

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, February 22, 1990.

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### INTRODUCTION OF BILLS

#### BILL NO. 88—THE PHYSICALLY DISABLED PERSONS PARKING ACT

**Mr. Mark Minenko (Seven Oaks)** introduced, by leave, Bill No. 88, The Physically Disabled Persons Parking Act; Loi sur les emplacements de stationnement réservés aux handicapés physiques.

#### MOTION presented.

**Mr. Minenko:** I am very pleased to be introducing today in the Legislature a very pro-active piece of legislation designed to make life just a little easier for disabled people in Manitoba. The Bill is called The Physically Disabled Persons Parking Act that will ensure greater access to parking facilities for the physically disabled.

The Bill sets out for the first time a set of rules governing parking stalls that are designated for disabled Manitobans. Basically the Bill has three major components. First, it makes it an offence for people to park their vehicle in a designated parking stall for the disabled unless the vehicle displays a permit bearing the internationally accepted symbol of access for the physically disabled.

Secondly, first-time offenders of this Act will receive a minimum fine of \$100.00. Subsequent convictions carry a minimum fine of \$150 and \$200.00.

Three, under the legislation, the size of the designated stalls increases from 8 to 12 feet. This is to accommodate easier access for the disabled in and out of their vehicles.

This long overdue Bill, Mr. Speaker, sends a strong clear message that a lack of consideration and respect for those who suffer from physical disabilities will not be tolerated. This legislation is a product of many hours of consultation with groups representing the physically disabled as well as with organizations affected by it, such as shopping mall owners and office managers. I believe this is the very least that we as legislators can do, and I look forward to the support from the other two caucuses on this very important piece of legislation.

**QUESTION put, MOTION carried.**

\* (1335)

### INTRODUCTION OF GUESTS

**Mr. Speaker:** I would like to draw Honourable Members' attention to the gallery where we have from

the Glenwood School twenty-one Grade 9 students. They are under the direction of Mr. Patrick. This school is located in the constituency of the Honourable Member for St. Vital (Mr. Rose).

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

### ORAL QUESTION PERIOD

#### Progressive Conservative Party Agenda

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, in the aftermath of the federal Conservative budget, Manitobans are looking for straight answers from this Government. Manitobans want to know what those provincial Tory letters hinting at hidden agendas will mean for them in the future, a letter for which the Leader of the Party, who is also the Premier, cannot deny responsibility.

What are some of those tough changes his Party has in mind if they were given a majority, in that we have already seen that Tory administration can cut vital programs and services?

**Hon. Gary Filmon (Premier):** Mr. Speaker, in response to the Leader of the Opposition (Mrs. Carstairs), I can tell her that I have not said anything about tough changes. I have said that we are going to manage efficiently and effectively and manage in a way that is in the best interests of all Manitobans, as we have for two years despite the outright obstruction and opposition of the Liberal Party who voted against tax reductions for Manitobans, \$61 million of tax reductions to individual Manitobans on their income tax, despite the fact that the Liberal Party has voted against our reduction and elimination from paying the payroll tax of 70 percent of the small businesses who had been paying that tax, despite the fact that the Liberals voted against the removal of education tax off farm land to help our farmers, despite the fact that the Liberal Party voted against reducing the deficit.

We have carried on doing what we believe is good for Manitobans. We are going to carry on doing that.

**Mrs. Carstairs:** Mr. Speaker, Manitobans want to know what this Government is going to do about the hardship imposed upon them by their federal cousins in Ottawa. We are not talking here of deficit financing, which is what they will do by tapping the Fiscal Stabilization Fund. What we want to know is where they will be getting the additional revenues to make up the lost federal revenues or if they intend to cut programs and services, and if they do, just what programs and services are going to be cut.

**Mr. Filmon:** What we have indicated is that we will continue to examine every area of expenditure that this

provincial Government has under its jurisdiction. We will look at ways in which we can make Government more efficient and more effective. We will look at ways in which we can reduce some of the areas of fat, some of the areas of administration.

We have in the past reduced expenditures in communication, reduced expenditures on research and administration, areas that we do not believe are direct services to people. We will look at these things diligently.

We will take on our responsibilities seriously, unlike the Leader of the Liberal Party, who along with her colleagues has over the past couple of years advocated adding \$900 million worth of expenditures to our provincial deficit, \$900 million worth of taxes that we would have to increase to the people of this province. That is not our answer; that is the answer of the Leader of the Liberal Party and her colleagues, and that is spend more, tax more—

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

**Mrs. Carstairs:** Mr. Speaker, the truth of the matter is that this Government cut funds to the mentally disabled and put people on the street. This Government has given the physically handicapped less than the rate of inflation, which has resulted in a cut to services.

### Federal Budget Impact Education

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, this Government has to face a very serious problem, particularly in the area of post-secondary education. Can the Minister tell us just what the impact will be on our university colleges and on our community colleges with this cut to Established Program funding by his federal Tory cousins?

\* (1340)

**Hon. Gary Filmon (Premier):** Mr. Speaker, we continue to have to deal with the problems that we are faced with, no matter what the origin of those problems. We will look at them in a very sensible, common-sense point of view and a very moderate response.

We are committed, as I said yesterday, to ensure that health care remains at the highest standards that we can possibly provide. We are committed to ensure that as we address the needs of Manitobans, we deal with protecting those vital services that we currently have, the things that Manitobans have come to depend upon.

Mr. Speaker, what we are talking about of course is some co-operation. We need to ensure that Manitobans' expectations are not driven up by irresponsible Opposition, such as the Liberal Party, who say day after day, get more, spend more, you can have more, like the—

**Mr. Speaker:** Order, please; order, please. I would like to remind the Honourable First Minister that we refer

to Honourable Members in this Chamber as Honourable Members. All Members are Honourable Members. The Honourable Leader of the Opposition.

**Mrs. Carstairs:** Mr. Speaker, one only has to ask a patient lying in a corridor of a hospital or a patient staying at home waiting month after month for surgery if they believe there have been no cuts to health care in the Province of Manitoba. They know there have been.

Tuition fees for students in this province have risen dramatically over the last few years. The University of Winnipeg Student Association says that as a result of this federal budget their fees will in all likelihood go up by 10 percent, that is 10 percent on fees, 7 percent on a GST and 3 percent on a surtax on student loans.

Can the First Minister tell us what his Government is going to do to ease the burden on post-secondary education students in the province, who simply cannot take any more?

**Mr. Filmon:** Mr. Speaker, let me just firstly correct my honourable friend, the Leader of the Opposition (Mrs. Carstairs), on some of the misinformation that she continues to put on the record.

We have had two budgets that we as a Conservative Government have brought in this Province of Manitoba. The first budget increased expenditures on health care by over 9 percent, double the rate of inflation. The second budget increased expenditures on health care by over 7 percent, well over the rate of inflation. That second budget also included the largest and most ambitious capital works program in health care in our province's history.

Those are not reductions. Those are not cutbacks, no matter how she wishes to characterize them. Those are increases and those are responses to real needs.

**Mrs. Carstairs:** Mr. Speaker, but they underspent by \$28 million last year in health care, and they are projecting so far, three-quarters into this year, at \$28 million. Today we learned that the funding for science and technology had been slashed by 13.8 percent by the federal Government. What impact will the cuts to science and technology have on the post-secondary institutions of this province who are already the most underfunded in the country?

**Mr. Filmon:** Mr. Speaker, we have been in Government for two budgets that we have brought in. In both the first and the second budget our increases in expenditures to universities and post-secondary institutions have been at or above the rate of inflation. We have done that because we are committed to the quality of our post-secondary education and to addressing some very serious problems that were left for us.

We gave special additional funding to the Faculty of Dentistry because they were in danger of losing their accreditation. We gave special additional funding to the Faculty of Management because they came forth with an ambitious plan to try and improve the calibre

and the quality of their training of people in management and administration at our university. We gave additional support in a number of specific areas, including in the miscellaneous capital area, because of our commitment to ensure that our universities can continue to operate in a favourable manner and provide a high quality of education to our students. We will continue to make a commitment, as much as possible, to support the needs of our post-secondary institutions in this province.

\* (1345)

### Impact Out-Migration

**Mrs. Sharon Carstairs (Leader of the Opposition):**

Mr. Speaker, but in Phase 1 of their Pro Business Strategy we went from two faculties in Medicine with accreditation problems to eight Faculties of Medicine with accreditation problems. Can the First Minister tell this House how he expects to stem out-migration from the province and develop a pool of trained and specialized workers when our colleges and our universities are being allowed to deteriorate? What kind of help will this Government be providing to those institutions so that the youth of this province are given a fair chance to make their future here in Manitoba and not some place else in this nation?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I find it reprehensible that my honourable colleague, the Leader of the Opposition, would in fact give misinformation on the record about the circumstances at the Faculty of Medicine without having picked up the phone and spoken to the Dean of Medicine who said that funding was not the problem with respect to those accreditation matters. He said it—

**An Honourable Member:** What is the problem then? You tell us.

**Mr. Filmon:** Did you call him? Did you call him? Did you call him? She did not call him, Mr. Speaker. She prefers not to know the truth but to spread misinformation. He said that it was a matter of the hours that they were spending in the hospitals, and it was in terms of—

**Mr. Speaker:** Order, please. I am sure Honourable Members will want to give the courtesy to the First Minister to respond. The Honourable First Minister.

**Mr. Filmon:** Mr. Speaker, it is regrettable that the Liberals want to shout down the answer, because they do not like when the truth is being told to them. The Liberals prefer to say things their way to misrepresent everything that is going on and not to listen to the truth. The reality is that their Leader -(interjection)- the Liberals think that this is a joke and a great political game. If they are not interested in our future in Manitoba, I am.

### Federal Budget Native Communication Network

**Mr. Gary Doer (Leader of the Second Opposition):** One is tempted to talk about pro-business agendas, but that would be off topic.

Mr. Speaker, the morality of the federal Government has been questioned by all Canadians. The fact that the federal Government is cutting back on the heart and soul of Canada, health and post-secondary education, has been acknowledged by most Canadians as a very, very regressive way to go. We also, when we look at the budget sheets and see who the winners and losers are—and that affects Manitobans—we see that real personal income is going down in 1991 and corporate profits before taxes are going up 12.1 percent in 1991, a Progressive Conservative strategy.

My question to the Premier (Mr. Filmon) is on some smaller items that are cut but affect people very directly. Native communications, both in the North and South, are absolutely vital for many of our communities, some of them particularly in our remote communities. They are a vital communication link in our communities. The federal Government has cut back those funds both in terms of their grant, both to the South and the North, a program that was established by federal-provincial agreements in previous years.

My question to the Premier is: How much money is being cut back? What is the impact? What is the Government going to do to make up the some \$300,000 in shortfall potentially from this federal Conservative budget?

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, I just would like to put on the record for the public and for the Member of the New Democratic Party, the record of the New Democrats as it came to funding northern and Native programs. The increase that they received under this provincial Government was a greater amount than ever was received by the former administration in this province.

**Mr. Doer:** Well, what a disgusting performance, Mr. Speaker. I asked a very specific question about a program that we established before. We never attached any partisan labels to who should get credit for establishing the program. We are asking about the effect on communities. There are hundreds of thousands of dollars cut out by the federal Government.

I would ask the First Minister (Mr. Filmon) and head of Treasury Board, what is the actual cut? What will it mean for the Native communication network in northern Manitoba? What will the provincial Government do? Will he meet the same obligations as he intends to do with health and post-secondary education and meet the shortfall so that Native communication programs can continue throughout Manitoba?

**Hon. Gary Filmon (Premier):** Mr. Speaker, our record on funding for Native programs has been extremely positive. We are the Government that under the Northern Flood Agreement advanced a payment of \$10 million to the Northern Flood Committee communities,

money that they had been waiting for for six and a half years under the NDP, money that they had been denied. It was forthcoming to them under that Northern Flood Agreement, that they were stonewalled, that they were filibustered, that they were obstructed from getting from the New Democratic Party when they were in Government for six and a half years.

We have indicated in the past that we want to do whatever we can to assist people throughout this province. Whether they live in the North or the South, whether they be Native, whether they be any background or origin, they are entitled to fair and equal treatment.

\* (1350)

The fact of the matter is that the federal budget leaves us with some difficult choices, leaves us with a loss of revenue that was unanticipated and indeed an offloading on other programs. The fact of the matter is that we are going to have to take a very co-operative attitude, and all Members in this Legislature are going to have to jointly talk about what their priorities are.

I have put on the record that the priorities of this administration are to keep personal income taxes down and in fact to keep our health care secure in this province. The Liberals have indicated that they disagree with those priorities. We will now find out what the priorities are of the NDP.

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

### **Fiscal Stabilization Fund Native Communication Network**

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

**Mr. Gary Doer (Leader of the Second Opposition):** Mr. Speaker, as a Party that voted for fiscal stabilization, we can say that it is raining now on our Native and northern communities. Therefore, my question is specifically to the Premier. He has indicated he will use the so-called rainy day fund for purposes of health and post-secondary education.

Will he now agree to use the rainy day fund for some of the programs that are most directly affected in Northern Manitoba, particularly the Native communications system that could be and will be wiped out by the federal cutbacks announced two days ago?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I compliment the Leader of the New Democratic Party (Mr. Doer) for having had the good sense to support that Fiscal Stabilization Fund. The foolishness of the Liberals is now apparent to everybody in Manitoba. It is all out to see, their foolishness and irresponsibility.

I say this to the Leader of the New Democratic Party: He has said that it was raining for day care workers; he has said that it was raining for child and family service agencies, he has said that it was raining for everybody who walked into his caucus room with their hand out during the past six months.

**An Honourable Member:** You are a little bit like Sharon like that.

**Mr. Filmon:** Absolutely, Mr. Speaker, and now he is saying that his priorities are for the Native programming. I say this, those are not the kind of priority choices that any Government can take. You cannot say that everything is a priority, whoever walks into your office next is your major priority—

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

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

**Mr. Doer:** I am going to continue to ask a very specific question. One of the reasons why there was a lot of extra revenue last year, and we supported a fiscal stabilization, was high mineral taxes and high revenue which is of benefit to the whole province.

Mr. Speaker, given that many of those revenues come from the North, and given that many of these resources are needed in the North, in the Native areas, would the Premier now agree to the \$300,000 shortfall? We are not talking about \$150 million. The \$300,000, if he is not able to get the money from the federal Government—and it has been cut, so it is not hypothetical—will he agree to look at a creative way to provide those programs so there is no cutback in Native communications in our northern and southern communities of service that is very vital for our people?

**Mr. Filmon:** Mr. Speaker, now we see why we got into the constant spiral of deficit and debt under the NDP. They have absolutely no ability to choose priorities. That is why we had constantly \$500 million to \$600 million annual deficits because everything was a priority. They choose their priorities on an ad hoc basis. If he is telling me that he wants to take \$300,000 away from health care to put into that priority, we now know what the problem we have in this province is and why we were left with that incredible debt and incredible deficit. He does not have a sense of priority. He wants to take that \$300,000 away from health care and put it into another priority.

\* (1355)

### **Hog Industry Labour Force Reduction**

**Mr. Paul Edwards (St. James):** Mr. Speaker, my question is for the Minister of Labour (Mrs. Hammond). We have learned today that on Monday of this week senior management of Burns Meats here in Winnipeg met with all employees in a series of three meetings and indicated to them that because of the deal the Government struck with Springhill Farms and Olympia Meats out of Quebec recently to protect 60 jobs, 200 to 300 jobs may be lost in the hog processing industry in Winnipeg.

Is the Minister of Labour aware of these meetings and these dire predictions from Manitoba's largest meat

packing facility, and if not, will she immediately make it her business to find out the details of this prediction?

**Hon. Gerrie Hammond (Minister of Labour):** I will be in touch with our Labour Adjustment Unit.

### Burns Meat Government Discussions

**Mr. Paul Edwards (St. James):** Mr. Speaker, for the Premier, the Burns workers were also told by senior management that the company was fighting with the Government and that the company was facing indeed tough times. What knowledge does the Premier have of this alleged fighting with the Government by Burns Meats? Will the Premier indicate whether or not in fact Burns has predicted 200 to 300 layoffs in Winnipeg as a result of the deal recently struck with Springhill and Olympia Meats out of Quebec?

**Hon. Gary Filmon (Premier):** The agreement that was struck between Springhill and Olympia Meats of Quebec was one that continued obviously to provide for a source of sale for the hogs that were being produced in Manitoba, which was good for the producers of Manitoba, was supported by the Manitoba Hog Producers Marketing Board and indeed supported by all those producers across the province who so desperately were looking for an alternative to the closure of the Springhill plant.

With respect to Burns Meats, I have as recently as the last few weeks had extensive discussions with their President and chief shareholder, Mr. Arthur Child. So has my Minister of Agriculture (Mr. Findlay), who met with him. In fact, Mr. Child responded to me in writing, saying that he had a very positive meeting, that he was very pleased with some of the undertakings that the Minister had taken to deal with the Hog Producers Marketing Board to address some of the irritations and concerns of Burns Meats, and that he saw our opportunities and climate here in a much more positive way than he saw Alberta, for instance, where he was extremely offended.

The Member for St. James (Mr. Edwards) might know that he took out a full page ad to complain against some measures that the Alberta Government was undertaking that were negatively affecting his packing operations in Alberta. He said none of those things. In fact he made very positive comments about his relationship with this administration.

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

**Mr. Edwards:** Mr. Speaker, I simply bring it to the Premier's attention that on Monday senior management told workers that 200 or 300 people in Winnipeg may lose their job and also indicated that the company was fighting with the Government.

Again for the Minister of Labour (Mrs. Hammond), today at 3:30 all foremen at Burns, both night and day shift, are meeting in an unusual meeting. Does the Minister of Labour know why, and can she tell us if it

has anything to do with the dire predictions given by senior management to the workers on Monday?

**Mr. Filmon:** The problem that we have with the irresponsible Liberal Opposition is that they continue—

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

**Mr. Filmon:** —to deal in secondhand information, rumours, innuendos.

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

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

**Mr. Edwards:** Mr. Speaker, I have attempted today in an entirely responsible fashion—

**Mr. Speaker:** Your point, please.

**Mr. Edwards:** —to bring to the Government's attention information that senior management at Burns Meats are threatening 200 to 300 people out of work in Winnipeg. If that is not of concern to this Government, what is?

**Mr. Speaker:** Order, please. The Honourable Member does not have a point of order. It is a dispute over the facts. The Honourable First Minister.

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**Mr. Filmon:** What is of concern to me, Mr. Speaker, is the irresponsibility of the Liberal Party in this Legislature, who day after day bring up innuendo, secondhand information and all kinds of rumours that they want us to respond to. I will deal with the issues as they arise. We have had a good relationship with Burns, which I have told him about. If he does not want to believe that, that is his problem.

### Drought Assistance Cost Sharing

**Mr. Laurie Evans (Fort Garry):** Mr. Speaker, my concern rests with Mr. Wilson's budget. Agriculture was virtually omitted from his budget, but he did indicate that prairie farmers could be supported through contingency funds. In the Oilseeds and Grains Program there is a cut of three-quarters of a billion dollars, with the argument, and I will read the argument that he used: It is a decrease in the requirements under the Canadian Drought Assistance Program.

\* (1400)

Can the Premier or the Acting Minister of Agriculture indicate as to whether formal representation has been made to the federal Government for drought assistance or for special grains assistance to overcome the depressed prices? Is this Government prepared to cost-share that agreement if it is brought forward?

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, I will try and be brief. Yes, there have been discussions, I understand, between my colleague, the Minister of Agriculture (Mr. Findlay), and the federal Government at the ministerial level and as well at the technical level discussing all matters dealing with agriculture and agriculture problems.

**Mr. Laurie Evans:** This offloading is not new to agriculture. Can the Acting Minister indicate whether or not Manitoba has agreed to pay 25 percent of the total cost of the new crop insurance proposal that is currently before the federal Government?

**Mr. Downey:** Mr. Speaker, I will take that question as notice for my colleague.

### Agri-Food Programs Funding

**Mr. Laurie Evans (Fort Garry):** I have a final supplementary then, Mr. Speaker. The current Agri-Food program under the ERDA is for \$38.5 million. That expired on the 31st of March of this year. We are operating now on contingency funds till the end of the calendar year. Can the Minister indicate whether we can anticipate something in the order of \$38.5 million coming in for the next five years specifically for agricultural programs over and above the soil conservation project that has already been announced?

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, the Member is aware of the fact there has been a new one signed, but specifically with the question, I will take that as notice as well.

### Federal Budget Impact Native People

**Mr. Elijah Harper (Rupert'sland):** My question is to the First Minister. The federal Government has called on the aboriginal people to take part in the burden of reducing the federal deficit and also reducing the expenditures. The aboriginal people in this country are the poorest of the poor, and we are asked to dig in our pockets to reduce the deficit. I ask the First Minister, what plans or what action is he proposing to take to combat this outrageous and immoral action of the federal Government?

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, I find it extremely strange that the Member for Rupert'sland would rise in his place and ask such a question, when he was Member of a Cabinet that in fact did not increase the support for the Native or northern communities from 1987. We were the first to increase that support when we became Government some 20 months ago. He in fact had no increases year after year for some three to four years when he was the Minister responsible.

### Northern Development Agreement Replacement Funding

**Mr. Elijah Harper (Rupert'sland):** Mr. Speaker, my second question is directed to the Minister of Northern Affairs. We had in place a Northern Development Agreement, a program well over \$270 million that was expended under that program. I believe the Minister of Northern Affairs has bungled that agreement and lost all the cost-sharing arrangements with the feds.

I want to ask the Minister, what action is he going to take to continue those programs that were contained in the Northern Development Agreement, programs such as BUNTEP, northern nursing, social work? Where is he going to get the funds from the federal Government? I believe the Minister indicated that he was going to be negotiating with the feds on that matter.

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, I again am somewhat astonished at the Member in his question. He is sitting as a Member of the New Democratic Party, who in fact did not have a new agreement negotiated with the federal Government but in fact an extension, two years on top of the old agreement. We have had positive discussions, and we look for some fruitful positive outcomes of those discussions very shortly.

However, I want the Member for Rupert'sland (Mr. Harper) to know that it is this Government, this Premier and this Party that are committed to give his community, some seven communities, hydro-electric power off the northern generating system that he was not able to deliver. They were treated as second-class citizens with 15-amp power off diesel generators. It is this Government that is going to give his communities hydro power off the system that has been in place for many years.

**Mr. Harper:** Mr. Speaker, that commitment was already made by the provincial Government and Hydro in our term.

### Federal Budget Impact Native People

**Mr. Elijah Harper (Rupert'sland):** I ask the Minister of Northern Affairs, what are his plans to deal with the federal budget, and also the GST that is going to hit the community with 7 percent, and also the rate of inflation, the cost of goods in the North and remote areas?

I ask the Minister, because when I purchased two litres of milk, 2 percent, it cost me \$4.19 in Red Sucker Lake. Can he tell me how he is going to combat or ease the burden for northern and aboriginal people in those communities?

**Hon. James Downey (Minister of Northern and Native Affairs):** Mr. Speaker, let me tell the Member, who was the Minister—I am asking him if he wants us to take the monies that have been allocated for the hydro development in his communities and use them another way. As our Premier (Mr. Filmon) has said, it is our job

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to prioritize the expenditures, to make maximum use of the funds that are available.

It is our responsibility to make sure there is electricity for the refrigerators to keep that milk from going sour, and that it in fact it enables the older people, the elderly in those communities, not to have to go to outdoor washrooms, as they had to do under his administration.

### West Broadway Family Centre Funding

**Mr. Harold Taylor (Wolseley):** Mr. Speaker, my question is for the Minister of Family Services (Mrs. Oleson). For some four years, critically required respite day care has been offered to some 300 families in the neighbourhood -(interjection)-

**Mr. Speaker:** Order, please; order, please. The Honourable Minister has had an opportunity to respond to the questions posed. The Honourable Member for Wolseley has the floor.

**Mr. Taylor:** Well, I will restart, Mr. Speaker. For some four years, critically required respite day care has been offered to some 400 families in the neighbourhood immediately west of the Legislature by an organization called The Family Centre, located in Broadway Optimist Community Centre.

The previous Government partially supported those activities by giving CED money and some loan, but the NDP did not recognize the real life needs of the people in that community by not establishing any programs and neither has this Government.

My question, Mr. Speaker, is, what is this Minister going to do to salvage or to save this required operation in the West Broadway area, given that it already curtailed some of its services while awaiting expected funding? Unfortunately, it has announced—

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

**Mr. Speaker:** Order, please; order, please. The question has been put. The Honourable Minister of Family Services.

**Hon. Charlotte Oleson (Minister of Family Services):** Mr. Speaker, it is the priority of this Government to provide full time day care in facilities for full time day care, not casual day care as this Member is asking for. I guess this must be the priority of the day for spending with the Liberals, because every day we get, spend more, spend more.

Now this is not something that we have been funding, but that facility has a request in, I should add to the Member, for an infant day care full time space. My department is working with them, and they are on the waiting list for that.

**Mr. Taylor:** Mr. Speaker, well it is interesting that this Government has no interest in casual day care. Then I would ask this Minister what she has been doing having a staff member for the last two years out of the day

care office, attending meetings for the expansion and renovation of Broadway Optimist Community Centre to house this very same respite day care? What is going on here?

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

**Mr. Speaker:** Order, please. The Honourable Minister of Family Services.

**Mrs. Oleson:** Mr. Speaker, my staff respond to requests to meet with them to discuss various programs. The very fact that staff have met with them does not indicate that we will fund the organization. Our priority is for full time day care, which the Member must know, because his colleagues and the colleagues in the NDP have been raving about salaries for day care workers and more money for day care. We are attempting to address that issue. That is our priority.

**Mr. Taylor:** Mr. Speaker, the answer from the Minister is absolutely incredible. We are talking about formal participation in an ongoing program to expand a building, which the city is funding and which Core is funding. We are talking about the respite day care. Your officials have formally participated in the exercise to house a respite day care. Why were they doing that if they were not going to fund them operationally?

**Mrs. Oleson:** Mr. Speaker, as I indicated to the Member before, the very fact that my staff sit down and discuss something is not a guaranteed fund.

\* (1410)

### West Broadway Family Centre Funding

**Ms. Judy Wasylycia-Leis (St. Johns):** Mr. Speaker, on this same matter, because we believe that supports for families are critically important, and they do rank up there with health care, I have a suggestion for the Minister. Given that the statistics show—

**An Honourable Member:** You are going to spend it otherwise.

**Mr. Speaker:** Order, please. The Honourable Member for St. Johns has the floor.

**Ms. Wasylycia-Leis:** Given that the statistics show that this resource centre in West Broadway has saved the Government a minimum of a quarter of a million dollars through preventative measures and programs by keeping children out of care in the welfare system, and given that the children in this surrounding area have only gone into care at a percentage of about 30 percent compared to 80 percent for the broader community, would the Minister, in the interests of both saving money for taxpayers and supporting the family, provide a small amount of money to ensure that this valuable preventative centre is able to stay open?

**Hon. Charlotte Oleson (Minister of Family Services):** Mr. Speaker, well, obviously it was not a high priority

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of the former Government, because they did not fund it to the extent that the Member is asking us now to fund it. I will repeat, as I said to her colleague, the Liberal Member, our priority is full time day care. We are working to improve the system in that area, and that is our priority.

**Ms. Wasylycia-Leis:** Yes, as the Minister has said, these were started under the NDP, and now they are being cut back by the present Government.

My question to the Minister is, given that West Broadway Family Centre could have been supported through operating dollars as a family resource centre, or as a formal day care system in terms of its infant day care request, or as an innovative project around respite care for parents who want to stay at home full time with their children, would the Minister dig into one of her programs and come up with some funding to help this centre stay open so that families in the West Broadway area can be supported and so that deficits are kept low—

**Mr. Speaker:** Order, please. The question has been put. The Honourable Minister of Family Services.

**Mrs. Oleson:** Mr. Speaker, it is interesting to hear the Member saying dig into one of her other programs when every other day she is suggesting that I give more money to those programs. I am wondering which program the Member would like me to take that money from.

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

**Ms. Wasylycia-Leis:** I would ask the Minister to look at the \$7 million of underspending to date in her department and come up with \$70,000 to support a program that has kept children out of care in our child welfare system, has supported families, has been preventative in nature on all fronts, including child abuse, wife battering, delinquency and alcoholism, and the list goes on and on. Would she act in the interest of the future of our society?

**Mrs. Oleson:** Mr. Speaker, I am always happy to act in the interests of society, in the interests of people who fall under this department. I will point out to the Member once again that the increases that we have spent in day care over the last two years that we have been in Government, the two budgets, in '87-88 the budget for day care in Manitoba under the NDP Government was \$28.9 million. The budget for '89-90 is \$41.8 million. That is a significant increase in day care funding.

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

### North Portage Development Corp. Southside Portage Avenue

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

**Mr. James Carr (Fort Rouge):** Mr. Speaker, I have a question for the Minister of Urban Affairs (Mr.

Ducharme). A part of the North Portage Development Corporation's mandate was to spend \$1.2 million on developments of the south side of the street, and since the construction of Portage Place, many businesses have gone broke or moved off of the south side of Portage Avenue. My question to the Minister of Urban Affairs is, how much of the \$1.2 million directed towards the south side of Portage Avenue has been spent?

**Hon. Gerald Ducharme (Minister of Urban Affairs):** Mr. Speaker, first of all, to correct the Member from across the way, there was evidence of the south side of Portage deteriorating long before the project of North of Portage was finished. As everyone knows, the business between Eaton's and The Bay was beginning to deteriorate. To the Member, there was a discussion between the merchants on the south side and north of Portage. He is correct, there is \$1.2 million put aside for that benefit. A marketing committee of Corinius group was appointed. That group has been carrying on discussions with the south side of Portage merchants. We should have a report back within the next two or three weeks.

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

### INTRODUCTION OF GUESTS

**Mr. Speaker:** Before Orders of the Day, I would like to draw Honourable Members' attention to the gallery where we have from the Cypress River School fifteen Grades 4 and 5 students. They are under the direction of Bruce Craig. This school is located in the constituency of the Honourable Minister of Family Services (Mrs. Oleson).

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

### HOUSE BUSINESS

**Hon. James McCrae (Government House Leader):** Mr. Speaker, with regard to Bill No. 31, the Bill to repeal the final offer selection, I would be announcing today that the Committee on Industrial Relations scheduled for next week, if necessary, will be as follows:

Monday, the committee will meet at 10 a.m. and, by leave of the House, at 8 p.m. so that we can accommodate those who would like to attend for evening meetings. It has been mentioned that certain workers find the evening meetings more convenient.

Tuesday morning 10 a.m. and 8 p.m.; Wednesday 8 p.m.; Thursday 10 a.m. and 8 p.m.; Friday 2 p.m.; Saturday 10 a.m. and 2 p.m., if it is necessary.

**Mr. Steve Ashton (Second Opposition House Leader):** On the order of the committees, Mr. Speaker, it is unfortunate that the Minister was not present this morning. I just want to indicate that we have no problem in giving leave on Monday night for evening sittings, but I would like to ask the Government House Leader, we would still object to the number of morning sittings, the use of Saturday afternoons. We raised in committee—

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

**Mr. Speaker:** Order, please. We will hear the Honourable Member's point.

**Mr. Ashton:** If I may finish, we raised in committee our concern that people might potentially be denied the opportunity to make presentations.

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

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

**Mr. Ashton:** If the—

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

**Mr. Ashton:** If the Members of the Conservative benches, Mr. Speaker, are finished interrupting what I am going to be asking of the Government House Leader (Mr. McCrae), I have a question to the Government House Leader following from what happened in the committee today. We had expressed concern that people might, because they are unable to attend either weekend sittings or morning sittings, be denied the opportunity to make presentation. It had been indicated by the Liberals initially and also by the Minister of Labour (Mrs. Hammond) that the presentations would be held open to accommodate people who would be in need of having evening sittings.

I would just like to ask if the Government House Leader can confirm to this House that will in fact be done by the Government, that the commitment that was given by the Minister of Labour and also by the Liberal Party to ensure that people do have the opportunity to make presentations at evening sittings will be maintained—

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

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

**Mr. McCrae:** Mr. Speaker, let me just respond to the Honourable Member. At present on the list of presenters on this Bill, there are 107. Today we had a two-and-a-half-hour meeting, or so. One presenter was heard from, I understand. I did not make a visit to that committee, but I do understand that presenter used approximately 35 minutes to make her presentation. The remainder of the two-and-a-half-hour meeting was spent answering questions for the most part put by the Honourable Member for Thompson (Mr. Ashton).

\* (1420)

May I remind the Honourable Member that it costs this House approximately \$6,400 per day to sit. I suggest when we are calling committees with these kinds of numbers, it will cost more than that to run this House. I think when we are offering morning and evening and Saturday opportunities, if that is not reasonable, we will consider afternoon sittings too.

**Mr. Speaker:** I would like to thank both Honourable Members.- (interjection)- Order, please. I would like to thank Honourable Members. The advice provided to the House was that there will be numerous committees sitting this coming week and this weekend.

Any other discussion between the House Leaders as to either adding or removing some of these - (interjection)-

Order, please; order, please. If Honourable Members wish to remove or by leave withdraw some of these committee meetings that Members are requesting, that will be entirely up to them and they can discuss this outside of the Chamber.

Right now, we are going to be moving on to Orders of the Day.

**Mr. McCrae:** Might I ask if we have leave for that Monday evening meeting?

**Mr. Speaker:** Order, please. Is there leave of the House to sit Monday evening? Will there be leave? - (interjection)- Order, please; order, please.- (interjection)- On the question.

**Mr. Ashton:** Mr. Speaker, you have asked if there is leave—

**Mr. Speaker:** I have simply asked, is there leave, yes or no?

**Mr. Ashton:** Am I allowed to—

**Mr. Speaker:** A simple question: is there leave, yes or no? Is there leave? -(interjection)- Order, please. Is the Honourable Member for Thompson (Mr. Ashton) reflecting upon the Chair? -(interjection)- Order, please.

The question is very simple: Is there leave of the House to allow the committee to sit Monday evening? Is there leave? -(interjection)- There is no point of order here.- (interjection)- Order, please; order, please. This can be resolved in a matter of 10 seconds. Order.

The Honourable Member for Thompson, in his initial remarks, said that he was prepared to grant leave for the Government to call the committee Monday night. Is that agreed? Is that what he said in his original remarks? Agreed?

**Some Honourable Members:** Agreed.

**An Honourable Member:** No, Mr. Speaker, no leave.

**Mr. Speaker:** There is no leave? Leave is denied.

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

**Mr. Speaker:** Order. Order, please. The Honourable Member for Thompson.- (interjection)- Order, please. The Honourable Member for Thompson has the floor.

**Mr. Ashton:** Yes, Mr. Speaker, on a point of order. I regret that I had to deny leave initially so that I could indicate that our concern was that so long as some of

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the concerns that were expressed this morning are dealt with, in particular that every effort is made to accommodate people in the evening sittings, and I—

**Mr. Speaker:** Order, please; order, please.—(interjection)— Leave has been denied. Order. The Honourable Member for Thompson will take his seat now.

## ORDERS OF THE DAY

**Hon. James McCrae (Government House Leader):** Mr. Speaker, would you be so kind as to call the Bills in the following order: 98, 59, 60, 70, 56, 84, 50, 51, 52, 57, 47, 48 and the remainder as listed on today's Order Paper?

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

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

## 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 Brandon East (Mr. Leonard Evans), the Honourable Member for Brandon East.

**Mr. Leonard Evans (Brandon East):** Thank you, Mr. Speaker. I rise to speak on this important Bill to express the concerns that we have about this legislation and particularly about the consequences of the sale of a very efficient, profitable Crown agency known as Manitoba Data Services, interestingly enough a Crown corporation that was established by Premier Sterling Lyon, at that time, which has had an excellent record of performance and one that all Parties I am sure agree has been very efficient. We have all agreed that it has had an efficient record and has been a tribute to the Province of Manitoba and has served the taxpayers of this province very well.

It is interesting that the Government has seen fit to bring in this piece of legislation. I dare say, if it were not for the questions and criticisms raised by the Opposition about this potential sale of MDS that this legislation might not be here on the books, or rather on the agenda, for the Legislature to consider.

**An Honourable Member:** The question is: Do you support it or do you not?

**Mr. Leonard Evans:** Weil, the Member for Arthur, the Minister of Northern and Native Affairs (Mr. Downey), says, do we support this Bill or not. I do not know where he has been the last couple of months, because we have stated clearly many a time that we are opposed

to this legislation, totally opposed to this legislation, because we think it is a mistake to divest a Crown corporation that has been successful and has been profitable, that everyone has recognized. The Minister of Finance (Mr. Manness) has recognized it, the Members of the Liberal Party have recognized it and we recognize it, that we are dealing with a very efficient, very excellent agency that has not only been profitable, but has steadily, over the years, reduced the rates of computer services that it charges to the various users, the various departments and agencies and other users.

So not only has it made money, it has made money while steadily bringing down the rates, thereby reducing the costs of mainframe computer services to the Government as a whole. I say, Mr. Speaker, we have had questions about confidentiality, because there are public records that are now being processed by MDS and that will be processed by a private company if this legislation goes ahead and if the Government goes ahead with its deal.

Also we were concerned about the question of guarantees; the question of guarantees of jobs; the question of guarantee of work not being slipped out of the province, funnelled out of the province; the question of whether the taxpayers are going to be ripped off by excessive rates. All these questions we have asked. Both the Members of the Liberal Party and our Party have raised these questions and I believe have caused the Minister of Finance (Mr. Manness), who is responsible for this legislation and responsible for this move of divestiture, to sharpen his pencil and put his thinking cap on to consider more of the implications that perhaps he considered at the beginning.

Therefore, we have this legislation before us I believe because of the legitimate concerns raised by ourselves, particularly The Legislative Library Act being a piece of legislation that is still on the statute books and the fact that this move, this divestiture, could lead to a situation which would be in contravention of that Act.

Mr. Speaker, the Minister tries to reassure us in his introductory remarks that this is going to be a great deal for Manitoba, that he is taking all kinds of precautions, that it is going to lead to jobs, it is going to lead to industrial development. Surely I would agree. We certainly need jobs; we certainly need industrial development. I do not know whether this is the way to bring it about and I am not sure whether this will bring it about. So far we are still getting generalities—(interjection)—

**Mr. Speaker:** Order, please. The Honourable Member for Brandon East has the floor, other Honourable Members wishing to carry on—order, please—personal conversations can do so outside the Chamber.

**Mr. Leonard Evans:** Thank you, Mr. Speaker, for your assistance.

This important piece of legislation will have a bearing on the people's lives, the employees who work in that company. It will have a bearing on the efficiency of service to Government departments and agencies that will need computer services in the future and may

indeed have a bearing on the economic development of this province.

\* (1430)

While the Minister seems to be very pleased with himself, seems to be very satisfied that he has taken all precautions, we still do not have enough details, we are still supposed to essentially have faith in him and have faith in the Government that they will be making a good deal. I simply ask, are we buying a pig in a poke? Are we buying a pig in a poke, or are we—

**An Honourable Member:** We are selling a pig in a poke.

**Mr. Leonard Evans:** —okay, but the impact is the same. We are still buying a deal being offered by potential would-be buyers. As I understand it, it was a matter of a dozen companies coming to the Government making offers, showing interest in buying the company, and therefore I still say, buying a pig in a poke may be appropriate.

We still have problems with the confidentiality aspects and I think this area is one that is not only espoused by ourselves, but it is an area that other members of the community have shown concern with. I mention for instance the Manitoba Health Records Association statisticians, people who are concerned and who are involved as health record practitioners who are concerned about the integrity and security of patient information should the privatization of MDS occur.

They are particularly concerned about protecting patient related information. They are also concerned about the financial impact of this transaction on the health information systems in the province. In other words, what will it do to the cost charged to the hospitals or to any health agency or MHSC or anyone who happens to use the services of the MDS mainframe computer, or whoever will be operating those particular services?

Confidentiality matters were also raised by some of the small computer companies in town; people who are in the business of selling computer services and computer hardware have also raised the question. This has been reported in the newspapers that they too believe that there is a problem of confidentiality involved. It is not just ourselves saying this is a problem, but there are people in the community who have concern about it.

I think that generally speaking the people of Manitoba are concerned about this. As a matter of fact there was a survey done a few months ago where people were asked about the concerns of confidentiality. The report was quite loud and clear. The results were very loud and clear that the Government should not sell the Manitoba Data Services to private investors.

This was a poll done in the fall of 1989. Sixty-five percent felt that the corporation should be retained by the Government, particularly in view of the fact that there is confidentiality involved and the fact that the corporation is profitable. In fact more than 88 percent of the respondents think that the Government has a

responsibility to ensure confidential information about Manitobans does not get into the hands of a private company.

I know the Minister has made reference to taking steps to try to guarantee confidentiality. Mr. Speaker, we are still not satisfied, and I think there are people out there who are not satisfied that this confidentiality will be guaranteed.

Mr. Speaker, the main rationale for selling this, according to the Minister, is that it will provide some kind of a critical mass. It will provide a privatized MDS, will provide a critical mass that will enable other things to occur, that will cause job spinoffs. It will cause economic development spinoffs from some kind of a critical mass. I ask the Minister, do we not now have a critical mass? What else do you need? Essentially you have MDS, a large organization, with the large staff, with up-to-date equipment that is providing an essential service, is now right today existing and can provide spinoff if that is required, if they are given that mandate. I do not know what additional critical mass will be involved with it being privatized. That I do not understand.

Mr. Speaker, the Minister talks about liaison with groups in the community, with universities and others that could occur. There is no question that such liaison and co-operation is a good thing, but I wonder why it cannot occur now. There is no reason why for instance MDS could not be involved with university students or other members of the community in liaison that the Minister speaks of with regard to a private company. If a private company can do it, I do not see why MDS cannot do it.

The Minister talks about if a large player can come in—I am quoting from page 5368 of the Hansard, Monday, February 19. I am quoting: Mr. Deputy Speaker, they are having difficulties. Indeed, if Manitoba Data Services can be divested, and if a large player can come in and give them the foundation and the stability that is needed, we not only win one way we win in several ways.

I am not sure what the Minister is talking about. What does he mean by foundation and stability? Do we not have that foundation now? Do we not have that stability now? For the life of me, I do not see what additional critical mass is necessary for spinoffs to take place. I might remind Members that some spinoff has already taken place in the past. If you look at the past, there have been certain developments, job creation as a result of MDS operating, as a result of it being a major purchaser, major consumer of computer equipment. There have been many other benefits as well in terms of job creation.

I can appreciate the Minister's concern about creating jobs. No one is opposed to creating jobs, creating good jobs, particularly jobs in a high-tech field, hopefully jobs that pay good wages.

Mr. Speaker, so while we support initiatives to ensure jobs and bring jobs to Manitoba we are not sure that this is going to be the best way to do it. We are not sure whether we will not be paying too high a price to achieve it.

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Certainly we have had a lot of industrial erosion in this province. We should all be aware of the fact that we have been losing jobs right, left and centre in this province. According to the labour force survey compiled by Statistics Canada in January of this year we had 5,000 fewer people working in manufacturing than we did one year ago. That is a drop of 8.1 percent in employment in manufacturing. Then there are other figures showing a shrinkage of the Manitoba labour force and a drop in total employment. So goodness knows we need the jobs, goodness knows we need new industries.

I am quite quickly reminded of the various kinds of companies that either have gone or have announced that they are going to go. Varta Batteries, another very sorry case where we are losing out in Manitoba, where we see some kind of concentration in Ontario, thanks to the purchase of that company by an American parent and again losing jobs that are badly needed here.

(Mr. Herold Driedger, Acting Speaker, in the Chair)

Campbell Soup have already announced some time ago, last year, that they are leaving Portage la Prairie, they are leaving Manitoba. We are going to lose many jobs there. Again, I would say, Mr. Acting Speaker, this is related to the Free Trade Agreement, if not directly certainly very indirectly, because Campbell Soup have said they have to get ready for increased competition in North America. This is one way to do, and that is to close the smaller plants and consolidate in the centre of your consuming market, namely in Ontario, preferably close to Toronto.

\* (1440)

Another case, Ogilvie Mills, another company that is deciding it has to be more efficient and have modern equipment, a modern plant, to compete in the marketplace because of free trade closing down their plant in Winnipeg, moving facilities to their plant in Ontario.

Molson Brewery, another case where we are losing jobs, again because the brewery industry, although not initially affected by free trade, will be affected. The Australian owners of this company has said that they are getting ready for the second round where beer will be included, and they simply have to be more efficient. So they have been combining Carling and Molson across the country. As a result, we have lost the Molson Brewery in Winnipeg.

In my own riding, Marr's Leisure Products was a direct casualty of the Free Trade Agreement, because leisure products were the first to be freed under the agreement. As of January 1989 the tariffs on leisure products were removed, and within a very short time you have that company selling out lock, stock and barrel to an American company being moved to North Carolina. As a result, we lost 44 jobs in the city of Brandon. There are other examples.

So goodness knows we have been losing jobs. We have been witnessing industrial erosion. So I can see why the Minister is concerned about trying to do everything he can to create jobs. I say this is not necessarily the way to do it.

Regrettably, because of this loss of jobs too, Mr. Acting Speaker, and as we have become aware in this House that our population is shrinking, more and more people are leaving Manitoba under this Government. In fact there were a couple of quarters in the latter part of 1988 where we actually saw the population of Manitoba shrink. So the best that can be said, because of this outward migration, is that the population at the very best is stagnating; there is certainly no growth. It is my view that our population is under the optimum. We would be better off if we did have a larger population, a larger marketplace in this province.

Well, Mr. Acting Speaker, the Minister has said that there were various criteria of divestiture that he was proceeding with, he was following, one of which was confidentiality. As I said, I am not so sure what can happen, given the fact that there is an increasing amount of cases where computer files had been broken into. Indeed there is more and more discussion by people, professionals in the field, about security of information.

The Canadian College of Health Record Administrators for one has put out a position paper on the security of computerized health information and they are very concerned about an individual's right to privacy in relation to health information. They note that with computerized health information there are certain situations developing where information could be taken or could be utilized wrongly. They have come up with a code of practices for safeguarding health information, but as I said this is put out by the Canadian College of Health Record Administrators.

Well it is not only health information that we are concerned about, Mr. Acting Speaker, it is agricultural credit information, it is information about doctors master files, it is information regarding various vital statistics, births files, the information on births, information on deaths, information on various kinds of payrolls. We are talking about all kinds of medical claims, personal care home, drug history files, Northern Patient Transportation files, public health nurse files, MHSC payroll file, Regional Health Unit files, just to use some examples in the health field. But, as I said, there is the entire range, Motor Vehicle Registrations, all kinds of information in that area that is very sensitive, very confidential. So there is a whole range of material that is at stake.

As I said, there is an increasing concern about protection of personal information. As a matter of fact, there was a conference held here, Mr. Acting Speaker, in January of this year on this subject, the protection of personal information, an issue for the 1990s, saying that privacy is becoming a central issue to all Canadians, showing that over 90 percent of the population are concerned about protection of personal information. Part and parcel of that is information that is held in computers, computer banks. So while the Minister has addressed that in his Bill, we are not sure that he has gone far enough or whether that is adequate enough.

Another criteria for divestiture was job protection. I appreciate the fact that he is concerned about these jobs as we are on this side. I note that there is some reference to having people who may not be taken into the private company being able to transfer to other Government departments or Government agencies.

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He says one of the other criteria is a guarantee of new job creation, but I do not know how this is going to come about. That is not spelled out. There is some suggestion that a privatized company will take on new business that a publicly owned MDS is not now. Maybe MDS is not taking it on, but there is nothing preventing it from doing so if that is what the Government wishes.

If the Government wishes MDS to go out and sell its services nationally or internationally, I am convinced that the staff, capable as it is, could do that and bring in more work, if that was a policy direction. I say again, it does not have to be privatized in order for that to occur.

There is reference to another point of divestiture. There is reference to co-operative education with the universities. Surely that is something that can occur now. You do not have to privatize a company to ensure that there are ties with the universities and that the computer facility could somehow or other not be utilized for education, for upgrading of university students. Surely that can be done now. Surely that is not a benefit of privatization.

The other point the Minister adds, and I found this rather funny, is that he said, well, if you privatize it, they will pay taxes to the Province of Manitoba. Surely you are not serious that is a benefit. Sure, MDS does not pay any taxes to the people of Manitoba, it just turns over everything back to the people of Manitoba. It turns the profits back. It reduces the rates every year.

As a result, the Government gets everything from MDS. Indeed, if the Minister wanted he could require Manitoba Data Services—could bring in a Bill to cause MDS to pay taxes back to the Government. Well, what nonsense that is. Really if you did that, all you would be doing is taking some of the money that would be paid in the form of taxes to the Government of Manitoba and they would not be able to reduce their rates to the same extent or they would not turn profit back to the Government of Manitoba, to the Treasury. That is not a benefit. That is not a benefit to say that they are going to pay taxes, because the Government is receiving all of the benefits now, 100 percent of the benefits, from the MDS, either in client refunds or reduced rates or transfers of net revenue, of net income.

I am not clear on how the Minister got to the book value of the corporation. He says it is \$9 million. He has made some reference to that. I do not know whether he is just sort of looking at the physical—I know he said he is going to take the cash out of the company, that would be removed from the company before it was sold.

The fixed assets I note are roughly around \$8 million or \$9 million, and that is what we are really selling. We are selling its value more or less at what the physical assets are deemed to be worth. We are not looking, therefore, I would gather, for any value from the business as an ongoing concern.

\* (1450)

Normally when you sell businesses you do not just sell physical assets, you sell the value of the business,

the value of the sales, the customers they have, the volume of revenue that is received. In this case, it is just the reverse. Instead of sort of estimating in terms of the value of future income flow, it seems that we are valuating just the physical assets and then in turn saying to the company, we are going to guarantee you that you make money for five years. That to me is a very strange situation. It is sort of a reverse. Not only do you get the company for just the physical assets, but we are going to give you a guarantee that you are going to make money for five years. In effect, they are giving a monopoly to one company. That company will be guaranteed that it is going to have the business.

Today, Mr. Acting Speaker, departments and agencies, if they so choose, do not have to use Manitoba Data Services. There is nothing written in law or in administrative practice or in regulation which causes them to use MDS, but what we are going to do now is to say you must use the privatized MDS. You do not have any choice. You have to use that private monopoly that we are setting up. Therefore you have a guaranteed profit situation. I say that is not a healthy situation.

If you are going to privatize it why not say, look, if you want to buy this company, its assets, it has a good staff, a lot of experience, fine. You can bid on our business, but we are going to allow our departments and our Crown agencies an opportunity to look at alternatives. If they can get something cheaper by buying services from another company, why not let them? If you really believe in competition, and there is a lot of value in good competition, I am not knocking good competition, there is a lot of value in that. We need competition.

If the Minister of Northern Affairs (Mr. Downey) wants to make the speech, I would welcome him to participate in due course. In due course he can participate.—(interjection)— Well, I said in due course.—(interjection)— Well, if he wants to ask me a question he can.

Mr. Acting Speaker, the fact is as I said, we have a very strange situation where we are setting up a private monopoly. I say allow the departments, allow the agencies to deal with who they will. Maybe they will find that they would be better off to buy their own computer equipment, rather than have to deal with the monopoly.

Mr. Acting Speaker, it would be good if we could get the details, more information on the contract, because we are always at a disadvantage in discussing this. We are always at a disadvantage in criticizing because the Minister could say, well, if you only knew the details you would not be so critical. The fact is we do not have the details, so there is a conundrum here. I appreciate the fact that he is in negotiation, and when you are in negotiation you cannot have everything public. On the other hand, we do have concern about the contract that the Government may be wandering into or walking into. As I said, we have a situation where we are setting up a private monopoly.

The other thing is, Mr. Acting Speaker, although there is going to be reference to a rate reduction in the contract, I see on page 5369 the Minister says, and I am quoting, written within that contract though is a

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guaranteed schedule of rate reductions reflecting the new technology generation that can come within that industry and the fact that the costs of computing on a per-unit basis continues to fall, unquote.

Well, Mr. Acting Speaker, we know that MDS as reported in their annual document, their annual report, has consistently brought down the rates to its customers. In fact, since 1981 they have announced nine rate reductions—this was reported in the annual report of 1988—the result being that a unit of computing which clients paid one dollar for in 1981 now costs them only 45.6 cents. These reductions reflect the combined effects of a growing demand for our services together with the success of a number of initiatives we have taken to improve cost effectiveness. That is a quote from the 1988 Annual Report of Manitoba Data Services.

So the Minister is conscious of the fact that in the industries rates have come down primarily because of improved machinery, improved technology. That has been passed on, but it has been passed on willingly by MDS as a publicly owned operation.

How can we be sure that even though a private company may reduce rates that they will reduce rates sufficiently? They may be reducing rates in one year by 1 percent when perhaps it should be reduced by 2 percent or 3 percent in that particular—how can the Government be sure that they are not going to be ripped off, that company always knowing that the Government must buy their services according to the contract?

So I say that we may be very vulnerable. If we pay too much then we are doing a disservice to the people of Manitoba, to the taxpayers. For all the talk about efficiency in Government and so on we may find that we are paying a terrible price to get a company that may put some new investment dollars here, may create some additional jobs—I am not knocking that.

If the Minister says that is going to happen I would like to take him on his word for it. What price are we paying to get those jobs? There has to be some reasonableness of price.

The other concern I have is with regard to the head office location. As the Member for St. Norbert (Mr. Angus) pointed out the other day, very rightly that is, when you have a head office in any city or area it has a good spin-off effect in terms of services that it requires. It demands legal services, financial services, services of accounting firms and other support services generally and creates a lot of good jobs in effect. It does have a very favourable spin-off effect. Therefore, it is very important that we have the head office in Winnipeg. The Minister is conscious of that, but I am not, and he says—

**An Honourable Member:** What is wrong with Brandon?

**Mr. Leonard Evans:** Well, Brandon is even better, it is even better, but the Minister did not suggest that in his speech, and I am looking at his remarks here. I gather that he is not prepared to move the equipment or to move the head office there, but regardless, Mr. Acting Speaker—

**An Honourable Member:** We will send you back there.

**Mr. Leonard Evans:** Well, these very kind remarks that are being made this afternoon—the fact is that you can have a head office in name only. This is what I would be concerned—if you had a major corporation that was saying, yes, we will buy out and we will have the head office here, I am worried that you would have a head office here and maybe the executive offices in Toronto, or the administrative offices in Toronto. That can happen and it does happen.

Too often have we seen companies that have been established with head offices in Winnipeg and then we find, over time, the actual administrative and executive decisions are being made in Toronto or Montreal or maybe in Chicago or wherever and not here, and the services to that administration are therefore not here in Manitoba but elsewhere.

\* (1500)

The Minister uses the term “golden chair,” which I find is a rather interesting idea. I gather—

**An Honourable Member:** Platinum. Actually I should have called it platinum.

**Mr. Leonard Evans:** I beg your pardon—platinum. I gather by that term he is suggesting that he has the best of all possible worlds, and that if this deal does not go, he can cancel it. Again we are taking him on his word and in faith. Again it would have been good, even if we had a preliminary, even a draft of the contract for some of these things spelled out.

**An Honourable Member:** We will get it from the Securities Exchange Commission in Tokyo.

**Mr. Leonard Evans:** The Member for St. Norbert (Mr. Angus) says, we will get it from the Japanese Securities Exchange Commission in Tokyo, or wherever, which brings a rather interesting question up, whether the buyer is a Canadian buyer after all—we know there were two from Ontario—or whether we are talking about a Japanese buyer. That is a possibility, or American, German or whatever.

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

Mr. Deputy Speaker, I know the Minister is trying to build on these, but I am not so sure that we are getting a good deal on it. There are positive aspects as he described it, but there are these negative aspects as well.

While we all like jobs, while we all want industrialization because we are seeing jobs disappear too rapidly here, rather than creating jobs, we are losing jobs in this province. Fine, let us do our best to create new jobs, but the case really has not been made why we cannot allow MDS to expand now, why we cannot give them a mandate to go out and sell their services nationally and internationally and expand, why they cannot liaise with the community, why they cannot liaise with university students, if that is supposed to be an

argument for having privatized the situation. The argument for privatized companies is, well, it can do all these things or will do all these things with university students. I say a publicly owned MDS can do that as well.

I dare say they may have done some. They can certainly do more if the Government wishes them to do that, because there is reference here. What I am referring to is what the Minister said on page 5368 of Hansard on Monday last when he spoke: "However, before any divestiture of Manitoba Data Services it must be demonstrated that there is strong commitment to the building of alliances between the university community, its graduates and Manitoba companies who are capable of exceptional growth, provided the appropriate infrastructure can be established with a dynamic company with global opportunities."

As I said, I get the impression that it is only through privatization that we are going to build up alliances with the university community. Surely that can happen now.

**An Honourable Member:** Why has it not?

**Mr. Leonard Evans:** Why can it not—well, the Minister has been Minister for two years. If this is a good thing, if this is a good idea, why has he not suggested this to MDS? Why has he not encouraged them to do this? I do not understand it. Certainly if it is a good idea, why not? If it is practical to do, why not? I am not so sure that is the way to do it.

The other point, Mr. Deputy Speaker, he makes reference, ". . . if Manitoba Data Services can be divested, and if a large player can come in and give them the foundation and the stability that is needed, we not only win one way we win several ways." I really do not know what he means by that. What does he mean by stability and foundation that we do not already have? Why cannot these small players, presumably there are small players around that could interact with this facility, with this corporation, and I do not know—yes, he makes reference. I am quoting again, "Today, we have a number of smaller companies that are within this smart industry,"—it says here smart industry—"small companies in the Manitoba context who are trying to reach out, who are trying to develop, within their own sphere, the necessary mass of human resources, of investment capital, to reach out into the global trading economy and to export that knowledge base."

**An Honourable Member:** Wow, is that well said.

**Mr. Leonard Evans:** That is what you said. I am not sure about the term, "smart." Did you really mean that, or is that a type—

**An Honourable Member:** That should have been in quotes.

**Mr. Leonard Evans:** Okay, I did not know whether it was a typographical error or what. Why can these smaller companies not do that now? I do not understand

that. I mean, all of a sudden because you have to privatize it to have this happen, surely that is not necessary.

Mr. Deputy Speaker, it remains to be seen what will happen at the committee stage to what extent—is that one minute or two minutes? Two minutes—we will have public representation. I know the Manitoba Government Employees' Association will certainly be there because they are concerned about their staff, about their employees.

It will also be interesting to see whether we are satisfied with the confidentiality aspects and whether Members of the Opposition wish to bring forward amendments to strengthen the confidentiality suggestions in the Bill, and indeed anything else. As I say, the Bill is limited. We are very limited by this Bill because we just get a general framework. All it is doing is giving the Government a guarantee that it can go ahead and sell the company and not be in contravention of any existing legislation whether it be The Legislative Library Act or indeed any other legislation.

I see you are nodding to me, so I will take your advice and conclude at this point and say that we will be watching this very carefully in committee and indeed in third reading.

**Mr. Jerry Storie (Flin Flon):** Mr. Deputy Speaker, I move, seconded by the Member for The Pas (Mr. Harapiak), that debate be adjourned.

**MOTION presented and carried.**

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**Mr. Deputy Speaker:** On the proposed motion of the Honourable Minister of Education (Mr. Derkach), Bill No. 60, The Education Administration Amendment Act (Loi modifiant la Loi sur l'administration scolaire), standing in the name of the Honourable Member for Flin Flon (Mr. Storie), the Honourable Member has 28 minutes remaining.

Oh, I am advised that we are dealing with Bill 59. My apologies.

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

**Mr. Deputy 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). Stand. Agreed? Agreed and so ordered.

### **BILL NO. 60—THE EDUCATION ADMINISTRATION AMENDMENT ACT**

**Mr. Deputy Speaker:** On the proposed motion of the Honourable Minister of Education (Mr. Derkach), Bill No. 60, The Education Administration Amendment Act (Loi modifiant la Loi sur l'administration scolaire), the Honourable Member for Flin Flon (Mr. Storie) has 28 minutes remaining.

**An Honourable Member:** Not if you only take 10.

**Mr. Jerry Storie (Flin Flon):** Mr. Deputy Speaker, the Member for Morris (Mr. Manness), in jest, says but the Honourable Member will only take 10 of his remaining 28 minutes. I can assure the Minister of Finance that he is wrong. It is unfortunate but true that this is about the 42nd time this Session that he has been wrong and that may be giving him the benefit of the doubt.

This is an important Bill, and that is why I will be taking longer than 10 minutes. I want to begin by saying that what looks on the surface to be a fairly innocuous what we would have in bygone days referred to as a piece of housekeeping legislation is no such thing. There is very much an agenda in Bill 60, The Education Administration Act. It is part of an agenda which I find reprehensible in many respects. I believe that the vast majority of people who are involved in education in the Province of Manitoba will find a little difficult to swallow as well.

First of all, Mr. Deputy Speaker, I want to deal with one subsection of the Bill, Subsection 4(3), which is being amended in what appears again to be a very innocuous way. Subsection 4(3) reads: Subsection 4(3) is amended by striking out "to a school division or school district,".

Now for most people looking at that particular amendment, it is difficult to discern what the purpose of the amendment is. Even if you do, as I did, go back to The Education Administration Act and you read what Section 4 is all about, it is difficult to determine what the purpose of this amendment is. On further inspection, you see that they are striking out the words "school division or school district" and what that in effect does is give the Minister of Education (Mr. Derkach) the right to provide grants, to provide funds, to anybody that the Minister of Education chooses.

This particular subsection of The Education Administration Act was put in place to give the Minister of Education the right retroactively to provide grants to school districts and school divisions. This particular clause was put in the Act because it is recognized that because of the complexities and uncertainties dealing with budgeting in the Province of Manitoba, because you are dealing with different levels of Government and cross-level funding in education, that there are going to be occasions where circumstances require late announcements, in terms of the money that is being provided by the Government to school divisions or school districts. This provision, this clause, in the original Education Administration Act was put there so that Education Ministers could provide grants retroactively.

There is nothing wrong with that. It is a practice that has been common across administrations for many years. Ministers have written to school divisions advising them, after the commencement of the school's fiscal year, saying that they are receiving such and such a grant.

Mr. Deputy Speaker, why this amendment at this time? It is interesting because only one year ago the Minister of Education (Mr. Derkach), in what was clearly an unprecedented step, announced a major increase in

funding to private schools. He announced a grant that was retroactive not only to January 1, 1990, but he announced that this major funding increase, which was done without public consultation, without the knowledge of school divisions, without the support of school divisions or trustees or teachers or the 200,000 students' parents who go to the public school, the Minister of Education announced that he was going to provide grants retroactively to private schools to September 1, 1988.

\* (1510)

At the time, I wrote the Legislative Counsel and I said: is what the Minister is doing legal? The answer is technically, no, because The Education Administration Act does not give the Minister of Education the right to retroactively grant monies to private schools. There is no such provision in The Education Administration Act.

Now the fact of the matter is, and I was guilty also of technically breaching this Act because grants have been given to private schools previously, but the intent of this Act is to eliminate any responsibility on the part of the Minister of Education to be held accountable for the grants that he or she is making as Minister of Education. That is the reason this grant is here, because the question of the legality of what the Minister of Education was doing was raised.

I think perhaps it was also in the Minister's mind that there were many, many people who were not in favour of the increased grants that were being provided to private schools, and those included members of the Manitoba Association of School Trustees, the Manitoba Teachers' Society, the Manitoba Association of School Principals, and others, individual private citizens, that led him to conclude that he had better amend the Act to bring it into conformity with what was in practice, and certainly to bring it into conformity with his wishes to be able to provide grants when and where and for the amount and under the circumstances that the Minister of Education chooses.

That is the purpose of this amendment, there is no other reason. The purpose is to give the Minister of Education unfettered right to give taxpayers' monies away to elite schools like St. John's-Ravenscourt or others. Mr. Deputy Speaker, I want you to know that we oppose that, we oppose that provision, we oppose the lack of accountability in that provision. We oppose it because there has been no discussion across Manitoba society as a whole to determine the relative merits of providing grants in this way.

Mr. Deputy Speaker, the fact of the matter is that the Minister of Education is currently providing grants of more than \$15 million, almost \$16 million to private schools, and there is no accountability whatsoever for that \$16 million that is being provided. We have seen just about a 50 percent increase, a doubling of funding to private schools, a 100 percent increase in support to private schools in Manitoba, while our public schools are struggling along with increases of 3 percent or 4 percent on an annual basis—absolutely outrageous.

I want to say that the call from public school trustees, from public school teachers, from parents in the

community at large, is growing to have the whole direction that is being established by the Liberals and Conservatives, the elitist group in this Legislature, for the direction that they are taking funding to private schools, aid to private schools, and the position they are leaving the public school in, in the Province of Manitoba.

Mr. Deputy Speaker, the fact of the matter is that this Bill in part, in the subsection I have been just referring to, is part of the agenda of the Government to make it easier to do whatever they want with respect to private schools, without regard to the impact on public schools.

Now, Mr. Deputy Speaker, that is not the only section. This is a very, very small Bill. There are five clauses in this Bill. Two of them are clearly directed at making it easier for the Government to shirk its responsibility when it comes to spending taxpayers' money on private schools.

The second section that I want to talk about, Mr. Deputy Speaker, is Subsection 3(1), which is amended in an apparent effort on the part of the Government to give the Minister of Education more authority when it comes to investigating matters of what is termed in the Bill, "the welfare of pupils enrolled in private schools."

This, too, is a bit of a farce. The Minister of Education (Mr. Derkach), along with his colleague, the Minister of Family Services (Mrs. Oleson), needs no additional authority to investigate private schools. The authority is already clearly in The Public Schools Act. The authority rests with the Minister of Education from the time a child becomes eligible or by the time a child reaches school age. He has the authority to attend to the educational welfare of that child.

The Minister of Community Services—the Minister of Family Services now—has the authority to deal with matters of child welfare, whether those concerns are being raised in the context of family, community, school or anywhere else that I have left out amongst those options. There is no additional authority required.

The Minister of Education (Mr. Derkach) brings forward this passive, meaningless in many respects, amendment to try and leave the impression on the public of Manitoba and on Members of this Chamber that somehow the interests of the public, in terms of the finances that are being provided to private schools and in terms of the welfare of children, are being addressed by this piece of legislation.

Mr. Deputy Speaker, I wish it were so. I wish these amendments were designed to be meaningful. I wish these amendments had some teeth to them. I wish these amendments required some accountability on the part of those who are operating private schools in the province.

Unfortunately, it leaves the onus of making the required changes on the Minister, incidentally on the Minister who has no current capacity to direct, to gather information about private schools. It leaves the onus completely on the Minister of Education to act, and he acts from a base of ignorance.

The Department of Education is not, on a daily basis, weekly basis, monthly basis or a yearly basis, involved in the activities of private schools. They are, for all intents and purposes, operating on their own outside the educational system of Manitoba.

So for the Minister to pretend that by introducing a wording change to The Education Administration Act which gives him authority to look into matters relating to the welfare of pupils enrolled in private schools, it does nothing, because without some additional support, resources, within the Department of Education, without a direct mandate to departmental officials, there can be no information base for the Minister to act.

So what will happen, Mr. Deputy Speaker? What will happen is the status quo. What will happen is the Minister of Education (Mr. Derkach) will respond to questions raised by Members opposite, by the official Education Critics. He will respond to press articles, to press reports and to parents' complaints. He will be responding to crises. This Government is particularly wont to respond to crises.

There is virtually no one on the front bench that is pro-active in their department or in their area of responsibility, no one on the front benches who anticipates problems, who reacts to the possibility of problems, no one that is developing policy and certainly no one in the Education Department who is developing education policy.

This is so evident in this Bill, because it does not require any change in the status quo in terms of the operation of private schools. It is a facade. It is an attempt to make people believe that the problems are being addressed, but the onus is still on the Minister to find out, on the Minister to respond. There is no obligation on the part of private schools.

For example, the latest private academy that was abusing its students—and abusing its students apparently according to the administrative handbook that the school prepares—that corporal punishment and abuse, most people would term it, were part of the administration's modus operandi, that in fact the private school said this is how we are going to discipline our students, this is our discipline code, regardless of what community standards or parental standards might be.

Where does this little wording giving the Minister some authority to look after the welfare of students put us in respect to those schools? It does nothing because the Minister of Education (Mr. Derkach) has no way, in his defence, of knowing what is occurring.

The only way to correct the problem, Mr. Deputy Speaker, is to set a set of standards, a set of requirements, a set of prerequisites for private schools on which they must operate. The only way to be proactive and prevent those problems is to have a system that is akin to the public school system where there are elected officials responsible, where those officials are responsible directly to their parents, where the dollars that are being spent are public dollars and they are held accountable to the public for them, where the information is public, where access to that information

is public and where the dealings of the school in every respect, from its extracurricular activities to its discipline policy, are in the public domain, where we have a system that is truly accountable to the people who fund the system.

\* (1520)

The Minister of Education (Mr. Derkach) and the Liberals want to set up a dual track system. That is what they really want in the Province of Manitoba. A system for the elite who can afford to subsidize the educational system, a system where the schools are not forced to address the plethora of problems that exist in many of our inner city areas across the province or in northern parts of the province. They want a two-tiered system, one for the rich and one for the poor. That is what they want. They are prepared to spend taxpayers' money to get it.

I have a -(interjection)- I am sorry, I did not catch the Minister of Energy and Mines' (Mr. Neufeld) comment.- (interjection)- The Member for Rossmere suggests that the private school parents are paying twice, and the Member is wrong on both counts. Number 1, the parents, like any other set of parents, are making a choice. It is their choice, they are not required to pay any time. It is a public system. There are no fees or charges. They pay through their taxes like everybody else. The parents are paying only by choice any additional charge.

Number 2, Mr. Deputy Speaker, the fact of the matter is that is no different than the Member for Rossmere deciding that, yes, he pays taxes to the City of Winnipeg, municipal taxes, to have police services provided. They are provided to everyone on an equal footing, on an equal basis, but that is paying once. The Minister of Energy says, no, I am not satisfied with that. I want a little better, I deserve a little better. I want to fund a private system—

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**Hon. Harold Neufeld (Minister of Energy and Mines):** A point of order. Will the Member for Flin Flon—

**Mr. Deputy Speaker:** The Honourable Minister of Energy and Mines, on a point of order.

**Mr. Neufeld:** Will the Member for Flin Flon (Mr. Storie) entertain a question?

**Mr. Deputy Speaker:** Is there leave?

**Mr. Storie:** Mr. Deputy Speaker, I would be more than happy to entertain any number of questions from the Minister of Energy and Mines once I have finished my remarks, with the leave of the House.

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**Mr. Deputy Speaker:** The Honourable Member for Flin Flon has the floor.

**Mr. Storie:** I want to make the point that the point the Minister was trying to make that this was somehow

unfair that parents who choose to send their students to private schools should have to foot that particular bill.

If the Minister of Energy and Mines (Mr. Neufeld) did not like the police services that were being provided in his neighbourhood, then he believes that he should have the right to ask the Member for St. Norbert (Mr. Angus), myself and other taxpayers of the City of Winnipeg, to support his interest in his own security, have his own police force, his guard dogs, the fence around his property. The same thing is true, Mr. Deputy Speaker, for a whole plethora of services that are provided to the public on an equal access on a universal basis. I do not even want to talk about the concept.

**An Honourable Member:** What if he takes his property away from the police and they do not have to go and service? The first payment does not have to service his property.

**Mr. Storie:** The Member for Morris (Mr. Manness) is now taking this argument to even a more illogical sequence. The Minister of Finance (Mr. Manness) is now saying, well, what happens if he says, well, the police will not come. Well, if he is robbed or murdered or anything else—

**An Honourable Member:** He gives up that right.

**Mr. Storie:** You know that is ridiculous. That is not what happens in the public school system either, because private students end up back in the public system.- (interjection)- That is right. The parents whose children attend private schools—and I have no objection—I believe that is their right, absolutely a parental right, but I do not believe that the rest of the public has any obligation to fund it. Historically we have, and we have now a funding system that has reached 50 percent.- (interjection)-

Well, Mr. Deputy Speaker, the Member for Kirkfield Park (Mrs. Hammond) wants to make the point that Mr. Schreyer, the former Premier of the province was the one who implemented a system of funding for private schools. Yes, he took it a further step and he went to 50-50 funding at the time. I have said on many occasions, I am not suggesting or promoting the idea that we abandon those private schools or that - (interjection)- what I want now -(interjection)- I will make it very clear that my own philosophical bent is not for the public to support private schools whatsoever. I have said that on every occasion. I said that as Minister of Education. I said that as a teacher, as a parent, as a Manitoban, I do not believe that is the way it should be. However, I understand the historical context of it, and it is a fact. I accept it.

What I do not want is: No. 1, I do not want the Minister of Education (Mr. Derkach) or the Government or the Minister of Finance (Mr. Manness) or anybody on that side to attempt to lead the public to conclude that by these changes we are bringing any accountability into the use of taxpayers' dollars in private schools. I defy the Liberals, who are also in this, in fact who want to move perhaps even more quickly to 80 percent

funding for private schools, who want this dual system, one for the rich and one for the poor, the elitist Liberals as we have always known them, we believe that this is fundamentally wrong.

It is always surprising to me that the Conservatives, the Government historically who have been the strongest supporters of public schools, the Government who originally introduced The Public Schools Act, who have constantly stood in rural Manitoba for a strong public school system and believe in the primacy of the public school system are now prepared to sit back while this Minister of Education fulfills his own personal agenda at the expense of public schools.

It is a tragedy, Mr. Deputy Speaker, and I want to tell you why it is a tragedy. The public school system has served the Province of Manitoba since 1890 extremely well. It has served the people of Manitoba well through some extremely fundamental changes to our society, and it has done so by being adaptive. It has adapted to the reality of our society. In Manitoba's public school system today, we are teaching some 33 different languages, languages in bilingual classes, in core language classes, in supplementary school classes. We are teaching 33 different languages. We have integrated a multicultural philosophy into the educational system that recognizes our uniqueness and yet our collective heritage and collective responsibility as Manitobans and as Canadians. The public school system can do that.

The fact of the matter is, Mr. Deputy Speaker, that the Liberals and Tories now want us to change. They want us to support a system of school funding that is going to create enclaves on a religious, cultural, language, nationality basis. They want to dismantle in effect an institution, the public school system, an institution that has been one of the principal means of creating harmony and tolerance and understanding in our communities.

My son and daughter attend public school, I am proud to say, and they attend a public school that is represented by people from virtually every country of the world, speaking many languages—English for many of them is a second language—from many different religious backgrounds. Believe me, Mr. Deputy Speaker, I wish that I had the opportunity as a student growing up in a small rural community where there were only white Anglo-Saxon Protestants or white Catholic members, basically. I wish I had the opportunity to be able to get to understand the viewpoints, the cultural viewpoints, the circumstances of so many other people who now share our future, who have become Manitobans and Canadians.

The fact of the matter is that, unwittingly apparently, the Liberals and the Conservatives are prepared to let the most important institution we have for the process of acculturation, for the process of bringing people together to understand each other, were prepared to dismantle that to have each group start their own little private school and be publicly funded.

\* (1530)

I am not even going to talk about the quality of education that may be available in those private schools

built on denominational or racial differences or language differences. We are still going to lose something as Manitobans and Canadians, and we are going to lose something that is going to cost our society tremendously in lost understanding and lost opportunity to gain understanding in the future.

I believe fundamentally and strongly and sincerely that the idea that we should support a multitude of private schools is wrong in terms of the ability of the public school system to compete, to maintain quality of education for those who cannot afford the private school system. I believe it is wrong because our society demands that there be those institutions to bring people together, to work to create harmony and understanding.

I believe it is wrong for the Government and the Liberals to present this alternative to the people as a Government initiative before it has taken the time to understand the consequences of the steps that it is prepared to take. There has been no discussion of the implications of moving to an 80 percent private school funding limit.

I want to put the Government on notice and I want to put the Liberal Party on notice that as of today I have the support and the New Democratic Party has the support of the Manitoba Association of School Trustees, the Manitoba Teachers' Society—and I have spoken to the presidents on both occasions—and the president of the Manitoba Association of School Superintendents.

I have the support of those organizations and the organizations like the Union of Manitoba Municipalities and others to oppose and consistently oppose the direction that the Liberals and Conservatives are taking this province. They oppose the continued increases to funding to private schools. They want a review of this matter. They want some indication from the Liberals and Conservatives that they have considered the consequences of taking us in this direction. The taxpayers of Manitoba want to know, too. Why is this being done? How can we afford two systems? Why are we moving to a two-tiered system, one for the rich and one for the poor.

**An Honourable Member:** Because it is right, because it is fair.

**Mr. Storie:** Mr. Deputy Speaker, the Minister of Finance (Mr. Manness) says it is fair. It is fair to whom? Is it fair to the inner city residents who cannot afford private schools? Is it fair to them that \$30 million should be siphoned off for the wealthy and the well-to-do who can send to private schools? Is it fair to those school divisions that are going to be left dealing with the students that are most disadvantaged and least able to cope? Is it fair to the parents of those students who have no alternative?

The fact of the matter is that this is unfair. It is unfair in financial terms to those parents who cannot afford the \$7,000 it takes to get into St. John's-Ravenscourt. It is not fair to the teachers or the trustees who are left in charge of students with fewer and fewer resources. It is not fair to the people of Manitoba, who

are going to have to deal with the consequences of losing an institution that is building fairness and understanding amongst our people. What is not fair is the shortsighted, myopic, political opportunism of my Liberal and my Conservative colleagues. That is what is not fair.

The people of Manitoba want a strong public school system. They deserve it, Mr. Deputy Speaker. I can assure Members opposite that this Party will be working to preserve that, notwithstanding the getting into bed of the Liberals and the Conservatives to create a two-tiered system of elitist education in the Province of Manitoba. Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Bill No. 60 also stands in the name of the Honourable Member for Brandon East.

**Mr. Leonard Evans (Brandon East):** Stand, please. Stand, Mr. Deputy Speaker?

**Mr. Deputy Speaker:** Is there leave that the Bill remain standing in the name of the Honourable Member for Brandon East?

**Mr. Leonard Evans:** We have another speaker. We have some others to pass.

**An Honourable Member:** Leave.

**Mr. Deputy Speaker:** Leave.

### BILL NO. 70—THE PROVINCIAL COURT AMENDMENT ACT

**Mr. Deputy Speaker:** On the proposed motion by the Honourable Minister of Justice (Mr. McCrae), Bill No. 70, The Provincial Court Amendment Act (Loi modifiant la Loi sur la Cour provinciale), standing in the name of the Honourable Member for Churchill (Mr. Cowan).

**An Honourable Member:** Yes, Mr. Deputy Speaker, I would like to speak on this Bill.

**Mr. Deputy Speaker:** The Honourable Member for Concordia.

**Mr. Gary Doer (Leader of the Second Opposition):** Mr. Deputy Speaker, we would like to speak on this Bill, and I should say at the outset that—

**An Honourable Member:** What do you mean “we”? Why not just you?

**Mr. Doer:** I understand, Mr. Deputy Speaker, why there are a lot of religious figures around this Chamber, because no matter what your religion is, you must implore the good will of a greater being to tolerate sometimes the comments from the Member and the Honourable Minister of Northern Affairs (Mr. Downey).

Mr. Deputy Speaker, I would like to speak on a more temporal matter, a matter dealing with the courts. Perhaps people have equated the courts in our system to be accountable only to God, but they are created

by this Legislature and they are indeed a creature of this Legislature in terms of the administration of justice in the Province of Manitoba under The Provincial Court Amendment Act.

Mr. Deputy Speaker, there are a number of concepts in this Bill which we in the New Democratic Party support, but I should get to some of the issues that we find fairly challenging in this Bill, and it comes to the two fundamental principles that are somewhat in conflict in this Bill. The two fundamental principles that are a bit at conflict that I—and I want to be diplomatic in my words because I know all the judges will be reading them—is the principle of the independence of the judiciary which we all support in this Chamber, and the issue of the authority of Cabinet to establish certain spending limits under a British parliamentary system which we enjoy in our democracy in Manitoba. Certainly this has been a dilemma that all Legislatures in Canada face, indeed Parliament I believe has tried to face this issue as well.

Mr. Deputy Speaker, because these principles are held by us and our Party, the New Democratic Party, and they are both held to be principles that we hold, we have some difficulty with certain concepts in the Bill in the way that those two principles conflict, and I want to touch on that in our discussions. That does not mean to say that we want to have this debate necessarily in a prolonged way in this Chamber. We think the Bill should go before the public and we would like to listen to people, learned members of the legal system and other members of the public that will be coming forward on this Bill.

We also would like to hear very carefully how the Government intends to deal with the supremacy of Cabinet in establishing issues such as compensation with the makeup contemplated in the Bill. Those are the areas that concern us. It seems to us that the compensation committee established or proposed in the Bill can be established by a Lieutenant-Governor-in-Council and the report is tabled in the Legislature, and the report can be referred to a committee of the Legislature. However, it allows the Legislative Assembly—I do not know whether the Minister of Finance (Mr. Manness) has reviewed this or not—but it allows the Legislative Assembly to decide on the matters continued within the report.

\* (1540)

Now, Cabinet usually determines wages and benefits. You may have reports, you may have commissions, you may have various forms of collective bargaining, but Cabinet makes the final decision and I think it makes the final decision because, even if we are dealing with judges or engineers, or some other group in society, it is still money from the public purse, and money from the public purse, Mr. Deputy Speaker, determines other wages and benefits in the public purse. For example, under The Civil Service Act there is the right of arbitration. The right of arbitration, although it has not been used since the early '70s, and people have reached agreements at the tables, would a committee established by this Legislature and reporting only to this Legislative Assembly, perhaps in a minority

Government situation, determine the wage pattern for the whole public service?

Has the Minister of Finance (Mr. Manness) looked at that precedent and what it would mean? Would that mean that 1 percent in a judicial settlement translates into \$25 million per percentage in a public sector settlement? I think it will. How can you argue that the Legislature is establishing a certain level for salaries for high paid judges and a worker building Highway 75 or a person working in the Manitoba Development School, at a very high stress job and very, very low paid in relative terms, why should they get something less, Mr. Deputy Speaker?

I suggest to the Government that these two principles are in conflict. What we do in this Legislative Assembly, I suggest, has a great deal to do with what 80,000 people, both directly or indirectly, can expect or will aim for in the areas of a settlement.

Mr. Deputy Speaker, that is why if we were only dealing with judges and not dealing with 79,900 people, then I think the method by which this Bill establishes a compensation, which obviously includes salaries and other matters, pension, vacation, sick leave, travel expenses and allowances, would be appropriate.

This Legislative Assembly has a greater responsibility than just judges, Mr. Deputy Speaker. The Minister of Finance (Mr. Manness) and the Members of the Treasury Bench have a responsibility, directly or indirectly, for about 80,000 people. I do not know how the Minister of Finance could allow a Bill to be passed that would take away the right of Cabinet to establish salaries, benefits and pensions.

Mr. Deputy Speaker, I have absolutely no problem in a Bill establishing an independent commission reporting to this Legislature. I have absolutely no problem in that legislative report being tabled in this Legislature. I have absolutely no problem with that Bill being debated in this Legislature, but I have a lot of problems taking away the right of the front bench, the Treasury Bench, in establishing wages and benefits.

Mr. Deputy Speaker, I assure you that the siren sound of the independence of the judiciary is compelling to all of us. Nobody can tell me that in collective bargaining, in arbitration, or in any other means of establishing salaries, benefits and pensions, that one settlement, especially for a higher paid group, is not used as a benchmark, if I can use that term, for other groups.

Mr. Deputy Speaker, where does the independence start and end? Is it the judges, the Legal Aid lawyers, the prosecutors? Is it Members of this Legislature? - (interjection)- I do not pick and choose. I believe it is the responsibility and the authority in a British parliamentary system to establish the compensation levels for all employees directly or indirectly under their responsibility. I happen to believe that.

Should we establish a committee—sure, no problem. Should that committee be established every so often, every two years? I guess so, but how does that affect, Mr. Deputy Speaker, as I said before, if the Government is looking at bargaining with all their employees, how

does that affect their bargaining? How does it affect their negotiations? I suggest to you that every percent in the Public Service is worth \$25 million. You cannot just let this thing go along like it is an unguided missile.

The powers of the Compensation Committee are to prepare a report and use The Manitoba Evidence Act, no problem with that. They have the powers and privileges of commissioners, no problem with that. The Minister should table a report, no problem. The report can be referred to a committee. This is the first piece of legislation I believe, Mr. Deputy Speaker, that allows the Legislature to establish pensions, travel expenses, salaries, benefits, allowances, and excludes Lieutenant-Governor-in-Council. Now I ask the Minister why he does not have faith in the Lieutenant-Governor-in-Council making the final decision after it has gone to the Legislature?

Mr. Deputy Speaker, the Law Reform Commission, with the greatest respect, it is a lot of lawyers and a lot of people that deal with law.- (interjection)- Well the Member is pretty touchy. I said there are two fundamental principles in conflict. They have made a decision to sacrifice one principle. They have made a sacrifice. They are going to sacrifice this Bill, something that comes from the Law Reform Commission.

I do not think any one of those people has sat around a Cabinet table and had to figure out how they explain to a secretary at \$18,000 a year why they are going to get a less percentage increase than a judge at \$80,000, \$90,000 a year. The Member mentioned a person's name who has never sat around a Cabinet table. With the greatest respect, I believe - (interjection)- that is right, Mr. Deputy Speaker, I believe that Cabinet should make that final decision.

How do you tell a secretary, oh, Cabinet is only giving you 2 percent increase, but they are giving the judges 4 percent increase because one of them was done by an independent commission that went to the Legislative Assembly. It still lasts in this Chamber, Mr. Deputy Speaker.

So I really believe that the independent judiciary is not, not prejudiced in terms of the role of making decisions on the bench in their day-to-day decisions as judges by Cabinet making the ultimate decision. If we need to have a different process because they cannot bargain with the committee, I would support the Minister of Justice on that up and to the point in time that we have Legislative Assembly establishing the wages and benefits.

What is to stop Members of this Legislative Assembly from amending The Civil Service Act now and saying we need an independent Civil Service, a meritorious Civil Service? It is the British parliamentary tradition. We will have the Legislative Assembly make the final decision on wages and benefits and salaries and pensions.- (interjection)- No I would not, Mr. Deputy Speaker. I went head to head with the former Premier of this province, two former Premiers of this province. I always respected them. They were good negotiators.- (interjection)- Beg your pardon?

**An Honourable Member:** You did not go head to head enough with that last Premier we had.

**Mr. Doer:** Mr. Deputy Speaker, I do not see the Member for Brandon West (Mr. McCrae) giving back his pensions and his wages. I never noticed the Member for Brandon West when I was involved with the same organization as he was going to a meeting and complaining about the wages being too high, both under Sterling Lyon or former Premier Pawley, the two Premiers.

Actually I have to say, and I should—no, I will not say it—but if anybody looks at the salaries and benefits, well, you know -(interjection)- well, Sterling's bark was one thing and his bite was another thing. Bless his heart now that he sits on the bench. I cannot make any other comment, but the bottom line is that I think the Minister may do well with his credibility with the Law Reform Commission. I know that. I mean, I know how these groups work. I have met with them a lot of times. We have talked with them a lot of times and they like this kind of stuff.-(interjection)- Sure they do, they will sit at the law faculties, they will sit in these clubs and Bar meetings and everything else, and I do not blame them. I would rather have—

(Mr. Richard Kozak, Acting Speaker, in the Chair)

**An Honourable Member:** How many lawyers did you have in your caucus?

**Mr. Doer:** We had a number of lawyers and they are citizens too. I am surprised that we are doing a bit of a lawyer bashing here, but -(interjection)-

**An Honourable Member:** Where is your pal Al?

**Mr. Doer:** I miss him over the other Member for St. James. You know, if we wanted a Tory we should have elected a real Tory, not the one that is from St. James. I like my Tories to be Tories, I do not like these hybrids that we see in the Member for—these mutants, these mutant Tories that are sort of crossbreeds between real Tories and some fuzziness, the Tories with fuzz.

This is a very important Bill and I would like to get back to the principles. I agree with everything that is in this Bill except for implementation of the report. I do not know how the Attorney General (Mr. McCrae) got this one past the Minister of Finance (Mr. Manness). I do not know how he got it past the Cabinet benches, because—

**An Honourable Member:** It just took a good explanation, that is all.

**Mr. Doer:** Well, I have not heard it and I have read your comments, Mr. Acting Speaker.

I believe that to meet the wishes of the Law Reform Commission you have sacrificed the fundamental principle in the British parliamentary system.

**An Honourable Member:** You are hidebound.

**Mr. Doer:** No, I am not, I believe in the British parliamentary system. I believe in the people sitting around the Cabinet Table, signing the cheques, giving out the benefits, providing the pension plans and

stewarding the money on behalf of Manitobans, are not the Members of this Legislature.

**An Honourable Member:** You are hidebound; you are living in yesteryear.

**Mr. Doer:** Well, Mr. Acting Speaker, then if I am living in yesteryear why are we not seeing this for every financial matter? The Attorney General, the Minister of Justice (Mr. McCrae) would stand up time after time after time again and argue that not one red cent can be spent in any piece of legislation without it going to the Lieutenant-Governor-in-Council, the Cabinet, because that is a breach of the parliamentary Rules.

I understand that the Attorney General has been seduced by the lawyers and the law profession to breach a fundamental principle. I have not yet seen the reason. I have not yet seen any breach of independence of the judiciary by the Cabinet establishing wages and benefits. I have seen some friction and all we have done is move the friction from the Lieutenant-Governor-in-Council to a committee to the Legislative Assembly. Look what is going to happen in a minority situation. We are going to get a report from this so-called committee. It is going to make a recommendation, and say it makes a recommendation that judges are underpaid, that most judges could make twice as much in the private sector, well, let us just say 50 percent more in the private sector.

I have heard that argument before. Most judges could make 50 percent more in the private sector than they are making now. Then this report comes in and says, you know, we have compared; we have done an independent study of all the lawyers that are now judges and they could make 50 percent more if they are in the private Bar. That may be true; that may well be true. This report comes to the Legislature, recommends a 50 percent increase and do not believe it cannot happen, because when Otto Lang chaired the report and the committee dealing with federal judges—I do not know whether the Member has read this or not—he came in with a recommendation to increase judges' salaries 45 percent. That was tabled in Parliament.

\* (1550)

If we had the same legislation in Parliament as we have here, the people of Canada would have been raising the salaries for federal judges 45 percent. Oh yes, the Canadian Law Reform Commission recommended this. Sure, all kinds of resolutions of Bar Association conventions for years. We would have raised judges' salaries by 45 percent. How do you tell a number of other people working in the public sector, oh, no; no, we are broke? We cannot afford it. It is zero percent for you. It is 3 percent for a child care worker; it is 4 percent for a highway worker. The members in the Minister of Finance's (Mr. Manness) department, the Deputy Minister of Finance gets 2 percent. Oh, he could get twice as much in the private sector, but he does not have a report coming to the Legislative Assembly.

Now, this report, says the Otto Lang report—not entirely impossible—comes to the Legislative Assembly, and then look, we are in a minority Government. Look

what happens. If it is high, people lobby to get it in; if it is low, people lobby not to bring it. It may happen. This report, this committee is established in perpetuity every two years. The Minister of Finance may be trying to figure out how to negotiate with 20,000 teachers, 20,000 nurses and 20,000 public employees. He is trying to calculate how to deal with this from the Treasury Branch side, with each percent being worth \$25 million.

Here he has a situation where a report comes in three months ahead of time, and you have a minority Government. He does not even get to sign the ultimate cheque. A minority Government gets lobbied, a 45 percent increase is brought in, and it is not a hypothetical situation. Then the Minister of Finance is left in a tremendously and immoral disadvantage, because the Law Reform Commission said this is a good idea—

**An Honourable Member:** Before I report, will I not put Charlie Curtis on that committee or somebody? Does he not want to know?

**Mr. Doer:** Mr. Acting Speaker, you do not know what these committees are going to do. I tell you, how many times have you read the report from a committee? You established a child care committee. You established it; what did it recommend? Meet those salary demands in three years, right? Now, I agree with that, but you did not know that is what they were going to do when you put your own people on that committee, did you? Of course not. Every time you establish one of these committees, they actually take the job seriously, and a couple of weeks after they get appointed by the Ministers they are independent; boy, are they independent.

**An Honourable Member:** They like to run on their own.

**Mr. Doer:** That is right. They will come in with a report; they will have all these smart lawyers producing all kinds of information saying they are underpaid. Well, if you go to a private Bar, you could make what Hersh Wolch makes. You will be getting \$300,000, you know. This happened in Canada. Otto Lang came in with a report for 40 percent to 45 percent more. The federal Parliament did not accede to the federal Law Reform Commission. The federal Government did not go along with the Law Reform Commission; they kept the final authority in the Cabinet Room, federally.

You know something, Mr. Acting Speaker, do everything you have contemplated in this Bill—

**An Honourable Member:** Do you want to make an amendment?

(Mr. Speaker in the Chair)

**Mr. Doer:** I will be making an amendment perhaps. I will be listening to the citizen. I personally believe that Cabinet should make the final decision. I make no apologies for that. When I have been talked to about this Bill, I said that. I said, listen, I agree with everything in the Bill. I agree with establishing the committee, I

agree with that report coming to this Legislature, I agree with debating it in here, I agree with having the 30 days, but I think that it may take us a long time to get back there. I am certainly not sizing up any offices besides the one I have. I believe in the right of Cabinet to make those decisions, I really do.

I think we can protect the independence of the judiciary. They rule on many Bills passed in this Legislature every day, they rule on Sunday closing laws, they rule on labour laws, they rule on fiscal stabilization Acts, perhaps they have ruled on Hydro Bills and PUBs have ruled on things. I have never seen a judicial decision determined by a wage and benefit and pension decision in this Legislature, I have always seen it being determined on the law and the arguments of law.

I like the idea of the new way of establishing and appointing judges. I think we have to go more to—as long as it does not become an elite system to appoint judges. I think we are moving more to hire more women, or appoint women as judges. We have our first Native person on the Bench which I think is very, very important. I think we are getting a much greater variety on our Benches and in our courts from all kinds of multicultural groups, not just the traditional groups, whether it is at the Supreme Court or in Manitoba.

I would say that the Mulroney Government has done an excellent job in the Supreme Court. I think our former appointments to the Bench and your appointments to the Bench, the Conservative appointments to the Bench, have been positive. I have said that publicly, whether it is John Guy, Gerry Mercier or other members of the Bench who have been appointed. I have not been negative, I have been positive.

Mr. Speaker, I think we have to monitor the way in which judges are appointed to ensure that the kind of mix in our society is continued on, because I think in all fairness to the judges that we have appointed recently—have been positive contributions to our courts.

\* (1600)

There have been people from different partisan politics. There have been people from different walks of life. There have been different sexes, et cetera. We have moved to change the court. We have moved to change the people that are making decisions, and I would like to see that, and we will certainly monitor that part of the nominating committee.

I also think that the present Government has appointed an excellent Chief Judge. I happen to have a tremendous respect for the Chief Judge of the province, Judge Stefanson. I have known him for a long time, I respect him a lot. A lot of the areas of this Bill I agree with, but I just do not believe in 11(1)(6), and I have to be convinced otherwise. From a perspective of dealing with 80,000 people it is just absolutely insane. Secondly, from the perspective of dealing with very difficult situations, with highly paid people, it really puts you in a moral disadvantage. Thirdly, you have no control of the timing of these things, et cetera, and fourthly, I think you are on a slippery slope when you take away the right of the Treasury Bench to make the Treasury Board decisions.

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I believe in a British parliamentary system, Cabinet makes those decisions. I believe in that strongly, but I will certainly be willing to listen to what I consider to be—it will be a legitimate argument on the independence of the courts. We have to weigh the two principles. I do not believe the independence of the courts is greatly prejudiced, but when the two principles are put together and one is not greatly prejudiced, and the other one I think is because I think it is a bad precedent. I go down with the precedent, subject to public hearings, of Cabinet and O/C authority.

I think we should do everything except move an amendment and have Cabinet make the final decision on the implementation report. You could even get a recommendation from the Legislative Assembly, but we are not lobbyists for wage settlements in this Chamber and benefits. We can argue for things. We are advocates, we are not lobbyists. The decision-makers are there. The only people that are greater than the decision-makers in the front benches are the public. Thank you very much, Mr. Speaker.

**Mr. Speaker:** Is there leave that this matter remain standing in the name of the Honourable Member for Churchill (Mr. Cowan)?—(interjection)—There is no leave? No leave? No leave has been granted.

**QUESTION put, MOTION carried.**

### **BILL NO. 56—THE WORKERS COMPENSATION AMENDMENT ACT (2)**

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Consumer and Co-operative Affairs, Bill No. 56, The Workers Compensation Amendment Act (2); Loi no 2 modifiant la Loi sur les accidents du travail, standing in the name of the Honourable Member for The Pas (Mr. Harapiak), the Honourable Member for The Pas.

**Mr. Harry Harapiak (The Pas):** Mr. Speaker, I am pleased to stand and speak on Bill No. 56, The Workers Compensation Act. It is an extremely important Act, the Workers Compensation. As the title alone dictates, it makes clear that it is a living document which covers the historic compromise made by workers and employers in this province some 75 years ago. It is an Act that has been working in some cases not very well, in quite a few cases. I think it is because of some of the changes that have been recently made that it is probably going to be working even less comparably than it had been in the past.

One of the changes, Mr. Speaker, that really has upset a lot of people who are covered by this Act is experience rating. I guess as a miner working for International Nickel in Sudbury, Ontario, I had a personal experience of how this would work. At that time we were involved in some production in a stoke and there was a cave-in in which I was trapped. My knee was damaged quite badly, and a safety engineer, when he brought me up to surface, drove me home and drove me to the Inco doctor. The Inco doctor examined me and said that there were no broken bones so they sent me home. The next morning I could not walk. The safety engineer

drove to my place, picked me up, and said that we have a safety record going here that we do not want to break. There is a lot riding on this safety record.

As a result of that, I spent the whole summer tending to the superintendent's garden. It was an enjoyable summer and I probably recovered from that injury much quicker than I would have if I would have been treated for the injury, as serious as it was. I found out in later years that I had a broken bone in my knee, but because of the fact that there was a safety record hanging on and which dictated the rates that workers compensation would be applying to International Nickel, they drove me in and did not give me the proper medical needs that were required. So I have had a bad experience in one way because I did not get the proper treatment.

I think I recovered much quicker because of the fact that I was walking on it and tending to the superintendent and all the mine foremens' gardens. I was doing something that I enjoyed and I probably recovered much sooner than I would have if I had been—

**An Honourable Member:** You were a young man.

**Mr. Harapiak:** That is correct, I was a young man and I did recover fully and I am pleased to say that I do not feel any ill effects of that injury. I guess the point I am making, Mr. Speaker, is that there are people, the corporations are going to be pushing their employees not to file claims because of the fact that their Workers Compensation rates are based on the number of injuries that they have in that corporation.

I think there is going to be a lot of intimidation used—intimidating people—and also they will be talking people out of putting in their compensation.

I just dealt with a case just recently where an individual was injured on the job and he was told by the employer to go and apply for insurance, some life insurance, which is available to that person when he is off with an injury. Sun Life Insurance is not in business to give away money either. When they found out what type of an injury he had, very clearly they said it was a Workers Compensation case and they sent him back. In the meantime—this was about three months ago, and this employee has had no funding from any source.

How many of us could go for a three-month period and not lose some of our property because of the fact that we have not been making our payments, our house payments, or paying our utilities, or paying our food bill? I do not think too many of us could go three months without receiving any payment. I think that is an example of where experienced rating is not working well.

Sure they are getting support from the Chamber of Commerce, and you would expect they would be because they are the ones that are saving the money by not paying out the proper compensation to people who have been injured on the workplace. There is a responsibility on the part of employers to look after the employees who have been injured while in their employ. That was part of that historic agreement that was reached some 75 years ago where the employees gave up the right to sue the employer and the employer

promised to look after the injuries when they occurred in the workplace. I think this is one example of where it has not been working well.

Another point that I would like to make while talking on Bill 56 is, it is time that it was brought in, because presently the chairman of the board has been operating illegally. Very clearly The Workers Compensation Act, as it is now written, says that there should be a full-time chairperson, and there has not been a full-time chairperson for the last six months. I think that it is—and they talk about -(interjection)-

It is obvious that the Minister of Finance (Mr. Manness) is feeling very defensive about this whole issue of Workers Compensation. I guess maybe he is one of the employers that enjoys the experienced rating and he would intimidate his employees on his farm by not paying them, or maybe he does not even have coverage for his employees. I do not know. I think that is one of the areas that—

**An Honourable Member:** My two teenage sons.- (interjection)- I pay them well.- (interjection)- That is right. I have been making them work.

**An Honourable Member:** We have been there.

**An Honourable Member:** And the day I cannot make them work is the day I sell the farm.

**Mr. Harapiak:** Mr. Speaker, I will not put those comments on the record, because I am sure that the Minister of Finance (Mr. Manness) would be haunted by them by his sons in later years, so I do not think I should put those comments on the farm. I have lived through the experience of working on a farm, too, when I was raised.

**An Honourable Member:** That was when you cracked your knee, and later on you wanted the company to pay.

\* (1610)

**Mr. Harapiak:** The comment made by the Member for La Verendrye (Mr. Pankratz) is exactly why we are troubled by the way some of those changes are going. He makes the comment that I cracked my knee working on a farm. If this Member for La Verendrye would listen to what I was saying, I was employed by International Nickel in Sudbury, Ontario, and therefore I was not anywhere near my farm.

That is something they are afraid of that people are going to get injured off the job and then claim on the job. He has got a fixation about that, and I guess that is one of the reasons they have difficulty in dealing with Workers Compensation.

Mr. Speaker, there have been many studies carried out dealing with workers compensation. There has been criticism as long as the system has been in place. There has been a number of studies during the 1970s when the Tories were in power. They were making the payments to employers artificially low, so they would have low rates. They also were cutting back on the payments that were being made to the injured workers.

We do not want to be going back to that kind of a system now. The Member for La Verendrye (Mr. Pankratz) keeps harping. He told me yesterday he was so angry about that federal budget that he was not going to run again. I do not blame him. If I was a Member of the Conservative Party, I would be angry enough that I would not run again either if I was a Member.

Mr. Speaker, I understand why the Member for La Verendrye is not going to run again. He told us yesterday he would not run again, he was so angry about that federal budget. He can go back to his farm and grow his potatoes, go back to the farm where he can intimidate the workers.

Mr. Speaker, one other area that I would like to talk about in the legislation, and I have to give the Minister credit for moving and appointing an ombudsman. I think there is a role for the ombudsman. The member who is presently carrying out the responsibilities of the ombudsman received great coverage in the last boardwalk. He goes into some of the features as to what his role is as a member of the Workers Compensation Board and his responsibility as ombudsman. I think this Minister is coming forward with an Act which is changing some of the regulations in the Act. Why did he not make that a part of the change? While he was going through some of the changes to workers compensation, why did he not include the position of the ombudsman in that Act? Then it would not be in a tenuous position. It would have been something that was permanent.

I think you have to give him credit for bringing that position in, but why did he not put it in the Act while he was bringing the Act forward and make that a permanent role?

**An Honourable Member:** Harry, I want you to retract those comments you made against the Member for La Verendrye (Mr. Pankratz). They were false. They were not true. Harry, I want you to apologize.

**Mr. Speaker:** Order, please. I regret the remarks of the Honourable Member for La Verendrye (Mr. Pankratz) coming through on the mike of the Honourable Member for The Pas (Mr. Harapiak). The Honourable Member for La Verendrye.

**Mr. Pankratz:** Mr. Speaker, I also regretted the comments made by the Member. I felt it was appropriate for him to retract—

**Mr. Speaker:** Order, please. The Honourable Member for La Verendrye I am sure is aware that it is a dispute over the facts. The Honourable Member would not have had a point of order even though he would have tried to get up on a point of order. The Honourable Member for The Pas has the floor.

**Mr. Harapiak:** Mr. Speaker, as I was dealing with the role of the Ombudsman, I think it is an important position that is serving well. Quite often the people do not have the proper information, be it dealing with any part of The Workers Compensation Act. If people are

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having some difficulty dealing with Workers Compensation, and the Workers Compensation Act is a complicated Act.

People who were ordinary lay people, who do get injured, have difficulty in knowing how to apply and which way to go. I think it is important that the Ombudsman position be a permanent position. I would hope that the Minister, when he deals with the Act, would be bringing in an amendment to make the role of the Ombudsman a permanent position within The Workers Compensation Act.

I think as it stands now, it can be intimidating for the Ombudsman when his tenure is in -(interjection)-no, very clearly, I think that the role of the Ombudsman is important. It should become a permanent position. I hope the Minister who is known for handing out pink slips, especially with a Minister of that sort who has handed out pink slips very readily, then I think people would feel much more secure if the role of the Ombudsman was made a permanent position. I hope that the Minister will consider making that a permanent position.

Mr. Speaker, I wanted to address briefly the report on the review committee which was carried out by Brian King who was brought in from Saskatchewan, a well known person in the Workers Compensation field, probably one of the most knowledgeable people in the Dominion of Canada when it comes to dealing with Workers Compensation, and Tom Farrell who was with International Nickel at that time. He did an excellent job on this report. It was great that the Minister of Labour (Mrs. Hammond) saw that this was a very knowledgeable person dealing with labour and industry, and she gave him a position in the Department of Labour. I think that he will do an excellent job in that position. He is a man of common sense. Whenever we dealt with him during the time that he was a member of the committee dealing with Workers Compensation, he was an excellent person to deal with. I think he will do an excellent job in the Department of Labour.

Lisa Donner was the labour representative in Workers Compensation. This committee was struck after a lot of consultation with both employers and employees. Gerald Lecuyer, the Minister who was responsible for Workers Compensation at the time that he appointed this committee in 1985, consulted quite widely before appointing the committee. I think he was very wise in his selection.

Mr. Speaker, after they went out to speak to people right across the Province of Manitoba, they even went outside the province to see what was happening in some of the jurisdictions in other provinces. I think they were wise in doing that, because you do not always have to reinvent the wheel when you are dealing with a subject. It was wise to go to other jurisdictions and see how they are handling Workers Compensation. They came up with a report where they had 450 written and oral presentations made to them. After looking at those reports, they came up with a report which had 178 recommendations. Of those, only five of those recommendations were not unanimous decisions by dealing with both.

Mr. Speaker, when the Minister first brought this legislation forward he said there would be a few simple

amendments and then later on there was going to be a large piece of legislation coming at a later time. I think it is not the small package that he promised in the first place, but I think if he was going to be making some of the changes that are being brought forward he should have gone all the way and brought forward the recommendations that were made by the implementation team.

The implementation team was made up of Michael Rennie, the Chairperson—we brought him over from the Department of Finance—and Karn Sandy who is still with Workers Compensation dealing with the area of administration. That is one of the areas that we moved in first when we received the report that there needed to be some changes made in the administration. Karn Sandy was brought in for those responsibilities and she has continued on in that capacity. I think that there was a wise decision to leave her in that position because with her experience she has certainly helped to make Workers Compensation function in a much faster manner. I think those changes needed to be made and they are now underway.

\* (1620)

A part of the report that was brought forward is saying that it needed to make the language of the Workers Compensation much less legalistic. I am sorry to say that the changes that the Minister has brought forward in this Workers Compensation has not made it less legalistic than the previous Workers Compensation Act. He has not simplified the language in The Workers Compensation Act and I regret that the Minister did not take the opportunity to simplify the language so that laypeople can interpret it very easily when there is the unfortunate need to be using Workers Compensation.

One of the other recommendations that was made by the report is the strong recommendation to move to an inquiry model rather than the adversarial model which had evolved under the Tory administration. It was in the recommendation that was brought forward by the implementation team, that was one of the recommendations they had brought forward, and how they could be making some changes to make it a much less adversarial process and make it more of an inquiry model.

A third major theme in the report, a recommendation to the report, is a call for the board to do everything possible to allow the workers self-determination. The committee made numerous recommendations for entrenchment of workers rights in both legislation and board policy. It was strongly felt that the injured workers should have more authority into making decisions in which way their life was going to be going when they had the need to deal with medical treatment or personal—they just felt that there was too much involvement of Workers Compensation when they are dealing with the private affairs of workers. When it came to making decisions on their medical treatment or their personal family situations or their private records or retirement plans, Workers Compensation was too involved in all that decision-making. One of the decisions that was made was to have the workers have more say in how their life was going to be run.

(Mr. Deputy Speaker in the Chair)

One of the other areas they touched on was the makeup of the board. I think it is unfortunate that the Minister has gone and chosen the corporate model for a board. I think one of the basic agreements here was that if there was an agreement that it would be equal representation from both the employers and employees and an impartial chair. That has been that way with the board that we had put in place and when there was a need to extend the board the same ratio was followed. There was equal representation from both the employers groups and the employees groups and an impartial chair. I think that worked very well.

Now unfortunately the Minister has chosen to go to a different model. He is looking at a model that has been in place in some other jurisdictions. I had mentioned earlier the fact that the chairperson, Judge Robert Kopstein, was a part-time position. Now this will be corrected in this Act. The Act will be changed, but I still think that the chairperson should be a full-time position. I think that the Workers Compensation is too complex a corporation to be run by a part-time chairperson.- (interjection)-

As pointed out by the Member for Thompson (Mr. Ashton), they have done it illegally for the past six months. At least they are going to be legitimizing it, but I still think that there should be some amendments moved to make that a full-time position. There is too much at stake here to have it on a part-time person.

Under the changes that the Minister brought in the board is now increased to 10 members. It would comprise of three representatives from labour, three representatives from employers and three from the general public. I think that this does not carry out the traditional agreement that was in place which would have equal representation between labour and the employers. I think it is unfortunate that the Minister has chosen to go with this corporate route, because I think that labour certainly will not be getting a fair shake when it comes to dealing with some of the issues that are dealt with.

I guess one of the things that really upsets me is the changes in here when you are dealing with a quorum for a Workers Compensation meeting. Right now under the new Act a quorum is just a majority of the members of the board. I do not think that this should be so. There should be equal representation from labour, business and members of the public. As it stands right now a majority of the appointed members of the board of commissioners consists of a quorum. All the labour people could be missing from the meeting and therefore it would just be the business community and the public represented. Labour would not have any representation. They would probably make every effort to get to the meeting, but there are circumstances that sometimes arrive that would prevent them from coming in. I do not think that it should be allowed to operate that way.

Under the Act, the way it is written now, the board can operate with all of the people and could operate with all the employers' representatives missing as well. I do not think anybody would want to operate in a vacuum. I think that with the way the Act deals with it now, it would not be a fair way to operate.

Mr. Deputy Speaker, there are several other points that I want to cover on the changes. I think one of the areas that we want to address is representation in northern Manitoba. When the implementation team was dealing with—because of the large number of representations from northern Manitoba, they were recommending that there be an office established in northern Manitoba. I am not sure where the appropriate place would be to locate it. The Member for Thompson (Mr. Ashton) figures that Thompson would be an appropriate place. I think The Pas would also be an appropriate place to locate an office because of the fact they have got a hospital there. They have got a KCC which could provide all of the educational needs for retraining of injured workers. I think there should be an office located in northern Manitoba so it would not be necessary for the injured workers, especially the ones dealing with rehabilitation, who would have to find it necessary to come into the City of Winnipeg to receive some of the benefits that we who live in southern Manitoba can have easy access to. I would hope the Minister would take into consideration some of those previous recommendations made by the implementation team and move on them very quickly.

Mr. Deputy Speaker, I guess there are some other areas that we should be paying a little more attention to. I think it is the responsibility of the employer to provide a safe workplace for the workers. I think the number of accidents had grown in the '80s because of the fact that there was a lack of attention being paid to a safe workplace. I think that is one of the areas when Gerald Lecuyer, the Member for Radisson, was the Minister responsible. He made sure that the Department of Workplace, Safety and Health took some aggressive steps in bringing forward the legislation that was necessary to make some improvements in the areas of dealing with accidents and illness in the workplace. He also introduced regulations dealing with hazardous material, information system, the WHMIS regulations were put out by the federal Government and then supported by—some of the changes were brought in by the Minister of Workplace Safety and Health at that time.

\* (1630)

I think there is a responsibility on the part of employers to take a much more aggressive stand when it comes to dealing with dangerous goods, and I think there are some examples of where people have been hurt or unable to carry out their commitments because of injuries that they had received when dealing with hazardous materials. I think that the workplace, safety and health regulations that were brought forward by the Minister responsible at that time, Gerard Lecuyer, need to be updated because I think with all of the new materials that are being brought into the workplace that there is always a need for upgrading. I think that it is time that the Minister moved in that area.

Mr. Deputy Speaker, just dealing with that implementation theme, they had come forward with recommendations on moving with the administration changes, and I think I had mentioned earlier that Karn Sandy was brought in to deal with some of those administrative changes, and they were moving along

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quite well. I think that the changes that were brought forward, beginning to be brought forward, at the time that I was the Minister have continued and Karn Sandy is still in a position with Workers Compensation that she was put in at that time.

I think some of the other recommendations that were brought forward to the Minister, especially one, are dealing with the firefighters. That is one area that I wanted to touch on briefly because I know that when I was the Minister responsible for Workers Compensation, I had several meetings with the firefighters. That regulation that covered the firefighters had been in place for over 20 years and there was no difficulty in the firefighters getting their coverage.

Now the provincial court's rule is ultra vires because it was not accepted, and the content of the regulation was not the cause of this decision, but simply the fact that the board of commissioners did not have the authority to effect such a regulation. That was handed down when I was the Minister responsible for Workers Compensation. They were at that time drafting the regulations that were necessary to give the Workers Compensation the authority to leave that in effect but unfortunately the Minister has chosen to disregard that, and that is one of the areas that he is not going to be moving forward.

I think the proper thing for this Government to do was to put their regulations in place now and reinstate that regulation. I think that everyone knows the difficulties that the firefighters face when they are dealing with dangerous conditions, and I think that the chemical exposures they are faced with when they go into a fire make it a very dangerous occupation to be involved in. I think that the Minister should take it into consideration.

Mr. Deputy Speaker, the Member for La Verendrye (Mr. Pankratz) is upset with some of the comments I made earlier and we were joking about it yesterday. He did not say that he was not going to run again because he was upset at the federal Government, so I wanted to apologize to him while I was up on my feet. We had joked about it yesterday, but he did not make those comments, and I agree that he should be upset. I think that the Member should be upset with the federal Government anyway, but that is another point. I was discussing the fact that the regulations are not being brought forward to cover the firefighters. They have been making several representations to the Minister responsible for Workers Compensation (Mr. Connery), and I do not know why the Minister at this time would not bring that forward and make that part of the Act.

There is one other part of the legislation that I had hoped the Minister would look at bringing forward, and that was dealing with the hearing impaired. I know that members of the transportation industry who work for the railways are quite often bothered with hearing impairment because of the fact that they are in an occupation where the noise levels are extremely high. I think that is an area that should be brought forward during this time that the Minister is looking at making some changes to Workers Compensation. I think that he should look at this very seriously and bring that change forward so it would cover those workers who

are in the unfortunate position of where their hearing impairment is too bad for them to continue on working as a member of the transportation industry but yet is not bad enough for them to qualify for Workers Compensation. I think that is one area that the Minister should look at and bring that change in to The Workers Compensation Act while he is bringing it forward.

Mr. Deputy Speaker, one of the other areas that was brought forward by the review committee that was tabled in May of 1987 was the fact that they wanted to make the Act much easier to understand. I was hoping that the Minister would bring forward some of those changes in the Act. I am not sure if it is possible, but that is one of the suggestions that I brought forward to the Implementations Committee very strongly when I was the Minister, that they should try and make the language in The Workers Compensation Act less legalese to make it simpler so that people who are injured can understand the Act very easily. The part of the Act that he has brought forward now, it certainly has not been changed at all. It is still very legalistic in its presentation.

I would hope that the Minister when he is bringing forward his bigger package next year, if they are still Government—it will probably be the Member for Thompson (Mr. Ashton) who will be the Minister responsible for Workers Compensation, so I am sure that he will bring forward the recommendations. I am sure when the Member for Thompson brings forward the changes, he will make this a much easier document to read so the people can understand it.

Mr. Deputy Speaker, I know that my time is coming to a close. I think it is important that we continue on with that traditional agreement that was in place, the agreement that has been in place for 75 years where the employees gave up the right to sue a corporation, and the corporation promised that there would be compensation for people who are injured in the workplace.

I think one other thing we should be looking for is the make-up of that board. It has been in place since that time of equal representation from labour, employers and an impartial chair. The Minister should seriously look at that, going back to that formula even if he has to increase his number of board members to 10. If he finds that many are necessary then he should stick to that traditional agreement of where the board structure is made up of equal representation from the labour groups and the employers' groups.

**An Honourable Member:** They are. It is in the legislation, a 10 person board.

**Mr. Harapiak:** Mr. Deputy Speaker, the Minister does not seem to understand that representation from the public, three from the public and three from the employers' groups, is not equal to three for the employees. It is not equal representation. That was part of the agreement ever since it has been in there, so it is unfortunate the Minister would not recognize that and go back to that agreement that was in place for the last 75 years.

\* (1640)

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Mr. Deputy Speaker, I know that there are going to be other people who are going to be speaking on this. There are a number of recommendations that should be moved on that were brought forward by the implementation team. I know that there is going to be a number of amendments that will be brought forward during the time that we are in committee.

With that, Mr. Deputy Speaker, I see that my light is blinking. I thank you for your attention.

**Mr. Steve Ashton (Thompson):** Mr. Deputy Speaker, I appreciate the opportunity to be able to address debate on Bill 56. I first of all want to commend my colleague, the Member for The Pas (Mr. Harapiak), for his comments. The Member for The Pas is a former Minister responsible for Workers Compensation. I know one of the reasons the Member for The Pas had wished to speak on this Bill—I think he is the first Member on our side to speak on this particular Bill—is because of his continued interest in terms of Workers Compensation.

In fact it was this Member for The Pas who was responsible for the formation of the Legislative Review Committee receiving the report in 1987, which I think is a very excellent document. It follows from the work of Gerard Lecuyer who also did a great deal of work in terms of commissioning this particular report. In fact the report came in May of 1987, and was a blueprint for the reform of Workers Compensation in this province.

I would note that this particular document followed the work of a great deal of committee hearings. It was a committee that was, I think, evenly balanced. It involved Brian King, the chairperson who later went on to be the chairperson of the Workers Compensation Board, Lisa Donner, the labour representative who also went on to be on the Workers Compensation Board until she was fired by the current Minister responsible for Workers Compensation, and Tom Farrell who I know very well, the industry representative, a former resident of Thompson who now works for the provincial Government.

While I certainly criticize them for their actions in terms of Lisa Donner, I certainly commend them for bringing Mr. Farrell's expertise to the provincial Government, his tremendous expertise in terms of Workplace Safety and Health. I look forward to his contributions to the improvement in terms of policy in this particular area, but I reference the Legislative Review Committee because this was released in May of 1987, Mr. Deputy Speaker. We are now into February of 1990.

What has happened is essentially since the current Conservative Government has come into place this document is no longer a blueprint, I would say. They have introduced some of the administrative changes. They have rejected many of the recommendations; in fact, 11 recommendations of the Legislative Review Committee have been rejected out of hand. We are in the situation, Mr. Deputy Speaker, that we are debating Bill 56 which I would say, if it was intended to be a document that in any way reflected the spirit of the

Legislative Review Committee that this Bill is a complete failure.

The Minister himself in opening comments indicated—and he can correct me if the number is not correct—this deals with only about 16 of the recommendations that were introduced by the Legislative Review Committee. In fact in a number of ways it ignores major recommendations and has proceeded in a course that, quite frankly, I cannot fathom the reason for. This Bill, Bill No. 56, while it does have some positive features, is poorly drafted, contains a number of provisions that are in clear need of either being amended or dropped from this Bill and more significantly, most significantly, leaves out a significant number of the recommendations that were part of the Legislative Review Committee that were agreed to by all three committee members and, once again, that represented both industry and labour.

This Bill is perhaps notable, Mr. Deputy Speaker, inasmuch for what it leave out as for what it includes. I would say to the Minister responsible for Workers Compensation (Mr. Connery) that this Bill is not acceptable as a response to the Legislative Review Committee. I know the Minister has indicated in the House that there will be another Bill at some point in time that will deal with some of the benefit packages. I want to say to the Minister that there are changes taking place almost weekly and monthly in Workers Compensation, some of which are positive and some which are negative.

We cannot wait another Session of this Legislature, the working people of Manitoba, the injured workers and their families cannot wait for another Session of this Legislature and possibly another Session before we see some of the substantive changes that are required to Workers Compensation, substantive changes which are included in the Legislative Review Committee, and were not introduced as part of this Bill.

The Member for Portage, the Minister responsible for Workers Compensation (Mr. Connery) knows that he has not acted on many of the key recommendations of the Legislative Review Committee. He know that and I consider that absolutely unacceptable on the part of this Minister and this Government.

As I said, Mr. Deputy Speaker, this Bill is a seriously flawed Bill. I believe that it is the result of a Minister who seems to have a great ability to have meetings after the fact, after the Bill was introduced to consult, but did not take the necessary time to go through some of these matters before he introduced this Bill. If he had, I would not be standing here in my place today and pointing to the many faults that are in this Bill. In fact I do know, and I want to acknowledge this publicly and it is no secret, the Minister has indicated to me that there will be amendments made at committee on this particular Bill. I hope there will be some significant amendments.

But I want to say to the Minister that he could have saved us this difficulty if he had taken the time to fully consult with all Parties involved, because I believe there are concerns being expressed, not just by working

people and by labour, but by businesses as well on this particular matter. As a matter of fact, I know that to be a fact. I would say the Minister perhaps was taking a leaf out of the Minister responsible for Municipal Affairs on Bill 79 when we saw a record number of amendments, 62 amendments.

I would say the Minister would do well if he plans on bringing any further legislation into this Chamber to be starting the consultation now, not after the fact, not after we receive a draft of the Bill, and save us, save business and save labour and other interested individuals the time and the effort that had to be spent on this particular Bill correcting the many mistakes that are in this Bill, correcting the many provisions of this Bill that are unacceptable. As I said, Mr. Deputy Speaker, in some cases, I believe there are changes that are being brought forward in Bill No. 56 that are unacceptable to both sides. I would say that the Minister would do well not to have us go through this again.

There are some interesting things that are being done by this Bill. The first thing that this Bill does is it legitimizes what has been taking place illegally for the last six months, once again because of the incompetence of this Government. This Government appointed a part-time chairperson to the Workers Compensation Board. The current Act says that the chairperson shall be full time. This Government has been in breach of its own legislation, the legislation of the Legislature of Manitoba. It has been in breach of that, and I see some surprise on the face of the Minister of Labour (Mrs. Hammond). Perhaps she should check the current statutes and compare it to Bill 56, which finally legitimizes what has been taking place illegally, illegally because of the sheer incompetence of this Government in the handling of matters related to Workers Compensation. That is one of the things that this Bill does. It legitimizes something that should never have taken place in the first place. It is part of their overall agenda, and, quite frankly, it is an agenda that is not in the interests of the injured workers of this province.

We have seen already from this Government that it has fired the Labour Commissioner from the Workers Compensation Board, Lisa Donner, summarily. Now that, Mr. Deputy Speaker, was unacceptable. It brought in the experienced rating system, once again without consultation, because they know that was totally unacceptable to injured workers. We are left in the position where we are now dealing with, yes, some administrative changes, some of which are positive at the Workers Compensation Board and certainly there needed to be administrative changes. I will be the first to say that, and I am glad finally in some cases there has been recognition, finally by this Minister.

I do say in this case it has been both the Liberals and the New Democratic Party Members who have been indicating their major delays or major problems with people on the Workers Compensation Board. There are cases that have waited for a considerable period of time. There are problems with just the most simple transmittals of cheques to individuals who have a case that is not being contested by the Workers Compensation Board in any way, shape or form.

\* (1650)

I am pleased to see there have been some changes, but what is happening is those administrative changes cannot hide the fact that this Government has chosen when there are controversial decisions to be made to not listen to the injured workers as they clearly did in terms of experienced rating. I believe that is what has happened in this particular case.

I really believe that there are a number of areas that are of significant weaknesses in this Bill. I want to begin by the changes in this Bill that would use the term "occupational disease and injured" as part of the changes to the whole way in which we look at what is an occupational hazard and look at people who are affected by the workplace. I believe this is one area where clearly the Minister should be dropping the amendment. I know it has been expressed as a concern. I believe it has been expressed by both sides from my contacts, and I have no reason to expect the Minister will not do that other than the fact that he has refused to listen in the past when problems have been identified, but I want to indicate that this kind of change should never have been brought in in the first place. I am very concerned myself. I know our caucus is very concerned about what kind of impact this was having on the whole situation in terms of Workers Compensation. I do believe, I really do believe that is something that the Minister has to deal with.

There are concerns that we have in terms of the exceptions for U.S. trucking. That has been a major concern. The current wording on that, Mr. Deputy Speaker, and since we are in second reading, I will deal with the principle rather than the specific section. It is clearly far too broad and has opened up a whole series of possible loopholes, and I hate to use this analogy, but loopholes that are big enough to drive a truck through in terms of the impact to this particular Bill.

There are some other concerns that we have related, for example to the section on transportation to hospitals. I believe that the action by the Minister in this particular section raises a number of particular concerns. I believe that this is an amendment that should be withdrawn, Mr. Deputy Speaker, the current amendment that deals with a specific section of this Bill. I believe it was ill thought out, ill-conceived and should not be a part of the final legislation. We have seen similar faults in terms of payments for surviving spouses and dependents which in this particular case for some reason does not include dependent parents. I believe that is something that once again is an example of a poorly drafted Bill.

I want to talk about the structure of the board of directors because that is another major concern that we have. I believe that the move by the current Minister—one that I feel is not supported, certainly by the injured workers, but I believe some concerns may even be expressed to committee by the business community in regard to changes to the board of directors. I believe that the structure should essentially be a tripartite structure that represents an independent view of Workers Compensation. By that I see that there is a real need for workers' representatives, there is a

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real need for business representatives. What concerns me about the current structure is the fact that we are now going to see essentially the ability of the Government, any Government of the Day, to have what I would call patronage appointments to the Workers Compensation Board

**An Honourable Member:** You are kidding.

**Mr. Ashton:** Yes, Mr. Deputy Speaker, the Minister responsible for Energy and Mines (Mr. Neufeld) is surprised at this. It does not surprise me that he is surprised. It just shows perhaps that when this Bill was brought to Cabinet and caucus, his Cabinet and caucus, that either he was not listening or else perhaps the Minister glossed over this fact. Knowing the Minister of Energy and Mines, I will indicate that in my view it was probably because he was listening but that the Minister did not point out some of the ramifications of this particular change. The bottom line is that this, I believe, will end up in a situation that is not in the best interests of our system of Workers Compensation in the province. I believe that you need a tripartite structure: business, labour and some element of independence, but that is not best accomplished by patronage appointments, appointments directly by the Government.

I am saying that in full knowledge that it is not just the Conservatives I am talking about. There may be other Governments, Mr. Deputy Speaker, that may have other views of who should be appointed and who should not be appointed. I just point to the current situation. With a new board structure it would be well within reason and well within the current practice of the Government for them to appoint, for example, the chief executive officer of a number of corporations to the board, to appoint members of the Chamber of Commerce, to use their appointment abilities as a Government to load the Workers Compensation Board with people who would have only the perspective of business. I say that fully knowing that they could go in the other direction. I am not trying to suggest for one moment that this is the only scenario that could develop.- (interjection)-

I am not suggesting there would not be honourable people either, but I am suggesting that there is a danger of a bias.- (interjection)- Exactly, the Member for St. Norbert (Mr. Angus) points out, Mr. Deputy Speaker, there could very easily be a bias, a Tory bias under the current Government, and there could be a Liberal bias or an NDP bias under another scenario.

**An Honourable Member:** The Liberals are not biased.

**Mr. Ashton:** Mr. Deputy Speaker, the Liberal Member says he does not have any biases. I know at times we wonder if they have any consistent positions, so perhaps that is by definition. The Liberals have no biases, no definitions. Some of us have suggested they have no principles either, but I am sure the Member for St. Norbert (Mr. Angus) was not going quite that far and I will take him at his word.

I do think he has to recognize that when it comes to the appointment by the Government you do run into

that position. That, Mr. Deputy Speaker, is not what I want to see happen in the Workers Compensation Board. It is not in the best interests of injured workers.

Mr. Deputy Speaker, there are a number of other problems related to the situation in terms of the operations of the board, in particular the question of quorum. I believe that a majority of the board of directors constituting quorum once again is not sufficient. I believe there has to be equal representation from labour and business and from the third sector, from the general public, which, as I said, should be appointed without direct Government appointment, power, to ensure that if there is any hearing or any meeting of the board taking place it is a fair meeting.

Under the Bill we are dealing with presently one of the problems you have is that you could essentially, with a quorum, have no labour representative, nobody with any particular concern about the injured workers, sitting on matters of great importance and making decisions of great importance.

We say that is unacceptable. We would like to see the Minister listen to our concerns and make those kind of changes. I think that is fairly significant because you have to have due process and fairness. That is one of the major concerns we have expressed about this particular Bill, that it does not deal with that particular area.

Mr. Deputy Speaker, there is another major concern and it is related to the clause which I believe could end up in a very, very serious situation. It is the section of the Bill that is attempting, according to the Minister, to deal with potential cases of fraud and relates to the making of false statements by either workers or companies involved.

I want to say that I do not believe for one moment that there is a very high percentage of fraud or inaccurate statements. I think that has to be made as a first comment, by either side. There are some cases, I admit that.

What I am concerned about are situations not where there is a deliberate intent for fraud but where, through for whatever reason, for whatever circumstances, statements are made which are not correct in the factual sense, but were not intended to be fraudulent, that may have resulted from a misunderstanding or misapprehension, particularly in a case of injured workers.

That is something that I have a very major concern about, because I believe that an unscrupulous employer, if they wished, could use this particular new principle, we are seeing established in the Bill, to put pressure on injured workers not to make reports of accidents by suggesting to them that if they say anything that is inaccurate at all they could be subject to a major fine. They could be subject to a court action, Mr. Deputy Speaker, because that is the essential point of this particular Bill.

I believe that would be a very serious precedent. I want to indicate that this concern has been expressed to me by people who have worked with injured workers, who have expressed a very real concern that this

particular section will be used to indirectly or in some cases even directly intimidate workers.

I can tell you I have dealt with many workers compensation cases, both as a Member of the Legislature—as I know many other MLA's have. I have dealt with many cases as the critic for our caucus in terms of workers compensation. I know of many cases where information that may have been given to the Workers Compensation Board may not have been accurate, not because there was an attempt to defraud but because of a misunderstanding or a belief on the part of a workers compensation claimant.

Let us not forget, when we are dealing with this we are not dealing with a courtroom scenario. We are not dealing with people who are criminals. We are dealing with people who have been injured or are seeking Workers Compensation. In many cases, there is a very fine line between an injury that is work related and not work related, and I will get into that when I continue my remarks next time.

\* (1700)

**Mr. Deputy Speaker:** When this matter is again before the House, the Honourable Member for Thompson will have 20 minutes remaining.

#### PRIVATE MEMBERS' BUSINESS

**Mr. Deputy Speaker:** The hour being 5 p.m., and time for Private Members' hour.

#### DEBATE ON SECOND READINGS PUBLIC BILLS

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

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

**Hon. Gerald Ducharme (Minister of Urban Affairs):** Is there leave to leave it standing in the Member's name, and I will speak on the Bill?

**Mr. Deputy Speaker:** Agreed? Agreed and so ordered. The Honourable Minister of Urban Affairs.

**Mr. Ducharme:** I am pleased to rise on such an important Bill that I am surprised this particular Bill has not been withdrawn from the agenda. Mr. Deputy Speaker, I guess, when we are involved in politics, there are many times that we see Bills like this that come forward, and you have to do all this research on it. I can assure the Members on this side of the House that much research was done by this Member.

First of all, I think that we in politics, in the business of politics, one becomes immune to these types of surprises that people put forward, as this Member for Assiniboia (Mr. Mandrake) has done. Mr. Deputy

Speaker, the other day I had a very appropriate day to gather the information in regard to this particular Bill. I know that a lot of Members have just been looking forward to talking on Bill 4, where the Member went to such great lengths to change The Highway Traffic Amendment Act and then find out that the only change he made in the particular proposal was a change dealing with the sticker.

Mr. Deputy Speaker, I am sure that all this careful research—I drove to my son's office the other afternoon in that slushy weather and realized that it was a very, very appropriate time to deal with a Bill like this. I guess it is along the legislation and recommendations passed by other Liberals, whether in civic politics or whether they are in provincial politics. I know the deputy mayor of the City of Winnipeg proposed a Bill that maybe we look at potholes that affect—and a hot line was established at the time. Maybe this is just a way of the Liberals carrying on with this important mandate that they did. Now he has got an ongoing type of legislation. Maybe we can use the same hot line to deal with dirty licence plates.

Does he remember, maybe to the Member for St. Norbert (Mr. Angus)—in doing this very important research on this Bill, I discovered that probably the dirtiest licence plates were on the city buses. Maybe at this time they are going to bring in another Bill dealing with the unions, dealing with the buses and who is going to now run out in the street and clean these licence plates. You must have seen the buses, to the Member for St. Norbert, they were terrible, and there was not quite the potholes yet; but I must admit, the surprise and, I know, the embarrassment of the Liberal Caucus in proposing this type of legislation.

It is very important that we all get talked on it because we assure you that this is not the type of legislation they want to go on record as supporting. Mr. Deputy Speaker, can you imagine an Ontario border and the border at the States when they have a great big sign that says, in Manitoba, you must buckle up and keep your licence plate clean? Can you imagine this type of tourism we can promote with this type of a Bill?

Mr. Deputy Speaker, in going on with this very, very important research, I went into an Autopac office. I will not tell you what Autopac office I went into. They have these Drivers' Handbooks that are available to everybody who comes in. The better Autopac outlets have these types of handbooks. They have pages and pages of information. There were 96 pages of dealing with information. Can you imagine that the Member for Assiniboia (Mr. Mandrake) would go on record? He would be part of this very important handbook when this legislation came forward. I am sure he would be very, very proud of the type of legislation that he has adopted for this forum. I think all of us agree that you have to put teeth in legislation. The problem is he should have used some wisdom teeth when he put forward his legislation.

Mr. Deputy Speaker, if you look through the handbook, it even talks about a good Bill, I must say. There was a Bill put forward by their Member today in regard to the handicapped. There is a whole section on handicap in regard to the handicapped people. On

page 35 it talks about the decals affixed to licence plates. Now it looks like this has become a very, very important part of their type of legislation. You turn it around and take the licence plate. It says, disabled person's parking placard, and tells you where you put it on the plate. Can you imagine that now they are going to want these handicapped people to go out and start cleaning up these licence plates?

If the Member would look at what comes with your registration now on the back of the registration card, it does mention about cleaning. It says, bend at cut on reverse side, remove sticker carefully, do not moisten, apply to a clean, dry rear plate—truck tractors, apply to front plate—rub firmly, do not attempt to remove. It says, place the 1990 sticker on there. He has to remember you cannot put a sticker on a dirty licence plate now. You cannot even do it now. You have to keep that plate clean. It just does not stick on there. No, it does not stick on there at all, Mr. Deputy Speaker.

Mr. Deputy Speaker, if it does not stick, you can take it back to your Autopac agent. If he is a good agent, he will probably send it back and not charge you the \$6 for another one. I am sure the Member for Assiniboia (Mr. Mandrake) was very, very cautious about that. He probably did that very, very important research.

It is amazing that we are talking about this type of legislation when we have so many important pieces that are on the agenda. We have been here since last May, and I know the Member for St. Norbert (Mr. Angus) probably feels like the rest of us, that we have to adapt and talk on these particular Bills. I know that the Member for St. Norbert said back in June yet, and I quote: what the people of Manitoba want is leadership. They want a Government that is prepared to show them things are going to be done now. I guess this is before the Member proposed Bill 4 and put it on the agenda. I am sure it is before that type of legislation was put forward.

Mr. Deputy Speaker, the Member for Assiniboia (Mr. Mandrake) goes on in his presentation, and I know the Members from the rural areas have talked about the problems in the rural areas. I know that in looking with the very important research that I did, I noticed that there was a lot of cars out there that did not get affected like the other ones. There was one white Lincoln—in the Lincoln-type category. They do not seem to collect the dirt on their licence plates.

You know in your observations if you look around the city, there is one way to stop your licence plate from getting really dirty. I guess the Member - (interjection)- no, no, no. You take a trailer hitch and you put it in front of the plate and then the plate does not get dirty. I am wondering whether the Member had considered this when he proposed this very, very important piece of legislation.

I hate to say it, Mr. Deputy Speaker, but you know a Liberal is a Liberal until he is in Opposition, and then he sounds like a New Democrat. That must have been the consensus of this very, very important legislation.- (interjection)- oh, yes, an armchair New Democrat. You know, it galls me to see that they want to believe. You know, though I believe in liberalism, and I am a firm

believer, I find it difficult to believe in Liberals. Why, there was a time when a Liberal was one who was generous with his own money; now they seem to be generous with everybody else's money. Now they seem to want to flaunt it around.

\* (1710)

I think we can all remember when saving was a habit and extravagance an art, but I cannot understand the Liberals in this particular House. I guess when you are running out of real good type of legislation, you propose such important Bills. I hope that the Member for Concordia (Mr. Doer) is going to get up and talk on this Bill. I think all of us would like to -(interjection)- I know he remembers. Maybe he wants to put it in The City of Winnipeg Act, you know to deal with all these important matters dealing with the buses. The bus licence plates will probably cause a union problem to you, because we will not know who is going to have to clean off these plates when they become dirty. I guess we will have to have some type of return when the plates are worn out when they are all dirty. With all these people cleaning them we will have to have—

Mr. Deputy Speaker, the legislation that is proposed is one that I guess we will have to have instructions on how these plates are to be cleaned. We will have to have instructions maybe on how they are all labelled, and when the plate gets worn out where you replace it.- (interjection)- Yes, the definition of dirty is going to have to be there. All these moments that we have talked on this Bill, remember that this Bill is changing that Act by one word and that is to mention the sticker. That is all the change that was required.

I guess we have learned the priorities of this particular Liberal Government. I look forward to knocking on doors in the area to explain the very important part of this Bill. I guess I am one who is very appropriate to talk about licence plates. I have dealt with licence plates for probably the last 15, 16 years in a business. I guess that is why the House Leader (Mr. McCrae) has asked me to talk on this Bill.

I would suggest that probably this Bill has been the most difficult to talk on since I had to get up one time and talk on a farm Bill with about a 40-minute notification, and talk for 40 minutes, but I did not quite last the 40 minutes—when I talked about heifers and things like that—finally I think it was the Honourable Mr. Penner says, Ducharme sit down, he says you have done enough -(interjection)- we had to talk about everything part of the Bill, and the Member for St. Norbert (Mr. Angus) knows at city hall the only time you have to talk about it is for five minutes.

Mr. Deputy Speaker, I know the other Members are going to enjoy talking on it and the Member for Rossmere (Mr. Neufeld) has suggested I have to proceed for a couple more minutes.

Maybe what we can do is get back to the importance of this and the problems that it will cause when we bring back—I hope this Government will bring back—the double licence plates. We found that it is causing a lot of problems with the single plates. I would suggest

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that our Member in charge of Highways will bring back dual licence plates because you know then we could suggest that—bring this Bill along with it—and we could have double the fun of cleaning our plates.

I think that the Member for The Pas (Mr. Harapiak) realizes that out in south St. Vital area we have a lot of potholes, we have a lot of mud that will come on our plates and the Member from that area will know how difficult it will be. Can you imagine? I know I stopped twice on Tuesday to clean off my plate.

**An Honourable Member:** Did you clean off your plate?

**Mr. Ducharme:** Yes, I did. I cleaned it off twice because I wanted to see—

**An Honourable Member:** You have to be sure.

**Mr. Ducharme:** —oh, yes. I ran out there and then I thought of—the Member for St. Norbert's (Mr. Angus) Bill or legislation on the potholes and I felt that really this was a real good continuation of the Liberal type of agenda that is very, very important.

I noticed, Mr. Deputy Speaker, that the light is flashing and I have to refrain from giving any more remarks. It is unfortunate that -(interjection)- you can grant leave, but I will not take it. I would just like to mention it has been a pleasure to talk on this very important Bill and I look forward to hearing the other comments from the rest of the Members.

**Mr. Deputy Speaker:** As previously agreed, by leave, this Bill No. 4 will remain standing in the name of the Honourable Minister of Northern Affairs (Mr. Downey).

## SECOND READINGS—PRIVATE BILLS

### BILL NO. 96—AN ACT TO AMEND AN ACT RESPECTING THE ROMAN CATHOLIC ARCHIEPISCOPAL CORPORATION OF WINNIPEG AND THE ROMAN CATHOLIC ARCHDIOCESE OF WINNIPEG

**Mr. Kevin Lamoureux (Inkster):** If it is the will of the House, through leave, would be to accommodate us in the official Opposition in having Bill No. 96 read for the second time, we would appreciate it. If there is no objection, I would seek leave to actually go to that Bill and possibly after that Bill we can call it six o'clock, or something of that nature, if there are no other speakers.

**Mr. Deputy Speaker:** Is there leave? (Leave)

## COMMITTEE CHANGES

**Mr. Steve Ashton (Second Opposition House Leader):** I have a committee substitution. I move, seconded by the Member for The Pas (Mr. Harapiak), that the composition of the Standing Committee on Industrial Relations be amended as follows: the Member for Thompson (Mr. Ashton) for the Member for Logan (Ms. Hemphill).

**Mr. Deputy Speaker:** Agreed

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**Hon. James McCrae (Government House Leader):** On the point raised by the Honourable Member for Inkster (Mr. Lamoureux), if I heard him correctly, he was suggesting that we proceed now to Bill 96, that that be introduced and then the House would call it six o'clock. Is that what the leave is about? - (interjection)- and call it six o'clock after the Honourable Member has completed his discussion on Bill 96, and any other Members who want to speak on Bill 96.

**Mr. Deputy Speaker:** Is there leave?

**Mr. Ashton:** I just wanted to indicate, Mr. Deputy Speaker, we are willing to give leave, and I just would like to point out to the Government House Leader (Mr. McCrae) that we have had some discussions in terms of conditional leave. I do believe that we have run into difficulties whenever that has been attached.

I had been quite willing earlier to give leave on the Monday night committee for Industrial Relations and was unable to suggest one minor condition, so I would suggest that we deal with the leave, which I believe there is agreement to do, and if we have to deal with the question of calling it six o'clock separately. We are certainly willing to facilitate this going to committee.

**Mr. Deputy Speaker:** I thank the Honourable Member. Leave has been given.

**Mr. McCrae:** May I be given an understanding of what it is the House has just agreed to?

**Mr. Deputy Speaker:** Is there leave for second reading on Bill 96? Leave.

**Mr. James Carr (Fort Rouge)** presented Bill No. 96, An Act to Amend an Act Respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg; Loi modifiant "An Act respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg," for second reading, to be referred to a committee of this House.

**MOTION presented.**

\* (1720)

**Mr. Carr:** Mr. Deputy Speaker, I was indeed honoured to be asked by the Archdiocese of Winnipeg to sponsor this Bill.

The original statute dates back all the way to 1917 and what Bill 96 asks the Legislature to do is to amend a section in order to bring it up to date. It is a matter of the internal administration of the Roman Catholic Church and the Archdiocese of Winnipeg. There is no controversy in this. I am honoured to be able to bring this forward on behalf of the Archdiocese of Winnipeg and I am sure that it will receive very swift movement

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to committee, and I would thank all Members of the House for their co-operation. Thank you, Mr. Deputy Speaker.

**Mr. Ashton:** We are quite willing to facilitate this Bill in terms of moving it to committee. I would just suggest, perhaps, in the future on similar Bills, that there may be other Bills that we can move forward. Certainly I believe a number of the Private Members' Bills that are not controversial, and there are some Bills which perhaps are more controversial than others in Private Members' hour, that could be moved forward.

I do want to note that we are sometimes criticized, the Members of the Opposition, for refusing to waive Private Members' hour. Of course, Mr. Deputy Speaker, you are quite aware that it is our right, but when you have a limited period of time, four hours a week, it is our right to be able to discuss Bills, whether it be public or private in nature, in Private Members' hour and I just want to indicate that this is one of the reasons why we have asked that matters be on the Order Paper in terms of Private Members be dealt with in Private Members' hour.

I would note that we still have not dealt with all the resolutions that are before us. We still have not dealt with all the Bills in terms of putting them to a vote and I would hope, as we do proceed in this Session, that there will be every consideration for the type of development we have seen today where Parties have come together, in this case on a relatively non-controversial Bill, and can pass that Bill through to second reading quite quickly.

I am saying other Bills, Mr. Deputy Speaker, I realize there may be greater controversy, there may in fact be a need for votes, there may be division among Members, but Private Members' hour is a very important part of our business as a Legislature, that is why we today wish to have Private Members' hour and wish—

**Mr. Deputy Speaker:** Order, please. I wish to remind the Honourable Member that the debate is on Bill No. 96. I would ask the Honourable Member to be as relevant as possible.

**Mr. Ashton:** Mr. Deputy Speaker, my point was exactly that we are passing through Bill 96 because we are sitting in Private Members' hour, and I think that is a relevant comment because, if we had waived Private Members' hour, for example, we would not be able to pass Bill 96 through. In fact, I dare say that if we had continued to waive Private Members' at every occasion it was requested of us by the Government we would not have even seen Bill 96 introduced for second reading. I state that because there is sometimes a suggestion that we are "wasting our time in Private Members' hour."

I do not believe we are wasting our time whatsoever. We have had some important matters, including Bill 96, before us and I want to state that clearly on the record. My hope is that the Government House Leader (Mr. McCrae), who is supporting Bill 96, in terms of the leave to get introduced today, and also seeing it passed through, will remember that because I must say that

I have been surprised at the fact that the Government House Leader on occasions has criticized Members of the Opposition.

Both Opposition Parties, Mr. Deputy Speaker, have insisted on many occasions to have Private Members' hour at the allotted time, five o'clock every Monday, Tuesday, Wednesday and Thursday, but I state this on the record because I do hope that we will not hear in the future from the Government House Leader suggestions that we are somehow wasting time by having Private Members' hour. Our four hours a week are very important. It is because of Private Members' hour that we have Bills such as this, a Bill which our caucus is more than happy to facilitate going to committee, and I hope the Government will reciprocate not only by supporting this Bill, but calling it fairly quickly for committee reading because there are a number of Bills that we have passed through this Legislature that are still waiting to go to committee, important Bills, whether it be this Bill or Bill 42, or other Bills.

I believe the Government should reflect the view of the Legislature. If we, as a Legislature, see fit to pass a Bill through to second reading, I believe it is incumbent on the Government which does have the responsibility for sitting the committee hearings of this Legislature. It is incumbent on them, whether it is Bill No. 96, Bill No. 42, or any Bill of the Legislature, that they take any Bill which has passed through second reading and have the courtesy to put it through to second reading at the committee stage as soon as possible.

I know in the case of Bill 96 there will be many people who will be waiting to see this Bill go through to committee. I know the seconder of the motion, the Member for Transcona (Mr. Kozak) is aware of that. I would say it would be very unfortunate if it was not to go to committee. I would suggest even next week, that we should put this matter through to committee next week.

I believe the bottom line is our views—

**Mr. Deputy Speaker:** I would once again remind the Honourable Members, the Honourable Member's remarks are not relevant.

**Mr. Ashton:** Mr. Deputy Speaker, I am referring to the need to call Bill 96 to committee. That is very relevant to the people who sponsored this Bill, requested that the Member for Fort Rouge (Mr. Carr) carry this through to the Legislature. I think it is very relevant, and I apologize if any of my other comments were taken as not being relevant.

All I am saying is when we pass the Bill through to second reading, like Bill 96 which I hope we will do with the support and co-operation of the Government as well, let us get it into second reading. Let us do that with all the Bills that we have had in second reading, get it into committee, and give us, the Members of the Legislature, a chance to get some matters through and dealt with. I believe that is the intent on 96 and on the other Bills that we, as a Legislature, pass through to committee. Our caucus supports it. We hope the Government will, and we hope this will set a precedent in terms of dealing with other Bills.

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**Mr. McCrae:** Mr. Deputy Speaker, pursuant to discussions with the Honourable Member for Fort Rouge (Mr. Carr) and others, I move, seconded by the Honourable Minister of Culture, Heritage and Recreation (Mrs. Mitchelson), that the debate be adjourned.

**Mr. Deputy Speaker:** The motion on the floor—the Honourable Government House Leader (Mr. McCrae) moves, seconded by the Honourable Minister of Culture and Heritage (Mrs. Mitchelson), that debate on Bill 96 be adjourned.

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

**Mr. Ashton:** My understanding, and I believe it was the understanding of the Liberals, is that we were going to pass this through to committee.—(interjection)— Well, Mr. Deputy Speaker, I am just trying to obtain some clarification of exactly what we have done when we had given leave. Certainly, when we agreed to grant leave it was on the assumption that this Bill would be passed through second reading today. The word I think was used by the Liberal Member that requested this—

**Mr. Deputy Speaker:** Order, please. Order. The Honourable Member did not have a point of order.

**Mr. McCrae:** On the same point of order, Mr. Deputy Speaker.

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

**Mr. McCrae:** For clarification to the Honourable Member for Thompson, the leave that we granted was so that the Honourable Member for Fort Rouge (Mr. Carr) would have an opportunity to introduce this Bill. There were no commitments about passing the Bill today. I gave the Honourable Member for Fort Rouge an indication that I felt that would be something that we would looking to doing, to seeing this Bill passed, but that it would not be happening today. I felt it was clear between myself and the Member for Fort Rouge.

I have no doubt that this Bill will be moving along —(interjection)— maybe the Honourable Member for Transcona (Mr. Kozak) wants to get into the discussion, but Mr. Deputy Speaker, I was not quite finished my point of order, and that is the Honourable Member for Fort Rouge approached me to ask for an accommodation that, my understanding at least was, he might be allowed to introduce his Bill. It was not a

question that the Bill would be passed today. It was the question that his Bill would be introduced.

I offered to make that accommodation, and upon that accommodation being completed, we would call it six. That was my understanding of the discussion between myself and the Honourable Member for Fort Rouge (Mr. Carr). If I am wrong, the Honourable Member for Fort Rouge can correct me. As I have told the Honourable Member for Fort Rouge, my caucus and I will be discussing his Bill and decision will be made. Preliminary indications are very positive about that Bill. The Honourable Member for Fort Rouge (Mr. Carr) can correct me if I am wrong in my recitation of the facts.

\* (1730)

**Mr. Deputy Speaker:** I thank both Honourable Members for their advice. There was no point of order.

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**Mr. Deputy Speaker:** On a new point of order, the Honourable Member for Inkster.

**Mr. Lamoureux:** Mr. Deputy Speaker, the understanding that we were seeking was that we would introduce this Bill for a second reading, debate it. It was our hope that we would be able to pass it on through committee, but there was no agreement or understanding that in fact that would take place. The hope was there for us to see it go into committee, because we would like to see speedy passage.

**Mr. Deputy Speaker:** Lack of understanding between the Parties does not constitute a point of order. However, I thank all Honourable Members for their advice.

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**Mr. Deputy Speaker:** The Honourable Government House Leader (Mr. McCrae) moves that debate be adjourned, seconded by the Honourable Minister of Culture and Heritage (Mrs. Mitchelson). Agreed? Agreed and so ordered. The Honourable Government House Leader.

**Mr. McCrae:** Mr. Deputy Speaker, shall we call it 6 p.m.?

**Mr. Deputy Speaker:** Is it the will of the House to call it 6 p.m. now? Agreed? The hour being 6 p.m., this House is now adjourned and remains adjourned until 10 a.m. tomorrow (Friday).