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**Second Session — Thirty-Fourth Legislature**  
of the  
**Legislative Assembly of Manitoba**

**DEBATES**  
and  
**PROCEEDINGS**  
**(HANSARD)**

38-39 Elizabeth II

*Published under the  
authority of  
The Honourable Denis C. Rocan  
Speaker*



**VOL. XXXVIII No. 129 - 1:30 p.m., TUESDAY, FEBRUARY 20, 1990.**



**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Fourth Legislature**

**Members, Constituencies and Political Affiliation**

NAME	CONSTITUENCY	PARTY
<b>ALCOCK, Reg</b>	Osborne	LIBERAL
<b>ANGUS, John</b>	St. Norbert	LIBERAL
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BURRELL, Parker</b>	Swan River	PC
<b>CARR, James</b>	Fort Rouge	LIBERAL
<b>CARSTAIRS, Sharon</b>	River Heights	LIBERAL
<b>CHARLES, Gwen</b>	Selkirk	LIBERAL
<b>CHEEMA, Gulzar</b>	Kildonan	LIBERAL
<b>CHORNOPYSKI, William</b>	Burrows	LIBERAL
<b>CONNERY, Edward, Hon.</b>	Portage la Prairie	PC
<b>COWAN, Jay</b>	Churchill	NDP
<b>CUMMINGS, Glen, Hon.</b>	Ste. Rose du Lac	PC
<b>DERKACH, Leonard, Hon.</b>	Roblin-Russell	PC
<b>DOER, Gary</b>	Concordia	NDP
<b>DOWNEY, James, Hon.</b>	Arthur	PC
<b>DRIEDGER, Albert, Hon.</b>	Emerson	PC
<b>DRIEDGER, Herold L.</b>	Niakwa	LIBERAL
<b>DUCHARME, Gerald, Hon.</b>	Riel	PC
<b>EDWARDS, Paul</b>	St. James	LIBERAL
<b>ENNS, Harry, Hon.</b>	Lakeside	PC
<b>ERNST, Jim, Hon.</b>	Charleswood	PC
<b>EVANS, Laurie E.</b>	Fort Garry	LIBERAL
<b>EVANS, Leonard S.</b>	Brandon East	NDP
<b>FILMON, Gary, Hon.</b>	Tuxedo	PC
<b>FINDLAY, Glen, Hon.</b>	Virden	PC
<b>GAUDRY, Neil</b>	St. Boniface	LIBERAL
<b>GILLESHAMMER, Harold</b>	Minnedosa	PC
<b>GRAY, Avis</b>	Ellice	LIBERAL
<b>HAMMOND, Gerrie, Hon.</b>	Kirkfield Park	PC
<b>HARAPIAK, Harry</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HELWER, Edward R.</b>	Gimli	PC
<b>HEMPHILL, Maureen</b>	Logan	NDP
<b>KOZAK, Richard J.</b>	Transcona	LIBERAL
<b>LAMOUREUX, Kevin M.</b>	Inkster	LIBERAL
<b>MALOWAY, Jim</b>	Elmwood	NDP
<b>MANDRAKE, Ed</b>	Assiniboia	LIBERAL
<b>MANNESSE, Clayton, Hon.</b>	Morris	PC
<b>McCRAE, James, Hon.</b>	Brandon West	PC
<b>MINENKO, Mark</b>	Seven Oaks	LIBERAL
<b>MITCHELSON, Bonnie, Hon.</b>	River East	PC
<b>NEUFELD, Harold, Hon.</b>	Rossmere	PC
<b>OLESON, Charlotte, Hon.</b>	Gladstone	PC
<b>ORCHARD, Donald, Hon.</b>	Pembina	PC
<b>PANKRATZ, Helmut</b>	La Verendrye	PC
<b>PATTERSON, Allan</b>	Radisson	LIBERAL
<b>PENNER, Jack, Hon.</b>	Rhineland	PC
<b>PLOHMAN, John</b>	Dauphin	NDP
<b>PRAZNIK, Darren</b>	Lac du Bonnet	PC
<b>ROCAN, Denis, Hon.</b>	Turtle Mountain	PC
<b>ROCH, Gilles</b>	Springfield	LIBERAL
<b>ROSE, Bob</b>	St. Vital	LIBERAL
<b>STORIE, Jerry</b>	Flin Flon	NDP
<b>TAYLOR, Harold</b>	Wolseley	LIBERAL
<b>URUSKI, Bill</b>	Interlake	NDP
<b>WASYLYCIA-LEIS, Judy</b>	St. Johns	NDP
<b>YEO, J. Iva</b>	Sturgeon Creek	LIBERAL

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, February 20, 1990.

The House met at 1:30 p.m.

### PRAYERS ROUTINE PROCEEDINGS TABLING OF REPORTS

**Hon. Jack Penner (Minister of Rural Development):** Mr. Speaker, I would like to table today the Actuarial Report on the Manitoba Municipal Employees pension plan.

I would like to also put before the House today the Annual Report of the Municipal Board.

### ORAL QUESTION PERIOD Child and Family Services Deficit Analysis

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, when this Government took office, four of the eight Child and Family Service agencies in the province either had balanced budgets or indeed they had surpluses.

Now we have a situation in which every single Child and Family Service agency in the Province of Manitoba is suffering from financial difficulties. This Government's callous and insensitive attitude toward these agencies is punishing and pushing the agencies and the social workers as they did the foster parents and the child care workers.

In a letter dated November 15, 1989, the Minister in a letter to the North West Child and Family Services agency stated that she would have a complete review of the agency's debt and deficits. In four to six weeks it would be ready. That was over three months ago, Mr. Speaker.

Yesterday the First Minister (Mr. Filmon) indicated that his Government was in constant communication with the agencies. Can the Minister tell this House today why something that was to take four to six weeks is still incomplete, and these agencies some 40 days toward the end of the fiscal year still do not know how they are to be treated by this Government?

**Hon. Charlotte Oleson (Minister of Family Services):** Mr. Speaker, the agencies were instructed not to cut service to children, to maintain their service to children. They gave me and the department a projection of their projected deficits.

I would point out to the Member that last year they projected deficits in the neighbourhood of \$3.5 million. Actual deficits at the end of the year were funded to the tune of \$1.7 million. I wonder if the Member would like just a knee-jerk reaction and pay off to them, immediately, a projected deficit without doing evaluation to make sure if that was warranted.- (interjection)-

**Mr. Speaker:** Order, please. The Honourable Leader of the Opposition.

**Mrs. Carstairs:** Mr. Speaker, this Government has been in power for 22 months. Do they still not know what the problems are at these agencies?

**Mrs. Oleson:** We know what the problems are at the agencies. We have increased their funding to the tune of 10 percent in some agencies over their actual spending for last year. We know the problem. We are attempting to address it.

\* (1335)

### Service Reduction

**Mrs. Sharon Carstairs (Leader of the Opposition):** We truly see the inconsistency of this Government. The Premier (Mr. Filmon) says they overproject. The Minister says, well, they cannot cut needed services to children. Would the Minister please tell these agencies how they are to determine which children will be cut?

**Hon. Charlotte Oleson (Minister of Family Services):** Mr. Speaker, I am disappointed that the Leader of the Opposition (Mrs. Carstairs) would suggest that you pick and choose. The agencies were told not to cut service to children, period.

### Staffing Levels

**Mrs. Sharon Carstairs (Leader of the Opposition):** I would like to know what magic formula the Minister has, with 25 percent of the social workers quitting, with caseloads twice as large as they are supposed to be. Will the Minister tell this House what her magic formula is to guarantee children to get services when they have inadequate staffing, inadequate levels of ability to cope?

**Hon. Charlotte Oleson (Minister of Family Services):** I have indicated to the Members of this House, and it has been indicated to the agencies, that we are working with them to accomplish proper funding for their agencies.

We do not just do, as I said before, a knee-jerk reaction, and the minute they project something we pay it. We do not have an open cheque book like the Member for River Heights (Mrs. Carstairs) has.

### Deficit Analysis

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, this Government has been unable or unwilling to determine what the problems are. Would the Family Services' Minister tell this House why she cannot adequately define, for this House, the problems faced by every Child and Family Service agency in the province, and why they are unable to provide the services so desperately required?

**Hon. Charlotte Oleson (Minister of Family Services):** Mr. Speaker, the agencies have been told to provide the service. We are working with them in a co-operative fashion to attempt to fund them to provide that service. In the future we will be able to make better projections, because we are putting in an Agency Relations Branch and an audit system in our department to better manage the department.

### Government Communication

**Mrs. Sharon Carstairs (Leader of the Opposition):** The First Minister (Mr. Filmon) indicated yesterday that his Government was in constant consultation with these agencies. What we learned today was they have had no contact with four of the agencies in the last few months. How can they determine the needs of the agencies if they are not even talking to them?

**Hon. Charlotte Oleson (Minister of Family Services):** I have been in correspondence with those agencies. My staff has met with—as far as I know, I could check back—but my staff meets continually with the agencies.

### Federal Budget Farm Income Assistance

**Mr. Bill Uruski (Interlake):** Our Leader has been raising questions in this House on a number of occasions dealing with what has been and is very evident in the farm community and in the world market, that the United States has undercut traditional Wheat Board markets for the selling of grain by using its export enhancement program. They have now requested an additional \$900 million in that program. The wheat prices have been lowered by anywhere up to \$22 a tonne to Canadian farmers. Manitoba farm incomes are projected to drop by 90 percent, recognizing that existing national programs will not be paying out.

I want to ask this Minister, since his Government has kept virtually silent on all the federal Government cutbacks and program cuts on offloading, what income assistance will Manitoba farmers be able to receive, and what protection will they receive from this federal Budget, recognizing that traditional farm programs in this country will not be making any payouts this coming spring?

**Hon. Glen Findlay (Minister of Agriculture):** Mr. Speaker, I presume the Member is speaking to me, although he did not address the Minister of Agriculture.

Mr. Speaker, I do not know what is in the federal budget that is coming down, so I cannot comment on it. All I can say is the Member is right in terms of the fact that there are some very significant challenges in front of the agricultural community in the Province of Manitoba and the country of Canada because of some of the issues that are happening on the international scene. Canada has played a very aggressive role, along with the Cairns Group of nations, in terms of trying to get some sanity in the subsidy war between the United States and Europe, and we are using the GATT process to accomplish that. I have confidence that we will accomplish some sanity in the export situation with

regard to subsidies in the grain sector on an international basis.

\* (1340)

Canada has played a leading role in bringing that to the table, and the Americans are, as I said earlier to the Leader of the Opposition, playing a game of chicken by putting out a challenge to the European Economic Community, either you bargain in good faith at the bargaining table or we will get further involved in the export enhancement program, which we all know will be very negative to Canada and any of the other small exporting nations.

### Farming Industry Financial Assistance

**Mr. Bill Uruski (Interlake):** Mr. Speaker, it appears that this Minister is putting all his eggs in one negotiating basket on behalf of his colleagues in Ottawa. I ask this Minister, can Manitoba farmers, given the present situation in their incomes, given the fact that at least 4,000 Manitoba farmers are in serious financial difficulty, and many of whom are in the grain industry, will they be able to expect financial assistance, either in the form of a move to counteract what the United States is doing or some additional drought payments this spring before the crop goes in?

**Hon. Glen Findlay (Minister of Agriculture):** Mr. Speaker, as the Member well knows, back in December some 1,800 people from across the country of Canada met in Ottawa to talk about a series of agriculture issues. Seven issues were identified. One was a safety net program to be able to respond to the sort of income shortfalls farmers have experienced in the past. A number of programs have been tried in the past, like Western Grain Stabilization which, unfortunately, was not drafted properly so that it could respond at this point in time of need. Tripartite programs have been put in place which are serving the red meat industry quite well, and the various other commodities that are under tripartite. The crop insurance program has responded very well in terms of helping farmers when drought strikes or loss of crop for other reasons occurs on an individual farm basis.

We have a national task force on a safety net presently undergoing a process of evaluation with the idea of bringing some recommendation to the Ministers, provincially and nationally, within the next few months. That task force is made up of some 32 people—16 producers, eight provincial representatives, and eight federal representatives. They are doing a very thorough analysis of that very question right at this point in time.

**Mr. Uruski:** Mr. Speaker, the Minister of Agriculture (Mr. Findlay) sounds more like the Minister of Northern Affairs (Mr. Downey) every time he gets up in terms of active analysis.

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

**Mr. Speaker:** Order, please; order, please. The Honourable Member for the Interlake.

Tuesday, February 20, 1990

**Mr. Uruski:** Mr. Speaker, has the Minister of Agriculture (Mr. Findlay) demanded from his colleagues in Ottawa, in the event that this war of subsidies that is being played out between the U.S. and the European Economic Community is bound to fail, that Manitoba farmers will receive income protection that they require in order to put in this year's crop, given the financial circumstances that thousands of Manitoba farmers are in?

**Mr. Findlay:** We all know the seriousness if that should happen. I will also tell the Member that I am very pleased to be associated with the Minister of Northern Affairs (Mr. Downey), because he has been a veteran Member of this House for some 13 years, well recognized as representing his constituents exceedingly well.

At this point in time, there is a federal-provincial task force looking at the very eventuality that the Member for Interlake (Mr. Uruski) recognizes, that in the event that the GATT process does not proceed towards the conclusion we want we have to look at some interim measure of being able to keep our farmers receiving a reasonable income from export grains. That task force is presently ongoing in terms of analyzing what we can do as a country. Yes, the provinces are going to be demanding that the federal Government respond in some positive way to supporting the grain economy of western Canada.

**Mr. Uruski:** Mr. Speaker, thousands of Manitoba farmers are facing bankruptcy. We have had over six months of studies by this Minister of Agriculture (Mr. Findlay) in this whole area with his colleagues in Ottawa. He has sat silently by when the federal Government has cut back and offloaded expenditures onto Manitoba farmers.

I ask him again, is there going to be an announcement from him within the next two weeks saying to Manitoba farmers that there will be income protection to the grain sector, given the circumstances in the economy today for the farm community?

\* (1345)

**Mr. Findlay:** I am disappointed that the Member puts false information on the record. He says thousands of Manitoba farmers are facing bankruptcy. For his information, in 1988, 26 bankruptcies occurred in the farm community and last year 27, so that is not thousands.

Mr. Speaker, the mediation board process has been very successful in being able to resolve the debt situations of a lot of farmers in rural Manitoba.

That is absolutely a ludicrous statement. He tries to project that the farm community is desperate and dying. The farm community is very much alive. In fact, the total debt in the farm community has gone down over the last two years. Farmers' ability to meet their commitments has increased. The farm community is very strong and healthy. Yes, as a Government representing the farmers of the Province of Manitoba -(interjection)-

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

**Mr. Findlay:** As usual the Member for Flin Flon (Mr. Storie) has no respect for the farm community, Mr. Speaker.

I can say very loud and clear to the farmers of rural Manitoba, if they have concerns about incomes in the crop area this next year the first line of defence is going to be crop insurance. A lot of effort and work has gone into improving that program. As I said a year ago, I very strongly recommend farmers sign up for crop insurance. It is their first line of defence from a lack of profit in 1990. Thank you, Mr. Speaker.

### Manitoba Hydro Preferential Policy

**Mr. John Angus (St. Norbert):** Mr. Speaker, my question is to the Minister responsible for Manitoba Hydro Corporation. Earlier this Session I requested information and/or asked about a Manitoba-first policy, asked for confirmation or an enlightenment in relation to the Conawapa process. I challenge the remarks of the lowest qualified tender being the only criterion that the Premier had put forward. In Perspective 2000, the Manitoba Hydro document, it indicates a Buy Manitoba Program which permits the corporation to pay at its discretion a marginal premium to award businesses to Manitoba manufacturers.

My question is: Is this a firm policy? What percentage of the value is considered acceptable?

**Hon. Harold Neufeld (Minister of Energy and Mines):** Mr. Speaker, I will answer the last part of the question first. There will be no targets; there will be no percentages placed on the numbers of Manitoba suppliers. The Manitoba suppliers are quite capable of tendering and winning contracts from Manitoba Hydro without giving too much of a preference. In the normal course of business, because of their location, they will get the contracts because they have a lesser transportation problem.

I am not concerned at all about Manitoba businesses being able to tender competitively with the rest of the Canadian suppliers for Manitoba Hydro contracts.

**Mr. Angus:** Mr. Speaker, it baits the question then, how are the potential suppliers made aware in a definitive fashion of the amount that will be considered or, more importantly, how is the decision made? How do they know?

**Mr. Neufeld:** Mr. Speaker, the Manitoba Hydro has its purchasing department. It has people in there who will receive tenders when tenders are sent out. They will receive offers when they are asked for, and they make the decision as to where and when that offer will be placed.

**Mr. Angus:** Mr. Speaker, is the Minister suggesting that they give the preference when they feel like it or at their discretion, or is there a specific policy that identifies how that decision is going to be made? We have \$5 billion on the table, Mr. Speaker. Let us talk about it.

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

**Mr. Speaker:** Order, please. The question has been put. The Honourable Minister of Energy and Mines.

**Mr. Neufeld:** Mr. Speaker, it is \$5 billion if we are talking about Conawapa. The Member for St. Norbert (Mr. Angus) asked the question, in the normal course of business. For the Conawapa project there have been a number of committees structured to look at the purchasing policies, to look at the industrial benefits that can be achieved from the construction of Conawapa. Those committees are in the process of being set up. They will be functioning within six months and long before any contracts are let.

Mr. Speaker, the Manitoba Government, the Conservative Government is working towards structuring the contracts as much as possible to give Manitoba suppliers every advantage.

\* (1350)

### **Portage la Prairie Women's Jail Strip Search Policy**

**Mr. Paul Edwards (St. James):** Mr. Speaker, my question is for the Minister responsible for Corrections (Mr. McCrae). Portage la Prairie women's jail has been innovative with respect to initiating programs promoting the bonding between children and their parents who happen to be inmates. I was therefore disturbed, and I believe most Manitobans were disturbed, to learn of strip searches being conducted on some children in order to learn if they are carrying drugs to their mothers. My question to the Minister is quite simple: Why was this policy initiated?

**Hon. James McCrae (Minister of Justice and Attorney General):** Mr. Speaker, I appreciate the comments of the Honourable Member about bonding. As a matter of fact, last Friday I had occasion to visit the Portage facility and had occasion to see a mother there with her child. I understand the kinds of concerns that the Honourable Member has in raising the question.

I too would be disturbed about a casual policy about strip searches. I too would be concerned about a policy of indiscriminate strip searches. The policy on strip searching is identical in practice and in procedure to other correctional jurisdictions. These strip searches are not undertaken lightly or indiscriminately.

**Mr. Edwards:** Mr. Speaker, I believe it is quite unique that strip searches be done of children.

My supplementary question to the Minister is, why is the child subjected to the search and not the inmate following the visit in that the child is not the guilty party and indeed learns all of the wrong things about the corrections system when subjected to this type of a search?

**Mr. McCrae:** I think the underlying concern on the part of authorities in correctional institutions across the country is the proliferation of contraband drugs in our

institutions. Once cause is determined—cause being made known to authorities through such vehicles as police information, information obtained from other inmates, information obtained through phone calls and letters—the strip search is arranged on visitors or inmates.

For visitors, consent must be given as happened in the case that I am sure the Honourable Member is referring to. If that consent is denied, access to the institution is also denied. The practice of strip searching occurs very infrequently with children and in exceptional circumstances only. In cases where that is necessary, searches are completed in the most sensitive manner possible.

**Mr. Edwards:** I see the Minister reading from notes prepared, but I ask him to consider the very reasonable suggestion I have just put forward.

Mr. Speaker, let me suggest another alternative to the Minister. What investigation has the Minister made into alternative means of detecting contraband, like automated drug and metal detectors already commonly used in airports which are far less obtrusive than strip searches of children?

**Mr. McCrae:** The Honourable Member wants to make some kind of a point that my department has kindly provided me with a briefing note so that I can bring accurate information before the House. Perhaps the Honourable Member should use his briefing notes once in a while, and we would get accurate information from him.

I detected, by the way, that I thought the Honourable Member might have been reading his last question, Mr. Speaker—for shame.

### **VIA RAIL Northern Route Protection**

**Mr. John Plohman (Dauphin):** Mr. Speaker, yesterday I asked the Minister of Transportation (Mr. Albert Driedger) about his dismal performance on Churchill during his time as Minister responsible, in light of the fact that there is no agreement on Churchill succeeding the five-year agreement that was in place and in light of the fact that he did not protect Churchill's interests in the "pay the producer" debate that is going on which would certainly doom Churchill.

We also are aware that the federal neglect of our regions continues, because we are aware that the National Transportation Agency, which has been appointed by the Tory Government, is proposing that VIA Rail no longer have to apply to the agency to abandon services.

I ask the Minister of Transportation, what position has his Government taken on this proposal by the National Transportation Agency? Has this Minister made a specific submission to the federal National Transportation Agency on that ill-conceived proposal?

**Hon. Albert Driedger (Minister of Highways and Transportation):** Mr. Speaker, aside from the

comments that the Member for Dauphin (Mr. Plohman) has made—and I am getting used to that kind of a broad prelude when he raises questions—I have to indicate to you that I do not care what the National Transportation Agency is saying, that I have a personal commitment from the federal Minister of Transportation to guarantee rail service or transportation service for the isolated community of Churchill for the next five years, and I hold him by that.

\* (1355)

**Mr. Plohman:** I ask this Minister, he has said that he has a five-year agreement. We know the National Transportation Agency is now saying that they would not even have to apply to abandon service. I ask this Minister to table his five-year agreement that he says he has from the federal Minister for service to Churchill for VIA Rail, to table that in this House.

**Mr. Albert Driedger:** I still have confidence in a person's word. When I meet with the federal Minister and he gives me that commitment, I have full confidence that his word is good.

**Mr. Plohman:** This is blind faith in a federal Government that has indicated no generosity or understanding of the needs of Manitobans in any way, shape or form. I ask again of this Minister, has he made specific representation on the National Transportation Agency's proposal to have VIA Rail eliminate service without any hearings, public hearings, without a formal application? Has he made a submission opposing that and has he notified the other committees—

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

**Mr. Albert Driedger:** No, Mr. Speaker, but I do not support the position that they are putting forward and will notify them.

### Education School Year Length

**Mrs. Iva Yeo (Sturgeon Creek):** In a February 8 letter to all school divisions and districts, the Minister of Education (Mr. Derkach) issued the directive regarding the 1990-91 school year. In the letter, the Minister declares the fall term to begin on August 29, 1990, for teachers only. Students, the letter states, shall commence on Tuesday, September 4, 1990. Can the Minister tell us what communication he had and with whom to reach this decision that will affect tens of thousands of Manitobans?

**Hon. Leonard Derkach (Minister of Education and Training):** With regard to that question, I have to tell the Member opposite that each year the Minister of Education, regardless of who it is, has the responsibility of setting the school year. It is usually done at this time of the year. Sometimes it may be in the middle of March. This year that announcement was made about a week ago, and it was communicated to all school divisions last week.

**Mrs. Yeo:** I realize it was communicated to all school divisions. My question was: With whom did he consult to reach this very important decision?

**Mr. Derkach:** I have to tell the Member opposite that in all matters, staff from my department and myself communicate with major education organizations on many areas. This is a matter which is usually set by the Minister of Education at this time of the year, where there is not a major sort of consultation required. It is a matter of setting a certain number of days in a school year and announcing to school divisions when school will start for the fall term and also for the spring term.

**Mrs. Yeo:** Mr. Speaker, unilateral decisions seem to be the only way that this Minister can make up his mind. Will the Minister of Education review, with the key players, the pros and cons of this directive, of this ruling, so that the school divisions will know how to plan for these lump periods at the beginning of the school year for professional development?

**Mr. Derkach:** Mr. Speaker, I find it a little strange that not so long ago the Member for Sturgeon Creek (Mrs. Yeo) was indicating that we do too much consulting, now she is saying that we do not do enough consulting. We really do not know where she is at.

Mr. Speaker, we do consult with school divisions and superintendents. As a matter of fact, there is flexibility built into the school year so that those divisions who wish to change their in-service dates may do so. I think it is a positive move when we can allow high school students in this province to spend a few extra days during the summer to take advantage of perhaps some spending money—

**Mr. Speaker:** Order, please. The question has been answered.

\* (1400)

### Bill No. 42 Standing Committee Referral

**Mr. Jay Cowan (Churchill):** My question is to the Minister of Housing (Mr. Ducharme). Day by day, we see more housing problems arise in the city, housing problems among urban dwellers, housing problems among Natives, housing problems among those who are most in need of housing, single parents and others, and all that time we have a Bill on the Order Paper, Bill No. 42, which has been passed through second reading, which is awaiting committee hearing so that it can be put into effect to protect those who are vulnerable and most in need of good, strong housing legislation.

Three weeks ago, I had asked the Minister when that Bill would be brought to committee, and at that time—

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

**Mr. Speaker:** Order, please.

**Mr. Cowan:** Well, the first—

**An Honourable Member:** Where have you been? It is passed.

**Mr. Speaker:** Order, please; order, please. The Honourable Member for Churchill was just about to pose his question. The Honourable Member for Churchill.

**Mr. Cowan:** Given that Bill 42 has passed second reading and the debate on Bill 31 has nothing to do with it proceeding to committee, can the Minister indicate why it is that it has not been ordered for committee and when it is expected to be brought forward to committee?

**Hon. Gerald Ducharme (Minister of Housing):** Mr. Speaker, it is too bad the Member from across the way when he was in Government waited 20 years and still did not propose any Bills to The Residential Tenancies Act. If he would look back at the notes he would see the comments I made, that we are interviewing different groups.

To the Member across the way, one group, the tenants' groups that we have met, have 55 changes they would like to be made—tenant groups. We have talked also to landlord groups which have 60 changes. The reason for that is simply because these groups have come forward during December and January, and this Government will listen to their concerns.

**Mr. Cowan:** Mr. Speaker, it only feels like I have been here 20 years. The -(interjection)- and sometimes it looks like it, yes, indeed.

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

**Mr. Speaker:** Order, please.

**Mr. Cowan:** I can assure the First Minister (Mr. Filmon), in whatever time I have left, I expect to put much more on the record as well.

I ask the Minister, given that the—

**An Honourable Member:** Be my guest. Be my guest, and it will not be any better than the other stuff.

**Mr. Speaker:** Order. The Honourable Member for Churchill.

**Mr. Cowan:** Given, Mr. Speaker, that the housing groups have indicated to me that they have met with the Minister and they want to see this Bill proceed to the committee, and given that the last time I asked this question the Minister used meetings with the housing groups as an excuse for not proceeding to committee, can he now indicate to the housing groups and to the landlord groups, who would like to see this matter finalized, when the Bill will be brought to committee?

**Mr. Ducharme:** Mr. Speaker, I am aghast that the Member across the way sat here for four days and discussed one part of the Bill—one speaker, four days. Can you imagine that if we did the 92 Bills and each

took four days how long it would take us to get through this Session? Maybe he should go back to those groups and explain to them why it has not come on the floor yet.

### Landlord Lobby Group

**Mr. Jay Cowan (Churchill):** Bill 42 passed second reading in this House on December 22. It could have been brought to committee any time since then. My question to the Minister is: What is he afraid of or is it that the landlord groups have gotten to him to force the Government to stall bringing forward this legislation, because they do not want to see stronger protection for tenants in this province?

**Hon. Gerald Ducharme (Minister of Housing):** I guess the Member for Churchill was not listening. I told him both groups have quite a few changes they want to address. Mr. Speaker, we will bring the Bill forward when we have addressed those issues. I still say maybe he should go back and explain to these groups his filibuster that he took for four days.

### Urban Native Strategy Funding

**Mr. Herold Driedger (Niakwa):** I have a question for the Minister of Northern and Native Affairs (Mr. Downey). In response to my question last week regarding how he saw the relationship between the Core Area Initiative and his Government's Urban Native Strategy, he put on record that there have been many programs that have been put into place by the Government without any other level of Government or any other agreements, and then he listed some of the organizations he and his Government have funded.

My question for the Minister is simply: Does this mean that his Urban Native Strategy is completely independent of the Core Area Initiative?

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, there have been discussions with the City of Winnipeg, who are part of the Core Area Initiative.

**Mr. Herold Driedger:** Well, the Urban Native Strategy is also part of the City of Winnipeg agenda, I would think.

Considering the fact that he is now waiting with the core area and basically moving ahead with the Urban Native Strategy, does he expect then, if his is independent of the other, that the Urban Native Strategy will fill the gap left by the loss of core area funding when this expires in March of 1991?

**Mr. Downey:** Mr. Speaker, let me first of all say I think there have been many organizations and groups working to better the way of life and the activities of the Natives within the core area. I would hope we could work co-operatively with city, with province and with the Native leadership to better the way of life for all individuals.



**Mr. Herold Driedger:** I concur with the hope, but you have to work at trying to make this happen. What will replace the funding that these agencies are presently getting since they are addressing a very specific need in the community?

**Mr. Downey:** Mr. Speaker, I am really not absolutely clear on the question. I am wondering if the Member would repeat it for me, please.

**Mr. Herold Driedger:** The question is simply: What will replace the funding that these agencies that are currently being funded by the Core Area Initiative? What will replace their funding? Because they are serving a very distinctive need within the community, what will replace that?

**Mr. Downey:** Mr. Speaker, I would have to first of all have input and further identify, as any Government would, those areas of importance that should be carried on and identified as most need and prioritized, something the Liberal Party does not appreciate, that you have programs in place that do deserve and should be reviewed on an ongoing basis. Funding for the sake of funding, without consultation and meeting the needs of the people, I do not believe is responsible. That, of course, is the Liberal policy. Just throw money at it and forget about it.

### Federal Budget Health Care Funding

**Mr. Gary Doer (Leader of the Second Opposition):** Mr. Speaker, my question is to the First Minister (Mr. Filmon). We have noted that the Minister of Transport (Mr. Albert Driedger) in his Government has trusted the word of the federal Minister of Transportation in dealing with VIA Rail. My question is to the Premier. Given the fact that the Prime Minister has stated that Medicare is a sacred trust and no one should touch the 50-50 formula on health care, does the Premier trust the words of the Prime Minister in terms of the budget coming down this afternoon?

**Mr. Speaker:** Order, please. The Honourable Member's question seeks an opinion and is therefore out of order. Would the Honourable Member kindly rephrase his question, please?

**Mr. Doer:** Yes, thank you, Mr. Speaker. Can the Premier inform Manitobans whether our Medicare system will be protected with the 50-50 trust that the Prime Minister promised in 1984, or does he fear that the Prime Minister may not keep his word to Canadians and Manitobans and cut back on our Medicare program in Canada?

**Mr. Speaker:** Order, please. The Honourable Member's question is hypothetical. The Honourable Member for Concordia, kindly rephrase his question, please.

**Mr. Doer:** Given the fact that the Prime Minister cut \$100 million out of Medicare last year, does the Premier feel that the Prime Minister is going to keep his word in this budget, or are we in for other Medicare cuts in this year?

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

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**Mr. Speaker:** Order, please. The Honourable Government House Leader.

**Hon. James McCrae (Government House Leader):** Mr. Speaker, the Honourable Leader of the New Democratic Party is clearly anticipating something that none of us know yet, and I think three questions in a row that are out of order should leave the Member out.

**Mr. Speaker:** Order, please. On the same point of order, the Honourable Member for Thompson.

**Mr. Steve Ashton (Second Opposition House Leader):** On the same point of order, we have always been told by the Members of the Conservative Party they have a special relationship with their political cousins in Ottawa, and I think the questions of the Leader of the New Democratic Party (Mr. Doer) were totally in order. He is asking, what is going to happen? Has the First Minister received any—

**Mr. Speaker:** Order, please. The Honourable Member for Thompson does not have a point of order. On a point of order raised by the Honourable Government House Leader—

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

**Mr. Speaker:** Order, please. It is a hypothetical question.

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**Mr. Speaker:** The Honourable Member for Concordia, kindly rephrase your question, please.

**Mr. Doer:** Thank you, Mr. Speaker.

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

**Mr. Speaker:** Order, please; order, please. The Honourable Member for Concordia will be rephrasing his question. The Honourable Member for Concordia.

\* (1410)

**Mr. Doer:** Can the Premier inform this Chamber and the people of Manitoba whether in the negotiations with the federal Government they have secured a return to the 50-50 funding which was the promise of the Prime Minister in 1984?

**Mr. Filmon:** Mr. Speaker, of course, it is well known that the erosion from the 50-50 cost-sharing occurred when there was a Trudeau Liberal Government in Ottawa and an NDP Government in Manitoba. It was, of course, those circumstances that cause all of us the difficulties that we face.

The one thing I can tell the Member for Concordia (Mr. Doer) is that we will continue to place a very high

priority on health care in this province, as we did in our first two budgets, two budgets I might say that were voted against by the Liberals. The first budget we doubled, we provided increases to health care at twice the rate of inflation. The second budget we provided increases to health care at over 7 percent, well above the rate of inflation. We made a strong commitment to health care. We will continue that commitment to health care, regardless of what the Liberals do in this province.

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

**Mr. Speaker:** Order, please.

**Mr. Doer:** Mr. Speaker, Manitobans must be living in trepidation now. We have heard from the Premier (Mr. Filmon) that they will accept cuts in health care and post-secondary education as long as they are so-called "fair."

Can the Premier (Mr. Filmon) please tell us the criteria that he will accept cutbacks in our health care system and our post-secondary education from his Tory cousins in Ottawa?

**Mr. Filmon:** The Leader of the New Democratic Party (Mr. Doer) puts absolutely foolish information on the record as he normally does. I have indicated that we will judge the fairness of the budgetary measures of the federal Government based on their increases to us being equivalent to the increases they give themselves. That does not imply a cutback. He knows it, no matter how he parks it.

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

\* (1420)

### NON-POLITICAL STATEMENTS

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, may I have leave to make a non-political statement?

**Mr. Speaker:** Does the Honourable Member for Inkster have leave to make a non-political statement? (Agreed)

**Mr. Lamoureux:** It indeed gives me great pleasure to stand here today and comment on what took place on December 4 in this Chamber during Private Members' hour. We had indeed passed a resolution that was sponsored by myself, and seconded by the Leader of the Opposition (Mrs. Carstairs), which called upon the federal Government to have Sally Espineli returned to Manitoba.

The Government spoke in favour of the resolution and through unanimous consent it was passed and sent to the Prime Minister along with the Minister of Immigration. It goes to show, I believe, that with a concentrated effort, through co-operation and so forth, that in fact this Chamber can do positive things during Private Members' hour.

The phase one, as I referred to it, of that particular resolution has been addressed and I am glad to see

that, but there is also another phase that we should be keeping up our efforts and ensuring take place. That is of course when I had emphasized that Sally Espineli was not alone, that in fact there are many other people or immigrants who came to Canada under the same type of circumstances. I would encourage those who were involved in ensuring that Sally Espineli return to her home, that the pressure remain there to allow those who are currently living in Manitoba, and in particular also Quebec, that they are given the opportunity to remain in Canada where they truly deserve to live. Thank you.

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

**Hon. Gary Filmon (Premier):** Mr. Speaker, I was very pleased when I learned last week that the Honourable Barbara McDougall had indeed taken a count of the letters that we had written, and the contacts that we had made as a Government, to Ottawa on behalf of Sally Espineli in recognition of the support that she had from all three Parties in this Legislature and on a non-political basis from Manitobans throughout this province.

It was indeed a pleasure for me to work with the Filipino community and to meet with a number of their representatives on this particular matter. We are indeed pleased that the federal Government has taken note of the non-political concerns that were expressed by all parties on behalf of Sally Espineli and others like her.

We too look forward to them carrying through other aspects of the consideration to ensure that others who face the same circumstances as Sally Espineli will equally be dealt with on a fair basis.

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

**Mr. Gary Doer (Leader of the Second Opposition):** Just briefly, we too want to commend the decision of the federal Minister, and particularly commend the activity of Manitobans from all political stripes and all walks of life who joined together to ensure some justice for Ms. Espineli. We are pleased that it looks like it is going to be resolved in a very positive way. Thank you very much.

### ORDERS OF THE DAY

**Hon. James McCrae (Government House Leader):** Mr. Speaker, would you canvass the House and see if there is a will to waive Private Members' hour today?

**An Honourable Member:** Certainly.

**Mr. Speaker:** Is it the will of the House to waive Private Members' hour?

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**Some Honourable Members:** Leave.

**Some Honourable Members:** No.

**Mr. Speaker:** Is there leave? No? No leave.

The Honourable Government House Leader, Orders of the Day.

**An Honourable Member:** Ashton said no.

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

**Mr. Speaker:** Order, please; order, please. Orders of the Day. The Honourable Government House Leader, what are your intentions?

**Mr. McCrae:** Perhaps the record could show that it was NDP Members—

**Mr. Speaker:** Order, please, there was—order, please; order, please.

### POINT OF ORDER

**An Honourable Member:** Mr. Speaker, on a point of order.

**An Honourable Member:** You are an absolute disgrace.

**Mr. Speaker:** Order, please; order please. Those remarks are entirely out of order. I had canvassed the House for leave. I heard a single leave. That is all it takes to do away with the Honourable Member's request. The Honourable Government House Leader.

**Mr. McCrae:** Mr. Speaker, if the remarks were out of order, I withdraw them and apologize to the Members of the New Democratic Party.

### HOUSE BUSINESS

**Hon. James McCrae (Government House Leader):** Mr. Speaker, the Industrial Relations Committee will meet to consider Bill 31. In addition to Thursday at 10 a.m., that committee will meet also Thursday at 8 p.m., Friday at 2 p.m., Saturday at 10 a.m., and Saturday at 2 p.m. in Room 255.

### POINT OF ORDER

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

**Mr. Steve Ashton (Second Opposition House Leader):** Mr. Speaker, here we go, say the Conservatives, here we go is right. Yesterday the Government House Leader (Mr. McCrae) called that committee for one hearing. Today, during Question Period, I received a note indicating that this was the intention of the Government.

I do not know if this was discussed with the Liberals, if there was agreement with the Liberals on this. We have not agreed with this. We feel that provisions should be made, in terms of committee hearings, to deal with

the fact that there are many working people, who I am sure can be making presentations on this Bill, who can not be accommodated by morning sittings.

It is not the practice and tradition of this House to call committee hearings on Friday and Saturday. In fact I would like to quote into the record, Mr. Speaker, comments—and this is probably the first and last time I will do this—by the Honourable Sterling Lyon from the 21st of July, 1983. It was the Member for Churchill (Mr. Cowan) who reminded me of the Member - (interjection)-

Mr. Speaker, if I might finish. He noted and rose on a point of order when it had been suggested at the time that committee hearings be held on Friday and Saturday and indicated quite clearly, and I quote, that: "It's contrary to the rules and the practice of this House," to hold committee hearings on Friday and Saturday. I rise on this point of order to indicate that we object to the fact that the Government has refused to discuss—

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

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

\* (1430)

**Mr. Speaker:** Order, please; order, please. Hello. Order, please. The Honourable Member for Thompson (Mr. Ashton), himself, has said that he has been using a point of order to bring this matter forward. The Honourable Member is aware that it is not the right vehicle in a way to express his views.

The Honourable Government House Leader (Mr. McCrae) has called the committees. If the Honourable Member is not happy with them, I would suggest that the Honourable Member meet with the Government House Leader away from the Chamber to settle this dispute.

The Honourable Government House Leader - (interjection)- Order, please; order, please. The Honourable Government House Leader (Mr. McCrae), what are your intentions?

The Honourable Member for Thompson (Mr. Ashton), on a point of order?

**Mr. Ashton:** On a question, Mr. Speaker.

**Mr. Speaker:** On a question.

**Mr. Ashton:** I would like to ask—

**Mr. Speaker:** Order, please. The Honourable Member is quite aware that we do not question the Chair.

**Mr. Ashton:** I apologize for raising this matter on a point of order previously, Mr. Speaker. It had been raised, by the way, by the Member Sterling Lyon on a point of order. I am dealing with a question on House Business and the calling of committees. I would like to ask the Government House Leader (Mr. McCrae) when he is going to call Bill 42, which has been sitting

at second reading waiting to go to committee for two and a half months.

I am asking that in the context, today he has announced five committee hearings on Bill 31 which has only just passed through to committee a few days ago, why is he not calling Bill 42 for the same sort of committee hearings? In fact, I would indicate we might have more concern for the Government's trying to order the agenda if they would also call other Bills such as Bill 42. What are they going to do with 42?

**Mr. Speaker:** Order, please. The Honourable Government House Leader (Mr. McCrae), on this committee scheduling.

**Mr. McCrae:** Mr. Speaker, the Honourable Member for Thompson (Mr. Ashton), in what he says is his concern for working Manitobans who may want to appear before the committee, objects to the schedule. We know that Members of the New Democratic Party object to any schedule that includes consideration of Bill 31. It would not matter what the schedule was, these Honourable Members are dead set against that piece of legislation. They have made that clear over days and days and months and months and months. This Session began May 18, 1989, I recall for your benefit.

When the Honourable Member refers to accommodating workers of Manitoba, I suggest to the Honourable Member that we have set morning meetings, we have set evening meetings and everyone knows that a lot of people get off work Saturdays, so that may well serve, go a long way toward accommodating working Manitobans so that they can come and let their views be known.

I hope that response to the Honourable Member's question on Bill 42—on Bill 42 the Honourable Member for Churchill (Mr. Cowan) raised that question today with the Honourable Minister of Housing and Urban Affairs (Mr. Ducharme) and that Minister answered in a very proper and a very forthcoming way. I do not propose to answer that question any further today.

Mr. Speaker, would you be so kind as to call the Bills in the following order: 98, 72, 59, 60, 70, 35, 19, 84, 50, 51, 52, 57, 47, 48, and the remainder as listed on the Order Paper. Here is hoping that with the opportunity provided for debate today, we might pass a few Bills.

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

**Mr. Speaker:** Order, please.

### POINT OF ORDER

**Mr. Ashton:** On a point of order, Mr. Speaker, does the incompetence of this Government know no bounds? The House Leader has just called two Bills which we passed through to second reading yesterday; two Bills that we passed through to second reading. I would like to, further to the point of order—

**Mr. Speaker:** Order, please. We will deal with that one point of order first. The Honourable Government House Leader, on that point of order.

**Mr. McCrae:** Mr. Speaker, the Honourable Member is absolutely right. Those Bills were passed yesterday, and we have been dealing with this long line of Bills for so long on my notes they were included by mistake in today's list. I acknowledge those Bills were passed yesterday and need not be called today. We do hope that when they do go to committee that Honourable Members will deal with them far more expeditiously than they have been dealing with Government business to this point.

**Mr. Speaker:** I would like to thank the Honourable Member for Thompson (Mr. Ashton) for drawing that attention to the House. The Honourable Member for Thompson.

**Mr. Ashton:** Mr. Speaker, I raise this point of order because this matter has been dealt with before, including by a previous Speaker of the House, in terms of the fact. You have reminded us that there should be negotiations on both committees and in terms of the ordering of Government business. In fact, the Speaker in 1983 reminded Members that this has been done—and this is what we are talking about today, negotiations between the two House Leaders so that matters are concluded in a reasonable and sensible manner—and urged all Members at the time to get together with Members opposite, particularly their House Leaders to arrange these matters through agreement with each other so that a reasonable and practical method of proceeding can be arrived at.

I raise this as a point of order, Mr. Speaker, because this Government House Leader, whether it be in terms of calling of committees, or calling of Bills, refuses to discuss these matters with the Members of the Opposition. I raise this because I believe these matters should be the subject of discussion and negotiations between all Parties and not the kind of totalitarian ramming through of items that are seen from this Government House—

**Mr. Speaker:** Order, please. I regret the Honourable Member's remarks. They do absolutely nothing for the decorum of this Chamber.

The Honourable Government House Leader, on that same point.

**Mr. McCrae:** Mr. Speaker, contrary to what the Honourable Member has stated, this Government has extended every possible courtesy and has extended every possible opportunity for consultation with regard to House Business.

Mr. Speaker, when it is stated and it is the clear policy of an Opposition Party in the House deliberately to obstruct business in the House, to slow down business, to filibuster, and to throw roadblocks in the way of conducting the people's business, that consultation and that co-operation becomes a very difficult task.

\* (1440)

I do not care if they want to act that way. I will continue to consult, to let them know. It will not always be the

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case that we will agree on everything, Mr. Speaker, but in spite of their intransigence on one Bill and perhaps on other matters as well, in spite of their attitude as a third Party in this House towards the legitimate business and aspirations of the people of this province, I will continue to be open and consultative.

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

**Mr. Speaker:** Order, please. Honourable Members are using the vehicle "point of order." I hear all kinds of discussion. Both Honourable Members are quite aware that a point of order is used to draw the attention of the House to a breach of the Rules. Therefore, both Honourable Members do not have a point of order. It is a dispute over the facts. I wish Honourable Members would settle their disputes away from the building or the Chamber because—

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

**Mr. Speaker:** Order, please. I have numerous Bills that I have to move through the Chamber. The Honourable Member for Thompson.

**Mr. Ashton:** A further point of order so the record is clear. Members of the Conservative Party—

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

**Mr. Speaker:** Order, please.

**Mr. Ashton:** I just wanted to indicate that the Government House Leader (Mr. McCrae) and the Liberal House Leader (Mr. Alcock) were indeed arranging matters of House Business in the loge. The Government House Leader did not have the courtesy, or perhaps that was his deliberate design, to contact our caucus. If there is collusion between the Liberals and the Tories on Bill 31, it is over the objections—

**Mr. Speaker:** Order, please; order, please. The Honourable Member for Thompson will take his seat now. The Honourable Member does not have a point of order, as I have pointed out. The Honourable Member for Inkster.

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**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I just want to ask a question of the Minister, given the meetings that are going to be up and coming, if there can be leave from the House so that we can have substitutions in the same format as if we were outside of this particular Session. So it just takes a resignation and a replacement because of the number of committee meetings coming up.

**Mr. McCrae:** The Honourable Member for Thompson (Mr. Ashton) asked a number of questions disguised as points of order. The Honourable Member for Inkster (Mr. Lamoureux) did ask a question, and I will be happy to take it up with him after we get into -(inaudible)-

**Mr. Speaker:** I would like to thank the Honourable Government House Leader.

## DEBATE ON SECOND READINGS

### BILL NO. 98—THE MANITOBA DATA SERVICES DISPOSITION AND CONSEQUENTIAL AMENDMENTS ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Finance (Mr. Manness), Bill No. 98, The Manitoba Data Services Disposition and Consequential Amendments Act; Loi sur l'aliénation de la Commission des services d'informatique du Manitoba et modifications corrélatives, standing in the name of the Honourable Member for St. Norbert (Mr. Angus), the Honourable Member for St. Norbert.

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

**Mr. Speaker:** Order, please. The Honourable Member for St. Norbert.

**Mr. John Angus (St. Norbert):** Thank you very much, Mr. Speaker. I rise today to put a few remarks on the record in relation to the specifics of the Bill, and if I may be permitted, I would like to put some remarks on the record as to the philosophy of the sale of the Manitoba Data Services Corporation.

Mr. Speaker, the Minister of Finance (Mr. Manness) yesterday all but announced the sale agreement by drawing the lines of reference, the rules of the sale and the commitments required for the sale to, as he indicated, the two potential bidders that may ultimately win this bid.

Mr. Speaker, let me start by saying first of all, I have absolutely no doubt that this particular corporation could very effectively become a springboard to many, many economic opportunities for Manitobans and Manitoba businesses. It could provide a very strong catalyst into the 21st Century vis-a-vis being on the leading edge of technological development.

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

Mr. Deputy Speaker, not very many people are aware of the fact that Manitoba is a prime location for this type of an industry. The reasons that it is such an opportunity is because of the steady and dependable hydro resources that we have. Computers by their nature are very sensitive, and for development work it is very important that you have a clean and continuous flow of energy which Manitoba can provide.

Mr. Deputy Speaker, it is no accident that the telecommunications and the computer communications to the major airlines have been located in Winnipeg. It is primarily because of that. It is an opportunity that we as Manitobans should grasp. We have very few economic levers. We have very few levers at all, in order to develop an economic climate, and I think that it is very important that we recognize those ones that we do have and use them to the best of our ability.

Mr. Deputy Speaker, another factor that is of very important consideration is the fact that we are located in the centre of the country. Virtually, we can work a complete business day from coast to coast with a

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minimum amount of overtime and/or extra time having to be put in. We can start as early as seven and eight o'clock and address all of the functions on the East Coast; we can work through till six or seven o'clock at night and address all of the functions within their current business hours on the West Coast. The people in Toronto cannot do that. They have to work until eight o'clock at night and nine o'clock at night in order to be able to maintain the business hours on the West Coast, and vice versa from the West Coast. They even have to work earlier.

The people that have problems and want to talk to the experts that have designed the programs or that support the programs or are working the hardware systems, Mr. Deputy Speaker, it is important that they recognize that they can get hold of somebody to provide that support quickly and easily. Whether or not this company and whether or not this industry is an industry that we should be pursuing, I doubt that there is a Member in this House who cannot give a resounding and positive yes that this is an industry that we wish to exploit.

Mr. Deputy Speaker, the question is, how do we proceed to exploit it? How do we proceed to use some of the opportunities that we have and multiply them in a fashion that it will provide immediate return but will also plant seeds for the future, seeds that can grow and develop and create a substantial industry, not an industry for the moment, not an industry that is going to give us the biggest bang for the buck on the shortest term, but something that is really going to be a long-term investment? So we move to the Manitoba Data Services corporation.

\* (1450)

I am not going to spend a great deal of time talking about the merits of large mainframe computers and/or the future. I have some doubts as to the viability of large mainframe computers simply because smaller computers have made technological advances that surpass the capabilities and the storage and the speed of some of the largest computers. It was not too many years ago that computers that would fill this room were required to do normal functions, and now a computer the size of the chairs that we sit in will perform the same functions. So the world is changing, Mr. Deputy Speaker, and we have to be prepared to change with it.

The questions of the sale of Manitoba Data Services and some of the opportunities that need to be considered, and rightfully so, the Minister of Finance was vague in relation to the announcements that he was going to make. I appreciate, Mr. Deputy Speaker, that he cannot give the finite points of the opportunity that he is trying to negotiate, because the opportunity is still being negotiated, so I respect that.

Mr. Deputy Speaker, I do wish that this process would allow for some opportunity for a committee or Members of the Legislature to review the whole process and not leave it in the hands of just the Government, if you like. I cite the Repap opportunity and the fiasco that we got into that when we became aware of the package.

I am not sure how we get around that or do not get around that, but at some time I suspect we will see the share-purchase agreement between the ultimate winner and the Manitoba Government. At that time unfortunately we may simply because of our expertise or simply because of our knowledge or simply because of the information available to us be able to point out flaws that could have made the deal, the package, the opportunity, stronger for Manitobans. It is regretful that we have a process whereby the Minister has to negotiate it in the best of his ability and then end up not being in a position to say yes, you are right, we should have looked at that portion of it. I am afraid that can happen. I hope it does not, but I am concerned that can happen.

I am concerned as well that we may leave opportunities and/or money on the table when we do not need to -(interjection)-

**Mr. Deputy Speaker:** Order, please. Could we have a little order in the House, please?

**Mr. Angus:** I am concerned that there may be loopholes and/or opportunities left on the table that could be closed by close scrutiny. I respect philosophical differences in the disposition of this functioning department of Government, and I respect the ultimate decision-making. Hopefully we are all in it for the same end result, and that is the best interests of Manitobans. How we achieve that best end result is the matter of discussion and the matter of debate.

There are a number of specific questions that I would like to ask and perhaps serve as notice, the book value of the company and how we arrived at that. Again, it is regretful that there are no apparent contracts between the users of Manitoba Data Services and Manitoba Data Services. I will tell you why that is regretful, because in selling a computer company there is very little that you have to sell. You have the hardware that is almost outdated the day you put it in, because technologically it depreciates very, very quickly. It is wiser to go out and buy new equipment and bring it in, so it has a limited value and a limited life. You have people who provide an expertise and support. They are a very valuable commodity and it is hard in fact to put a price tag on their worth. Along with the price tag that they are worth comes a price tag or a cost of their salary, so it can be negated to a certain extent. Sometimes you buy the people but you are in a lot of respects investing in the future and investing in their ability to keep up to date with the technological advances and the programs that are being developed.

The one thing that you do have, Mr. Deputy Speaker, besides the fixed assets of a building or something of that nature are the contracts. Now the contracts will give you a return on your investment. It is an agreement between you and me or the company and the supplier to provide a service at a particular price over a period of time. Those you can take to the bank. They provide basic information.

It is regrettable that there were no contracts, because if there were contracts the transfer of the company sale would be a very simple matter. The contracts would go to the company. The contracts would expire. The

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company would be forced to either perform, produce and service the accounts and be competitive on those prices in those contracts and after the contracts expired, to renegotiate them and to renew them. That is traditionally the way it would work.

If they could not be competitive with—and I am using this only as an example—Manitoba Hydro, if they could not be competitive with Manitoba Hydro, if they could not provide the service or had not been providing the service, or Manitoba Hydro felt that they had a better opportunity to make an investment someplace else, then Manitoba Hydro would be permitted to move and not be required to extend that contract.

So not having contracts, the Government in order to sell it, is put into a very tenuous position. They have to guarantee some form of revenue or income. That puts, Mr. Deputy Speaker, a very difficult package to negotiate to say the least. I am not sure how the Government is going to do it.

I am not sure what the end result will be, but I very much fear that some of the health services in the rural communities, as an example, who may be tied in to existing equipment with MDS who want to trim their budgets realistically and want to move away from that system will not be allowed to move away from that system for a period of time because of the guarantees that the Government has given. I am not sure how they will determine who is going to be allowed to move away and who is not going to be allowed to move away and under what circumstances the continuation of cash flow is going to be made to the company, because after all the company is not buying a pig in a poke. They are going to buy a guaranteed return of investment.

So there are some serious questions there, Mr. Deputy Speaker, and they may come up at the committee level. Quite frankly, with the utmost respect to the Government and the Government House Leader and the difficulties we have been having in the committee calling, if we had been having over a course of time the Manitoba Data Services meetings some of these things very clearly I believe could have been resolved or at least brought to the attention of both the Minister and the corporation that they should be moving in those directions. So there is some concern as to why they did not.

When we look at this company and the history of this company we see that it has—in the most recent statements that I have, the 1987 statement—a \$4 million net earnings. Well, Mr. Deputy Speaker, for a company to make \$4 million, that is pretty good. I do not know what they made this year. It could be down, but based on their projected earnings, if you do the projected earnings times five times at the value of the company, that is one way of doing it. Do you do the book value which the Minister said yesterday is around the \$9 million mark? I do not know how he got at that, but if you do that and then do you times it times two or times three or times four or times five.

There are formulas, but because we do not have the specific information in the most recent up-to-date Manitoba Data Services Annual Report, it is very difficult for us to know whether the Minister's figure of \$10

million or \$9 million, times whatever the inflation rate to sell the company is, is a value that is acceptable or not. We would have to take his word on that, Mr. Deputy Speaker. So if he says, I sold it for \$25 million I might, in fact, say that is a good price for this company, but I really do not know for sure.

Mr. Deputy Speaker, there are concerns of that nature. There are also concerns about the confidentiality. The confidentiality aspect was a legitimate concern. It has been raised by both Parties in the House and addressed in the divestiture code that was established by the Minister when he said that these are the conditions under which I am going to consider divesting it. It is one of the items that is in the clause in the Bill. It is going to need some clarification.

I probed a little bit on it yesterday as to why they chose a litigation as opposed to a legislation route. The Minister alluded to the fact that if we want to hamstring the opportunity and squelch the deal, we certainly can. Mr. Deputy Speaker, I want to make it absolutely clear to you and through you to anybody else who is interested in listening, I am not interested in squelching the deal under any circumstances. That does not necessarily mean that I just fall into bed with the Minister of Finance (Mr. Manness) and do exactly what he says should be done or should not be done. What I need is the facts, the information and the alternatives. We may eventually agree to disagree. It may be fundamental that we agree to disagree. I may not be able to support this Bill because they cannot include confidentiality clauses that I can support.

Mr. Deputy Speaker, I hope that does not happen. I think it can be resolved. I think we can provide the security of confidentiality that is required, but I am not sure that this Bill does it. I need a broader explanation from the Minister and more detail on the alternatives that could be considered.

Mr. Deputy Speaker, some of the other considerations that I have had ever since I started analyzing the opportunity for selling this, and I will indicate to the Members of the House that I started exploring the opportunity to sell this corporation long before I became a Member of this Legislature. It was one of the very first conversations I had with the Premier (Mr. Filmon) in relation to this particular corporation, that there is no reason why it cannot be sold. Indeed my prophecy became true when the Government found out that by simply asking if anybody was interested in buying it, they had an overwhelming response from a number of corporations saying yes, we would like to talk to you about it.

\* (1500)

Mr. Deputy Speaker, one of the considerations that I had was giving consideration to Manitobans, either individual companies, consortiums or things of that nature to keep the decision-making in Manitoba and to keep the employees and the employee opportunities in Manitoba. This is a very fundamental principle, that if we keep the decision-making in Manitoba, if we can keep the head office in Manitoba, that is where we have the accountants, that is where we have the lawyers,

that is where we have the advertising agencies, that is where the money is spent for those types of decisions. That alone spins off and creates jobs. If the decisions are made in the Toronto board room offices or in New York board room offices, that is where they get the lawyers, that is where they get the accountants, that is where they get the advertising people to help direct the policies.

Mr. Deputy Speaker, we will become nothing more than a satellite city or a branch operation of a larger corporation. That is not what I am looking for in this divestiture. I am looking to use it as a legitimate springboard to create legitimate business today and for the future. I think we have to give serious consideration to what we are going to do and what protections we are going to offer to the 200-odd employees at Manitoba Data Services.

Mr. Deputy Speaker, this may be a philosophical argument that we will have difficulty finding common ground on with the Conservatives, but I will suggest, and I will ask you if it is fair that an individual who has been working in the Manitoba Data Services corporation as a line department of the Government for 15 years, has built up a pension, has built up seniority, has built up respect for himself, should he have any say in the continuation of those fringe benefits? Should he or she, should they, that person, have the opportunity to have any say in the continuation of those investments that they have made in time and in energy and in education and those types of things, or should their careers be allowed to be snuffed out by private enterprise? I say no, I do not believe they should be allowed to be snuffed out by private enterprise simply because we have an opportunity to sell it and it looks like we might be able to get some money in our pockets.

With respect to that, Mr. Deputy Speaker, the Minister to his credit gave indications that—I am going from memory because I really have only received Hansard as he did this afternoon when we came into the room, so I have not had a chance to verify his remark. He did say that they are looking at opportunities to allow employees to transfer into Government Services. I have no difficulty with that.

If they can give an individual in the organization a period of time to adjust to the new opportunities and or convert back to the existing system, there are plenty of opportunities to work in Hydro or to work in the Telephone System or to work at MPIC, all of which have serious computer applications and all of which could use in-house, on-board trained personnel as an interface for their services to MDS. If, as the Minister has indicated, they have been able to provide security for these individuals then I say that is an excellent opportunity, an excellent opportunity to allow the employee the opportunity to have the best of both worlds.

Mr. Deputy Speaker, I do not know that we should be considering selling the employees of Manitoba Data Services short. I think that there may be a strong lobby from the MGEA, who have from the beginning said they are definitely opposed to the sale of this particular corporation. What they are really interested in I believe is job security, and that is what they should be interested in.

If we can provide the job security either with MDS and the opportunity to grow and excel and expand and to join a company that could by my vision be a catalyst to an international corporation that could provide services throughout North America and not just to Manitoba, but throughout North America, could provide a golden opportunity for a number of those employees who see the opportunities that are there, if they do, if they are allowed to participate in things like profit sharing, if they are allowed to participate in share option plans and if those things have been worked into the sale package in some way, shape or form, then I think that the MGEA, especially if the employees have the opportunity of transferring back to line departments within the Government, the choice is theirs, then, Mr. Deputy Speaker, I do not see any great serious objections that could be raised by the MGEA.

However, I would be more than pleased to discuss it with them and to hear what they have to say, and I am sure that we will when this particular Bill gets to the committee stage.

There is another issue that I think is important and that is agreements are worth, a colleague of mine from City Council used to say, verbal agreements are not worth the paper they are written on. We have to see the written agreement and we have to be assured that the written agreement has the security and the protection—

**An Honourable Member:** Slaw Rebchuk.

**Mr. Angus:** —Slaw Rebchuk, yes—that we insist be there.

The Minister has alluded to the golden chair, I think he referred to it as. I am familiar with it to the extent of the explanation I was able to get. As I understand it, my interpretation of it is that under certain circumstances if we as the Government are not happy with this arrangement we will then be able to take back the ownership of this corporation.

Mr. Deputy Speaker, the optimum vexation is under what circumstances and how is it going, how are we going to determine if you like the opportunity to take it back? Certainly we should not be able to take it back if it is making too much money; that is not a criteria that would be acceptable to me, but if there is a serious breach of confidentiality and the Minister has his way and puts it into the agreement, that could be cause. If there is an inability to provide the services that they have contracted to do, that could be cause. If there is a breach of the contract in terms of their not fulfilling their portion or portions of the contract, which ones I am not sure, those could be reasons. There is serious consideration to know under what circumstances can the golden chair be executed, how do we proceed to be able to recall the corporation?

With again the utmost of respect, the Minister of Finance (Mr. Manness) on a number of occasions has alluded to the executive privilege and he executed that executive privilege on the Repap opportunity. There was no amending formula, there was no amendment to the agreement, the agreement has arbitrarily



postponed a portion of that in relation to the Swan River chip facility. There may have been circumstances that were certainly justifiable; certainly there should have been explanations. We may have agreed that was an okay thing to do or they could have altered the agreement to June 30 or whenever they want to do it.

\* (1510)

Mr. Deputy Speaker, that type of executive opportunity, that type of executive decision-making without the checks and balances of being able to arbitrarily change those contracts as they see fit, is fundamentally a concern to me. I have the utmost respect for the Minister of Finance (Mr. Manness), his honesty and his integrity, but he may not always be the Minister of Finance. There may be another Member that is there and that Member in fact may not have the same high degree of scruples that this particular Minister has. I do not believe that we should be leaving it in the hands of potentially inadequate decision-making. So it is very important that we see what the golden chair is.

MDS has over the last—Mr. Deputy Speaker, can I find out how much time I have left? How much time do I have left?

**Mr. Deputy Speaker:** The Honourable Member has 13 minutes remaining.- (interjection)-

**Mr. Angus:** Thank you. Mr. Deputy Speaker, the Ministers from the opposite side make light of this. I think this is a good opportunity, and I think if we work constructively to make this a good opportunity without antagonism, we can iron out political differences. We can solve the concerns and we can really see this as a bonus to the people of Manitoba in terms of the economic spinoffs, the job creation and the revenue that it will generate back in.

Mr. Deputy Speaker, I was speaking in relation to the rate reduction. The last few years the annual report has indicated and the people from MDS have indicated with a great deal of pride that they have been able to reduce the cost of their services to their clients. That is a good track record and it should be continued to a certain extent. I am not sure if that will be negotiated into the agreement or not, but it should be in there, that says we have a trend of going down. It baits the question to a certain extent as to how much they are charging and—they overcharged beforehand, but nonetheless, there is a track record of cost. So if there are guarantees to the purchaser of revenue generating guarantees, then they should flip back to the consumer some reflection of the past trends and the reductions should be continued.

The research and development components, working with the Manitoba Institute of Technology or Red River Community College, working with the University of Manitoba, working with the University of Winnipeg, working with the private sector to genuinely develop opportunities for advancement in computer technology is a very important component. It is because the only thing that keeps one computer company better than another computer company is the opportunity for better

products and to provide a better service to the clients. In so doing, they require the energy of youth, the enthusiasm and the education of youth, the why-not attitude of youth.

Mr. Deputy Speaker, the investments will return tenfold to the people of Manitoba for the opportunities given to individuals to learn more and to experience the threshold of a learning opportunity of how to make something better. If we can develop in Manitoba a research institute that has the the fame, the worldwide international fame of a silicon valley in the United States or other centres of influence, we will be making truly a credible contribution, and I see it as an opportunity that is there.

Mr. Deputy Speaker, the co-operation programs and the technological building and things of that nature are all very, very important components of this opportunity. I sincerely do not want to see this opportunity fumble, not by self-serving politicians, not by inept bureaucrats, and I am certainly not suggesting that there are any such things negotiating this, but it is a very specific industry. Normal buy, sell, contractual arrangements do not enter into play here. The opportunities that are here within this corporation and the opportunities that can abound to Manitoba citizens far into the future should be executed with the greatest of caution.

Mr. Deputy Speaker, with those remarks and those expressed concerns, namely about the confidentiality, the book value, the price that we are going to get, the guarantees of spinoff back into the community, the opportunity to take it back if it fumbles, and as I said, the security of the employees, I will propose, suggest, request, virtually beg that all Members of the House would give this speedy passage into the legislative committee stage where we can hear representation, where we can listen to the comments of the general public and the concerns as expressed, that we can see the opportunity in more detail and discuss it more fully so that we can collectively, Mr. Deputy Speaker, come up with an opportunity that I believe is going to be the opportunity of this decade for the citizens of Manitoba.

(Mr. Speaker in the Chair)

**Mr. Leonard Evans (Brandon East):** Mr. Speaker, I move, seconded by the Member for Interlake (Mr. Uruski), that debate be adjourned.

**MOTION presented and carried.**

## BILL NO. 72—THE SECURITIES AMENDMENT ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Co-operative, Consumer and Corporate Affairs (Mr. Connery), Bill No. 72, The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières, standing in the name of the Honourable Member for Seven Oaks (Mr. Minenko), the Honourable Member for Seven Oaks.

**Mr. Mark Minenko (Seven Oaks):** Mr. Speaker, I would like to put just a few short words on the record with

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respect to this particular legislation. I appreciated in having reviewed the Minister's comments some time ago when he first introduced this legislation, realizing that indeed like many matters before us in the Chamber, this legislation is of quite some technical nature, and although I think when we look deeper at what the Minister is trying to do here, I certainly think that we can certainly support these actions in that they fit well within an important aspect of securities law in any jurisdiction of Canada.

Usually the traditional goal of security regulation has been the protection of the investor and that stands true in a number of requirements pursuant to legislation, commission rulings and so on where there is really three techniques of regulation, the first that of registration of securities; the registration of persons dealing in securities and any fraud provisions. I certainly would think that this matter could well be discussed later in committee to find out exactly how the changes that the Minister is proposing fit within those three techniques because it is indeed important and one of our obligations as Members of the Chamber, Members of the Legislature, to look at protecting the public.

\* (1520)

In the Minister's comments he was making reference to the situation with Alberta's Principal Group and some of the matters that arose through the collapse and the many problems associated with investors putting money into an institution like that and finding themselves short of the amount that they had initially invested. Never mind the amount that they hoped to have earned in addition to their original investment.

Mr. Speaker, there will be certainly no disagreement I would believe on any side of this Chamber than measures introduced to protect the investor indeed on matters that should be addressed and should be considered. When one of the things that the Minister is introducing in this legislation is legislation with respect to takeover bids. Making sure that our laws indeed in compliance or similar compatible to legislation in other provinces. This is oftentimes will hear reference by Ministers of the Crown of this jurisdiction and other jurisdictions across Canada of these sort of universal agreements.

What has been happening over a number of years in various aspects of the law is that oftentimes the provinces have been coming together reach an agreement on how regulations should read and what kind of regulations should apply right across Canada. So that indeed all provinces and individuals and provinces have that same protection. Oftentimes we hear reference to uniform-type legislation. I know in law school we cover many different uniform laws that were being recommended by various professional bodies to various jurisdictions.

The advice indeed has been taken on many of these legislations, for example, the whole system of Queen's Bench rules in the Province of Manitoba are being very much based on the similar rules in Ontario. Other issues and areas of interest to both investors and others also look to the Ontario legislation oftentimes to ensure that again there is a co-ordination across Canada.

As I said, Mr. Speaker, we certainly are indeed supportive of this legislation. We feel that this traditional goal should in fact be continued.

The other side of securities legislation is to ensure the orderly provision of capital in the provinces. This is exactly an important element in the provinces, or an element of the free enterprise system is the ability of people to take risks, to take the opportunities as they arise.

For example, we are finding in eastern Europe, a change blowing through where people are again looking at the system that they operated under. The system where they had certain quotas, and certain inefficiencies and so on built into the system. They are looking now at the opportunity of taking risk, taking chances, taking those opportunities. What is slowly happening is over the last few years we have found I believe the amount of agricultural production coming from little plots is increasing in leaps and bounds! While the production is still coming from the large farms, the amalgamations, pursuant to communist intervention so many years ago, production staying level or perhaps even dropping.

Then, of course, there is the quality aspect into it. Where I was just, for example, some of the problems that perhaps eastern Europeans have coming across, is I heard there was a reporter travelling through one of the eastern European countries picked up someone who was hitchhiking or who wanted a ride to another town and the chap who got into the reporter's car noticed the reporter had several oranges in his back seat. With quick dispatch, with permission of the driver, the reporter from the west, those oranges disappeared because again that was a product in short supply.

I think, Mr. Speaker, there is that other aspect to this legislation, and it is indeed an important one considering that jobs do indeed come from private enterprise, and should come.

I think many people in fact are very concerned about the growth of the Civil Service, both in Ottawa and here in Manitoba. They are concerned with respect to the GST, the requirement of the growth, the incorporation of an extra 4,000 or so employees to police the whole GST.

Mr. Speaker, I think we often do need to ensure that the investors are protected and indeed the formation and the movement of capital, provision of capital, for industries is indeed operating in a smooth fashion. We certainly would support this legislation and encourage it to go on to committee. Thank you, Mr. Speaker.

**Mr. Allan Patterson (Radisson):** I would just like to take this opportunity to say a few words about this Bill 72, The Securities Amendment Act, just very brief comments actually, Mr. Speaker.

Essentially this Bill is partially housekeeping, as has been pointed out by the Minister in his statements, some technical changes—the key change of substance is in the matter of disclosure for investment contracts that were previously exempt from such disclosure, Mr. Speaker, in the form of prospectuses outlining the state of bigger investment.

Our Party believes that disclosure is an important matter, one that should be available to the investing public, Mr. Speaker. Our society, which we call essentially a capitalist society which is modified in Canada and some other countries too by the state—we really have what has been called a mixed enterprise or modified capitalist society where the state does have a definite role to play at times and directs the operation of services that might be in the public interest. We can think of the obvious things such as electrical, telephone, gas utilities and so on, but by and large we leave the economy to the play of market forces.

In the matter of investing, Mr. Speaker, when an individual or organization makes any kind of investment there is some hope or expectation of getting some type of return on that investment, Mr. Speaker, and of course the higher the risk, the greater the return, but as a quality of that, the higher the risk also the greater the possibility for loss.

This is all well and good. This is what our society is about, but in order for an individual or organization to make some rational decision as to whether or not to make some particular investment, adequate and correct and reasonably full information should be supplied. Given that this is done, then the individual or the organization making the investment has no recourse. The investment is made and the expectation of getting a return—but there is no guarantee of that return. The investor is assuming that particular risk.

This Bill, Mr. Speaker, will address this particular problem in the matter of investments that have been exempted from full and proper disclosure heretofore and will bring them into line with other types of investments such as stocks and bonds and the like. This is a Bill that in no way interferes with the operation of our free market, but does give necessary and required and just protection to the investor.

As I say, we agree with this concept of full disclosure and then leaving the decision up to the investor, him or herself, or the corporation. As I say, given the particular degree of risk, the rewards might vary significantly in the amount and also the risk of loss, but given that the information is there, that is fully up to the investor to accept the consequences of his or her decision to make the investment.

We therefore recommend that this Bill go forth to committee, Mr. Speaker, so that various parties that might be affected in any way, positively or negatively by this particular Bill, will have opportunity to make their representations and have them taken into consideration by the committee. Thank you.

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, I too would like to rise to put a few comments on the record today concerning Bill 72. I would like to say at the outset that while we agree with the general thrust of this particular Bill, Bill 72, we would like to put forward the view that amendments such as this are often brought in after the horse is already out of the barn.

The reason for this particular amendment at this particular time is in response to what happened with The Principal Group some two or three years ago. In

many cases perhaps if we were pro-active in our legislation and borrowed from the good ideas of other jurisdictions and were to bring in legislation in anticipation of problems, we would save ourselves and the consumers that we represent a lot of grief.

What had happened in the case of The Principal Group of course is that salespeople were out selling investment contracts to a public who felt that they were in some way protected by Canada Deposit Insurance Corporation and were only to find out after The Principal Group went under that they were in fact not, and they were out all of this money. I suppose that The Principal Group as a company had operated for many, many years and could have operated for many, many more years and we would be none the wiser today if it had not happened that they had gone out of business and left people out a tremendous amount of money in the process. Now after all this money has been lost, the legislators across the country decide to do something some two years later and require that prospectus be mandatory now for investment contracts.

\* (1530)

We would also say that perhaps we should look ahead a little bit in this whole process of protecting the consumer and look to the area of franchises. While we are at it, why not take a look at protecting the public and protecting franchisees in the case of a franchisor who is operating improperly. It would be a simple matter, I think, to look at amending this particular Bill and expand the current intent of the Bill to include franchises and thereby perhaps avoid some future grief that is bound to come about if something is not done in the area of franchise legislation.

Now we have—and that is another matter—suggested that perhaps a franchise Act should be dealt with separately in this Legislature and we proposed the same. However, the fact of the matter is that we are now addressing Bill 72, which are amendments to The Securities Act. In fact we could be dealing with a provision dealing with franchises at this time.

I wanted to mention that there are many examples here. Actually just recently in the paper, just last Sunday, on February 18, where in fact a local promoter of some repute has evidently been selling Tel-Lert franchises to people. It has been well documented that this particular individual has certainly been around this province for at least the last five years and has been involved in all sorts of questionable activities, both in the insurance and the mutual fund business to now this Tel-Lert business.

The fact of the matter is that there are people out there who do prey on unsuspecting people. The reason we have a franchise's Act, or we have a Securities Act, in the first place is to protect people from those unsuspecting, that one or two percent of the people out there who would prey on unsuspecting people.

I have to differ at this point with the Liberal Party position, which seems to be—and I listened carefully to the comments of the Member for Seven Oaks (Mr. Minenko), and the critic for this area. The Member for Seven Oaks took us back to eastern Europe and state

farms and issues such as that, and the critic talked about communism and market forces and so on.

Basically, their view seems to be that the free market should run its course and should do what it has to do, and that there should be a minimum of restrictions. They are prepared in this particular case, because of this situation with The Principal Group, to—they would not initiate this necessarily on their own because the Government has done it, and it is in front of them this particular day. That they think it is not a bad idea, maybe we should support this amendment.

I get the impression listening to them and listening to their comments that in fact they could take it or leave it in terms of security provisions or The Securities Act provisions in this province. They seem to, when they talk about securities, talk about the free market and the right of business to do whatever it likes. They have faith that in fact there is very—in fact, education of the consumer is a favourite line of the Liberal Critic and even the Government, because they take the view that it is the buyer beware and that the buyers, if they are properly educated, will make the proper choices.

The fact of the matter is, we know that in the case of the gentleman referred to here in the Sunday paper that this man has taken mortgage companies and insurance companies and all sorts of people who are well trained. I know of a personal case of an insurance company manager who has a lot to say about this whole matter. This particular individual is so smooth that he could talk almost anybody into anything. There are people around who can do things like that.

That is the reason why we need securities legislation, why jurisdictions across Canada and across North America have come out with securities legislation, in order to protect the public, to protect the buyers, so that they are given proper information.

That is really all we want to do. The Liberal Critic, to his credit, alluded to that, that we want to provide the public with adequate information so they know and understand what the risks are when they take these investments, because there are investments that have associated with them a certain amount of risk. The public should understand that in fact they are taking a risk and know the degree of risk that there is when they take advantage of this particular thing.

People are sometimes very selective in their hearing, and it is not only limited to the front bench of the Government, but people in the public of course oftentimes hear only what they want to hear and they get involved in risky ventures and wanting to ignore the risk only seeing the good side of the proposition. Then when the deal turns sour and they lose their money of course they have forgotten what they were told.

Of course, the need for the prospectus becomes clear then, because the investment dealer in a way is protected because that investment dealer then can prove that he or she has in fact provided the member of the public with a prospectus and the member of the public cannot say that he or she did not get this information.

That is the reason why we have a requirement under The Securities Act for a prospectus in the first place.

The Government is proposing to expand the prospectus to include investment contracts. Once again, investment contracts are—the whole idea is coming about because of The Principal Group situation.

Mr. Speaker, the Minister, the way he is going about, and his whole approach to his Bills leaves something to be desired. In fact, he has Bills 63 and 64 tied up in committee stage at the moment. There are no committee meetings being set to deal with those Bills. He has been stalling them in committee for the last couple of weeks. I am wondering whether he in fact has the desire to proceed with his own Bills.

I have heard that perhaps he may be withdrawing his own Bill on The Unfair Business Practices Act, which is not a very good sign for a Minister. In fact if he is in a situation where he is going to withdraw one of the very few pieces of legislation that he has, then perhaps he should consider resigning as Minister because he has made a commitment to pursue business practices legislation. I think he has to stick with it and carry this through, but he is showing signs of stalling in the stretch at the moment.

I do not have a lot of confidence that he is going to be able to do much with the securities amendments that we see before us either, because he has taken very, very tentative steps to say the least, and then when he has taken tentative steps he has either shown signs of amending his own minor measures or perhaps even withdrawing them.

The fact of the matter is that—well, the Minister of Highways (Mr. Albert Driedger) is interested in finding out what is in the federal budget. If I were him I would not be too keen about finding out, because I am certain that the news is not going to please him all that much. The Minister of Highways will be wanting to be hiding his head in the snow tomorrow morning, after he gets a look at what is in that federal budget today.

Mr. Speaker, I could go on for some time here dealing with the securities amendments. Perhaps I will pass on that opportunity today and allow this Bill to go to committee. We can look at that time at making further amendments if necessary and perhaps come up with a better Bill than what the Minister has before us at this time, and would hope that the Liberals would maybe come around to taking a slightly different view, I do not know that their view is totally out of whack with reality, but take a slightly different view of this matter, and perhaps come with us in considering positive amendments which will look to the future rather than just the past. Thank you.

\* (1540)

**QUESTION put, MOTION carried.**

### **BILL NO. 59—THE PUBLIC SCHOOLS AMENDMENT ACT**

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Education (Mr. Derkach), Bill No. 59, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, standing in

the name of the Honourable Member for Logan (Ms. Hemphill). Stand.

Is there leave that this matter remain standing? Agreed. The Honourable Member for Niakwa.

**Mr. Herold Driedger (Niakwa):** Mr. Speaker, I would like to make a few comments with respect to Bill 59 and make some statements for the record. I appreciate the fact that I have been given the opportunity to speak at this time.

The Bill, the amendments have been introduced essentially to increase the administrative efficiency throughout the education system and it is interesting to note that although this is the intent, I think that one of the things that could be done while someone is making this attempt to increase efficiency, that you could go a little bit further, perhaps consider some of the elements that could be changed, because, when you open something up you actually create the opportunity for change, much wider change, much wider scope, than you may have had intended to in the beginning.

You have also—when you create change like this, perhaps do not go far enough. I recall, from the comments made by our Education Critic, that in the initial introduction of this Bill that some of the provisions actually went further than the provisions of the Bill that we did get finally at first reading, and now on second reading.

But I intend to address each item as it impacts on those areas that I think may either be subject to question, subject to interpretation, and may actually end up having some amendments introduced later in committee stage. On the whole, I am, I should say, in favour of the thrust of the intent, but it does not go quite as far as it could in some instances.

For instance, if I may be specific, the Bill does attempt to increase parental access to student records. This in itself is a commendable statement because for too long in the past have schools used the reporting mechanism, perhaps the records, as a screen to hide behind, and that is not the way, openness for education, or parents' concern for children, should be accommodated. I know that many years ago, when students came home with a report card that said either a percentage mark—I know that report cards have changed over time—we used to have ranking, we used to have averaging, we used to encourage competition in the academic system, we did all kinds of things which we thought encouraged the academic aspirations of children that caused children to either do work on their own, or to seek further education.

But, by the same token, as we did this we hid some of the records that led to the mark. Teachers used to be much more powerful than they are today. I recall, as a child, that I was admonished by my parents that if the teacher even looked askance in my direction there would be all kinds of punishment coming my way at home, simply because the purpose of the educator, the position of the teacher was held in very high repute.

Now the systems change, the education system at that time was also asked to do some of the screening

that we today call upon the universities to do, that we call upon different agencies to do, because the school system has changed because of society's changes. We teach more subjects; we teach a wider range of curricula. We find out some of the values that used to be taught at home, that used to be taught in a traditional culture through church, through Sunday school, through catechism, this change, as we got more people coming into the country who did not necessarily buy those initial value statements or the initial values as stated by a particular religious belief.

As the schools changed to make certain that the background for students was available, that the wealth of knowledge for students was available, we find that records change at the same time. We also had in the late '50s, early '60s a move in the school system to try and assess the ability of children by IQ tests. I will use the term "IQ tests" because although they were screening methods of one sort or another, they were supposed to be measuring intelligence. Of course this became an important tool for teachers, because they were now able to say, well, a child is not achieving a certain grade because of a poor IQ score.

This justification for a marking system became some sort of secret tool and was held in camera, was held in records which parents could not access, so when a parent comes to the school and says why is my child not performing as well, certainly the teacher did not want to tell the parent that your child is stupid and I know that because the IQ tells me so, this record became hidden. It became a datum that the parent could not use in assessing whether or not the child was progressing satisfactorily.

We have found since then that there are a multitude of reasons why children do not perform well in school. They can be learning disabilities which was a catch phrase at one point in time. It can be nutritional deficiencies. It can be problems with either a reaction to a chemical which is induced not voluntarily but accidentally when you have violent reactions in children. You have certain kinds of problems that we have in the past diagnosed as hyperactivity. I understand children were drugged simply to keep them calm in schools, when to do this you hide the reasons why you do this.

It is for this purpose that you want to increase parental access to student records, because I do believe that parents have the right to access these records. They need to know exactly why a student is doing well or not doing well. However, there is a problem with respect to the kind of records that can be accessed, and that possibly could be addressed by a minor definition in the regulation section or in the definition section. Which records do we actually access? Do we access the records of teachers when they make notes to themselves not to forget something? Is that the record that is accessed? Do we access the public record? Which record is open and available?

Secondly, some of the tests that are used in schools today to determine whether or not a child is performing according to the level to which he or she can, these records may take the form of numbers or may take the form of tests which need to be explained. When

a record is accessed, I think it is also incumbent upon someone to sit and explain what those records mean. For this reason, resource personnel in the school who can interpret records should be prepared to sit down with parents to explain why that particular datum or that particular record is made.

\* (1550)

However, with respect to the whole aspect of increased parental access to student records, this is on the whole commendable. Although there is one section in the Bill which I think would need to be looked at slightly, I do believe we have in our school system now students who are at the legal age of majority and they should be able to access their own records without their own parents' consent. This is something that might be changed simply by a minor amendment and a minor addendum, or a definition in the Act.

There are other aspects within this particular Bill which are opened up and which do leave the room for a considerable amount of abuse if we allow the sections of the Act which identify to be included, or to be covered by regulation, simply to be written in at the whim of whatever Minister of Education we happen to have. That one happens to be part of the Act that obliges school divisions to report a teacher charged or convicted of sexual assault.

We have to remember also, as I mentioned earlier in my remarks, teachers used to be held in very, very high repute. They had a very, very important position in communities and this over time has changed, not because the position has been downgraded, but rather because the system has become broadened to such an extent that the position of the teacher in the classroom, and the amount of authority a teacher in the classroom has, becomes weakened. Now it is weakened, not by virtue of the fact that we have said there is too much power here, I think that on the whole the system encourages the educator to be able to inculcate the values, inculcate the content, to inculcate the knowledge in the classroom, in the student, so that in the end the student comes out with what society in general wants the student to have. However in this process, particularly since schools no longer performed the function of the sieve, students are kept in school because there is no other place for them to go.

When I attended—I believe I was in Grade 6 or Grade 7 at the time—we had in our school system an extremely bright, an extremely intelligent young man who was able to assess his own abilities to the point when we sat down for examinations—and in those days we sat down to examinations—he could say: I have reached the 50 percentile mark, I do not have to write any further, I have passed the exam, I am gone, and he was, and he did, and he succeeded. As soon as he was able to leave the school system he did, and this was at age 14, or is it age 16, I cannot remember exactly when that particular thing was changed.

But did that indicate that this person having not finished high school, having not finished education as we currently value it, does this mean that this person did not succeed? No, there were places for this person

to go, there were places for this person to excel. I still hear comments from time to time saying about a businessman, well, he only has a Grade 8 education and look at him now. That is the justification why I, as a student, need not go and get my Grade 12.

Well, we are no longer talking about a system that acts as a sieve. These people today—there are limitations on students based upon age. It has nothing to do with the ability of the student; it has nothing to do with maturity or the respective abilities. It is simply an age requirement, a criteria. You may not be a full-time employee until you reach this age. So what do you do with a student before that time? Obviously he has to stay somewhere, or she has to stay somewhere. Obviously the school system is brought back in to do this because it is the one mechanism, the one system we have that can provide that function.

When you sit or stand in the classroom and you have in your classroom people who legitimately feel they could be better served elsewhere, that they do not wish to be in the classroom, you have a situation where the teacher no longer commands the same kind of respect by virtue of what he or she is doing, because the people in the classroom in front of him or her no longer are there for the same purpose.

Consequently by slow degrees, as we have changed the system, the teacher has lost some of the moral, I should not use the word moral, some of the persuasive authority that we would normally assess to the position alone, not the person. It is today the situation whereby a teacher walks into a classroom and that teacher earns the respect of the classroom, it is not automatically given over. That difference, that small little difference in how students themselves react to teachers leads to the potential abuse of the aspect of teachers charged or convicted with sexual assault.

Nobody wishes to downgrade the seriousness of a teacher using his or her position in this way to abuse children, who abuse students charged to him or her or to his or her trust. No one wishes to downgrade that aspect at all.

However, concomitantly the other side of the coin, students walking into the classroom, students who may for one reason or another be reacting to conditions outside of that classroom, reacting to conditions of the home, reacting to conditions of a friend's situation, of the social peer group pressure, may end up making statements that they do not fully think through, that they do not fully extend forward to the point where there are problems and it is therefore incumbent upon the system to act protectively, not only for the student, but also to act protectively for the teacher.

In that aspect here, I think we need to be very careful. It is yes, we must get all teachers who have been charged out of the classroom, but no, we must not see to it that this becomes a mark on their record, particularly when this was a spurious charge or a charge of maliciousness of which there have been quite a number in the past few years, largely again because it is the notoriety that students and/or teachers and/or the situation and/or the school gets when something like this occurs that causes almost a copycat situation

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and people will react in ways that are damaging to the whole thrust what education is supposed to do.

I have spent some time in the classroom. I have never, ever, ever felt comfortable touching people simply because of the problems of what that touching could lead to. Consequently I have acted accordingly. However, there are people in our system right now who have been taught that it is necessary to communicate with youngsters by touching, hands on. However, that is no longer acceptable because even the teaching of, and I believe it is called "Feeling Yes, Feeling No" with respect to whether a touch is right or a touch is wrong, is no longer sufficient for a student or a teacher to be able to react accordingly.

It is now a case of hands off, do not touch, stay away, and consequently there is a problem with how some students will achieve the gratification necessary or the comfort necessary, because many students come into the classroom hurting, Mr. Speaker, and they are hurting because of conditions outside of the classroom, and the only security, the only structure in their whole entire life is what happens in the classroom. We should not do anything in this Chamber which prevents the correct solution for students who are in need in classrooms. We must carefully monitor what we do, and it is this aspect within the Bill, which is covered largely by regulation and is not really definition. I think we have to look at it carefully in committee stage.

There is one aspect here on Bill 59 which I do wish to address, because it opens up an area which is going to become more and more prevalent in society, not for the motive of why it was written into the Act, and I refer specifically to the guidelines which provide leaves of absence for teachers seeking political office. That is not what I referred to. If we just simply go back and consider what actually happens when a teacher leaves the classroom for political office, we have easily defined here a career change or a job change. All right, that is what has happened. Now go back and consider what happens in the great mass of our work force. How many people have in the past, let us say 25 years ago, actually changed their careers very frequently? Very few, Mr. Speaker. What actually happened was that people went into a job and they probably stayed in that job for almost the lifetime of their employable years.

\* (1600)

That is not the case today. Today, people are entering the work force knowing that they are going to have to make significant career moves, significant career changes, regularly—three, four, and perhaps even five times in their working life. Now, here is one aspect where we as legislators can start playing a role, because it is not so much the career change. People will make moves within their careers, either for an improvement in station or a change of environment, that answer the needs of the moment, but they will not necessarily answer the needs of a long-term career. I am referring specifically to what happens to pensions, Mr. Speaker.

What happens to a pension that is frozen, or what happens in a situation if the person who is working does not actually achieve long enough pensionable

credits that that particular pension will grow with him or her? What happens if the change happens before the sufficient employer contributions get put in? What happens to the long-term security? If we take a look at the general thrust of what is happening in Canada, what is happening in Manitoba, we see that more and more today people are being expected to provide for their own retirement. They cannot continue to look at the state for the level of comfort that they figured they should expect after a long and fruitful working life.

However, we in changing to making it easier to move from one system to another, seem to forget that there is a pension credit that needs to be brought along and kept up to date. Now, I do not know, because I am not well versed in the intricacies of pension legislation, but on a common sense, general theoretical basis, I would think that simply considering that we do not consider pension contributions as being based upon years of service, but rather base them on years of contribution and say that when you move from one plan to another plan we move what has been put in with you so as you proceed through career change after career change you actually are building into your plan sufficient security so when retirement does occur you can walk away with some level of security.

Obviously, there are some plans that are better than other plans. I think that is something we cannot legislate for or cannot try and do. That is obviously something that will occur only through a slow process of harmonization.

At least if a person moves from one phase to another phase and knows that his or her pension contributions have been protected he or she can move comfortably through that to the next phase and so on, Mr. Speaker.

The reason I bring those remarks up right now is largely because that is what is addressed by providing guidelines for leaves of absence for teachers seeking political office. It is herein this is opened up, but this aspect is not addressed as it could be. If it perhaps is too difficult to be addressed in this particular school Act amendment it is something that we should be looking forward to try and do for the future.

Obviously, there are many things that you cannot do, by virtue of the fact that the employer in some instances is private and in some instances is Government. You cannot legislate commonality.

However, I believe a step forward might be that whenever the employer contribution is Government, of one form or another, that part can come along with you without any difficulty at all. I leave that for other people to actually implement—not so much other people to implement because I will be following that as we go forward, if not in this Session then in the next and the next thereafter and so on until eventually we have equitability in pension security for all working people, particularly if we bear in mind that many working people, as I indicated, are already changing careers all too frequently for this security to be with them.

I know when I was a callow youth, a teacher of only one or two years experience, and I heard people around the staff room talk about pensions I felt this was an

intrusion on my ability to use my money my own way. However, I am thankful today, after having spent 25 years in the classroom, that they did so, because at that time I was not willing to prepare for what I felt was a long, long time away. Life passes by very quickly, Mr. Speaker, and suddenly you find yourself with the fact that maybe your pension is not as rich as you thought it was.

Lastly, I have a few comments just to make on some of, I suppose what are called, the minor aspects of the amendments to The Public Schools Act, one specifically which allows the Minister to set regulations requiring—pardon me, I should address another one first, the one specifically which permits remote school districts to assign the duties of a principal to a superintendent.

I recall that when the Minister of Finance (Mr. Manness) made his remarks on this he actually stated that he felt the chief executive officer of a school division should be an accountant, not necessarily an educator, and laid as a justification for this particular statement that social workers as managers have messed up the family services bureaucracy. This is, therefore, a bad thing.

I think he missed the point, Mr. Speaker. If you require a chief executive officer in an area to have expertise in accounting, in budgeting and in things of that nature and this is in an agency say, such as education or such as family services then you should try and get the blending of the two in your chief executive officer and not downgrade one position for the other simply because you want a certain aspect or a certain kind of ability in your chief executive office.

By the same token, therefore, I think that it is incumbent upon us to think in terms of the role that a principal plays in a classroom or in a school. The principal was at one time the principal teacher, the lead educator, the one who actually facilitates the learning environment in a school. Somehow that particular position is at odds with the one that says I must manage or I must balance my books, I must cut costs here, I must cut programs there, I have to see how I can make these few resources last, stretch over. Those two should not essentially be put at odds with each other in the same environment.

It is fine for—the superintendent should have the ability to think as an educator and should be able to take those particular things in mind when he sits back and does his budgeting or her budgeting and does the decision-making that address the needs of management.

The principal should at all times be a teacher, simply because the environment that he or she is supposed to be supervising is the one that leads to the well-being of a child, well-being of a student, that determines the educational climate within a school and this is the aspect that should be addressed.

I have been in schools, I have worked for principals who had the management theme in mind. The way they addressed the needs of a school tend to be considerably different than the needs of a school that are addressed by a person who leads the school, who has the benefits,

who has the welfare of all the students and his staff or her staff foremost, because it is the educational climate that we need to protect, particularly, when we by other strokes or other pens change the relationship between students and teachers by virtue of how they may or may not interact with each other. It is incumbent upon us to make certain that we do not throw everything out in our endeavour to become that much more efficient, as the Minister of Education (Mr. Derkach) indicated in his press release was the purpose of his introduction of this particular series of amendments. Where are my notes?

\* (1610)

There are two aspects that I wish to address before I conclude my remarks, Mr. Speaker, both of them aspects which we in the Liberal Party have been chastised quite severely for by the Education Critic for the NDP, the Member for Flin Flon (Mr. Storie), dealing with the aspect of private schools and dealing with the aspect of home schooling.

I have heard the phrase that you can massage data any which way you want to make it show what you want. I have also heard stated, by a statistician no less, that the average depth of the Red River is three feet and therefore it is safe for you to walk across it. Statistics can tell you anything that you want. Statistics can point to you whichever direction you want them to take you in, Mr. Speaker. It is that aspect which I find objectionable in some of the remarks that were attributed, or that have been made, with respect to the position that the Liberal Party has taken with respect to funding for private schools.

I am not stating that the 80 percent funding that the Member mentioned was excessive. I am not going to address the 80 percent, because I think what happens is you can use those percentages any which way you want. What is the impact? What is the end result of why we should be looking at trying to protect some of the private schools, or the independent schools, to deliver their particular educational model?

If I go back to the first comments I was making about teaching values, about why teachers have lost some of the moral authority that they had—how much time do I have, Mr. Speaker?

**Mr. Speaker:** About nine minutes.

**Mr. Herold Driedger:** About nine minutes? Thank you, very much. If we go back to the comments I made about the fact that we have lost some of the moral authority simply by virtue of how schools have changed, how the system has changed, we find that parents seek to inculcate in their children those very values that we no longer, in the classroom, are able to—I guess the word is promulgate. Maybe that is the wrong word to use, but anyway to teach. They want these values taught, Mr. Speaker, and wanting those values taught they, therefore, ask their students to go, or they actually have their students go, to independent schools.

When the Member for Flin Flon (Mr. Storie) spoke and said that it is the Ravenscourt model, I mean,



Ravenscourt should not be used as the example for why we should not be funding private schools, or independent schools. We should be using the other schools, the smaller schools, the little schools that cannot really offer the agenda that parents seek to have their children—(interjection)—I would prefer to make—if you have had your chance, the Member for Flin Flon has had his chance to make these comments, I would like to have the same opportunity to address—

**Mr. Speaker:** Order, please. The Honourable Member for Niakwa does have the floor, other Members wishing to participate in this debate may do so after. The Honourable Member for Niakwa.

**Mr. Herold Driedger:** The reason you are providing this kind of funding is simply to allow the children to get the kind of education that they deserve because the bottom line should be what students are able to get.

I have seen what happens when students finish a school system, whether it is independent, whether it is a small private school or a small independent school, or a small religious school, the children have had no choice in whether they went to that school or not. They were placed into that school by their parents, the parent's decision prevailed. The children come out of the school and there they are faced with having to fit themselves into another system, because now they want their training recognized. They want the levels of achievement recognized. They wish to be provided with the next step in their education, because now they are making their decisions independently.

This is where this particular piece of legislation falls down. We do not have enough accountability built into the system. If a tax dollar is spent, that dollar should be accounted for according to the regulations of the Department of Education, according to the will of this Legislature. That a student coming out of the school system, whether it is independent or whether it is public, the student knows this particular piece of paper which says, I have a Grade 10 or Grade 11 or Grade 12, a 104, a 204, a 300, or whatever the case may be, this is what it means and this is what it provides me for. This is what it lets me get into. That aspect of accountability is not sufficiently stressed in this piece of legislation.

By the same token, the home schooling aspect, which allows the Minister to create regulations regarding whether home schooling can or cannot or how it is to be done, that aspect too should be strengthened, because here again the students are going to come out of that home schooling aspect not necessarily as well prepared. I am not saying that they will not be as well prepared, because parents may be able to teach everything necessary, but there is a problem in making certain that the standards are the same or the base knowledge should be sufficiently such, that a student coming out of one of these two systems can go forward into whatever next level of education he or she uses.

I recognize that in speaking about increasing funding to private schools or to independent schools we do, by the same token, support some of the schools which

may not necessarily need that funding, but there are many schools that do.

We have taken the position here, and I noticed also that Members have indicated that parents have the right to choose. That choice should be protected. The children who are the subject of the choice should be protected as well so that the accountability and the fairness is there for all students. Not all small schools can offer that. Therefore, the Department of Education must be prepared to take a lead role in making provisions necessary so that students, either placed into the private system or placed into an independent system, can be measured in some degree so that the student knows he or she will fit into whatever university or college he or she wishes to enter into.

There are less well-endowed schools than Ravenscourt. There are schools that teach more specific values than Ravenscourt, schools that may teach religious values, as opposed to some other kind of values that can be taught by the public system, which we cannot teach in the public system. The parents have to have the option to opt into the other system.

\* (1620)

I do not wish any of my comments to be construed that I am downplaying the aspect of the public system, but parents must have a choice to move their students if they so choose. None of my children went to any private system. They went entirely through the entire public school system and which I figured they probably ended up with a more rounded education than they would have at any other way. However, that does not mean that there are some parents who do not feel that their students or their children are best served by a different system. It is just that we in this Chamber must not forget that we do owe some degree of accountability and some measure of protection to all the students within this province. That is where our attention should be focused, not on some of the smaller details of how we intend to achieve these.

With those few remarks, Mr. Speaker, I will conclude my address. Thank you.

**Ms. Maureen Hemphill (Logan):** Mr. Speaker—

**Mr. Speaker:** Order, please. I believe the Honourable Member for Logan would like to speak to Bill No. 59. Is that correct? Order. Order, please. The House has already made a decision by allowing the Honourable Member for Logan to have this matter remain standing in her name. Is there leave of the House to reverse its previous decision to allow this matter to remain standing, to allow the Member to speak today? There is leave? (Agreed) The Honourable Member for Logan.

**Ms. Hemphill:** Thank you, Mr. Speaker, and I thank all honourable colleagues for being so very reasonable.

It is important I think when we begin to put some thoughts on the record about this particular Bill that we look a little bit about the critical issues that are facing the education system, some of which are dealt with in this Bill and of course some of which are not

dealt specifically in this Bill, but will be handled in other ways through budget allocation, through other legislation or other regulations.

This is a Bill that talks about things like home schooling and the regulations and responsibilities for home schooling. It talks about the regulations for private schools and it talks about governance of school boards and school trustees. It talks about the rights of principals and it talks about parental rights, all very, very important issues.

But I think the major overriding issue facing us, not just in Manitoba, but probably in all provinces in Canada, is the maintenance and the protection of the public school system. I think that there are a number of reasons why it is being threatened. Of course it is being threatened because funds are becoming tighter and tighter, resources are becoming more limited, and the demands on our public school system are getting heavier and heavier. We all know that there are many reasons for this and that a lot of the reasons are caused by the breakdown in our society that is leaving families having a great deal of difficulty—

**An Honourable Member:** Remind him we had a surplus when we left Government.

**Ms. Hemphill:** My colleague has just asked me to remind the Member opposite that we had a surplus when we left office and that surplus would have done a number of things that are very important to do I think in the public education system. So what we are looking at is ways of bringing in legislation and bringing in programs and policies that are going to support the public education system, that are going to deal with all of the increased demands for increased money for private schools, for the increased demands by parents for home schooling, the whole question of the increasing numbers of children in special needs requiring support, the mainstreaming of handicapped and disabled children and the responsibilities that gives the places on the education system. We recognize that there are a lot of problems and we want to point out to the Minister that when he is looking at changing legislation and changing programs, that he will look at some of these issues.

One of them is the tremendous problems that are being faced by inner city schools, by inner city parents, and by the teachers who are teaching in those divisions. When you look at some of those problems, Mr. Speaker, you will see that one in three of the parents in the inner city are single parents, or coming from single-parent families. Most of these single-parent families are women. Most of them are young girls who were not able to complete their education, who do not have any family supports, who do not have very much of an opportunity to break out of the life of dependency that they and their children are being forced into. This is going to have a tremendous effect on the public education system. Some people might say, well, what does that have to do with education? It has a lot to do with education, whether a child is properly looked after, whether the mother, as many of the mothers who are single parent mothers do, is living below the poverty line. Many of the mothers are having a great deal of

difficulty providing housing, shelter and clothing for their children.

There is a tremendous amount of migrancy in the inner city. Migrancy is something that is causing a lot of problems for children going to school. Can you imagine, Mr. Speaker, if you were a child who moved from one school to another not only once, not twice, not three times, perhaps four, five, six, and it is not unusual for some families to move eight or nine times within a school year. The chances of that child having an opportunity to receive an education are very, very slight. When we are looking at giving regulations for home schooling and tightening up and monitoring the monitoring and the evaluation procedures for private schools such as are being done in this piece of legislation. It is very clear that we have to deal with those other issues that are causing problems of accessibility, problems of opportunity and problems of having a real chance to complete an education.

One of the other problems that is being faced by people in the inner city is the question of hunger. We know that the food banks are increasing at a tremendous rate and that people who have a net income of under \$7,000 a year, or between \$7,000 and \$14,000 a year, are having a lot of trouble feeding their children. If children are not fed and children are hungry, it is very hard for them to go to school, to listen, to learn and to have the energy and the strength to really study and to take benefit of their education.

\* (1630)

Mr. Speaker, there are a lot of areas where we want to see some protection. We want to see protection of rights. We want to see protection of opportunity. We want to see protection of accessibility. We want consideration given when legislation is being brought in for some of those protections through laws and through the regulations.

If we look at some of the changes that are being brought in, in this piece of legislation, then I think there is a number of them that we can certainly agree with. The one where the Minister wants to increase the authority, the responsibility, and the accountability of the private school system is one that we would like to talk about for a few minutes. First of all, we agree with having private schools accountable. They are getting public money, and while the debate rages on about what level of funding that private schools should get, there is no question, I think in anybody's mind - (interjection)- no question in anybody's mind, particularly my colleague, there is no question in anybody's mind that they have to be accountable, there has to be a valuation and there has to be monitoring for any private school that is getting public funding.

We made sure that there was accountability and at the time that our Government was in office, we were also concerned about that. I just want to remind people that in order to receive grants from a private school, from the Government and from the public, a private school had to have teachers who were trained and who had the adequate certificates, that they were not allowed to have people who were not given a Manitoba

certificate for their teaching. They have to follow the Manitoba curriculum. They are not allowed to follow their own curriculum or to design their own curriculum. In order to receive funding they must have had qualified, trained, certified Manitoba teachers and they must have had to follow the Manitoba curriculum.

I think that in recognizing that there were controls in place, we want to agree with some of the concerns that they could be improved and that there needs to be continued evaluation, that there needs to be continued monitoring and that we cannot allow private schools to set up and just have somebody examine what they are doing once and then leave them to carry on without the normal requirements, regulations and monitoring that goes on within our public education system.

When they want to make the change under this clause, I think 3(1) where the Minister may at his discretion or upon request of the authority in control of a private school, inquire into the qualifications of the teachers and the standard of education provided by the private school, we are in complete agreement with that.

We think that they should not actually have to wait to inquire, it should not really be up to the Minister to have a question in his mind and to decide that he wants an answer to that question. There should be a system in place where the Minister does not have to ask, but where the information is coming to him on a regular basis that will tell him whether that private school is operating or not. It includes, the Minister can look into and ask about any other matter relating to the private school.

I think that we can agree with that broadening of the definition of what the Minister has a right to ask about. We just want to make the point that this should not be such a permissive piece of legislation, that there should be requirements in there for reporting and providing information to the Minister and it should not be left up to the Minister to see if he receives information that gives him some concern and that means that he wants to question the private school about their operations. He should be receiving information on an ongoing basis so that we can all be confident that the programs and the activities of all the private schools are consistent with the regulations and the laws governing not only them but governing the public school system too.

We are also in support of Section 1(13)-3 dealing with the issue of a resident pupil and the definition of a resident pupil, where they are in the changes, taking out the part that says, not including a treaty Indian child unless the child qualifies as a resident pupil under Clause (a),(b),(c),(d). The change says that any pupil in a school division, the definition will be any pupil "who, by reason of being dealt with under any provision of The Child and Family Services Act or the Young Offenders Act (Canada), becomes a resident therein, . . . ." It removes the section that says, "but not including a Treaty Indian child."

We support that amendment and would just make the suggestion that the per pupil grant should be given

to the school division in which the treaty Indian child becomes a resident pupil.

I think there is another section, 16(1), that is dealing with allowing the Government and giving the Government power to appoint an official trustee, and where the Minister may provide for the election of a school board for a school division. We certainly agree with that and want to talk about the experience that we had with the Frontier School Division that was governed by an official trustee.

During that period of time I think attempts were made to turn over control to the community, to turn over control to the parents, to turn over control to those people who are partners in determining the education of their children, and that is the partnership between the parent and the home, and the school and the teachers. We were very, very supportive of that.

We had set up a committee that was to be a transition committee that was to begin to exercise the rights, authorities and responsibilities that were carried out by other school boards around the province. We were very pleased with the way that the community rose and accepted the responsibilities.

We believe that as quickly as possible and under most circumstances there should be an elected school board and that the parents and the community should have the right to be active partners and to carry out and share the responsibility for the education of their children. We support the change where the Minister can provide for the election of the school board where it is deemed to be important to do so.

\* (1640)

When we come to the issue of home schooling I think we are dealing with a question that is going to become and is becoming more important as more and more families are choosing to educate their children at home. This is not thousands of people. It is not even hundreds of people, but the numbers are increasing annually.

(Mr. Deputy Speaker in the Chair)

The question is, who is responsible for making sure that when permission is given to parents to educate their children at home they not only are told what the requirements are and told what the education system curriculum is and given information about what responsibility they have to carry out to give their children a proper education, who makes sure that is done? Who has that responsibility?

I think in this section the Department of Education and the Minister are suggesting that this responsibility be handed over to the school board. I think that is something we have to concern ourselves with, Mr. Deputy Speaker, because it puts the school board in a very awkward position. Having been a school trustee and the chairman of a board, I think I have the experience to understand how the trustees association feels on this one. Sometimes quite frequently when parents want to home school, it is because they are dissatisfied with the education that their children are getting. They are dissatisfied with the school division; they are dissatisfied perhaps with the individual school

or with the program. It might be that they are not happy with the level of discipline or with what they believe should be taught in the area of moral values.

So for many, many reasons, parents are choosing to educate their children at home. We think it is the responsibility of the Department of Education to make sure that they know what they must do and that the monitoring and the recording and the evaluation is done by the Department of Education so that you do not put the parents and the school division, the parents and the teachers, in an additional situation of conflict. There have often been initial problems that have caused them to pull their children out in the first place, and we think to then turn over the responsibility to the school division to make sure that the parents are properly educating their children would cause unnecessary conflict and difficulties between the parents and the children. So we think that responsibility should be left with the Department of Education.

We are very supportive of the section that gives parents the right and access to all school records and files respecting their children. I know that it has been a shock and can be a shock to parents to find out when they want to have information, sometimes about tests that have been carried out on their children through perhaps a school psychologist or social workers or people that are brought in to help evaluate the child for their program, that this can be carried on without their parents knowing it or without the parents having access to the information. So we support the giving of all rights to parents to have information about their child and to see all of the information that is in the child's file.

I think there is only one area that occurs to me that I think there should be some provision for some protection. That is in a situation where there may be child abuse or suspected child abuse, they are suspecting that there is child abuse that is being carried out in the family. Now, I think in a situation like this there needs to be some provision that would make sure that this section is not in conflict with other pieces of legislation and that the department might consider a notwithstanding clause so that other legislation would clearly take precedence. One of the examples where other legislation would take precedence in this area is the matter of child abuse where the legislation for the reporting and confidentiality of files for child abuse would be I think paramount and would supersede the rights of the individual parent to have access to the child's file.

Other than that, Mr. Deputy Speaker, I can think of no other situation where I do not believe that parents should have full rights to receive a copy of all of the information in the child's file, because to do otherwise suggests that we are not in a partnership and that there is authority by the school division over the parent. When you think that the information that is being kept is being kept from the parent who shares the responsibility to reinforce and support what is being done in the school, then I think we have a situation that is not really acceptable.

I think that the suggestion of when the information is available is reasonable where they have spelled out

the period during regular school or office hours or at a time mutually agreed to by the parents, so that the information can be provided to the parents. I think that is a reasonable clause, and would not have the same concerns in this case that the trustees had that they should be able to decide when or where the parents are given that information. I think saying during regular school or office hours or as agreed to by the parents and the school is a reasonable way to determine when the information will be made available.

I think that there is another very important clause dealing with 41(1) and it deals with where the school division has knowledge or information that the teacher employed within their jurisdiction has been charged or convicted of an offence under the Criminal Code. I think that we would agree with that section and believe that information should be given to the Minister. We would also make the suggestion that they should perhaps be expanding it, because everybody that comes in contact with students has the potential to I guess not be in a situation where they should be exposed to young people. One of the other areas would be whether or not they had been convicted of drinking or drunk driving, with school bus drivers.

\* (1650)

So I think what we would like to suggest here is that they look at not just saying teachers that have been convicted, but expanding it to include employees. Those employees could be such people in the school who have a lot of contact with children, although they may not be teaching them in a classroom.

One of those would be the janitor. I do not know if you have all had the experience, but I certainly did as a school trustee, that students in the school often think that it is the janitors who are running the school and that are responsible for it. Often people that provide those services get to know the students and have a lot of contact with the students. So it is very important that this provision be extended so that it includes people, all employees, and that we look at the question of not only having school bus drivers who may have been charged under impaired driving provisions of the Criminal Code—and that is very important information for us to know—but I think that we have to go farther than that.

We have to look at the whole question of the licensing of school bus drivers, where we think that they should not only receive the special training, but that they should have a licence. There should be guidelines for eligibility for them to receive and retain a licence to drive a school bus. That should include their medical health factors.

I think that one of the toughest jobs probably anybody has to do these days is driving a school bus with 50 or 60 very active young people. You have to have a lot of experience. You have to I think be in very good shape to be able to handle that job. Their physical health and their mental health is a very important factor. Their driving record is critical and we think that it would be a very good idea if the Minister began to look at the whole question of not just including school bus drivers in the category of people where a school division has

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to provide the information to the Minister if there are any charges under the Criminal Code, but that they look at the whole issue of licensing and the qualifications and criteria for becoming a school bus driver and continuing to be a school bus driver.

One of the other areas is the right to seek political office, and the change in this piece of legislation is to make sure that there is nothing stopping a teacher from seeking a nomination or from being a candidate or from supporting a candidate or from supporting a political Party in a provincial or a federal election, or a by-election and, if they are elected, from serving as an elected representative in that public office.

Well, we think that they should be able to exercise their political rights and, once again, our only concern would be that this provision applies only to teachers and that other employees should have the same rights. So we would simply suggest that be expanded and we would not like to see this issue left to the collective bargaining process because I think it opens up too many opportunities for changed position from school division to school division, and the right to seek political office and to become a candidate and to work with any political Party should be there for teachers and should be extended to cover any other employee.

There is a clause here that says when a teacher does contest an election, and they are unsuccessful in being elected, and they apply to the school board within 90 days from the date on which the results of the election are officially declared, they shall be reinstated to the position that they held immediately prior to the date of the leave of absence.

Now I think that while we respect the point that is being made here, and that is to allow people to run for public office and to be willing to put themselves forward for public office without jeopardizing their career or their job, they would often have a dependent family and this would be a very serious restriction for encouraging and actually allowing teachers to go for public office, if you ran and, after you ran and lost, you found out that you had not only lost the election, but that you had lost your job, too.

However, we are not sure that it is reasonable always to put them exactly into the same position they held, because it depends on the timing of the election and school year, and the school may have to move fairly quickly to replace that teacher and it may not be convenient for them to move them back into exactly the same position, but we believe that they should be moved into a comparable position.

In other words, while that specific position may not be the one that they must be put in, they must be given

a position and it must be a comparable position, where possible the existing position, but if that causes difficulties for the board, particularly for smaller boards who do not have as much staff and as much flexibility, that the individual should be able to be given a comparable position.

Now there is another important section here dealing with expropriation and asks under certain conditions that the school board is allowed to expropriate land. We do not have any problem with that as long as they continue to follow the expropriation rules that everybody else has to that have to be followed. So we have no problem with that change.

In terms of the conflict of interest legislation, I think that is an important piece of legislation, Mr. Deputy Speaker, because school boards run one of the largest businesses in the province. While we recognize that their primary job is to educate children, they also at the same time are running very big businesses, which means that they are putting out contracts in the thousands and hundreds of thousands of dollars. It is very important in doing that, that we make sure that there is no employee who acts as an agent for them, who can benefit from the sale of any materials and receive remuneration for that, because of the position that they are in. So I think it is important that we spell that out.

Having said that, Mr. Deputy Speaker, I think that I have touched on a number of the areas in this piece of legislation that we support and a number of areas that we would like to see some slight additions or slight changes, particularly where the rights were being expressed. We have asked that instead of just dealing with teachers that they expand that to include all employees for the running of public office as an example. So with that, I am pleased to close my remarks on Bill 60.

**Mr. John Plohman (Dauphin):** I move, seconded by the Member for Logan (Ms. Hemphill), that debate be adjourned.

**MOTION presented and carried.**

**Mr. Plohman:** Mr. Deputy Speaker, I wonder if there is an inclination in the Legislature today to, at this point, call it six o'clock.

**Mr. Deputy Speaker:** Is it the will of the House to call it now six o'clock?

The hour being 6 p.m., this House is now adjourned and remains adjourned until 1:30 p.m., tomorrow (Wednesday).