turned out not to be the case. There has been no major gain that has been given, that has been lost, through final offer selection.

It says that it discourages good faith negotiations, but the opposite is true. Both sides, both employer and employee, said that it encouraged them to be more serious. It encouraged them to work more quickly. It encouraged them to put more reasonable positions on the table, and it encouraged them to support it and back it up with more statistics and documentation than they had done previously.

Both parties said that they were under considerable pressure, that it was generated by the deadline. I think that is fine. I think anything that encourages people to stop playing some of the silly games that are played, you know, sometimes through negotiations, and encourages them to get down to serious business is a very good tool.

How much time do I have, Mr. Speaker? I mean we know that we could go on for hours and hours and hours.

Mr. Speaker: Half a minute.

Ms. Hemphill: A half a minute. I am sorry I asked. You might have continued with your conversation. I might have got another five minutes in.

Mr. Speaker, then since I have just a minute to wrap up, I would have to say as I did when I spoke to this previously, that final offer selection works. It works for both sides. It works for employers and employees. It works for small unions, for the 94 percent of jobs that come through small business in Manitoba, and it works for the betterment of the good labour relations climate in the Province of Manitoba. We commend it to you. We ask you to withdraw your position that you are going to repeal the legislation, and we ask the Liberals to reconsider and to support this progressive legislation

continuing until its natural demise in the five-year period when the sunset clause applies. Thank you.

Ms. Judy Wasylycia-Leis (St. Johns): Mr. Speaker, I am delighted to be able to join in this part of the debate on Bill No. 31, The Labour Relations Act, and to support the motion presented to this House by my colleague the Member for Churchill (Mr. Cowan), a motion which calls for a delay in the second reading of Bill No. 31, a motion in fact that reads that Bill No. 31 be not now read a second time, but that it be read a second time from this day six months hence.

Mr. Speaker, it is a good motion given the impasse that we have arrived at in this Chamber. It is a sensible motion, because it gives the necessary time for Members in both the Conservative and the Liberal Parties to reconsider their entrenched positions, to reconsider their commitments that they have made to big business in this province, and to act for a change on behalf of working people in this province, to do it in the interests of the majority of people in this province, to come to their senses and to give the original legislation to bring in final offer selection a chance and to put an end to this notion of repealing final offer selection before it has had any chance to demonstrate to everyone right across this province that it is an effective tool for labour relations in this province and indeed a model for the rest of the country.

Mr. Speaker, before I go into my remarks in greater detail, which will of course give me the opportunity to summarize positions stated by myself in the past as well as that presented by all of my colleagues over the course of this debate, let me just pay tribute to the Member for Churchill (Mr. Cowan) for his foresight in bringing forward this legislation to begin with and for his incredible contribution to democracy in this province throughout the last number of days when he spoke with such emotion, with incredible conviction, in a very well researched manner and with great eloquence.

I do not think there is a Member in this House who will not agree that the presentation we heard from the Member for Churchill, over a number of days and for a good long number of hours, was indeed very eloquent, an example of incredible oratorical ability and solidly based in research, in fact and in vision and foresight.

* (1640)

Mr. Speaker, I think it is only fitting, given the contribution by the Member for Churchill (Mr. Cowan), to begin my remarks by reading from a speech that he delivered in this House when this Bill, the Bill to bring in final offer selection, was debated back in 1988. I am going to repeat some words that have been used by some of my colleagues, and I am going to, I hope, set the context for my further remarks.

In that speech, the Member for Churchill began by saying: "John F. Kennedy once said, 'Let us begin anew remembering on both sides that civility is not a sign of weakness, that sincerity is always subject to proof. Let us never negotiate out of fear, but let us never fear to negotiate.'"

I hope, if we repeat those words often enough they will become ingrained in the minds of Conservative and

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Liberal Members in this House to the point that they will be woken out of their ideologically blinkered approach, their stupor, when it comes to this incredibly important issue, and will come to their senses and act on behalf of working people.

As my colleague, the Member for Churchill (Mr. Cowan), said back in that debate in 1988, following the quote he provided from John F. Kennedy: that is probably good advice given that negotiations play such a prominent role in the life of each and every one of us. Nowhere are those negotiations more important than when labour and management sit down to work out their differences and to bargain for their wages and working conditions.

He went on to say: as important as those negotiations are, or perhaps even because of that importance, agreement is sometimes hard to find and settlements can be elusive. Consequently, both labour and management have developed a set of tools to assist them through difficult negotiations as they sought effective bargaining techniques. Some of those tools are familiar to all of us, collective bargaining itself, mediation, conciliation, binding and non-binding arbitration and of course the ultimate weapons, strikes and lockouts.

The Member for Churchill (Mr. Cowan) went on to say: those dispute resolution mechanisms did not just pop out of thin air, neither did they all appear at the same time. No, they evolved over time as the art of collective bargaining itself evolved. In many instances, in their day those procedures were probably thought to be new and innovative responses to new circumstances just as is the case with final offer selection today. I would imagine they were somewhat frightening to those who first chose to use them just as is the case with final offer selection today.

Mr. Speaker, that fear on the part of Conservative and Liberal Members is something we are trying to deal with today in this Chamber. We are trying to allay their fears on the basis of practical experience and solid information from many other jurisdictions and from thoughtful and intelligent academics and practitioners in every walk of life in our society today.

The Member for Churchill (Mr. Cowan) at that time in 1988 also said: put yourself in the place of the first parties choosing binding arbitration. To them it was an entirely unknown process full of all sorts of unanticipated dangers and fraught with unseen perils. The same could probably be said for the strike and the lockout. Notwithstanding those fears, trepidations, that earlier negotiators must have felt while trying out new tools and weapons, those mechanisms worked.

So we are pleading with Members in the Conservative and Liberal Parties today to put their faith in this new collective bargaining tool in the same way that forerunners in your political Parties did back when the other collective bargaining tools, whether it was mediation, conciliation, arbitration, strikes and lockouts, were being developed, were being used, were being considered.

The Member for Churchill (Mr. Cowan) also says, and I think this is particularly significant to the debate that

we have before us today in the Chamber, particularly important for Members in the Conservative and Liberal Parties to consider as they rethink their positions, because rethink their positions they must if they are going to be true to the traditions of development, of struggle in this province over the decades.

He said back in 1988: because of the foresight and sometimes the courage of those earlier innovators, we no longer have to rely solely on raw power and brute force as the only way to resolve otherwise irreconcilable differences. They improved upon the art and the science of negotiation, and both management and labour, and the public they represent, are better off for it.

We are now involved in a debate on one of the newer tools available to negotiators as part of that package of dispute resolution mechanisms, final offer selection.

So, Mr. Speaker, I used those comments as a backdrop to the points I wish to make today to appeal to Members in both the Conservative and Liberal Parties to give serious thought to a reasonable resolution, which delays this moving into second reading by six months.

We believe that in that period of time they will come to their senses and will see the wisdom in sticking with the original final offer selection legislation, including the five-year sunset clause, which is part of that legislation, a reasonable amount of time to give this new labour dispute mechanism a chance, to give this new way of dealing with labour relations a chance, to allow for a newer, peaceful, co-operative, conciliatory approach to an often conflictual, difficult set of relationships in our society today.

So I appeal to the Members today to pass this motion for three very important reasons: No. 1, to give final offer selection a chance; No. 2, to uphold the tradition of co-operation and peaceful co-existence that has been part of Manitoba's history; and No. 3, to be true to the needs of working women in our society today and to respect their struggle for equality and their need to work towards equality on their terms. Those terms include peaceful co-existence, harmonious relations, co-operative attitudes, the opposite of the old style of collective bargaining and dispute resolutions in our society today.

I want Members today to keep an open mind to those points, because I think if they put all of that in the context of this debate and a reasonable motion to delay passage or moving into this second reading stage of this Bill, Bill No. 31 by six months, then we will have achieved something for the people of Manitoba who want peaceful resolution of labour disputes, who want to uphold the tradition of collective, co-operative, harmonious working relations in this province and in the process be true to the desires and demands of women in the province today, to respect their wishes, to seek a more co-operative, consultative approach to resolution of disputes in the labour field specifically.

Mr. Speaker, I start with point No. 1. Give final offer selection a chance. I am afraid I am going to have to repeat some of the points made by some of the Members in my caucus, but I have a feeling that it will not hurt to repeat some of those statistics to make the

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point that it is worthwhile to give final offer selection a chance because of the success it has met with to date and because of the success we feel it will achieve in the future.

* (1650)

I have already referred to the eloquent statements made by the Member for Churchill (Mr. Cowan). Let me now refer to some of the very detailed information provided to this House, to all Members, by the Member for Logan (Ms. Hemphill), who did an incredible job of summarizing the benefits that this legislation, that final offer selection has achieved to date and reveals the potential it has for peaceful, harmonious labour relations in this province.

The Member for Logan on February 8 and again today referred to the statistics in terms of days lost due to work stoppages. I am wondering how many Members actually heard those numbers, because they are incredible. They stand on their own in terms of making the point about why final offer selection must be given a chance. I wonder if they have sunk into the heads of the Members in the Conservative and Liberal Parties. I do not know how they can ignore these statistics and maintain their intransigence around this issue when the statistics are so revealing and so clearly supportive of efforts in this area, and why we must continue to give final offer selection a chance, at least for six months. We know you will come to your senses in six months and hopefully for four more years as provided for under the original legislation.

Let me go back to those statistics, Mr. Speaker. The Member for Logan (Ms. Hemphill) said on February 8, if we look at the annual work stoppages in Manitoba from 1973 to '89, and you go back for a period of 17 years and you start with '73, you will see that the number of person-days lost in 1973 to work stoppages in Manitoba was 122,160 person-days. As she said, that is a lot of person-days lost. We compare that to '74 where person-days lost were 143,000; 1975—161,000; going to 1987, we are looking at a number of 76,000; and in 1988—54,178. As the Member for Logan (Ms. Hemphill) pointed out to everyone, the final offer selection was brought in, in 1988, we have had some experience with it and we are now reaping the benefits of that thoughtful, progressive legislation.

In fact, as the numbers show, if we look at 1989, the statistics for the first full year when final offer selection was in operation, the results are staggering. We have dropped the number of person-days lost from 54,178, that is in 1988, Mr. Speaker, to 2,156 in 1989.

Now, how can Members in the Conservative and Liberal Parties ignore those kind of statistics? I do not know about their constituencies, but I would hazard a guess that if their constituents are anything like the constituents in St. Johns, their constituents are telling them we do not want prolonged difficult strikes. We do not want conflict in our society today if we can avoid it. We want peaceful coexistence. We want harmonious labour relations. We want to see you try new mechanisms and new ways to deal with labour disputes in our province and in our society today. We want you

to explore those ideas. We want you to give something as innovative as final offer selection a chance.

Mr. Speaker, as I mentioned at the outset I think I implore upon all Members in this House to give final offer selection a chance. I do it in the name of these statistics that I have just read, but also in terms of the tradition. I ask Members to consider it in terms of the traditions in this province, the history of this province which is founded on co-operative consultative relations, peaceful harmonious coexistence, something that has characterized the building of this province, the development of this province, the growth in this province, something that has characterized everything we have done over the years, over the decades and over the centuries.

Mr. Speaker, I think if nothing else, we should pass this motion out of the respect for that tradition, for that incredible tradition that has characterized this province, something that is quite unique in terms of Canada.

I think Manitoba has offered a model of co-operative, consultative approaches to handling difficult matters. I think we should ensure that we carry through on that tradition, that we pledge ourselves to our ancestors to be true to that tradition and that history.

Finally, Mr. Speaker, I would ask all Members in this House, if for no other reason, to consider supporting this resolution and defeating Bill 31 from the point of view of what it means to working women in this province today.

Now I do not think I need to tell the Minister of Family Services (Mrs. Oleson), or the Member for Ellice (Ms. Gray), how important co-operation, peaceful coexistence, conciliatory approaches are to women, particularly in the Province of Manitoba. They are approaches that have characterized the way in which women have worked and contributed to this province over the years. It is important that we respect that approach to conflict resolution to labour relations in this province.

Mr. Speaker, in previous speeches by myself and my colleagues in the New Democratic Party we have referred to the advice that has been provided to the Government and to the Members of the Liberal Party from women's organizations throughout this province. We have referred specifically to the resolution passed by the Manitoba Women's Agenda. I remind Members in this House that the Manitoba Women's Agenda is an organization representing a good number of women's organizations in this province. In the case of the latest meeting and lobbying effort on the part of the Manitoba Women's Agenda there were 35 women's organizations involved in that effort. Our estimate is that number of organizations represents approximately 200,000 women.

Most of those organizations came forward in united voice and called upon this Government to forget its notion of repealing final offer selection. They implored upon this Government to respect the tradition of women in this province for seeking co-operative conciliatory approaches to any kind of conflict and dispute but

particularly in this area of labour relations. That resolution passed this year and receiving the support of groups like the Charter of Rights Coalition, the equal pay coalition, the Fort Garry Women's Resource Centre, legal education and action fund, the Manitoba Action Committee on the Status of Women for Brandon, for Parkland, for Thompson, and of course here in Winnipeg, the Manitoba Federation of Labour Women's Committee, the Lazo - the University of Winnipeg Women's Centre, the women's study program, the University of Manitoba and the University of Winnipeg, the YM-YWCA of Winnipeg, Thompson and the list goes on and on, Mr. Speaker. Those groups representing women, working women, right across this province came together with a resolution that made incredible sense, that surely should move this Government to reconsider its position and surely should have an impact upon Members in the Liberal Party who have claimed to represent the concerns of working women in this province.

That resolution, Mr. Speaker, said: Whereas many women work in the service sector and need alternatives to solving disputes with their employers; and whereas first contract legislation has helped women unionize without forcing strike action; and whereas most of the service sector employers will hire strikebreakers to replace striking employees allowing those employers to continue business operations without incentive to bargain fairly and settle the dispute; and whereas final offer selection has proven to facilitate settlements as a bargaining tool by allowing employers and unions to reach an agreement that causes least strain on both parties and the public; therefore be it resolved that the Government of Manitoba live up to its commitment in the preamble of The Labour Relations Act to encourage collective bargaining between employers and unions as freely designated representatives of employees and withdraw the Bill repealing final offer selection.

Mr. Speaker, that is a loud and clear message from the women in the Province of Manitoba, and I would hope that if Members of this Government and Members of the Liberal Party are not prepared to take the advice of Members of the New Democratic Party, are not prepared to listen to the statistics, are not prepared to do the research as we have done, and are not prepared to at least consult academics in this field, then at least be prepared to listen to the voices of women in this province—

An Honourable Member: A voice of reason.

Ms. Wasylycia-Leis: —because they are genuine voices, they are voices of reason, as the Member for Thompson (Mr. Ashton) has just said. They speak to you about compassion and about the need to find co-operative, conciliatory, peaceful solutions to difficult problems in society today. They offer a model for the kinds of issues we are dealing with today that fall under the purview of legislation, the final offer selection legislation, but they offer a solution to much broader problems and difficulties in our society. They are a hope for the future of this province and in this country, and I hope—

* (1700)

I see the Minister of Natural Resources (Mr. Enns) is agreeing with me when I say the women are our hope for the future. I hope that means he is going to stand up and be counted and stand up and convince his Minister responsible for the Status of Women who does not appear to be listening to the voices of women.

Mr. Speaker: Order, please. I am interrupting the proceedings according to Rules. When this matter is again before the House, the Honourable Member for St. Johns will have 15 minutes remaining.

The hour being 5 p.m.—the Honourable Government House Leader.

Hon. James McCrae (Government House Leader): Mr. Speaker, I hate to see the Honourable Member for St. Johns (Ms. Wasylycia-Leis) interrupted in midflight here, making such an effective speech on Bill 31, the repeal of the final offer selection. In an attempt to facilitate the Honourable Member for St. Johns and also the ultimate passage of Bill 31 into committee, I wonder if Honourable Members would like to waive Private Members' hour today.

Mr. Speaker: The Honourable Member for Thompson (Mr. Ashton), on the same point of order.

Mr. Steve Ashton (Second Opposition House Leader): Yes, Mr. Speaker. We have but one hour of the House agenda set aside for Private Members each day, and I believe that we should move into some very important Private Members' Bills, so unfortunately we would not wish to see Private Members' hour waived.

Mr. Speaker: The Honourable Government House Leader, on the same point of order.

Mr. McCrae: Mr. Speaker, on this same point, the Honourable Member for Thompson, when he makes his most recent comments, fails to take into account that Bill 41, The Labour Relations Amendment Act, was introduced by the Honourable Member for Portage (Mr. Connery), as he then was Minister of Labour, back on November 16, 1988. That was Bill 41 and now finds its way into this House as Bill 31. That second reading debate took place on November 23, 1988. At that time the Honourable Member for Churchill (Mr. Cowan), the Honourable Member for Flin Flon (Mr. Storie), the Honourable Member for Interlake (Mr. Uruski) and the Honourable Member for Lakeside (Mr. Enns) took part in that debate. It was again called on November 30, still in 1988, and at that time the following Members spoke: the Honourable Member for Transcona (Mr. Kozak) and the Honourable Member for Radisson (Mr. Patterson). The Bill was adjourned in the name of the Honourable Member for Inkster (Mr. Lamoureux), and it died when that Session ended.

Mr. Speaker, then on June 19, 1989, this Session, Mr. Speaker—

Mr. Speaker: Order, please; order, please. To resolve this, we resolve it very simply. Is there leave to waive Private Members' hour? Is there leave? No leave to waive Private Members' hour. That has been denied.—(interjection)— Order, please.

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PRIVATE MEMBERS' BUSINESS

**DEBATE ON SECOND READINGS
PUBLIC BILLS**

**BILL NO. 4—THE HIGHWAY
TRAFFIC AMENDMENT ACT (2)**

Mr. Speaker: On the proposed motion of the Honourable Member for Assiniboia (Mr. Mandrake), Bill No. 4, The Highway Traffic Amendment Act (2); Loi no 2 modifiant le Code de la route, standing in the name of the Honourable Minister of Northern and Native Affairs (Mr. Downey). Stand.

Is there leave that this matter remain standing?
Agreed.

**BILL NO. 10—THE BEVERAGE
CONTAINER ACT**

Mr. Speaker: On the proposed motion of the Honourable Member for Springfield (Mr. Roch), Bill No. 10, The Beverage Container Act; Loi sur les contenants de boissons, standing in the name of the Honourable Minister of Culture, Heritage and Recreation (Mrs. Mitchelson). Stand.

Is there leave that this matter remain standing?
Agreed.

**BILL NO. 13—THE MANITOBA
INTERCULTURAL COUNCIL
AMENDMENT ACT**

Mr. Speaker: On the proposed motion of the Honourable Member for Selkirk (Mrs. Charles), Bill No. 13, The Manitoba Intercultural Council Amendment Act; Loi modifiant la Loi sur le Conseil interculturel du Manitoba, and the motion of the Honourable Member for Thompson (Mr. Ashton) that the question be now put, standing in the name of the Honourable Minister of Health (Mr. Orchard). Stand.

Is there leave that this matter remain standing? There is no leave. Leave has been denied on the proposed motion of the Honourable Member for Selkirk (Mrs. Charles), Bill No. 13. The Honourable Minister of Finance.

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, I believe I have not spoken on this. Just before I begin into full flight, I just want to make sure that the record is accurate in that regard.

Mr. Speaker, this is a very important motion, that of the Member—

Mr. Speaker: I believe the Honourable Member has spoken on the original motion. I have to inform the Honourable Minister of Finance that he has spoken on June 27 on Bill No. 13.

The Honourable Government House Leader.

Hon. James McCrae (Government House Leader): On a point of order, is this Bill 13 and the motion? - (interjection)- Okay, that is fine.

Mr. Speaker: Is the House ready for the question? The Honourable Minister of Industry, Trade and Tourism.

Hon. Jim Ernst (Minister of Industry, Trade and Tourism): Mr. Speaker—

An Honourable Member: No, I have not, no.

Mr. Speaker: Order, please. The Honourable Minister of Industry, Trade and Tourism (Mr. Ernst) spoke on June 27, 1989, also.

Is the House ready for the question? The question before the House is—oh, the Honourable Minister of Rural Development.

Hon. Jack Penner (Minister of Rural Development): Mr. Speaker, it is certainly a pleasure to be able to be recognized as probably the only Member in this House that has not spoken on this Bill yet. Maybe that is an indication of the importance that the Party that has introduced this Bill places on this Bill. Of course, it indicates very clearly how highly we regard this issue on this side of the House. It is important to note that most of our Members have stood in this House - (interjection)-

I see the Honourable Member for Dauphin (Mr. Plohman) is at his usual good form, trying to tell everybody what the people of Dauphin should be having, and what we should be paying attention to, and of course that is right.

We are going to attempt to, Mr. Speaker, in the next short while, identify people that will be able to represent that riding probably better than it has been represented for a long, long time. I also want to indicate to the Member for Dauphin (Mr. Plohman) that many of the issues that he has raised from time to time throughout the year—or the people from his riding have identified as extremely important issues our Government has dealt with, the establishment of a Lake Dauphin advisory committee, for instance, something that was outstanding for years and has not been dealt with—

POINT OF ORDER

Mr. Steve Ashton (Second Opposition House Leader): Point of order, Mr. Speaker.

Mr. Speaker: Order, please; order, please. The Honourable Member for Thompson, on a point of order.

* (1710)

Mr. Ashton: Yes, Mr. Speaker, I realize the Government had some difficulty in finding someone that had not spoken on this, or at least could not remember or figure

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out whether they had spoken on it. I would ask if you would remind the Minister who is speaking, the Minister responsible for Rural Development (Mr. Penner), we are debating the motion on Bill 13, The Manitoba Intercultural Council Amendment Act.

Perhaps his House Leader did not tell him that. His comments, I do believe, are straying somewhat from the resolution, Mr. Speaker. We are debating on Bill 13, the question be now put, which is once again on The Manitoba Intercultural Council Amendment Act.

Mr. Speaker: The Honourable Government House Leader, on the same point of order.

Mr. McCrae: Mr. Speaker, on the same point of order raised by the Honourable Member for Thompson (Mr. Ashton), the Honourable Member rises on a point of order on a question of relevancy of the comments being made here this afternoon by the Honourable Minister of Rural Development (Mr. Penner) and makes the point that we are on a motion to pass this Bill for second reading.

I wanted to correct the Honourable Member that we are not on that motion but on a motion put by that Honourable Member, the Honourable Member for Thompson (Mr. Ashton), that the question be now put. Closure, Mr. Speaker, pure and simple, what we are discussing this afternoon is closure. When you want to talk about closure in this House the ambit of discussion is broadened by a very large amount.

These Honourable Members, the left-wing rump in this House think that they can run this House through closure motions, Mr. Speaker. The Honourable Minister of Rural Development (Mr. Penner) was just about to get to the point, his previous comments leading up to that point of castigating Honourable Members in the New Democratic Party for wasting the time of this House on Bill 31 day in and day out—Mr. Speaker, I am almost finished my point of order—and using the tool of closure. I cannot think of anything more anti-democratic to be used by Members of the Opposition—

Mr. Speaker: Order, please; order, please. On the point of order raised by the Honourable Member for Thompson (Mr. Ashton), the Honourable Member is quite correct. I would ask the Honourable Minister of Rural Development (Mr. Penner) to keep his remarks relevant to Bill No. 13, The Manitoba Intercultural Council Amendment Act. It is the subject of the main motion that we are debating here this afternoon.

Mr. Penner: Mr. Speaker, I appreciate your comments, and I of course appreciate the comments that have been made by all Members of the House in raising the points of order that they have.

I will attempt, Mr. Speaker, to address my comments to the resolution as it stands. However, as I said to the Honourable Member for Dauphin (Mr. Plohman), it is important to know that the establishment of a Lake Dauphin advisory committee leads me to recognize the importance that he places on the multicultural aspect of not only his riding, but also of my riding.

It is important to note that the make-up of some of the boards and committees that we have across this province are of course extremely important and that the cultural aspect of the make-up of these boards needs to be recognized.

However, it is important also to note that the New Democratic Party at this time is attempting to impose upon people like myself a motion that would restrict my making comments on this very Bill and the importance of being able to comment on the importance of this Bill. To try and force closure on an important issue such as this is simply beyond the comprehension of Members on this side. I do not think that we should attempt to at this time allow the New Democratic Party to impose the will of this Legislature on the Government and the Liberal Opposition in recognizing the importance of this issue.

(Mr. Deputy Speaker in the Chair)

There are many communities in this province that are of a Ukrainian background, of Mennonite background, of Chinese and Japanese background, that appreciate the cohesiveness of communities and community development. Therefore it is important also to recognize some of the issues that our Government has put forward in the legislation, that we have put forward in recognition of the importance of those communities. The intercultural or the cultural community of Manitoba and the mosaic that makes up a lot of the communities of course is not recognized by all. That is the issue, I believe, Mr. Deputy Speaker, that we deal with here today and that we debate.

The importance that needs to be recognized about the attempt to restrict debate on this motion by closure is simply an inconceivable act that most Manitobans I believe would not be able to understand or comprehend nor accept. Therefore, I think it is extremely important that the Honourable Member for Dauphin (Mr. Plohman) recognize the importance of myself standing here and voicing my concern about the way the NDP has been conducting itself during the debate on a number of issues during the last month or so. I believe it is strictly a matter of obstruction. The huge amounts of money that we must spend in continuing this procedure of obstruction, restriction and the continued imposition of allowing this Legislature to conduct the business for the people of the Province of Manitoba.

There are many important Bills sitting on the docket waiting to be addressed. Some of the issues are of extreme importance to many of the people of Manitoba. The people of Manitoba are waiting with anticipation that we deal with the issues. FOS is one of the issues. Many people who employ the citizens of this province would look forward to an expanded industrialization, expanded business opportunities if the legislation that has been obstructed here during the last couple of weeks had been allowed to pass this House.

It is important, Mr. Deputy Speaker, that we recognize the NDP's intent to impose upon the people of Manitoba actions that will throw many more people out of work over the next few years. I believe it is time that the New Democratic Party very clearly told Manitoba what

their true intentions are. That is simply to move as many people—as the Leader of the Liberal Opposition (Mrs. Carstairs) said about some of our ailing communities not too long ago, move them out, get them out of here. We do not need them in those communities.

It reminds me somewhat of a farmer I once knew who was also into the auction business. His favourite expressions during auctions were, get them on, move them out and not pay any attention to what the true feeling of the citizens of this province were. Therefore, I believe that the New Democratic Party, in attempting to restrict debate on this Bill, and try and force closure on the many Members on this side of the House that would still like to address this Bill—and I am sure that many of our colleagues in the Liberal benches also would like to address this important Bill and not have closure forced on them.

Mr. Deputy Speaker, with those few comments I wanted to express my sincere concern about the way the New Democratic Party has conducted themselves over the last—and specifically a few of the Members on the NDP benches—few weeks, which Manitobans across this province are aware of and are taking note of. Let me say this, that those people, the people of Manitoba, will during the next election indicate clearly what they think of those kinds of concerns.

Thank you very much for allowing me to spend a few minutes putting my views on the record.

Hon. Glen Cummings (Minister of Environment): I note that once again we are faced with the situation in the Legislature where we have to point out to the third Party that perhaps they just do not accurately reflect the views of the public, that their attempts to make sure that people who want one last word in regard to debate on certain Bills is only in the area which they deem to be one that they wish to spend some time putting a lot of verbiage on the record.

I look back, Mr. Deputy Speaker, to when I first wanted to -(interjection)-

An Honourable Member: He is reading his speech.

Mr. Cummings: Well, you know the Member for Dauphin (Mr. Plohman) is afraid that I am reading something. If you think you could read that writing, you are better than I am.

Mr. Deputy Speaker, when I first decided that I wanted to seek election to this Legislature, I started to visit with people across the constituency of Ste. Rose and talk to them about what it was they thought was needed in terms of Government for this province. One of the things that they said very clearly was that they wanted people elected to the Legislature that were going to spend their time actively debating, in a clear-minded sense, important opportunities for this province. Very often, we now unfortunately see that the operations of the Legislature are frustrated for petty means or for self-serving means in order to accomplish an end that may not be too clear other than to the person who is involved in that particular debate.

* (1720)

I have to tell you, Mr. Deputy Speaker, that one of the really telling problems, other than the Member for Dauphin who is the lonely socialist behind the Riding Mountain there, we saw as a result of the type of Government that was being delivered at that time, was a total disintegration of the socialist vote in our part of the province.

An Honourable Member: Socialist, old Pete Adam.

Mr. Cummings: Well that is true. We had a fellow who represented my area for four years prior to my being elected to serve the people of the southern part of the constituency and the Ste. Rose area. We had a Member who, I am sure, you will not find a large volume of speeches as a result of his intervention and actions in this Legislature, which probably demonstrates that somebody in that Party over there was saying, no, no, we do not need any more comments on this; let us just leave it.

They are still probably not really clear on the fact, or maybe they are not just over the shock of the fact that they are now the third Party rump sitting over there in the corner of the Legislature, and that the people of Manitoba have rejected what they did for the last number of years in this province. They have rejected the mismanagement of the economy. They have rejected the abrogation of respect for the voting public in this province. They have rejected the fact that they think that there is nothing more important than to put the -(interjection)- Well, I hear the Member for Dauphin (Mr. Plohman). I am sure he is just waiting till we start talking about Lake Dauphin and all of the good things that have happened out there in the last six weeks, something he was unable to accomplish in six years.

The Minister of Natural Resources (Mr. Enns) has, all of the sudden, put together a program of rehabilitation for that lake by bringing together all of the stakeholders. The Member for Dauphin and I will agree to look at Lake Dauphin from opposite sides for a little bit longer, but it is no doubt that he is a little bit uncomfortable when he starts to see some of the things that are happening right under his nose, despite the fact that he could not do them for a number of years when he was not only the Member representing that area, but the Minister responsible for Highways and Government Services, two of the departments that have one of the largest spending abilities within this province—

Mr. Deputy Speaker: Order, please; order, please. The Honourable Member for Dauphin (Mr. Plohman), on a point of order.

Mr. John Plohman (Dauphin): Yes, Mr. Deputy Speaker, I believe the Minister of Environment (Mr. Cummings) is varying a little bit from the subject matter at the present time. I know that he mentioned Lake Dauphin, and it is an issue of very great concern to me, but certainly is not dealt with in this particular Bill. I think

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it is important that it be placed on the record that if we are looking at Lake Dauphin from opposite sides, I just want him to know that I am looking at it from above. I wonder which side he is on.

Mr. Deputy Speaker: The Honourable Government House Leader (Mr. McCrae), on the same point of order.

Mr. McCrae: On the same point of order, I get the strong hint from the Honourable Member for Dauphin (Mr. Plohman) that he thinks that people up and around the Lake Dauphin area somehow perhaps lack the culture, that maybe he is suggesting that people in the City of Winnipeg have or elsewhere in the province.

I certainly would want to take strong objection to that, but certainly whether we are talking about Lake Dauphin or we are talking about Churchill or Melita or Sprague or Roblin or Beausejour or Domain or Brandon or Winnipeg or Vita or Grunthal or Lac du Bonnet, Pine Falls, Austin, Sidney, Carberry, Glenboro, Neepawa, Minnedosa, Onanole, Deloraine, Virden, Reston, Wawanesa, wherever it happens to be in this province, I think that the Honourable Member for Dauphin (Mr. Plohman) owes them all an apology and certainly the Honourable Minister of Environment (Mr. Cummings) as well.

Mr. Deputy Speaker: Order. The Honourable Member for Thompson, on a point of order.

Mr. Ashton: Mr. Deputy Speaker, this is the third time in less than half an hour that the Government House Leader (Mr. McCrae) has used a point of order to do nothing more than engage in debate. That is an abuse of a point of order.

The comments the Member made in response to the Member's point of order are absolutely irrelevant and beside the point. The Member knows that the Minister responsible for the Environment was not addressing the content of the Bills, and to make suggestions as he was in terms of the Member for Dauphin (Mr. Plohman) are absolutely absurd.

I am concerned that this Government House Leader (Mr. McCrae) has taken in less than half an hour three points of order as an opportunity to engage in debate, something he will not do when we are into such important issues as final offer selection. It is a complete and absolute waste of the time of this House for the Government House Leader to get up and essentially it was the first time I have seen filibusters on points of order. If he wants to filibuster, let him filibuster on some Bills. Let him debate some real substance, not on points of order.

Mr. Deputy Speaker: Order. Thank you.

Mr. McCrae: If the Honourable Member for Thompson (Mr. Ashton) wants to get involved in this point of order, which I remind the Honourable Member was raised by his colleague—

Mr. Deputy Speaker: Order, please; order, please. A point of order is to bring to the attention of the Chair

that somebody is not doing something that should be done.

I want to thank all Honourable Members for their advice and I would ask the Honourable Minister to stick to the relevance of Bill No. 13, The Manitoba Intercultural Council Amendment Act, and the motion by the Honourable Member for Thompson (Mr. Ashton) that the question be now put. The Honourable Minister of Environment has the floor.

Mr. Cummings: Mr. Deputy Speaker, I certainly take your admonishment that we deal with the issue that the question be now put, which is precisely why I managed to point out to the Member for Dauphin (Mr. Plohman) that over a number of years people of Manitoba have begun to realize that they have not been well-served by the previous administration or by the Members who still represent the remnants of that Party in this Legislature, remnant of course meaning a ragged piece of material that is left over.

Certainly I think that is a relevant relationship in terms of the representation. I mean no personal offence to the Member, but the fact is that we are facing a question of whether or not free and open debate is going to be allowed to continue on this item. Certainly on the other side of the House we have had on numerous occasions people rise to say that those dastardly Tories are imposing closure. Now, believe me, Mr. Deputy Speaker, here is an example of where we see a small minority of the Opposition trying to impose their will upon the Legislature and force a form of closure on this Bill.

Some Honourable Member: Oh, oh!

Mr. Cummings: Well, it is a dastardly deed of proportions which I am unprepared to try to evaluate, Mr. Deputy Speaker, but the tyranny of the minority on the other side is what we see happening, because we are seeing a manipulation of the Rules to the benefit of a very small number of Members of this Legislature. We have said that the right to debate and be heard is clearly there, and the fact that we are talking about the calling of the question on this Bill is, I think, symptomatic of the approach that the Members opposite have taken to the operation of this Legislature.

An Honourable Member: How about the Member for Rupertsland (Mr. Harper) when he gets up to speak?

* (1730)

Mr. Cummings: Well, it seems to me that the Member for Dauphin (Mr. Plohman) is again perhaps getting ready to rise on a point of order, but the fact is that if people are in the Legislature and prepared to speak to particular pieces of legislation they should be allowed that freedom and that right.

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Mr. Deputy Speaker: Order, please. The Honourable Minister of Industry, Trade and Tourism.

Mr. Ernst: Mr. Deputy Speaker, I am having a great deal of difficulty hearing the Honourable Member for Ste. Rose (Mr. Cummings) with regard to this particular debate. We have Honourable Members on that side of the House, and Honourable Members on this side of the House creating certain activity within the Chamber that restricts my ability to hear that. This is an important debate. The question of the Opposition bringing closure against any Bill is an extremely important issue and one that all Members should pay attention to and not be bantering back and forth.

So, Mr. Deputy Speaker, I would request that you draw Members to order so that we can all listen carefully to the debate that is progressing in the House at the present time. Thank you.

Mr. Deputy Speaker: The Honourable Minister makes a good point and I would ask all Honourable Members that if they wish to carry on private conversations they do so outside the Chamber.

Mr. Deputy Speaker: The Honourable Minister of Environment has the floor.

Mr. Cummings: Well, Mr. Deputy Speaker, if in some way I have offended the Members opposite that is certainly not my intent. My intent is to point out that we need to make sure that debate flows freely and openly in this Legislature. We have seen, a past number of days, where there has been debate carried on, on one Bill, hour after hour, and have we interrupted continually on points of order? Have we indicated that we were not prepared to let the Members speak out the length of time that they have allocated for that particular Bill?

I think, Mr. Deputy Speaker, what we need to remember in this Legislature is that style of Government has been rejected by the people of this province. The people of this province want this Legislature to deal with important issues, to deal with issues that are relevant to the mandate of a Government that they have elected and they want to make sure that Government gets on with its job. What the Members of the Opposition need to remember is that after some number of months, there is a tremendous backlog of Bills of considerable importance. I would give some compliment to the fact that we have started to move some of the environmental Bills forward; certainly, I think the people of this province would take great umbrage if they were to die on the Order Paper, if they were unable to be spoken through.

Mr. Deputy Speaker, the reason for requiring that Bill 13 be spoken to today does not demonstrate the goodwill of the Members opposite being prepared to listen to the critics or to hear alternate suggestions regarding that Bill. I suggest that, as each of us take

our place to indicate our dismay with having closure called on this Bill, we look around. We have to ask ourselves, do we want to hear what the other Members in this Legislature have to say, or do we simply want to bow to that tyranny of the minority over in the corner of the building here?

Mr. Plohman: Mr. Deputy Speaker, I move, seconded by the Member for Thompson (Mr. Ashton), that debate be adjourned.

MOTION presented and carried.

BILL NO. 16—AN ACT TO PROTECT THE HEALTH OF NON-SMOKERS

Mr. Deputy Speaker: On the proposed motion by the Honourable Member for Concordia (Mr. Doer), Bill No. 16, An Act to Protect the Health of Non-Smokers; *Loi sur la protection de la santé des non-fumeurs*, standing in the name of the Honourable Government House Leader.

Hon. James McCrae (Government House Leader): Mr. Deputy Speaker, for all all the, sometimes what we might characterize as, foolishness that goes on in this House, for all the times that we do not like the strategy maybe being used by other interests or other parties in this place, for all the disagreement that we read about and hear about, I am reminded— One day when the former Premier of this province, Premier Pawley, set up what we used to call a dog and pony show to go around to various places in this province telling people how bad the previous Government thought the Free Trade Agreement was, I remember one day at one those meetings. I think it was in either Thompson or Swan River, I cannot remember which. I remember going to Thompson and had quite a time there - (interjection)-

Right, we attracted the interest of the people in Thompson for the part we played at that particular rally that the Premier, using public funds, put on in opposition to the Free Trade Agreement. I believe that the one I am talking about was in Brandon, as a matter of fact— another particularly interesting evening. I remember that evening meeting with some people afterwards and being asked, do you and the NDP never get along. Knowing that the former Minister of Finance, Mr. Schroeder, a predecessor of mine in my present position, was standing nearby, I said, come on over here, Vic. Let's talk to this constituent of our friend, the Honourable Member for Brandon East, and I said, tell me how many Bills were passed in the last Session. He said, I think there were 75. I said, Vic, how many did we read about in the newspapers on which there was significant dissent? He said, I think there were five we disagreed on.

So it is important to put things in perspective, Mr. Deputy Speaker. There are a lot of things that we agree on in this House too. I remember in the last Session - (interjection)- maybe if the Honourable Member for Thompson (Mr. Ashton) would like, if you would like to let me have the remainder of my time on this particular Bill a little later and let the Honourable Member for

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Thompson now have his time on this Bill, I am prepared to do that if you will agree to let me have the remainder of my time later. Otherwise I would ask him to remain silent, sit in his seat and listen.

If the Honourable Member for Thompson (Mr. Ashton) wants to speak now and the House agrees, I will continue my remarks after the Honourable Member for Thompson does. Would the House be agreeing with that?

Mr. Deputy Speaker: Is there leave that the Honourable Member for Thompson speak now? Leave. The Honourable Member for Thompson.— (interjection)— I beg your pardon?

Mr. McCrae: Would there be leave, Mr. Deputy Speaker, for me to take the remainder of my time after the Honourable Member for Thompson, or at a subsequent occasion?

Mr. Deputy Speaker: Leave. The Honourable Member for Thompson.

* (1740)

Mr. Steve Ashton (Second Opposition House Leader): Thank you, Mr. Deputy Speaker. I am quite surprised. I made one comment from my seat that the sentiments being expressed by the Member for Brandon West (Mr. McCrae) were not the same sentiments he expressed 10 minutes ago. All of a sudden I find myself on my feet speaking.

Mr. Deputy Speaker, what has been happening the last few days—this is I think the third time we have had to assist the Government House Leader (Mr. McCrae) who yesterday had some difficulties. We put up a speaker. Today we had the Member for Dauphin (Mr. Plohman) adjourn a previous debate. Today I find myself speaking on this particular Bill, because I assume the House Leader has some difficulty in addressing what is the subject material, which is a very important Bill, An Act to Protect the Health of Non-Smokers.

What I found interesting—I do not have the indication of what time the Member had taken, but I had listened quite intently for some reference to the Bill. I believe the Member may have forgotten once again that we are dealing with An Act to Protect the Health of Non-Smokers, a Bill that he has had adjourned in his name for quite some time, Mr. Deputy Speaker.

I just want to indicate that we have been accommodating before. Out of frustration today we did deny leave in terms of one particular Bill largely because it sat in that person's name for quite a long period of time. In this particular Bill, as I stand here, for the information of the Member for Flin Flon (Mr. Storie), at the request of the Government House Leader (Mr. McCrae) who is obviously having some difficulty in finding speakers in Private Members' hour today.

I do give him credit. At least on this one he knew he had not spoken, something which he had some difficulty with previously. I think the fact that it was standing in his name probably assisted him on that.

If the Government House Leader (Mr. McCrae) was to look at this Bill, I would suggest this is the kind of Bill that we could pass through to committee right now as Members of the Legislature.

It is not a political Bill in the sense that there is any partisan difference. We are dealing with the whole question of promotion of non-smoking. We have seen some major developments in the last number of years, even this year, the last period of time, in terms of Acts to assist non-smokers. The interesting thing, Mr. Deputy Speaker, is that smokers themselves are agreeing increasingly with measures to protect the health of non-smokers.

We saw, for example, in Manitoba within the Civil Service the introduction by the Minister responsible for the Civil Service Commission, Eugene Kostyra, of a number of measures that assured there would be rights for non-smokers. There would only be designated smoking zones to assist those, in fact all of us, who are affected by the impact of secondhand smoke. There are really two different types of effects. It is proven to be a health hazard even to people who have no allergies to tobacco. In cases where there are allergies involved, it can be a very serious situation. In fact just around the Christmas period, between Christmas and New Year, I had a call from a civil servant in Manitoba who indicated that even given the current regulations within the Civil Service in terms of smoking, that she was to the point of having to quit her job, because the smoking area had poor ventilation in the particular Government building that she works in, and she is allergic to tobacco smoke.

There is a classic sort of example of the kind of situation we find ourselves in. I think people are increasingly saying that in terms of smoking there has to be recognition of the rights of individuals such as that to have a clean atmosphere. You know it is interesting, we have debated the environment extensively in the Session. This Bill is really about the environment. It is about the personal environment. It is about the internal environment facing many people. That is why our Leader, the Member for Concordia (Mr. Doer) introduced this Bill.

As Health Critic for the New Democratic Party, I would like to indicate my fullest support for it, because the bottom line is we need this type of regulation to ensure that the health of non-smokers is protected. Now I mentioned about Governments; it is not just Governments that have been insisting in terms of that. I look at what has been happening in terms of transportation, for example. Right now if one flies within Canada—it is partly the result of Government regulations—one will end up on flights which no longer allow smoking. Buses within Manitoba are in the same situation.

We are seeing that this definition has been extended not just, Mr. Deputy Speaker, to the workplace, but to transportation modes as well, virtually any situation where people are in an enclosed space where the impact of secondhand tobacco smoke can be deleterious to their health, whether it be, as I said, because of the proven scientific example—and I know the Member for Transcona is very well aware of this—that secondhand

smoke does have a very negative impact on the health of other individuals. I know the Member for Transcona (Mr. Kozak) knows that very well and fully supports this Bill because it will prevent that.

I must say, Mr. Deputy Speaker, that it is surprising to me in a way that we still have the situation with the Members' Lounge so-called, which is one of the designated smoking areas in the Legislature. As a non-smoker I must admit that I try and avoid the Members' Lounge as much as possible because of the continual smoke.

I particularly try and avoid the Members' Lounge if the Member for Portage (Mr. Connery) has been in there, because I usually do not even have to even enter the Members' Lounge to determine that the Member for Portage has lit up one of his trademark cigars. Although I do not have an allergy to smoke, I believe the brand of cigars that the Member for Portage smokes would be enough to give anybody an allergy to cigar smoke. I mean that, I mean that in all seriousness, because I have asked the question—(interjection)—Well, making reference to the Member for Portage's cigars is taken as a personal attack by the Minister of Finance (Mr. Manness) and the Government House Leader (Mr. McCrae). I am surprised. I do not know if they have listened to some of the comments that come back and forth across the Chamber. If they classify that as a personal attack, I would like to ask what they would classify some of the other things their Members have been throwing across this Chamber on a continual basis.

The point I was raising was right in our own Legislature. Only a few feet away from us we have an example of the fact that the rights of non-smokers are not being protected. I really—

An Honourable Member: Do something about it.

Mr. Ashton: The Minister of the Environment (Mr. Cummings) is talking about—(interjection)—thank you, Mr. Deputy Speaker, if I may continue.

I point to this as an example of the fact that in our very own proverbial backyard there are examples of where action could be taken to prevent the kind of situations we have run into. I really believe we are at the point where smoking is becoming increasingly socially unacceptable to the point where it will soon be relegated—and my apologies to the smokers of the House—to the spittoons. Ash trays will go the way of spittoons. I say that in all seriousness.

The fact is more and more people are becoming conscious of the impact, not only, of course, on other people but on their own health. That is why we have introduced this particular Bill. I believe it is a reasonable Bill. I believe it is worthy of support. If the Member for Brandon West (Mr. McCrae), who got up and seemingly was changing his course from the previous comments he had made during Private Members' hour—was talking about co-operation. The Member for Brandon West would like to exhibit that co-operation. What I would suggest is that when he speaks, when he continues with his comments, that he stand up, give his comments and that we pass this Bill through to

committee. I am sure there is no objection on behalf of the Liberal Members in passing this through. I look to them. I see no objections. I do not wish to speak for them. I do believe that they have indicated some support for this. When it was announced, it was indicated that they did support this.

I would hope the Government would take leadership. I would be quite happy if the Government would adopt the sponsorship of this Bill as a Government Bill. I would think that would be the most appropriate way of seeing this Bill enacted. I believe the Minister of Health (Mr. Orchard) should have in fact introduced exactly this type of Bill. The Minister of Health, of all people, should know the negative impacts of smoking, the need to have action to prevent smoking. Also, even given the fact that obviously it will continue, that people do have the right to smoke, the Minister of Health would, of all people, recognize the need to protect the rights of non-smokers, which is exactly the point of this Bill. It enacts a number of ways, a number of concrete ways, not just in the Government buildings, not just through Government regulated agencies. In the population as a whole we would be able to see people having protection in terms of stores, in terms of schools, in terms of universities, in terms of workplaces. That is why this Bill is an important Bill.

By the way, Deputy Speaker, earlier when the Government House Leader (Mr. McCrae), after he had asked whether we were willing to waive Private Members' hour—I felt he was rather out of order, to say the least, in suggesting there was something wrong in us wanting to have the one hour per day that we are allowed to discuss Private Members' hour Bills. We have debated today Bills in regards to the Manitoba Intercultural Council, in terms of the health of non-smokers. Those are important issues. These Bills—and for the Member for Seven Oaks, or is it St. Johns, I am not sure; I am rather confused. I think he is the pretender to the throne; he is trying to tell his constituents he is the Member for St. Johns. I wish him luck; he is going to need it.

It is Bill 16 and the Act to Protect the Health of Non-Smokers, which would bring in a number of regulations which would, not just within the Government, but in Manitoba as a whole, provide protection to non-smokers. I want to say that is why we wanted Private Members' hour today, because we wanted to deal with these Bills. They are very important Bills. I mentioned two we are debating today.

I would like to see the next Bill, Bill No. 17 debated in full, The Employment Standards Amendment Act. It is an important Bill. It deals with protection for people affected by plant closures and—what else? One could continue down the list and I really think, Mr. Deputy Speaker, there should be some recognition from the Government House Leader (Mr. McCrae) of the fact that Private Members' hour has had some very substantive Bills introduced by Members of both Opposition Parties because we have seen, I would say, a record number of Bills introduced, Bills that are worthy of consideration.

I realize the Government House Leader (Mr. McCrae) has a fixation on one particular Bill in this Session and

would like us to deal with nothing more than that. The fact is there are other concerns out there and, yes, we will debate Bill 31 if the Government House Leader insists on calling it. We have debated it fully this last number of weeks, number of months, but there are other Bills, and I think the Government House Leader should recognize that.

Bills such as Bill No. 16 are equally as important in terms of debate. In fact, I find it ironic, given some of the comments that have been made, that some of the greatest debate has taken place on The Highway Traffic Amendment Act (2), the so-called "dirty licence Bill." I do not want to suggest that the Bill is not an important Bill. I am sure, to the Member for Assiniboia (Mr. Mandrake), he considers it an important Bill. I really believe—Mr. Deputy Speaker, I do not wish to make comments that are in any way critical of the Member for Assiniboia, but the Bill that the Conservative Members in this House have spoken to the most has been Bill No. 4, and where is Bill No. 4? It is in Private Members' hour. Private Members' hour that they repeatedly have asked be cancelled, that leave be given to discuss other business.

There is a certain amount of inconsistency here. There is a great deal of inconsistency from this Government. I would suggest they do not really know what they are doing, and the fact that one comment from my seat prompted the Government House Leader (Mr. McCrae) to sit down on this Bill, I think indicates they are having a great deal of time ordering the business of this House. They are having a great deal of time even getting people to speak on important Bills.

I think the Government House Leader (Mr. McCrae) should go back to his caucus and, whether it be on Bill 13 or whether it be on Bill 16, remind them that there are important matters to be discussed. I feel it is the Government House Leader's responsibility to ensure these matters are debated and, further to that, if there are Bills that can be passed through to committee, that we do it, Mr. Deputy Speaker.

I have offered on repeated occasions—three particular Bills, since December 4, which our caucus has offered to pass through to committee. I will add to that collection of Bills, Bill No. 16. We will not put up any more speakers on Bill No. 16 if the Government House Leader (Mr. McCrae) agrees to pass it through to committee. Bill No. 17 we offered December 4, the Government had rejected it. I will reiterate that again, because those Bills are equally as important to this Manitoba Legislature as any of the fixations of the Government House Leader.

Now that the Government House Leader will have his time, and he has had time to collect his thoughts, I hope he will stand on his feet and that we, by the end, by six o'clock today, we can give leave if necessary to sit past that time so the Minister can complete his comments, can in the spirit of true co-operation pass Bill No. 16 through to second reading so that we can act to protect the health of non-smokers.

Mr. Deputy Speaker: The Honourable Government House Leader (Mr. McCrae) has 12 minutes remaining.

Mr. McCrae: In the spirit of the kind of co-operation and understanding the Honourable Member for Thompson (Mr. Ashton) puts forward as the hallmark of Members of his Party, I will attempt to resist the temptation to respond to some of the sanctimonious comments that we get from the Honourable Member for Thompson and others of his Party. Certainly the Honourable Member for Elmwood (Mr. Maloway) is a perfect example of one of these people who attempts to shine through sanctimoniously, all the while doing all in his power to subvert the real purposes of the democratic process here in the Legislature of the Province of Manitoba.

* (1750)

As I was saying before I allowed the Honourable Member for Thompson (Mr. Ashton) to get involved in the debate—I was talking about a conversation I had with a former legislative colleague of his at that time, the Honourable Vic Schroeder, on how it is that a lot of work does get done by virtue of all-Party agreement in this House. There are times when we quarrel and maybe even bicker a little bit, and the arguments tend to get heated at times. But you know, by and large there are a relatively small number of Bills or principles in this House on which we have difficulty agreeing. When that happens, we find philosophical differences coming in. Common sense sometimes goes out the window, as is the case with Bill 31 with regard to the Member for Thompson and the Members of his Party.

The Honourable Member for Thompson—and in a spirit of trying to listen carefully without being rude or interrupting, I tried to let him carry in with his comments. I did not rise on any points of order even though, during his comments on this Bill, the Honourable Member for Thompson repeatedly strayed far from any relevant discussion of Bill 16, the Bill before us, the Act to Protect the Health of Non-smokers. He discussed other Bills; he discussed Bill 31. I realized that the Members of the New Democratic Party have some kind of fixation on Bill 31, the Act to repeal the final offer selection legislation in this province. That is all right. I mean, if you are a socialist, you are a socialist. You are going to have your philosophical fixations.

But Members on this side of the House have a lengthy legislative schedule. We have a lot of important Bills on the list dealing with all manner of things relating to the environment and relating to the administration of justice in our province, and industry and resources and all of those things that are so important to a brighter future for all Manitobans. But no, Members of the New Democratic Party want to get bogged down in one particular Bill because this is their particular philosophic bent. Bernie Christophe seems to be pulling some strings here in Manitoba again. I was here, Mr. Deputy Speaker. Some of my friends in the Liberal were not here at the time, but I was here when the bail-out-Bernie Bill was first brought into this Legislature. It was right in the middle of a strike. That was when the NDP decided to bring in this kind of Russian roulette type of arbitration to bail out Bernie.

There is more to life in Manitoba than doing the bidding of one Bernard Christophe. There are more people in this province than Bernard Christophe.

Thursday, February 15, 1990

Some Honourable Members: Oh, oh!

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

Mr. Deputy Speaker: The Honourable Member for Thompson, on a point of order.

Mr. Ashton: Mr. Deputy Speaker, earlier leave was given to allow myself to speak on this particular matter. If the Minister of Health (Mr. Orchard) has any comments—he seems to be making a fair number of them. I am sure we can give leave to the Minister of Health to address this matter now if the Government House Leader (Mr. McCrae) is having, as he appears to do, a fair amount of difficulty in continuing his speech. I find it ironic that he was criticizing our Members for heckling, when right now the heckling is coming from his own benches.

Some Honourable Members: Oh, oh!

Mr. Deputy Speaker: Order, please. Order. The Honourable Member does not have a point of order. The Honourable Government House Leader has the floor.

Mr. McCrae: Well, I suppose the Honourable Member for Thompson is partly correct when he says I am having trouble. If we look at the last hour, I believe there have

now been three points of order raised by Members of the New Democratic Party. Either the Member for Dauphin (Mr. Plohman) twice, or the Member for Thompson (Mr. Ashton). Perhaps it is more than twice for him. Yes, I heard the Honourable Minister of Health (Mr. Orchard) making a comment, a good-natured banter from his seat, or from near his seat. This happens here. There are times when it does happen.

But the sanctimony of the Honourable Member for Thompson (Mr. Ashton) sometimes leads you to wonder why he is even here, that maybe he should be somewhere else, maybe on a soapbox somewhere in a park preaching to those who might want to gather around. It does not matter if we are talking about a smoking Bill, or we are talking about an environmental Bill, or we are talking about a resources Bill, or whatever, it always seems to come back to final offer selection. No matter what it is the New Democrats get into these days, it is final offer selection and how it is going to save the world. Well, it might save some political hides here if they continue to do the bidding of the people like Bernard Christophe who seems to run the agenda of the New Democratic Party in this province.

But, Mr. Deputy Speaker, be that as it may, I see it approaching six o'clock. Is that why you are rising?

Mr. Deputy Speaker: When this matter is again before the House the Honourable Minister will have six minutes remaining.

The hour being 6 p.m., in accordance with the rules, this House is now adjourned and remains adjourned until 10 a.m. tomorrow (Friday).