



Second Session - Thirty-Fifth Legislature  
of the  
**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

40 Elizabeth II

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



VOL. XL No. 73 - 1:30 p.m., WEDNESDAY, JUNE 26, 1991



**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Fifth Legislature**

LIB - Liberal; ND - New Democrat; PC - Progressive Conservative

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	LIB
ASHTON, Steve	Thompson	ND
BARRETT, Becky	Wellington	ND
CARR, James	Crescentwood	LIB
CARSTAIRS, Sharon	River Heights	LIB
CERILLI, Marianne	Radisson	ND
CHEEMA, Gulzar	The Maples	LIB
CHOMIAK, Dave	Kildonan	ND
CONNERY, Edward	Portage la Prairie	PC
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	ND
DOER, Gary	Concordia	ND
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	LIB
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Clif	Interlake	ND
EVANS, Leonard S.	Brandon East	ND
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	ND
GAUDRY, Neil	St. Boniface	LIB
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
HARPER, Elijah	Rupertsland	ND
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	ND
LAMOUREUX, Kevin	Inkster	LIB
LATHLIN, Oscar	The Pas	ND
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	ND
MANNES, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	ND
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold, Hon.	Rossmere	PC
ORCHARD, Donald, Hon.	Pembina	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	ND
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	ND
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	ND
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	ND
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	ND
WOWCHUK, Rosann	Swan River	ND

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Wednesday, June 26, 1991**

**The House met at 1:30 p.m.**

**PRAYERS**

**ROUTINE PROCEEDINGS**

**PRESENTING REPORTS BY  
STANDING AND SPECIAL COMMITTEES**

**Mr. Ben Sveinson (Chairman of the Committee on Public Utilities and Natural Resources):** I would like to present the Fourth Report of the Committee on Public Utilities and Natural Resources.

**Mr. Clerk (William Remnant):** Your Standing Committee on Public Utilities and Natural Resources presents the following as their Fourth Report.

Your committee met on Thursday, June 13, Tuesday, June 18, and Thursday, June 20, at 8 p.m.; and Monday, June 24, and Tuesday, June 25, 1991, at 10 a.m. in Room 255 of the Legislative Building to consider bills referred. On June 21 your committee elected Mr. Laurendeau as Chairperson and on June 24, 1991, your committee elected Mr. Sveinson as Chairperson.

Your committee heard representations on Bill 38, The Wildlife Amendment Act; Loi modifiant la Loi sur la conservation de la faune, as follows:

Ms. Jennifer Shay - Private Citizen  
 Mr. Harold Syrett - Private Citizen  
 Ms. Alison Elliott - Manitoba Naturalists Society  
 Mrs. Winnifred E. Syrett - Private Citizen  
 Mr. Edwin Gaskell - Sierra Club  
 Ms. Hilary Versavel - Friends of Oak Hammock Marsh  
 Mr. Clayton McMurren - R.M. of Rockwood (Councillor)  
 Mr. Frank Baldwin - Private Citizen  
 Mr. Rick Wishart - Ducks Unlimited  
 Mr. Steven Lytwyn - Manitoba Cattle Producers Association  
 Mr. Dave Punter - Manitoba Environmental Council

Mr. Ray Fetterly - Private Citizen  
 Mr. Robert Potter - Town of Stonewall  
 Mr. Greg Dandewich - Neicom Developments  
 Mr. Ron Seymour, President - Stonewall & District Chamber of Commerce  
 Mr. Ian Greaves - Private Citizen  
 Dr. Robert Wrigley - Private Citizen  
 Mr. John Shearer - Private Citizen  
 Mr. Bob Gooding - Private Citizen  
 Mr. Kenneth Emberley - Crossroads Resource Group  
 Mr. Roger Turenne - Canadian Parks and Wilderness Society (Manitoba Chapter)  
 Ms. Mila Oh - U of M Recycling & Environmental Group  
 Ms. Heather Henderson - Private Citizen  
 Mr. Brian Pannell - Private Citizen  
 Mr. Billy Jo Delaronde - Private Citizen  
 Mr. Greg Mickie - Triple S Business Development Corporation  
 Ms. Margaret Kapinga - Private Citizen  
 Mr. Prasad Gowdar - Private Citizen  
 Mr. Rob Altemeyer - Private Citizen  
 Mr. Neill Adhikari - Private Citizen  
 Mr. Harvey Williams - TREE  
 Ms. Jenny R. Ward - Private Citizen  
 Mr. Norman Binkley - Private Citizen  
 Mr. Robert Gaudry - Interlake Region  
 Mr. Yvon Dumont, President - Manitoba Metis Federation  
 Mr. Don Sullivan - Choices

**WRITTEN SUBMISSIONS:**

Mayor R. S. "Bud" Oliver - Town of Selkirk  
 Mr. Len Morrow - Private Citizen  
 Mr. Art Allan - Private Citizen  
 Mr. Phil MacMillan - Private Citizen  
 Mr. Lawrence King - Private Citizen  
 Mr. Bob Hysop - Private Citizen

Mr. Bruce McPhail - Lord Selkirk School Division No. 11

Mr. Ray Marquette - The Interlake Development Corporation

Ms. Linh Vu - Private Citizen

Ms. Laura Reeves - Private Citizen

Mr. Dennis Bayomi - Private Citizen

Your committee has considered Bill 38, The Wildlife Amendment Act; Loi modifiant la Loi sur la conservation de la faune, and has agreed to report the same without amendment.

All of which is respectfully submitted.

**Mr. Svelnson:** Mr. Speaker, I move, seconded by the honourable member for Seine River (Mrs. Dacquay), that the report of the committee be received.

**Motion agreed to.**

**Mrs. Louise Dacquay (Chairman of Committees):** Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the honourable member for Sturgeon Creek (Mr. McAlpine), that the report of the committee be received.

**Motion agreed to.**

## TABLING OF REPORTS

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, it gives me great pleasure to table the first State of the Environment Report for the Province of Manitoba.

\* (1335)

### Point of Order

**Mr. Steve Ashton (Opposition House Leader):** Mr. Speaker, I rise on a point of order in regard to the tabling of this report. It is a very important matter.

Members of our caucus were informed that a press conference was held, an embargoed press conference on this matter, at twelve o'clock. We have not been able to attain information on a report that has been made available to members of the media on this very important matter, and it now makes a mockery of the minister to come in and table this document which has been given to the media as of twelve o'clock, a document we still have not seen.

I would ask, on a point of order, Mr. Speaker, if you could rule as to whether it is appropriate, and following in our traditions in this House, for a government to use the kind of media manipulation we are seeing on this particular matter and have us go through the farce of having this now tabled in the Legislature—

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

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, on the same point of order, the feigned indignation of the opposition House leader is beguiling in itself.

Let me say that, indeed, a press conference was embargoed. I understand that we followed procedures that are no different than budgets, and I know for a fact that on several occasions when the member was part of a government former to us, they embargoed certain materials with the press and the media before coming to this House and officially tabling.

This government takes very seriously its responsibility in sharing certain information with all members of the House in a timely fashion, and that is why the minister has seen fit to table at this particular point in time.

**Mr. Kevin Lamoureux (Second Opposition House Leader):** Mr. Speaker, on the same point of order, this is not the first time in which members of this Chamber have been denied information that we rightfully are entitled to.

We take a look at the Ross Report, where the media at that time was circulated in the press gallery before the members of this Chamber were given the report. We see once again, not only are they doing that, they are having a press conference and letting the media know, not enabling our—at least, the critics of each respective party know what is going on. This is unbelievable that the minister or this government would deny access to information that we in this Legislative Chamber are entitled to.

**Mr. Speaker:** I would like to thank all honourable members for their advice on the point of order raised. I will indeed take this matter under advisement, and I will report back to the House.

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, may I direct the attention of honourable members to the gallery, where we have with us this afternoon from the McLeod School fifty-five Grades 5 and 6 students,

and they are under the direction of Oda Guchi. This school is located in the constituency of the honourable Minister of Energy and Mines (Mr. Neufeld).

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

\* (1340)

## ORAL QUESTION PERIOD

### Hazardous Waste Regulation Changes

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, two years ago this month, a major explosion took place in the city of Winnipeg. The Solvit hazardous waste corporation blew up causing a major potential disaster in our city and our province. Fortunately, there were no injuries to citizens, but the government, seven months later, tabled a Fire Commissioner's report that raised serious concerns, according to the government, about the regulations that the government had changed and the enforcement of those regulations in dealing with hazardous waste.

The government at that time said that they would refer it to the Workplace Safety and Health advisory committee of the government and would be reporting back in six months as to action. That would have made it June of 1990, a year ago.

Can the Minister of Environment please advise the House why we have still not had comprehensive action dealing with the explosion at Solvit and the potential problems in the future with hazardous waste disposal in our communities?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, as a matter of fact, there has been a great deal of work that has been undertaken in relationship to any information that was brought forward as a result of that rather unfortunate incident.

I want to assure the member and the public that any cross-referencing between departments that was needed to be improved in order to make sure that there was a proper interlocking of all regulations has been taken care of.

**Mr. Doer:** An internal working group that reported to the minister March 8, 1990, and never made public by this government, reported that there were considerable problems dealing with compliance with the regulations, that the regulations themselves

were insufficient and needed to be changed. They did not call upon an interdepartmental interlocking group. They called upon a strong enforcement campaign and public regulations to be changed so the public could be protected.

Mr. Speaker, since that date, there is nothing in a public way that has been done by the government to provide those regulations and that enforcement. They have not even followed through on the advice of their own Workplace Safety and Health advisory committee which, of course, they kept secret.

I would ask the minister, can he table today the proposed regulation changes that would deal with the Solvit explosion and the recommendations that his government received 15 months ago, so that we, indeed, can have safety in the future dealing with these very, very highly toxic chemicals that are in our communities across the province of Manitoba?

**Mr. Cummings:** Mr. Speaker, I take some considerable umbrage at the verbiage used by the Leader of the Opposition. It seems to me that he can stand there and rant and rave when the government that he was part of was 10 out of 10 when it came to dealing with environmental issues.

We now have a situation where we have moved strongly on the enforcement side to make sure that the various operations out there are brought into compliance. If he has any examples of somebody who is not operating within compliance of The Environment Act, then maybe he should bring that information to this House and substantiate these supposed serious allegations here.

**Mr. Doer:** The minister would note that the government again, in the middle of the night, changed the regulations, gazetted them, did not announce them in May of 1989, and we had to bring it out public in June of 1989. They were the best regulations dealing with hazardous waste material in the country. They were recommended by Wally Fox-Decent at an independent committee and the government changed them. Then they promised after the explosion to come forward with recommendations.

The former minister said this explosion has brought out some great areas that we need to clean up ourselves. That was two years ago. Why has the minister not brought forward those regulations, so that we clean it up ourselves?

**Mr. Cummings:** Mr. Speaker, I do not think the Leader of the Opposition is even talking about

environmental matters. He is talking about operational concerns that were raised in that report, if he is thinking of the same one that I am.

The fact is, Mr. Speaker, the only issues that were raised around the Solvit, other than the fact that the Fire Commissioner's office has never been able to completely determine what may have been the cause, the issues that were raised around that do not concern the type of issue that the Leader of the Opposition is raising, but they raise the issue of whether or not the city, the province and the various departments within the province have adequate communication to overlap and make sure that there is nothing that falls between the cracks in regulation of those types of operations and that has been done.

### **Child and Family Services Quality of Service**

**Ms. Becky Barrett (Wellington):** Mr. Speaker, I would like to table today a letter from a staffperson at one of the Child and Family Services agencies, who said she heard—she or he—heard on the radio that she no longer worked for that agency as that agency as constituted no longer existed. She goes on to state, we were raped, taken by force with no consultation and without our permission. As is typical of offenders, we were told lies to give us a false sense of security. We were courted; offenders do that, you know. The people our government represent no longer have a voice. The offender has effectively shut up their victim by disqualifying both the community and the agency leaders. I would sign my name, but my offender has implied if I go public, I might get hurt.

My question to the minister, Mr. Speaker, on behalf of this person is: How can a system this abusive provide better services for abused children and troubled families?

\* (1345)

**Hon. Harold Gillieshammer (Minister of Family Services):** Mr. Speaker, I am pleased to talk about service and answer the service part of that question.

Along with the reforms we mentioned on Monday at our press conference, we talked about a child advocate, a family fund, adoption of the high-risk indicators and the automated information system. Those are all intended to improve the system. Also, we want to provide services to children and families in this province that are standardized. We feel that no matter where you live inside the city of Winnipeg,

you should be able to access those services. The standardization of service, I think, is very important.

I know that the member opposite is going to say that we do not understand that there is a different type of service required in the core area and Charleswood. We understand that very well. We are going to have the capability, if we have extra resources in some areas of the city, to have those resources used in areas where there may be more call for service.

I can tell you that there are a number of reforms that we have announced, and we are going to provide a service for children and families that is needed out there. We feel we can do that with a better administrative structure.

I would say to the member that we have left in place the service delivery which is what worked with the previous system. The same service delivery system is there. What we have changed is the administration of that system.

### **Restructuring Consultations**

**Ms. Becky Barrett (Wellington):** It is becoming obvious, Mr. Speaker, that the last people to know about this restructuring were the people directly responsible for providing services to children.

Can the minister explain why the government has misled this House, the public, and most importantly, the Child and Family Services agencies by stating they were open to consultation even when they knew that it was a done deal months ago?

**Hon. Harold Gillieshammer (Minister of Family Services):** Mr. Speaker, in the eight months that I have been minister, we have had a widespread consultation with people working in the system. I have talked to the Child and Family Services agency boards, to the executive directors. We have met with treatment workers in the treatment centres. We have talked to clinicians who are in the system, and I have talked to service providers in the system. I believe this was a system crying out for some action. We have maintained the service delivery that worked, and we have made some administrative changes.

I would indicate to you that earlier today a document was tabled by the Manitoba Association of School Trustees, The Manitoba Teachers' Society, the Manitoba Association of School Superintendents and the Manitoba Association of School Business Officials asking to re-examine the

delivery of services to children. There is a recognition there that services to children are provided by Health, by Education, by Justice, by Family Services, and they talk about the duplication and the need to get together to provide services in the best possible way that we can for the children and families in this province.

**Ms. Barrett:** Mr. Speaker, I am delighted to hear that other partners in this major issue that we are facing are calling for re-examination.

I would like to, as well, ask the minister if he will listen to the service providers in the education system, the health system, the social service system, delay the implementation of this restructuring which was done without consultation and do what the teachers' association and others are recommending and have a public consultation, so that everybody who has a partnership in this process has their impact, rather than having it done in the middle of the night on a weekend.

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

**Mr. Gilleshammer:** I want to assure you, Mr. Speaker, that the information brought forward by the trustees, the teachers, the superintendents and the school business officials is an examination of the school system as it is. They are commenting very favourably on changes made in the Family Services system to avoid the duplication, to avoid the lack of co-ordination. They talked very much about the co-ordinated approach and the need for co-ordination in working with children and families.

Other players in the system have commented in the news today that there was a need through the justice system for clear lines of communication so that information can be brought forward to people like the Winnipeg city police who deal with these children.

\* (1350)

### **Child and Family Services Foster Care Policy**

**Mr. Reg Alcock (Osborne):** Mr. Speaker, I am glad today that we are beginning to talk about services, because ultimately that is what we are trying to do, deliver services to children. Now that the minister has taken responsibility for that, I have some specific questions for him.

Right now, Mr. Speaker, there are nine children, nine handicapped children living in foster homes

who are going to have to return to institutions because the system is not providing them support. The foster families want to keep the kids. They want to keep them in the community, but they are having to refer them back to institutions because prior to the takeover, the agencies were unable to provide support.

I would ask the minister today: Is he prepared to guarantee us today that this will not be allowed to happen, that those kids will remain as needed and wanted members of families in the community and not go back into the institutions?

**Hon. Harold Gilleshammer (Minister of Family Services):** Mr. Speaker, I have indicated in previous weeks that the honourable member is the defender of the status quo, that he is one of the architects of the old system, that he is one of the consultants who has made his living from working with the old system.

We have left in place the service structure, the service delivery system that has worked. What we have changed is the administrative structure whereby we see some co-ordination that is necessary in the system, a co-ordination so that files do not get lost, so that children, when they move from one area of the city to another, one agency to another, are looked after by the system and not failed by the system, Mr. Speaker.

**Mr. Alcock:** Well, Mr. Speaker, if I can quote the Minister of Finance (Mr. Manness), it is passing strange that when you point out a failure of the old system, the minister will not commit to correcting it.

### **Psychological Support Services**

**Mr. Reg Alcock (Osborne):** Mr. Speaker, there are others. We spoke a while ago about the need for psychological support for two children who were part of a hostage taking. I asked this minister, will they receive that support? At that time he said it was not his responsibility.

Well, today it is his responsibility. He has taken control. I am going to ask him again. Will he see today that those children receive the support they need?

**Hon. Harold Gilleshammer (Minister of Family Services):** Mr. Speaker, this is the first time the honourable member, who was such a big part of the old system, has mentioned that there were some failures in the old system.

I can tell you that the new board which is currently being put in place, the new administration which has been in place since yesterday is aware of some of these shortcomings in the system. They will be working very hard to address them as we are able to.

**Mr. Alcock:** Mr. Speaker, I would note that again the minister has not made that commitment to offer some support to these kids.

### Runaway Youth

**Mr. Reg Alcock (Osborne):** There is a third case we have talked about in this House, a mother who is trying to keep her daughter off the street and just needs a little support, a little support that is a lot cheaper than putting kids back in institutions. I asked the minister a few weeks ago, will you see that she receives that support? I am asking him again today. Will you commit to seeing that this mother receives the support?

\* (1355)

**Hon. Harold Gillehammer (Minister of Family Services):** Mr. Speaker, the specific case the member references was being dealt with by one of the treatment centres. Their analysis of the situation was that the individual who was receiving the service was receiving adequate service from that treatment agency. -(interjection)- Well, if my honourable friend wants to ask the questions from his seat now.

The previous agencies struggled with a lot of cases. I have not indicated that the new agency is—

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

### Point of Order

**Mr. Edward Connery (Portage la Prairie):** On a point of order, the member for Osborne very clearly and very loudly said, Harold, do not lie about it. I ask that member to withdraw those comments right now.

**Mr. Alcock:** Mr. Speaker, if I may, I would simply— I raised a similar point like this the other day. I would like to quote the Premier (Mr. Filmon), "I calls them as I sees them."

**Mr. Speaker:** On the point of order raised, I did not hear the remarks as so indicated by the honourable member for Portage la Prairie. Therefore, I am sorry, I may not rule on it.

\* \* \*

**Mr. Speaker:** The honourable Minister of Family Services, to finish his response.

**Mr. Gillehammer:** My honourable friend wants to bring up specific cases that are in the system, cases he felt previous agencies were not dealing with adequately.

I can tell you that the direction of the new agency is to provide the best possible service and make the service improvements that we can to the system and make those improvements as time allows and resources allow.

I can tell you that, after a day and a few hours on the job, I am sure the honourable member does not think there are going to be automatic solutions to some of the problems that the old agencies dealt with.

### Shoal Lake Cyanide Holding Ponds

**Ms. Marianne Cerilli (Radisson):** Mr. Speaker, be it with Child and Family Services or the environment, this government's neglect is becoming dangerous.

In August, in 1989, the Minister of Environment said with respect to Shoal Lake, if cyanide is present, remedial action will be ordered. As well, he said, a team will be sent in to test to see whether the contamination in the pond is leaching into the lake.

Two years later, with tests showing today that cyanide from mine holding ponds is still threatening our water supply at Shoal Lake, I would like to ask the Minister of Environment, has the minister been in contact with Ontario or the mining company in the last two years so that cyanide ponds will be dealt with? Can the minister table documentation to support that contact with Ontario?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, first of all, we worked rather diligently with the Liberal government of Ontario. I have a report here from the present NDP government in Ontario that indicates where they have been working at the site this spring, on two occasions, testing. Their advice to us is that the levels are less than .001 parts per million, which is the Ontario detection level. Ontario insists that there is no problem, and they will continue to watch the situation.

**Ms. Cerilli:** I would ask the minister to table that document and to assure us that there will be remedial action so that we will be assured, because

of the heavy rains we have experienced, that this holding pond will not overflow into Shoal Lake and contaminate the water for Winnipeg's water supply.

**Mr. Cummings:** Well, Mr. Speaker, in fact, it is the sumps from the holding pond that Ontario is examining and assures us that they feel that there is no possibility of accidental leakage or that the contamination is of a significant level.

I want to assure the member that this is an issue that, in fact, demonstrates very clearly that if Ontario would accept the regulation similar to what we are prepared to impose on this side of the Ontario boundary, this sort of an issue would be totally regulated.

### Protection

**Ms. Marianne Cerilli (Radlsson):** Mr. Speaker, two years ago, the minister also said that he would like to ban developments on Shoal Lake to protect Winnipeg's drinking water. Unfortunately, the sensitive area regulations that the minister is referring to leave 89 percent of the watershed unprotected which means that Winnipeg's water supply will not be protected.

When is this Minister of Environment going to stop the rhetoric, stop the lip service and live up the commitments that he is making with respect to the environment—

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

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, I am saddened and rather hurt by the approach of the critic from the opposition. As I said a moment ago, Ontario only needs to impose the similar type of regulation that we are considering to stop all development within 1 kilometre of the shoreline and to regulate and control all processing anywhere within the watershed. That will give us the type of guarantees we need.

\* (1400)

### Northern Flood Agreements Progress Report

**Mr. Oscar Lathlin (The Pas):** Mr. Speaker, my question is directed to the Deputy First Minister (Mr. Downey).

Perhaps the Deputy First Minister is aware that I wrote the First Minister earlier this week asking him to direct his minister responsible for Manitoba Hydro to ensure that negotiations between Manitoba

Hydro and the Grand Rapids and The Pas First Nations continue.

My question is: Has the Deputy Premier (Mr. Downey) directed the minister responsible for Manitoba Hydro to get those negotiations going, and can he make it perfectly clear to this House today whether any progress has been made?

**Hon. Harold Neufeld (Minister responsible for The Manitoba Hydro Act):** Mr. Speaker, let us go back to when we came into power. When we came into government, there was no legal obligation by Manitoba Hydro for The Pas or the Grand Rapids bands. This government has indicated all along that it is more concerned about the moral correctness than it is about the legal correctness.

The Premier has asked Manitoba Hydro to engage a consultant to see what the damages might have been if we had used the environmental rules of today instead of those of the 1960s. Manitoba Hydro has engaged a consultant and is in the process of negotiating with the bands at the present time.

### The Pas First Nations' Claim

**Mr. Oscar Lathlin (The Pas):** Mr. Speaker, since Manitoba Hydro has now said that The Pas First Nations does have a valid claim, contrary to earlier statements, what action has the minister responsible for Hydro taken in settling the claims of The Pas First Nations for the damage that was done to their surroundings?

**Hon. Harold Neufeld (Minister responsible for The Manitoba Hydro Act):** Mr. Speaker, I have not said that the band has a valid claim. I have said that—

**An Honourable Member:** Manitoba Hydro has said.

**Mr. Neufeld:** Manitoba Hydro has not said that the bands have a valid claim. Manitoba Hydro has said that they are more concerned about the moral correctness than they are about the legal correctness in the bands' claim. I have also said that Manitoba Hydro has engaged a consultant to verify the damages that may have been done.

That consultant's report has been sent to the band for its review. The band is expected to review this report and come back with its demands as a result of the consultant's report they, themselves, have received. That report from the band has not yet come forward.

### Northern Flood Agreements Progress Report

**Mr. Oscar Lathlin (The Pas):** Mr. Speaker, I am very aware of the level of frustration those two bands have right now in terms of trying to get compensation from Hydro and this government. There have been reports of threats of blockading Highways 6 and 10.

I think it is incumbent on the Deputy Premier or his minister that they schedule a meeting immediately with those band chiefs concerned to break the impasse and finally settle the negotiations that have been going on for far too long.

**Hon. James Downey (Deputy Premier):** Mr. Speaker, I can certainly appreciate the frustration of the leadership of those communities, having sat and watched the NDP over the last many years ignore a moral obligation to those communities. The people with whom he sits denied those people the justice that this government under this Premier (Mr. Filmon) has asked Hydro to deal with.

I am prepared to meet at any time with the leadership of those communities to discuss what this government has done and what we are prepared to do. I am not aware of any confrontation that has developed. I think there have been full and open discussions between Hydro and the bands involved.

### Shoal Lake Cyanide Holding Ponds

**Mr. Paul Edwards (St. James):** Mr. Speaker, in response to the minister's earlier response to a question from my colleague, he indicated that he had recent readings which showed that levels were, I believe he said, below the levels traceable for cyanide at Shoal Lake.

My question is with respect to the specific waste ponds which are some 40 metres from the lake at the site of the old Mikado Mine. Did the minister take any readings of that pond and, in particular, can he in any way refute the readings of the Water Protection Group which set the cyanide levels in those ponds at 16,000 parts which is some 80 times the level that is acceptable for drinking water?

Can the minister tell us what the current readings are on that pond, because they certainly are not at undetectable levels according to this reading which is current to June 15?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, I said that I had a report from the

Province of Ontario as to the readings that they had taken, and I assume that the member will appreciate that this information was forwarded to us as a result of an examination that was made in mid-May.

The WPG took samples which they sent to Saskatchewan for analysis and accused my department of refusing to do the analysis on this. As a matter of fact, there is no record within the last year of WPG having directly contacted my department at Ward lab. I hope this information would be cleared up by their organization as soon as possible.

Obviously, Mr. Speaker, the sample that they take out of a cyanide-holding pond is going to show some cyanide. The other two readings are in the lake by the dock which is, according to their measurement, the equivalent of two parts per million and one part per million, which is below detectable, as they went out into the lake.

I believe that this also needs to be referenced against the fact, whether or not they recognized any background levels of cyanide in that water, because the fact is that the drinking water standards in this country call for a maximum of 200 parts per million. It seems to me that the member should not be involved in scare tactics. They should be supporting us in pressing the Province of Ontario to institute the kind of regulations that we have.

**Mr. Edwards:** The minister says there is some cyanide in those ponds. Our information is it is 80 times the acceptable level. Just about two years ago, this minister said, if cyanide is present, and it is obviously present today, remedial action will be ordered. That is what he said. Cyanide was present. It is present. What remedial action has he ever done to clear up those ponds?

**Mr. Cummings:** Mr. Speaker, the fact is the Province of Ontario does not take orders from me too well. Unfortunately, for the information of the member, it is their position that the data that they have indicates the levels of contamination, even in the pond that the member is concerned about, and I am concerned about as well, are such that they are low. They are also contained by any spillage that might overflow from that. There is a second containment, before any possibility of this reaching the lake, and they believe they have gone as far as they can.

It is my position, with the Province of Ontario, that this site needs to be cleaned up and remediated.

Again I reiterate, if they will impose the same regulations as us, that will be done.

**Mr. Edwards:** Mr. Speaker, he says he wants it cleaned up, but he said that two years ago. In terms of the state of the environment, we are where we were two years ago.

My final question is to the minister. He also said two years ago that a ban on development, not limitations, at Shoal Lake to protect Winnipeg drinking water would be the ideal situation. His quote was: You have to strive toward that.

Has this minister ever proposed an outright ban on mining in the watershed area to the Ontario government? If so, what was their response?

**Mr. Cummings:** Mr. Speaker, the member talks about an outright ban on development of any sort within the watershed. We have proposed a ban, a total and complete ban within 1 kilometre of the shoreline.

The watershed, he should be aware, goes far into where we have already a considerable amount of cottage development. If he wishes the Province of Manitoba to begin compensating those cottagers and removing them, having the Province of Ontario do the same thing with their cottagers, then he should stand up and say so.

\* (1410)

### **Manitoba Data Services STM Headquarters**

**Mr. Leonard Evans (Brandon East):** Mr. Speaker, I have a question for the Minister of Finance. The Minister of Finance just issued a press release a short time ago announcing the transfer, that he has agreed, the government has agreed to the transfer of control of the parent company of Manitoba Data Services. Of course, this involves the money-losing Westbridge Computer Corporation of Regina, Saskatchewan.

Instead of exercising its golden share provision to take back MDS, this government is prepared to allow the control of MDS to virtually slip out of Manitoba to Regina. The minister says that STM Manitoba head office will remain in Manitoba.

Mr. Speaker, my question to the minister is: How can he really be sure that the real executive decision-making office will be in Winnipeg instead of Regina? A legal nominal head office is not a real head office.

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, the member for Brandon East reiterates his criticism and his outright disagreement with the government's divestiture of Manitoba Data Services through his very narrow tunnel vision on this matter.

Mr. Speaker, let me assure all Manitobans that the government has very carefully scrutinized the transfer of the ownership of STM into the new Westbridge conglomerate, including IBM. Let me also indicate that all the covenants of the agreements that have been entered into have been assured as to certainty coming into force and effect by IBM.

Let me also indicate that, if there is yet to be another transfer from the new Westbridge holding, of which IBM is a significant player, again, we have our golden share available to us to ensure that the 220 new jobs plus the \$100 million of investment will continue to come to this province, all part of our economic development plan for the well-being of this province.

### **Job Creation**

**Mr. Leonard Evans (Brandon East):** We, Mr. Speaker, this government, this minister virtually gave away MDS, including a five-year monopoly of government business—some deal.

Can this minister tell us whether this province has achieved any benefits from the sale of MDS that was promised by this minister when he announced the sale last year? How many of those 220 high-tech jobs that were supposed to be created have materialized so far in this province?

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, per the schedule laid out, we are on course. Let me also indicate, much I am sure to the displeasure of the members opposite, that STM and now the new Westbridge entity will provide the economic activity. We expect that there will an announcement in very short order with regard to the building that is being entered into, which, of course, will provide economic stimulus.

I know that certain of my staff are involved in taking some of the credits that are to be tied to the technology development at the University of Manitoba with certain faculties. That is well in place, Mr. Speaker.

The member says that we gave it away. We sold Manitoba Data Services roughly for an equivalent

value of \$22 million, and I am led to believe that STM, in part, sold it for an evaluation, to the best that we can determine, to Westbridge at a number significantly below that.

### Benefits to Manitoba

**Mr. Leonard Evans (Brandon East):** In other words, Mr. Speaker, we have had no new jobs from this sale, as was promised—absolutely none, zero, zilch.

Mr. Speaker, what about all those other great benefits? In the news announcement, March 15, 1990, all these great benefits—we are going to have a \$100,000 a year co-op study to employ students in term positions. What happened to the other initiatives?—the million-dollar credit in computer time, \$800,000 for guest lecturers and consultant services, scholarship funds, et cetera. We hear nothing of it. Where are all these benefits?

**Hon. Clayton Manness (Minister of Finance):** I addressed at least three of those points in the scholarships area. That area of direction is being set up right now, and I am told it will be in place for the new academic year, fall '91.

Mr. Speaker, now that some of the uncertainty will be swept aside with respect to the new entity, the building project I imagine will be announced any week now. Let me say that control of Manitoba Data Services still will be maintained within the province of Manitoba.

I would think that members opposite would be so glad to see this announcement, because now the guarantor of those 220 additional jobs is not STM but is a world leader by the name of IBM. I would think that the members opposite would be happy for that kind of announcement. That is why the government has consented to it.

### Daryl Gionet Inquest

**Mr. Elijah Harper (Rupert's Island):** My question is to the Minister of Justice.

As the minister should be aware, Daryl Gionet, a constituent of Gillam died last Wednesday of a brain hemorrhage after being refused treatment at the Gillam hospital. Considering the growing public concerns over the details of this case, will the minister launch an inquiry into the death?

**Hon. Clayton Manness (Acting Minister of Justice and Attorney General):** Mr. Speaker, in

my capacity as Acting Minister of Justice, and given that the member asked a very specific question, I will take his request as notice.

**Mr. Harper:** If this inquiry is to take place, will he look into the matter why he was refused treatment by this hospital?

**Mr. Manness:** Mr. Speaker, I will also take that question as notice.

### Northern Health Care Review

**Mr. Elijah Harper (Rupert's Island):** When this minister decides to look into this matter and the investigation taking place, will he ensure that the service is available to all the people of Manitoba, regardless of where they live?

Also, will he look into the matter of whether this new \$50 user fee and other financial pressures being put on hospitals is resulting in reduced service?

**Hon. Donald Orchard (Minister of Health):** My honourable friend is not doing any service to the newly reconstructed hospital and its ability to provide services to the residents of Gillam when he makes those kinds of allegations.

The incident around Mr. Gionet's unfortunate death is being inquired into by the Manitoba Health Services Commission, and I have not received any details from them in terms of some of the questions posed by my honourable friend. As soon as I have information, I would be quite willing to share it with my honourable friend.

### Downtown Revitalization Program Funding

**Ms. Rosann Wowchuk (Swan River):** My question is for the Minister of Rural Development.

Mr. Speaker, this government has made many promises to rural Manitoba, and I daresay they have broken many promises. They promised decentralization and that has failed. They also promised to provide a million dollars to small towns in revitalization. We tried to get some information on this fund yesterday but were not successful.

Can the minister tell this House if any of this money is going to flow to any of the communities this year, or is this just another empty election promise?

**Hon. James Downey (Minister of Rural Development):** Mr. Speaker, respecting the time

of the House in Question Period I will not go into the long story of the successes of decentralization, but I could. The fact is that many, many of the jobs now being decentralized are actually in place, and those people who decided not to move provided job opportunities for those people in rural communities.

The specific question, as it related to downtown revitalization—the answer to the question is there is \$300,000 to go to the Brandon Downtown Revitalization Program which is being matched by the Brandon City Hall.

### Criteria

**Ms. Rosann Wowchuk (Swan River):** In the first announcement, we heard that it was small towns that were going to get assistance. We were told yesterday that the fund was for larger communities, but we could not get a definition of which towns could qualify.

Does the minister know the criteria of the program? He did not know the answer yesterday. Can he table the guidelines for this program?

**Hon. James Downey (Minister of Rural Development):** Yes, Mr. Speaker, I know the criteria. There were three communities that have contacted the government, Brandon, Selkirk and Thompson. There are funds in the budget this year for Brandon, for Brandon's downtown revitalization. The other communities, at this point, are not up to speed and are not ready to receive it, as far as the program is concerned, other than Thompson who has indicated that they have, in fact, some desire to proceed sooner than Selkirk. However, Brandon is the only one that has funds for this year.

**Mr. Speaker:** Time for Oral Questions has expired.

### Nonpolitical Statement

**Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Citizenship):** Mr. Speaker, might I have leave to make a nonpolitical statement?

**Mr. Speaker:** Does the honourable minister have leave to make a nonpolitical statement? (Agreed)

\* (1420)

**Mrs. Mitchelson:** Mr. Speaker, yesterday, June 25, 1991, the parliaments of the states of Croatia and Slovenia declared independence. We have witnessed the turmoil and unrest within Yugoslavia, particularly in recent times with concern and anxiety for the lives and safety of the people struggling for democracy. We have seen violence erupt, lives

lost, in the ongoing quest for freedom and opportunity.

**Mr. Speaker,** today there are reports of several more lost lives in Croatia following yesterday's statement of autonomy, and we have heard of the occupation of Croatia by the Yugoslav national police and the likelihood of further violent resistance to the steps being taken by Croatia and Slovenia.

**Mr. Speaker,** there are many Croatians and Slovenians, indeed, from each of the states of Yugoslavia living in Winnipeg and Manitoba with families and friends living in their homeland. They are watching the events unfold with fear and anguish for their loved ones, yet excitement for an ultimate resolution of the aspirations and dreams of their people.

As further developments unfold, **Mr. Speaker,** may we join with the people of Croatia and Slovenia in our hope for a peaceful settlement of the tragic situation and pray that there be no further bloodshed or innocent loss of lives. Thank you.

### House Business

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, before I call orders of the day, I would like to make some announcements dealing with House business.

I understand, **Mr. Speaker,** there is an agreement between House leaders to call next Tuesday a Monday and, therefore, we will sit Tuesday evening.

Furthermore, I would like to call a Standing Committee on Public Utilities and Natural Resources for next Tuesday at 10 a.m. and Thursday at 10 a.m. to consider, clause-by-clause, Bill 6.

**Mr. Speaker,** I would ask you then to call the bills in the following order: 18, 19 and then Bill 44, and after Bill 44, I will give directions then, although I would like to serve notice to the House it is my intention to call Bill 70 later on this afternoon.

**Mr. Speaker:** Is it the will of the House to call next Tuesday, July 2, a Monday and sit Monday hours? Is that agreed?

**An Honourable Member:** Agreed.

**Mr. Speaker:** That is agreed.

**ORDERS OF THE DAY**  
**DEBATE ON SECOND READINGS**

**Bill 18—The Municipal Amendment Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Rural Development (Mr. Downey), Bill 18, The Municipal Amendment Act; Loi modifiant la Loi sur les municipalités.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I had adjourned debate in order for my Leader to be able to speak on the bill, so at this time I will give up my right to speak.

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, I am pleased to rise to speak to Bill 18, The Municipal Amendment Act, and to inform the government that we will support that bill without any amendments. We hope that it can go speedily to committee, so that we can have a quick resolution of this particular act.

There are many provisions in this bill which we think are long overdue and which we believe will work in the best interests of the municipalities throughout the province.

There are, however, a few things that we would like to say about the bill, particularly the clause in the bill which places limits on the actions of an outgoing council before the new council assumes office, including entering into a contract, passing a bylaw and other such provisions. We think this is a very positive action, and I would recommend that to councillors at the City of Winnipeg.

I would remind this government that The Pines project was approved at 3:30 a.m. on the last council day prior to the election of a new council. That is exactly the kind of decision making which we hope the amendment to The Municipal Act will prevent in the future. We would like to see the same kind of amendment incorporated into The City of Winnipeg Act, so that councillors at that level, also, would not make decisions which bind the hands of councillors who are going to be elected within a very short period of time.

In addition, it allows the municipalities in this act to provide grants for any purpose in the interests of the municipality or the inhabitants. For the first time this will allow many municipal councils to give grants to cultural organizations which I am sure will please the Minister of Culture, Heritage and Citizenship (Mrs. Mitchelson), because I think that the cultural

needs of the community cannot be just addressed by the provincial government. They also have to be addressed by the local municipal government. This act does permit that, and I hope it will not just permit it, I hope it will encourage local communities to provide that kind of support and help.

I think that another provision that is clearly long overdue is the definition of exactly what is a resident, particularly for those communities that have a lot of summer guests whom it is hard to declare to be residents. This one says they must reside there for at least two consecutive months which will, I think, give a clear indication that these people truly have a commitment to this community, albeit perhaps only for the summer months of the year, but at least their commitment is of a longer duration than a two or three week commitment which does not tend to involve people in future decision making of the local council.

\* (1430)

I also respect the provision which expands that person's right to take the municipality to court where failure to maintain drainage systems has resulted in property damage. I think, Mr. Speaker, that it just adds to the impetus and the support I hope we can generate for the amendment that I have introduced which will, in fact, extend the right of those who live in municipalities to seek the services of the provincial Ombudsman, because that will allow things to perhaps be decided at that level without having to go through the expense of a court battle which often is more expensive to the claimant than the damage to the property which might result from improper maintenance of a drainage system.

(Mrs. Louise Dacquay, Deputy Speaker, in the Chair)

Frequently, citizens find themselves in a situation where they cannot go to court and not because they are not allowed to go to court or permitted to go to court through the legal process, but because they simply cannot afford all of the costs involved in taking anybody to court. The Ombudsman is a free service and it is a service that can, in fact, address wrongs but without going through both an expensive court procedure and a time-consuming procedure. So I will close my remarks at that point, Madam Deputy Speaker, and hope that we can quickly bring this bill to committee stage.

**Mr. Steve Ashton (Thompson):** Madam Deputy Speaker, I move, seconded by the member for

Swan River (Ms. Wowchuk), that debate be adjourned.

**Motion agreed to.**

### **Bill 19—The Local Authorities Election Amendment Act**

**Madam Deputy Speaker:** On the proposed motion of the honourable Minister of Northern and Native Affairs (Mr. Downey), Bill 19, The Local Authorities Election Amendment Act; Loi modifiant la Loi sur l'élection des autorités locales, standing in the name of the honourable member for Swan River.

**Ms. Rosann Wowchuk (Swan River):** Madam Deputy Speaker, I would like to take the opportunity to put a few comments on this bill. I feel that it is a good bill, a bill that we will be supporting and moving along in a short time. However, there are a few of us who want to get our comments on the record. I would like to say that the parts of the bill that I am encouraged with is this bill gives more people the opportunity to vote in municipal elections and brings it more in line with provincial and federal guidelines. It is a good thing that we are now allowing and making the provisions for people who are in hospitals. People who are in hospitals have not been allowed to vote in provincial elections. There were no provisions for that. I think people have to have the opportunity to have a say in who is going to represent them, and I am encouraged by this move.

Another section of the bill that is a good move, particularly in the rural area, is to allow for moving polls in areas of low population. There are many cases in remote areas where a poll, for example, in my area when I was running for council, there are polls that may just have a very small number of people in them. It is expensive to keep polls established all day there. If we are now able to move from poll to poll and allow designated times for people to get to the polls, it would be cost saving and also give us the opportunity to set up more polls, which I think is an advantage.

The advance poll is also a good idea. That was not a requirement before, and there have been people who have not been able to vote on election day because of lack of advance polls. One issue that was raised, and I do not know whether it can be addressed in this, and that is whether it would be possible to have the moving poll go to seniors homes. Now, I know that through this legislation we

will now be able to have the poll go to hospitals, but a suggestion was made that perhaps we should be looking at seniors homes because there are many people who, although they are not hospitalized, do live in seniors homes and do not have the ability to get out to the polling station. So that might be something else that we might want to consider in this legislation.

The changes that we will not have to have the voters list updated every year and only have it in election year is also a good move because it is unnecessary to have these voters lists upgraded every year. As I look at it in my community, the work would be done but for no valid reason, so I think that is a good move as well.

I am also pleased to see that we are changing wording in the legislation to make it more acceptable for disabled people, and changing, for example, incapacitated voter, to unable to mark ballot. Those stereotypes in the legislation, of being disabled, were put there at a time when that kind of wording was acceptable. In this day and age it is not acceptable, and I am pleased to see that change as well.

The other area that I have some concerns that perhaps can be addressed is the appointment of a returning officer. I think it is a good idea to have returning officers and to have someone keep track of what is going on in an election, but I would like to see the returning officers have some powers. It is one thing to have returning officers, but we also have to look in municipal elections at spending. If we are looking at bringing this legislation closer in line with provincial and federal legislations, I believe that it is time that we look at what amount of money is being spent in municipal elections.

Now I realize that in some areas this is not an issue, particularly in some of the very rural communities. I know that I am from the LGD of Mountain, and when I was running for that council position, the issue of campaign material and spending was not an issue because nobody spent any money on their elections, or very, very little other than travel costs.

However, it has been brought to our attention that there are many in the larger communities—and I believe that this legislation also governs the city of Winnipeg—and the amounts of money that are being spent on municipal campaigns have grown tremendously. I would like to see that if we are

coming closer in line with provincial legislation, we perhaps look at contribution limits to any one candidate, and look at requirements for receipting so that can be controlled.

I would also think that, if we are looking at bringing things closer in line with provincial legislation and The Elections Act and if we are having official agents, those official agents should be given the responsibility of filing a financial statement and listing contributors and the amount of donations, so that we can have an understanding of who is contributing to campaigns and that a financial statement be filed.

I would also like to see the official agent have the responsibility of having his name on any literature put out by a particular campaign. Again, I say that in some of the smaller rural communities this is not an issue; but, as we get into larger centres and we see more and more emphasis being put on campaigns, more and more money being spent on campaign, I think that we have to look and give some consideration to identification of material, just as we have in provincial elections for material that is sometimes circulated but not identified.

Perhaps we should be looking at controlling—

**An Honourable Member:** Are you for or against?

**Ms. Wowchuk:** The minister across the way is asking whether I am for or against the legislation. I think if he would have heard my comments earlier, I had said that we were in support of the legislation and are prepared to move on it. However, there are issues that we want to bring to the minister's attention as possible amendments, and I hope he would consider it.

The other restriction that is put in here is the presence of political material in polling areas on election day, and I guess on that as well, I am very supportive of that. I think that we should look to bring provincial and municipal regulations closer together. It is fair that we should not have material distributed close to the polling station. We should not have signs out on election day close to the polling stations. I also think that advertising should be—in larger campaigns where there is advertising, that also should be restricted, as well as posters and written material. Media advertising perhaps should also be restricted.

Other than that, Madam Deputy Speaker, I am in support of the legislation. As I say, I would like the minister to give some consideration to the fact that

perhaps we should look a little more thoroughly and look at possible amendments that would control the spending and make it more possible for all people to compete in elections. When there are no spending limits, we often find that those who have the most means have the opportunity to have the most influence during the campaign period. I would very much like to see that all people have an equal opportunity to participate and not influence the voters with money or with campaigning. If they are, I think there should be a restriction on the amount of money that they are able to spend.

Other than that, Madam Deputy Speaker, I am encouraged that we are now bringing municipal elections in line with provincial elections and I would support the legislation.

\* (1440)

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Madam Deputy Speaker, I want to speak to this bill because I think it is important that we get it into committee as soon as possible. I regret that it is going to be further delayed because it is, in fact, a very straightforward piece of legislation.

I will be the only speaker for my party on this particular piece of legislation. I believe it is, in fact, a very clear piece of legislation and every article in the legislation is a positive one for the people of the province of Manitoba who live in municipalities.

As with the member for Swan River (Ms. Wowchuk), I think there could be a few additional suggestions. I hope that the minister will be open to those suggestions in the committee stage. One particularly that she made reference to that I would also like to raise with the minister is that, simply, in the city of Winnipeg if you are donating \$250 or more, you have that list published so that it is clearly obvious to the public that there have been donations of that nature.

I think an amendment to this bill, which would impose the same limitations on the municipal election process, would be good for the democratic process rurally, as well as communities like Brandon, Thompson, Flin Flon and The Pas.

Most of the provisions here make democracy more readily available. It allows polls in hospitals and in personal care homes and facilities. I would be very supportive if the member for Swan River (Ms. Wowchuk) also allowed the location of such polls in seniors homes, where there is a limited

capacity for people to move but they are not so incapacitated that they require a personal home.

This does not mean that a municipality would have to put it in a seniors home. It just allows them to put one there if it is convenient for them, but also because the legislation allows it, it gives a little impetus to the municipality to look carefully at seniors homes.

We are well aware that in the city of Winnipeg, both provincially and civically, frequently we do locate polls in the seniors homes, so that there is an availability. I am sure that does take place in rural communities as well, because there is a recognition by the local election officer that this is a convenient place to locate a polling station.

I also support the public inspection of nomination papers and the ability to require the preparation of electoral roles only in years of election. I would ask the government, because they know there is a resolution on the Order Paper, to indeed examine the possibility of having a permanent voters list in the province of Manitoba.

We are not suggesting they do it at this stage; we are suggesting that they examine it. If it could be proven to be an economically clear mandate, so that it costs less to keep a permanent role, it could also eliminate some of the burden on the municipalities for having the costs of updating it. If it was updated for provincial purposes, it would then be readily available for the municipalities. We would ask the minister, through his offices and through the offices of the Minister of Urban Affairs (Mr. Ernst), if they would examine the possibility of a permanent electoral voters list.

There is such a list in the province of British Columbia. It is updated yearly. It is then available to anyone who is conducting an election in the province of British Columbia. We think it is something that may prove to be cost effective. Obviously, if it is more expensive than the present model, then it is not something we would recommend, but we are not going to know that until we look at that alternative.

I also agree that political activity must be restricted on election day as is done in provincial and federal elections. I think it is appropriate that people go to the polling stations not being approached by individuals who wish them to vote for one candidate or another, not being subjected to materials about a particular candidacy at the

election station. This brings it into line with similar legislation at the provincial and federal levels and, I think, bodes well for democracy.

With those few words, Madam Deputy Speaker, it is my hope that we can move to pass this bill very, very quickly.

**Hon. James Downey (Minister of Northern Affairs):** Madam Deputy Speaker, —

**Mr. Jerry Storle (Flin Flon):** Madam Deputy Speaker, the minister will be closing debate. There are other people who wish to speak to this bill.

**Mr. Downey:** Oh, okay.

**Madam Deputy Speaker:** Is it the will of the committee to allow the honourable member for Flin Flon to resume debate? (Agreed)

**Mr. Storle:** Madam Deputy Speaker, the Minister of Rural Development (Mr. Downey) was quick to his feet to adjourn debate on this bill or close debate.

The fact of the matter is, as my colleague for Swan River (Ms. Wowchuk) has suggested, this bill is an important one for a lot of communities, not the least of which are communities in my constituency, particularly the small communities that this is going to affect.

The Minister of Northern Affairs (Mr. Downey) has attended on numerous occasions the NACC, the Northern Association of Community Councils meetings, when they have talked about the election process, particularly as it affects northern communities. I know that my colleague had some concerns about whether this legislation would both affect the city of Winnipeg and the rural communities and whether we would actually be, if you will, playing under the same rules.

Madam Deputy Speaker, I think that is an important question. It is a matter of concern in rural and northern Manitoba that the responsibilities sometimes are even greater in rural Manitoba than they are in some of our urban municipalities. The number of voters, for example, is consistently fewer. Each municipal councillor is responsible to fewer people. Their decisions affect more directly the lives of people in their area and they are very much held accountable. Also, the fact that there are oftentimes personal friendships, many years, longstanding years of friendship between councillors and the people that they serve, also makes decision making sometimes extremely gut wrenching.

Several of the provisions in this bill would appear minor on the surface. They are talking about revision, notices of revision and the process by which we amend the voters lists. Madam Deputy Speaker, as you know, in rural communities, and I am not talking now about agricultural rural Manitoba, but in northern Manitoba, remote communities, community membership is viewed somewhat differently.

It is also true that in rural communities, if you use an example, in Barrows, or Wabowden, oftentimes many of the people who are actually employed in those communities work outside of those communities. If you live in Wabowden, it would not be unusual to have 15 or 20 people from the community working for Repap outside at Conlin Lake or some other place. At Sherridon, there may be other people who work for CN who would normally be away from that community for a period of time. You have other people who work for Repap, other people who work at places at Namew Lake or HBM&S, so the bottom line is that the revision that we are talking about here and the notice of revision has important implications for those people.

We, certainly all in this Chamber, believe that enumeration, the process of making sure that people are on the voters lists, is a fundamental issue when it comes to exercising our democratic right. We will be, in fact, disenfranchising people if we do not account for the differences between the lives of people in rural, northern Manitoba and those who live in more traditional communities where employment is usually semipermanent, where residences change infrequently, and where going outside the community for work is not the norm.

\* (1450)

So, Madam Deputy Speaker, the first concern that I have—I think we do not need to unduly hold this bill up, but a question that I think the minister should be addressing certainly in his closing remarks when this is concluded—deals with how this revision is going to occur in communities where people often work outside. What are we going to do with temporary residents? The pattern of family relationships in many communities outside of southern Manitoba also will determine who is available and who is living in a particular community on election day.

So the question of revision is important. It is quite common, for example, for extended families in

northern communities, particularly aboriginal communities to visit on an extended basis in another community. It may be to care for another individual or another family. It may be for simpler motives, perhaps just a visit, but extended visits are not uncertain. How do we make sure that we protect the right of those people, those constituents, to exercise their franchise either in their own community or the community that they are visiting?

Madam Deputy Speaker, the fact is that the provisions in this bill which now will allow for public notice on three successive days may not be adequate. The fact of the matter is that the public notice provisions may have to be extended to take into account the fact that, yes, a significant portion of the community sometimes do work for many weeks outside the community and that notice is not always easy.

You have to keep in mind that in these communities the issue of notice in and of itself is often problematic. In the community of Sherridon, South Indian Lake, in fact, the majority of communities in northern Manitoba, there is no daily paper, no weekly paper, no monthly paper. There is no local television, radio station. Most of the constituents or many of the people in those communities have no phone. They have no regular means of communicating particularly with elections officers or revisions officers as stipulated by this act.

So we have to, I think, be a little more innovative, and I am hoping that the Minister responsible for Rural Development (Mr. Downey) will be able to tell us that this act has been vetted through the Northern Association of Community Councils, with some of the smaller LGDs where the problems that I have been talking about may be present. I think it is important. -(Interjection)-

Madam Deputy Speaker, the minister may be, I think, missing the point. Certainly, legislation is often prepared in draft form and provided to opposition critics and to interested parties outside this Legislature; often it is done. That way the amendments, the suggestions that they have on a specific bill would be known not only to the minister but obviously to the opposition. It is very useful.

I want to move on to some of the other sections here that I think maybe may create some concern. One of them is the appointment of an official agent. Again, for many of the people who will be affected by this act, to my way of understanding, the way this

legislation will affect many local elections is quite different. In fact, this will be a new practice in many respects. So that is in the first section.

There are two other sections that I think are very positive. Certainly, the provisions for hospital polls and for assistance at hospital polls are going to be very well received. Not that many of the communities in my constituencies have hospitals—and that may come as some surprise to the Minister of Health (Mr. Orchard)—but certainly, I think we have to recognize that simply because one is ill should not mean that you lose your right to participate in the democratic process. You should not be disenfranchised simply because of a hospital stay. So I think that will be positively received, not only in my constituency.

Madam Deputy Speaker, the other one that I wanted to comment on was the question of moving polls. The principle of establishing moving polls is not new. In provincial elections and in federal elections, moving polls have been a part of the election process for many years. The introduction of these provisions, the expansion of those provisions, I think will make it more democratic.

I think it recognizes the limited mobility of a lot of people in senior citizens homes throughout the province. I think it will do much to make sure that there is greater participation in municipal elections. I think most people are quite distressed when they hold the municipal elections and have a turnout of 15 or 20 percent or even fewer at those elections.

I do not think anybody wants to see our elected officials chosen by a small minority of the people and that, of course, is true whether it is municipal councils or the school boards. It is an unfortunate fact that not all people participate, but I think the introduction of a moving poll will ensure that those who want to participate but, for other reasons, health or otherwise, would not normally be able to, may, in fact, improve the participation rate significantly, certainly in some constituencies.

Madam Deputy Speaker, I know in my constituency, in Flin Flon for example, we have a very heavy seniors population. Many of those people are mobility disadvantaged. They have a difficult time getting around. If the weather is inclement, if it is raining, if there is ice on the streets; it is unlikely those people will take advantage of their right to exercise a vote.

If the poll, however, comes to their seniors residence, to their personal care home, or to the hospital, or other locations as may be deemed necessary by the returning officer; I think we are going to have a more democratic process, and we are going to have a greater participation rate, and hopefully, we will finally get the government that we deserve. So I think that is a positive aspect of the current legislation.

The limitations in the bill, and particularly Section 56.3(1) where it talks about where a moving poll then can be established, I think should be left almost entirely to the discretion of the returning officer. Clearly, in some polls where there are very few residents—in fact, in some municipalities where there are very few residents—ignoring the right of one or two individuals who maybe have difficulty accessing the polls, may have a major outcome on the results of the election.

Madam Deputy Speaker, I can think of one community in my constituency where there are fewer than 21 residents. If the local returning officer chose not to use a moving poll to go to a seniors complex where most of the seniors are—it is not a complex, it is actually a fourplex—you would actually be denying a significant part of the voting population the right to vote and could have a very important impact on the outcome of the election.

There are other communities where the numbers are even smaller. I have another community that is 11 people, nominally. It has a committee status under the Department of Northern Affairs. Clearly, the right of a returning officer to establish a moving poll and use that to make sure that everyone has the opportunity to vote may have a significant outcome.

So I would like to suggest that the limitations on, when and under what circumstances a returning officer can establish a moving poll be as few as possible. I think that is the best way to protect the integrity of the voting system and ensure that everyone has a right to participate and that everyone can feel at the end of the process that they have had a say and, at least, have had a fair chance to determine the outcome of an election.

Madam Deputy Speaker, one other point, the additional clause which was added with respect to access and ease of access, which includes the provision that wheelchair accessibility should be considered to voters, is also important. Again, we may be denying a significant portion of our voters in

rural Manitoba in small communities the right to vote unless we have recognized that accessibility to the polling station is an important right that has to be recognized and should be considered quite carefully by the returning officers in establishing the place of polling and whether, perhaps, a moving poll is required.

In some communities, finding a building that is wheelchair accessible is not easy. If you cannot establish a polling place where accessibility is given, then I think it behooves the returning officer as now is allowed to establish a moving poll to make sure that everyone can participate.

So, Madam Deputy Speaker, with those remarks I would indicate that there are some extremely, I think, positive aspects to this bill. We, of course, will be—

**Mr. Downey:** Your colleague says she supports it, so I hope you . . . .

\*(1500)

**Mr. Storle:** Well, Madam Deputy Speaker, the Minister of Rural Development says that my colleague said she supports it, and I certainly do not think I have indicated that I did not support it at all. I said that I had some different concerns, concerns that I felt I needed to raise on behalf of my constituents who represent small communities, limited numbers of voters with special circumstances. I hope the minister will address some of the questions that I have raised in his concluding remarks if that should happen. I know that my colleague from Transcona (Mr. Reid) also has some remarks that he wants to put on the record, but I want to put the minister on notice as well that I expect that he is going to share with this House any information or concerns—

**Hon. Harry Enns (Minister of Natural Resources):** You cannot sit on the fence all day, it starts to hurt.

**Mr. Storle:** Madam Deputy Speaker, we wondered why the member for Lakeside (Mr. Enns) is often divided against himself, it is from sitting on the fence for 25 years.

The fact of the matter is that I think generally this bill does deserve support and I will see what my colleague from Transcona has to say.

I do want to again, emphasize that the Minister of Rural Development (Mr. Downey), the minister responsible for this legislation, has yet to show us

whether he has addressed the concerns that have been raised in the Chamber, but also the concerns that may have been raised by groups like MACC, the Manitoba Metis Federation, LGDs, some of the smaller elected bodies in the province of Manitoba. They may have concerns of which we are not aware and we would certainly like to know what they are and how this government intends to address those concerns.

With those words, I would like to thank you, Madam Deputy Speaker.

**Mr. Daryl Reid (Transcona):** Madam Deputy Speaker, I move, seconded by the member for Thompson (Mr. Ashton), that debate be adjourned.

**Motion agreed to.**

#### **Bill 44—The Public Utilities Board Amendment Act**

**Madam Deputy Speaker:** To resume debate on the second reading of Bill 44 (The Public Utilities Board Amendment Act; Loi modifiant la Loi sur la Régie des services publics), standing in the name of the honourable member for Thompson (Mr. Ashton).

#### **House Business**

**Hon. Clayton Manness (Government House Leader):** I forgot to make an announcement, Madam Deputy Speaker. I would ask if you would petition the House to determine as to whether or not there is a willingness to waive private members' hour and to continue on bills until six o'clock.

**Madam Deputy Speaker:** Is it the will of the House to adjourn private members' hour to continue debate on reading of the bills? Agreed?

**An Honourable Member:** Agreed.

**Madam Deputy Speaker:** Agreed and so ordered.

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**Mr. Steve Ashton (Thompson):** Madam Deputy Speaker, I am pleased to add a number of comments to the record on Bill 44, which has been subject to a fair amount of discussion and debate in this House, a bill that was brought in on May 15 and probably has received as much debate and consideration as any other bill up to this point in time. I note that for the record, because I believe the government in its attempt to attain the maximum political advantage out of this issue, in what really should not be a partisan issue, sometimes

suggested that this bill has been stalled or filibustered and that is not the case.

This bill has up until this point in time received as much consideration if not more than any other bill on the Order Paper, and probably will be sent to committee in a time, which in the normal perspective, is not a lengthy time for consideration on second reading. I say that because I want to remind members of this House what the purpose of debate on second reading is. It is to deal with the principles of the bill, and it is to deal not just in terms of the broad principles, but some of the specific mechanisms that are outlined to implement the principle of that bill.

In the case of Bill 44, what I want to indicate is that I do not feel there is that much disagreement in terms of the intent, in this particular case, of ensuring that utilities—and not just Centra Gas because this is not a bill that strictly impacts on Centra Gas, formerly known as ICG—have some ability to be able to ensure proper collection of accounts, Madam Deputy Speaker. I think it has been recognized by members of this House that there has been some difficulty created by the prohibition on the shut off of gas in the case of nonpayment of accounts.

In saying that, I want to indicate that I consider some of the material to be distributed by Centra Gas to be nothing short of dishonest in some cases, because they have taken the general principle and in their presentations to their customers, in their presentations in terms of the cost that they have indicated, they have not been accurate in those figures.

That is not to say there is not some cost, but the cost is essentially not from accounts that are late but continue to pay on those accounts. Those accounts are subject to the normal interest rates that overdue accounts are with any supplier you are involved with. Anybody in this House knows that Hydro and MTS and other corporations, whether they be Crown corporations or private corporations, do assess an interest rate. The problem is in terms of accounts that are not paid, period.

There is a cost, but Centra Gas in its own figures has indicated that those figures that were initially put forward as an argument for this bill were not accurate, and I am really quite concerned in this particular case about the extent to which they have gone. I am also concerned about the rate

applications that have taken place, based on this supposed figure, rate applications that now obviously, to my mind, should be subject to complete revision if this bill is passed, because that also, I think, is an important point to raise.

I say that because I, quite frankly—I listen to the concerns of constituents and ordinary Manitobans, but I always have something of a suspicion when you have a corporation such as Centra Gas that is putting forward a bill that is clearly in its own self-interest and tries to justify that in terms of benefits according to its customers. I listen to the customers, Madam Deputy Speaker, but quite frankly when it comes to the corporation, I take with a grain of salt their presentations.

\* (1510)

I must say, some of the letters I have seen from Centra Gas, some of the material I believe is lacking in what I would consider the normal proprietary in terms of lobbying, has been inaccurate and misleading in many cases and I think has distracted from the legitimate concerns of ratepayers, which is what we should be dealing with.

This should not be—I get rather disappointed when I see members such as the member for Portage la Prairie (Mr. Connery) who actually in this debate should have been billing himself as the member for Centra Gas, raising this issue. I respect his views, but I am very concerned when I hear a speech that essentially is more a speech that might be given by the CEO of Centra Gas than someone who should not be looking at all interested in this particular case. So I want to preface my comments in that sense.

I want to give an indication, Madam Deputy Speaker, of the type of difficulties we can run into if we do not have proper control over the ability of utilities to cut off customers. I want to begin by saying that I get very concerned when I hear talk about deadbeats, when I hear people suggest that the only people who do not pay their gas bills are deadbeats.

I have seen that made repeatedly in terms of comments, and there has been that presumption and assumption. I want to say that; I want to point to the profile of a typical individual who has not paid the gas bill. I can point to the recent example of a constituent of mine, and I can point to her experience in the case of a utility that is not even subject at the current time to the current regulations

and is allowed to cut off year round. I want to say that this is the kind of person whom some people are attempting to label as deadbeats.

This individual phoned my office. She was cut off by Stittco, which provides propane; there is no natural gas service. Her situation was that her husband had basically left her with her children. She was faced with the back bills from the utility. She went to Income Security. Income Security agreed to pay the back payments and take it out of her upcoming welfare payments. This was the situation that she found herself in. She went back to the utility, and she was told that she would not be able to get her gas rehooked up unless she paid a deposit of \$200.

She went to Income Security. Obviously being on income security herself, she was unable to pay. Income Security said they would pay her bills, but they would not pay the deposit, so Stittco cut off the gas. I have had my office working on trying to get her gas hooked up again. This is the profile of many individuals who find themselves in difficulty.

In her case, I have no doubt that there were previous problems, credit-wise, with utilities. The fact is it has to be recognized in this particular case, do you blame the woman? Do you blame her former spouse? At what point do you stop assessing blame and recognize the difficulties that can arise? That, by the way, is in a utility that currently can shut off customers 12 months a year. They have written to the minister indicating they were surprised to be included in this bill which would in actual fact restrict it to six months and apply the appeal formula.

That cutoff could have taken place at any time. It could have taken place during the winter, and there was really no recourse for the woman involved and really no guarantee in this particular case even after she had paid the back bill that she would be able to have her propane gas reinstalled. What I want to say—

**Hon. Albert Driedger (Minister of Highways and Transportation):** What about the slum landlords?

**Mr. Ashton:** The Minister of Highways and Transportation talks about the slum landlords. Indeed, I will welcome any action that is taken against slum landlords in this province. Certainly there are enough. There are slum landlords in my own community. There are conditions that are quite despicable, and I have indicated to the Minister of

Housing (Mr. Ernst) that I would like to see some aggressive action taken against slum landlords.

I want to indicate this is the case of someone who would be involved in it. If this were the case in Winnipeg under the new legislation, subject to the appeal mechanism, this woman again could have been cut off. I raise the question as to whether there is any guarantee that Centra Gas will not be able to apply the same sort of deposits. I have read the bill to the minister. I have read it in detail. I am concerned when I look at the appeal mechanism, not in terms of some of the criteria of the appeal mechanism, but whether Centra Gas, for example—and I would ask the minister to listen to this concern, I am raising it, it is a very serious concern based on an exact example—whether the action that Stittco took in demanding a deposit before it would be hooked up again would still be acceptable practice from a utility.

I would ask the minister to consider, in terms of possible amendments, to ensure that such a deposit would not take place. -(interjection)- The minister shakes her head and talks across the way. I am only asking that she address that concern, which is the role of this Legislature in debating bills on second reading and through committee, and look at that particular circumstance.

I raised that, because my very real concern about this bill is in the intent to have the principle put in place that we not end up with the kind of situation that has occurred previously when people have had their gas shut off. It has resulted in a threat to not only the well-being but, in some cases, the very lives of the people involved. I say that in all seriousness, because another thing has to be recognized, that in the case of any appeal mechanism, any legal mechanism that exists, that many of the individuals who are going to be subject to the cutoff are the poorest people in our society, people who have been abandoned by their spouse, people who are unemployed. There are increasing numbers as we see in this province due to the recession.

What concerns me -(interjection)- and I am not suggesting to the minister that Centra Gas be the welfare system. My concern, though, is when you have any appeal mechanism, that many of the people involved are the least likely to follow through on the appeal mechanism. Many people right now are not aware of their rights, for example, as tenants, many tenants, even within existing legislation.

I just had a meeting in my constituency with tenants, and that was one of the biggest concerns that took place. Many people, due to language difficulties where English is a second language, whether it be aboriginal people in many communities where English is a second language, or new Canadians, are not aware of their rights and are not in the position to be able to truly live up to that situation.

So any system that is based on rights, any system that is based on a legalistic appeal mechanism will leave some people out, and my concern is for the people who will be left out. My concern is for the people who, through no fault of their own, have fallen into hard financial times. My concern is for them and not to see the kind of incident arise that we saw a few years ago, those kinds of incidents that led to the ICG not having the right to cut off utilities. There will be some people who will say, and indeed they are correct, that Manitoba Hydro has the ability to cut off customers.

I can indicate from personal experience as a member of the Legislature for Thompson in the last 10 years, that I have had significant success—and I say this to the minister responsible for Hydro—I have had very good co-operation from people locally in Thompson where people fall on hard times, where they have not kept up their payments, where provisions have been made for progress payments. They have been very good. They have in some cases not gone ahead and cut off customers. They have reinstated customers. That, I believe, is in large part because of the fact that it is, indeed, a Crown corporation.

The Manitoba Hydro has an obligation that goes beyond simply making money for its shareholders. It has a social obligation as well and is concerned about its customers. I say that from personal experience, and I credit Bill Shanks and his staff in Thompson for being very open-minded in dealing with these kinds of situations. What concerns me when you deal with a private utility is that you do not have the same sense of social obligation. What concerns me, once again, is that can lead to decisions being based strictly on the bottom line, decisions being made without regard to the flexibility, decisions that could lead to some very serious situations developing.

We have heard throughout this debate the members on the other side talk about this. They have developed it. I noticed the Premier (Mr.

Filmon) yesterday in Question Period, when I asked him direct questions on seniors, was deflecting comments on specific actions of the government by referring to Bill 44. Indeed, there is a great deal of support for making sure that utilities do have the ability to collect overdue accounts. That indeed is a principle, but I do not think anyone is disagreeing with it.

\* (1520)

You know, Madam Deputy Speaker, we do have a responsibility as the Leader of the Opposition (Mr. Doer) pointed out, as legislators in this Legislature to look out for not only those concerns, but those who will be impacted in the other one. I say to members of this Legislature and I say to the minister that the vast majority of people who have run into arrears are people who have run into financial hard times, in many cases through no fault of their own, because of the economy, because of layoffs, because of being abandoned by their spouses.

These are individuals who are not deadbeats. Many of them work, tax-paying, bill-paying members of society before some unfortunate event happened. I say that because I am concerned there has been an attempt to turn this into a very black and white issue when it is really, as all issues are, one where there are many gray areas. There are many individuals who ask for nothing more than a fair chance to be able to clear their own debts in whatever utility, and that is what we have to accomplish.

I will be watching the presentations, Madam Deputy Speaker, in committee. I will be watching in terms of the specific clause-by-clause analysis of this bill, because I believe that this government in its rush to implement the principle, in its rush to satisfy Centra Gas, as much if not more to my mind, than the customers is implementing what is in the interests of Centra Gas, but is not necessarily in the interests of its customers to the same degree. I include those who pay their accounts on a regular basis, and I include in that those who pay their accounts on a late basis and those who do not pay it at all.

I say that, Madam Deputy Speaker, because this minister has a responsibility to provide the balance. I am concerned, and I will put those concerns on the record, that unless concern is put in place—and not strictly the appeal mechanism—I see some difficulties with that, because many people would

not be able to access it. If the whole situation in terms of what happened in Thompson with the deposits is not dealt with, there has to be some criteria not only for cutoffs, but also reinstatements.

What happens if someone is cut off in June and wishes to attempt to reinstate it and is willing to make payments towards that and the utility puts up barriers in terms of deposits, puts up barriers in terms of not accepting anything other than full payments, something Manitoba Hydro does not do? Manitoba Hydro will accept progress payments. They will accept arrangements made with their credit staff, and the minister is aware of that. That is -(interjection)- Indeed, and the minister says Manitoba Hydro has the right to cut off. Indeed, that is exactly what I said. I said that it has acted in a responsible manner, and I credited the staff of Manitoba Hydro.

Because it is a public utility, I think all of us would accept expect nothing less than that. -(interjection)- They say that if they have that ability—I am pointing to the case of the utility in Thompson—to cut people off 12 months a year, just cut someone off, took the money back and then told the woman she would not be able to have her propane gas rehooked up unless she paid a deposit, a deposit she did not have and a deposit that the Income Security department of the provincial government would not apply. Catch-22: the bill was paid off, Income Security had guaranteed payment on the bill for upcoming bills; and Stittco had said, no, they would not hook it up. I have tried to contact management people, and my office has been in the process of dealing with that.

The minister shakes her head like she does a lot of times. If she wants to deal with the specifics of this case, really I do not know why she has difficulty. This is a real live person who had her gas cut off. Does she have difficulty with that? Does she doubt the facts in that case?

The minister is constantly shaking her head, waving her hands at members who raise a legitimate point, Madam Deputy Speaker, and I grow rather frustrated with the fact that I raised this point with the minister and she apparently does not care about the people who are in that situation. She would rather wave her hands around. She would rather shout from her feet about pass this bill, pass this bill.

I am saying we are not going to pass any bill in this Legislature that could affect people who are in the situation that my constituent is, a woman who

was abandoned by her husband, left with the debts, tried her best to get her gas hooked up and was told that she could not have her gas hooked up unless she came up with this deposit, something that was physically impossible.

Is the minister going to pay for my constituent's deposit? Is the minister going to intervene personally to have the gas hooked up? No, she is not, but let her make sure that there are not more people like my constituent, a woman who has suffered only because of a marriage breakup. She is not a deadbeat. She is someone who wants only fairness and justice.

I get really frustrated with this minister, because I believe the minister has turned two deaf ears any time the opposition has spoken in this House. She may be sitting in her place, but I get very frustrated with the fact that when legitimate concerns are made this minister dismisses them. I realize that she is a new member of this House and a new minister, but I would point to some of her colleagues who have spent some time in this Legislature, to the member for Lakeside (Mr. Enns), who has spent time in government, in opposition—I believe, spent 16 of the last 25 years in opposition and regrets that—but a minister will know that he, and I have seen where he has had impact as a member of the opposition in terms of proposing amendments to bills, in terms of raising concerns. I point to the Minister of Highways and Transportation (Mr. Driedger) and the Minister of Northern Affairs (Mr. Downey), because I have seen cases where they have been opposition members and have expressed concerns about bills and have had those concerns dealt with.

They do not like opposition, Madam Deputy Speaker, and when I see what is happening in this province, I certainly regret that we are in opposition as well. We would much rather be in government, but whether you are in government or opposition there are contributions that can be made. That is what I am asking of the minister: not to dismiss out of hand or to shout from her seat, have you read the bill? I have read the bill. I have gone through it in a great deal of detail and I am concerned. I will predict now that if there is not some tightening up of the process and some consideration given for the kind of situation I have indicated, I can see difficulties developing in the next year or two.

If the minister trusts her legislative draftspeople, I can tell her from experience—I remember when our government would bring in bills and there were no

problems that we could see and within a session or two we had to make major revisions. This government in 1988 was elected, brought in its drinking and driving bill, and how many revisions were made? Three revisions, through no fault of the minister. It was drafting, perhaps the minister should have picked up the errors. Well, there is some dispute over whether there was some fault, but there are problems that will develop when you enter into a situation assuming your legislative draftspeople can take your intent and put it into law.

I am saying to the minister that there are problems now in the situation where they can have 12-month cutoff. I ask her to review that type of scenario. I am quite prepared to provide more detailed information on this particular constituent because I am working currently, at this very moment to try and get Stittco to agree to rehook up the gas and I believe they may change the policy. I am not critical in terms of Stittco. Some of the individuals who make those decisions were not around during that period. They are a small private utility. I believe they want to act in a socially responsible way. I want to make sure that the government insists that, that it is not assumed, Madam Deputy Speaker.

In conclusion, I want to say that certainly the intent is not a question here in terms of the bill, the basic principle. What is at issue is the degree to which that intent, that principle, will be implemented, and the other side being, Madam Deputy Speaker, whether it will impact on some of the most vulnerable people who, in many cases, are faced with those kinds of bills through no fault of their own.

I want to say to the minister that we look to that as much as we do to those presentations in favour of the bill. In fact, when we have public hearings, I fully expect that the vast majority of people will support the bill in terms of its principle, but many of the people who will be caught in this situation will not be there to state their case. Many people are reluctant to do so. Many people do not know the system. Many people are afraid to do so because of concern of how it might impact on them in the future.

We should be, as legislators, expressing their concern as well. They may not be a large number of people, but if as many as one person ends up being cut off, creating a threat to their well-being, indeed to their health—and I do not mean to use scare tactics, but it can be a life-threatening

situation. There have been examples where that has happened.

\* (1530)

I do not want us to be in the situation of having said, as legislators, that 1991 we made the mistake of passing the bill without properly considering all the ramifications of those individuals. I am not throwing that out as a scare tactic or a threat or anything of that nature, Madam Deputy Speaker. It is not a question of politics; it is a question of those people. If they would just take the time to talk to people, such as my constituent who sat in my office and said to me, what can I do? I have done my best to pay off the bill. I am only concerned about the welfare of my children.

If they cannot deal with that in direct terms, I ask to put themselves in her shoes. She does not want a free ride. She has no objections with Stittco doing its best to collect in terms of a bill that is legitimately owed. She just want her gas rehooked up. I do not want to see people in Winnipeg this winter and upcoming winters, Madam Deputy Speaker, in the same situation and have members of this Legislature have to say, well, we are sorry, we did not think about that when the bill was passed.

With those comments I turn the debate over, I know, to the member for Flin Flon (Mr. Storie) and I believe our critic will also have some comments as well. Thank you, Madam Deputy Speaker.

**Mr. Jack Penner (Emerson):** I am not going to take very much time, although when I listened to the member for Thompson (Mr. Ashton) use up the better part of an afternoon discussing one person's problems—and I agree they are problems, and I agree we all have constituents that do have periodic financial difficulties—I have to wonder if all of us would stand in the House here and so eloquently rave about the difficulties that each and every one of our constituents from time to time faces, I think we would spend probably the better part of our lives here discussing one bill, instead of trying to put through the House, in the most efficient manner, a bill such as Bill 44.

I would like to say, Madam Deputy Speaker, that Bill 44, I think, had to be brought forward in order to ensure that consumers across this province, regardless of whether they are gas consumers or whether they are customers of Centra Gas or whether they are consumers of any other commodity, in fact are not subjected to surcharges

such as were applied to gas customers in this province when others did not pay for a product that they had agreed to purchase and were supplied with.

I think you can go to virtually any other commodity for that matter. When you and I consume energy, be it in the form of kerosene to light a coal oil lamp in northern Manitoba or, for that matter, in my backyard, or whether we buy coal to heat our homes, when we take delivery of those commodities, in most cases you pay the piper before the load is dumped. In other words, you pay for the ton of coal before the coal man will deliver, you pay for the kerosene before you carry it out of the store.

However, in the case of natural gas, in the case of our telephone system, in the case of hydro and a number of other resources that we are so privileged to take part of and consume in this province, we are billed after we have in fact consumed the product. Therefore, it presents a very, very difficult situation for those companies or corporations that provide the service to our general public.

I would suggest to the honourable member for Thompson (Mr. Ashton) that if the concerns that he expresses were applied to all people equally, and if the principles that he espoused here today in this House were in fact carried out to all the people in this province, we would have everybody paying for everybody's car that they bought. Because somebody could not afford to make their payments or was not about to make their payments for whatever reason, we would then assume that nobody could make payments on anything that we were buying and therefore we would apply the principle of general sharing.

I believe that those kinds of principles have in fact been tried in countries such as the U.S.S.R. and many other socialist countries where everybody retains, supposedly, a form of equality and therefore contributes equally and everybody, of course, is supplied with benefits equally.

Now if you carry those principles far enough, then I would suggest to you, Madam Deputy Speaker, that there is absolutely no need for this bill. However, if you in fact assume that the general principles of privatization and the ability for people to make choices of what they want to prescribe to or be consumers of, be allowed to do so and be allowed to compensate those who provide the

services, then I would suggest that the principles of this bill are very, very timely and probably should have been put in place many years ago, although the members of the opposite side who were in government for a long period of time simply did not have the political fortitude to put in place legislation that would ensure that companies or individuals when they go into business had the right to expect those who require services or material from them could, in fact, be encouraged through this kind of legislation to pay their bills.

I have a great deal of sympathy for people the likes of whom the honourable member for Thompson (Mr. Ashton) talked about today, and I think we all have. We realize and probably know of people in society who are, from time to time, struck with poverty. Therefore, I would suggest that there be—and there is in this province—a system put in place that recognizes that. Government of course, and especially this government, has increased its budgets in specifically Family Services and Health and some of the other departments to ensure that those people who are struck with poverty are also able to pay their bills.

Therefore, there is absolutely no reason at all for the honourable member for Thompson to stand in this House and espouse that there needs to be recognition under this bill to ensure that we do not cut off services, because there is another method to ensure that Centra Gas and Manitoba Hydro and all the other corporations are, in fact, able to be paid for their services.

Madam Deputy Speaker, I just very briefly wanted to put those thoughts on the record to clarify where I stand on the comments made by the honourable member for Thompson. That, I think, clearly reflects the socialist thinking that has governed this province for the better part of the last 20 years. Therefore, we are in the throes of a financial dilemma, the likes of which the people of this province have never seen before, and I would suggest that if we had allowed those people on the opposite to continue to govern this province, we would be in the same kind of economic mess that Ontario finds itself in today.

I want to thank you for allowing me to stand here before you and say to you clearly that it is our intention to pass as quickly as possible into law, Bill 44, that will ensure that if and when individuals go into business and if corporations are forced through other legislations to supply services, that they be allowed to again ensure that if they are not fully

remunerated, they have the right to ensure that their service can no longer be applied. That is simply what this bill does.

I would stand by the honourable member and the Minister of Energy and Mines (Mr. Neufeld) to ensure his will is carried out and that this bill be passed quickly.

**Mr. Jerry Storie (Flin Flon):** Madam Deputy Speaker, some of the remarks put on the record by the member for Emerson—Rhineland—

**An Honourable Member:** Emerson.

**Mr. Storie:** —Emerson, I am sorry, the member for Emerson (Mr. Penner), Madam Deputy Speaker, I think were quite sympathetic to some of the issues that were raised by my colleague, certainly, that will be raised by myself and that have been raised by other colleagues.

\* (1540)

The fact of the matter is that a decision to discontinue this particular service, the provision of energy, is a serious one in a country such as ours, in a province such as ours. Now we know that there are some protections in this legislation, some protections for those residences between the months of October and May.

However, Madam Deputy Speaker, we still have some genuine concerns about those for whom a notice in the mailbox, a legal notice from the gas company, may not serve as adequate notice, may not be of sufficient notice to those individuals, those with serious mental illness, those who are disabled, those suffering from senility, disease, may not recognize the seriousness of correspondence from the gas company, whether the notice is followed to the letter of the law, whether all of the provisions of the law are followed or not.

Madam Deputy Speaker, I want to spend a minute talking about the circumstances that Centra Gas finds itself in. I also want to comment on some of the advertising as my colleague from Thompson (Mr. Ashton) did.

First of all, I think we have to recognize that Centra Gas is a profitable company. In 1989, Centra Gas made some \$9 million. In 1990, after tax, Centra Gas apparently made some \$5 million. Of course, no one would use that as an argument to say that those who can afford to pay their gas bills should not pay their gas bills. It also should not be suggested

that just because some people can pay their gas bills, that there are not exceptional circumstances.

Madam Deputy Speaker, I want the minister responsible -(interjection)- There is no system in the world where those who abuse a system do not force those who do not abuse the system to pay for it. None. The income tax system and we are talking to an accountant; the Minister of Energy and Mines (Mr. Neufeld) was an accountant. He knows that there are abuses of the income tax system and that honest tax filers pay for those abuses one way or another, either because our deficit mounts or governments go to the well again.

I want to just for the record and the Minister of Energy and Mines knows that he has participated in some of those scams in one way or another, legal scams, I want to emphasize.

**Hon. Harold Neufeld (Minister of Energy and Mines):** Schemes.

**Mr. Storie:** Schemes, I am sorry. The Minister of Energy and Mines says they are not scams. They are schemes. He is quite right. A scam is something that is illegal. A scheme is something that is dubious, but within the limits of the law.

I wanted to point out the fact that we are not dealing with a corporation that is suffering in any direct sense. They are a profitable company. They have made a considerable amount of money from a captive audience. Inter-City Gas, Centra Gas serves some 200,000 customers in the province of Manitoba. Those customers have no alternative in terms of gas. In many respects, certainly for many residential customers, they have alternatives, but they are not financially attractive alternatives certainly for many people at least.

Madam Deputy Speaker, I think members on this side would be certainly more supportive and more inclined to pass this legislation quickly if there was any degree of certainty that somehow giving Centra Gas the ability to collect from delinquent accounts would mean with some certainty a reduction in rate for the rest of the ratepayers in the province of Manitoba.

Madam Deputy Speaker, I do not think that is the case, and I also think it is fallacious for the First Minister (Mr. Filmon) or for Centra Gas to start suggesting that somehow our passing this legislation is going to mean savings for customers in the province of Manitoba. I think that is a fallacious argument, a spurious argument.

Madam Deputy Speaker, I tell you that because I know in the last several years, Centra Gas has applied to the PUB to increase its rate of return. In other words, right now I believe Centra Gas is nominally entitled to a rate of return of 13 percent. In fact, Centra Gas has applied to the PUB to have the rate of return increased, I believe it was to 15 percent.

So we have a corporation that believes that it is entitled on a monopoly basis to a rate of return of some 15 percent. Madam Deputy Speaker, what is going to happen with this extra money that is collected, in some cases from people who are destitute perhaps, people in very unfortunate circumstances, is not a reduction of rates for the seniors who were in the gallery yesterday. It is going to be an improved rate of return for ICG or for Centra Gas. That in all likelihood is what is going to happen as a result of passing this legislation.

Madam Deputy Speaker, the issue that is here more importantly perhaps for some is whether Centra Gas provided the service and whether they are entitled to payment. Certainly, if people are using a service, Centra Gas' or anybody else's, and they use those services willingly, then they are obliged, in my opinion, to pay for those services. What we want to do, and I think that is what has been said by members on this side, is to make sure that payment is done in a responsible way, in a way that does not jeopardize the financial health of any individual, that does not jeopardize the health, literally, of individuals, so we have to make sure that the legislation that we are contemplating introducing is workable, is manageable, is fair and is humane. I think that is a reasonable request.

Madam Deputy Speaker, I do not know offhand how many people have already indicated a willingness or a desire to come before our standing committee. The standing committee is going to review this legislation and speak to that issue, but certainly it is important that those who might be affected and those who represent those who might be affected make some presentations on this bill. I expect quite fully that groups like the Manitoba Society of Seniors, the anti-poverty coalition, Social Planning Council, other groups that normally represent people who are going to be most dramatically affected by this legislation may, in fact, be available to committee members for a review of this legislation.

Madam Deputy Speaker, the potential, as I suggested earlier, for leaving people who are incapacitated in one way or another in difficult straits has to be addressed in this bill. One of the things that I think has been indicated already to the minister responsible is that there will be some amendments to make sure that those who are multiply handicapped, those who are illiterate, those who are suffering from mental illness of one kind or another would have some sort of last resort. I do not know as of yet what that is going to be. I do know that the government in the legislation has made an effort to make sure that these kinds of protections are made, but it is not clear who is going to have responsibility, who is going to be the public trustee in the generic sense for these individuals, should the circumstances warrant.

So, Madam Deputy Speaker, when we look at the legislation where it provides, first, that the PUB can be approached for a reconnection order or a cease-and-desist order to the gas company when it intends to disconnect, the question that remains is, who is going to be responsible for ensuring that the people who should know, the people who need to know, know that this is possible? Who is going to make sure that this disabled person or this handicapped person or this senior who is struggling can access the PUB, knows that they have a final recourse to the Public Utilities Board and that the Public Utilities Board has the jurisdiction and the authority to stop any discontinuance?

\* (1550)

Madam Deputy Speaker, the terms that are provided in the bill are broad and they include ones that virtually, I am certain, every member of the Chamber would recognize as being important. They include: the likelihood of danger to life or health—obviously that can be interpreted in a number of ways—the likelihood of serious damage to property—they can consider the amount due and the amount owing—length of time that payment of the amount has been in default; the health and family circumstances of the occupant of the affected premises; financial circumstances of the person; nature, condition and usage of affected premises; and whether or not the owner has complied with the conditions precedent following the procedures required to be complied with and so forth.

The fact of the matter is, all of this begs the question of, will the person get to the Public Utilities Board? That is the question that we have to make

sure can be addressed either by staff at the Public Utilities Board or by agencies outside of the government, agencies that may in fact be dealing with some of these people, providing other services to some of these people. That is the question that we somehow have to address.

What I am saying is, it is fine to say we are going to have this final recourse for individuals, owners, whatever, to protect the health and property of individuals. Who is going to make sure that the process is understood by the people that might be affected?

Madam Deputy Speaker, that is something that is not addressed in the bill, and probably, quite rightly, cannot be addressed in this bill, but it is a question that needs to be answered. Legislation that is supposedly designed to protect someone which cannot be understood by or is not known by those whom it affects is really of no consequence.

It would be foolish for us to stand in the Chamber and say we are going to do all these wonderful things to protect those who are blind or deaf or who, for whatever reason, cannot interpret a notice from the gas company that they are subject to discontinuance. How are we going to make sure that the appeal procedure is meaningful?

So we have two questions: How do we know that they know they are in trouble? How do we make sure if they know they are in trouble they know that there is a process that can protect them and make sure that justice is served when it comes to heating their home, protecting their property or protecting their life and limb?

I think they are important questions and, from what we have seen thus far from the government, certainly if we witness what has happened only recently with respect to the Child and Family Services agencies, we are not at all sure that there are going to be people left out there who are going to be able to provide the kind of support some people might need to protect themselves from the actions of the gas company.

Madam Deputy Speaker, I do not know whether anyone said it yet, but we certainly recognize that someone has to be responsible. The introduction of this bill means that the minister responsible for this legislation is ultimately going to be responsible. The minister is going to have to satisfy herself that these questions can be answered. She is going to have to satisfy herself that this is not going to mean

that someone is going to be sacrificed so that Centra Gas can have that 10 or 12 or 15 percent rate of return, because that is what it is about. That is what it is about, not saving seniors \$10.

If the government was really interested in saving seniors \$10 it would have gotten involved in the negotiations between Centra Gas and the Western Gas Marketing agency. It would have saved the entire \$200,000 of natural gas consumers' money by using its authority and its power and its influence on Centra Gas when it was doing its negotiating. I understand that Centra Gas will be negotiating again, so we will see whether the government is changing its position when it comes to influencing the marketplace in whatever way it can.

Madam Deputy Speaker, I know that the Minister of Energy and Mines (Mr. Neufeld) and perhaps the Minister of Consumer and Corporate Affairs (Mrs. McIntosh) are not convinced that in fact the government does have influence with Centra Gas in its negotiations with gas suppliers. The fact of the matter is that in 1987 and 1988 the province of Manitoba did have some success, did have some success and saved natural gas consumers in the province something like \$26 million to \$28 million, significantly more than the \$10 million that the First Minister (Mr. Filmon) was talking about saving consumers as a result of this bill.

I will be the first one to say that the First Minister, nor the Minister of Consumer and Corporate Affairs, nor the Minister of Energy and Mines will be able to provide members of this legislature any evidence of savings as a result of this legislation.

They may have been able to if Centra Gas' rate of return had approached the maximum limit set by the Public Utilities Board, but since that has not happened, it is not the case, I think it is quite clear to everyone that any additional revenue that is gained by this, any additional default accounts that are cleaned up as a result of this, will be going toward the bottom line of Centra Gas and not to protect the interests of the other consumers that Centra Gas has so liberally advertised in the last few weeks.

\* (1600)

There is one other issue that remains in this bill that I think is quite interesting. I guess it leads to the question of why this legislation is necessary. I guess Centra Gas has several options when it comes to collecting delinquent accounts.

Obviously like any other corporation, any other entity, they can use the services of Small Claims Court, which is not an expensive venue to look after normally small debts, but they also have the courts.

(Mr. Speaker in the Chair)

I was just looking at a list of court judgments in the Business and Law Journal. If you just for a moment flip through the list, you would find that in many cases judgments were given against corporations, including judgments that were obtained by Centra Gas. For example, Centra Gas obtained a judgment against an individual for \$1,022. There are many of those. Centra Gas has options; they, like any other company, do not have to rely on the government introducing legislation to do this for them, to give them perhaps what would be considered in some circumstances, given that it is a monopoly, extraordinary power.

I think it is safe to say that most Manitobans would accept the principle that if you use it you should pay for it. I think certainly members on this side accept that principle. We want to know, however, that the circumstances surrounding the payment of what can be extremely large energy bills, in particular natural gas bills, particularly in the wintertime, do not become an excuse to harass or endanger people's lives or health. We want to make sure that does not happen. Finally, we want to ensure that whatever protections are supposedly going to be put in place through this legislation actually work and function in the manner in which we all hope that they will.

We are eager to make sure that this moves on to committee. We are eager to see what input there may be from the public, some of the consumers, some of those who may be affected, and we are eager to make sure that there are amendments to strengthen the protection of those weak, those who cannot always easily defend themselves in this process.

Those are my remarks. I know there are other people who want to remark, and I can assure you that the committee process should be quite interesting on this bill.

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, I am very pleased to rise today to address this bill and close debate. It is very important that this bill be sent to committee, so that it can be discussed and people can make representations to it.

I first wanted to indicate that, like most people, I have mixed reaction to this bill, both to the

introduction and to the contents of the bill, particularly unhappy about the timing under which it was introduced. This government has known now for all of its turn in office that this was a developing issue, and it chose to introduce the bill as late as May 15 of this year. Up until just over a month ago, no one in this House had seen that bill. For us to be expected to turn around, within a couple of weeks, and deal with the bill and expect that all the people in our caucus would have an opportunity to make a speech on the bill is expecting a little much; however, we have tried to shorten the time frame a bit and accommodate the government. I can tell you that there were more people, in our caucus of 20, who wished to speak to this bill and perhaps on third reading they will get an opportunity to do so.

I do want to say as well that this company, the gas company of Manitoba, is a profitable company, and you have to recognize that in the context of the current economy. It is quite remarkable that a company could be making a profit and adding to its retained earnings at a time when the country is in deep recession. The member for Rossmere (Mr. Neufeld) is an accountant, and I am sure that he will bear me out in that assertion, because I know of very few companies these days that are showing much in the way of an increase in retained earnings over last year.

In fact, Air Canada, as a good example, I suppose, of a Canadian company, is losing a million dollars per day. It lost in the first three months a hundred million dollars, which is better than a million dollars a day of this year. My information is that the balance sheet is getting worse rather than better, that the losses are continuing at a million dollars a day. In fact, Air Canada will be laying off staff in the next few weeks, as in fact will Canadian Airlines, who are also losing big money.

Major corporations in this country, in fact, North America, the auto makers, the airlines, sector by sector are losing big amounts of money in this recession.

What is the picture with regard to the gas company which is a monopoly company in this province? Well, let us look at their situation. The gas company made \$9 million after tax in 1989; in 1990, their statements just out a month ago indicate that they made \$5 million.

The reason they are able to make this kind of profit is that they have 200,000 captive customers in this

province who have nowhere to go to buy their gas, and they merely have to go to the Public Utilities Board.

It must be easy, you know, being an executive of the gas company when your job entails having to go to the Public Utilities Board two or three times a year to ask for rate increases. It seems like an awfully good job to have but, in essence, that appears to a lot of people in the public as to what the gas company does, because when a senior citizen in my constituency reads in the paper three times a year that the gas company is asking for an increase, he or she begins to ask questions and wonders what could be going on over at the gas company that they cannot project their needed revenues all that accurately.

Well, Mr. Speaker, I would say that if this bill passes, which I assume it will given the government majority in this House, the gas company should be told by the PUB to forgo next year's increase because what this bill is doing is helping to guarantee the profitability of the gas company. It is helping to guarantee that the gas company will make \$5 million or better in 1991, after tax when Air Canada has no such guarantee that it will stop losing its million dollars a day, and no other corporation has that guarantee. So the gas company is in a very, very privileged position in that regard.

So we would submit that if they are going to get this legislation, which is going to be a bit of a boost to their balance sheet because it will make it easier to keep their accounts current, then in fact the PUB should consider that and reflect that in their rate application, that perhaps a percentage or two should be allowed for and taken off the rate application.

I think that is justice because the gas company themselves when they went to the PUB last year and when they sent out those notices to people in January, made the case that the delinquent accounts were costing them X amount and such and such a percent of their revenues and that is why they had to have an increase commensurate with that increase. So if you can quantify the increase required, then I think we can also quantify the decrease required based on how effective this bill is in limiting the receivables.

So I look forward to the Public Utilities Board—perhaps Centra Gas themselves being a little more responsible and taking the initiative in this

matter, announcing to the public that because they have this new legislation in place and because it is saving them 2 percent, will voluntarily take a 2 percent—or whatever percent it turns out to be—off their rate increase for next year, and not leave it for the PUB to have to rollback their increase if, in fact, that is what happens.

\* (1610)

Now I want to deal with the gas company and how they have handled this affair because I do not think they have handled it all that well. The reason I say that is because they traumatized a lot of people in January of this year by sending out erroneous information in an insert in their gas bills in January—and you all know because you got this insert with your gas bill in January.

What it essentially did was misrepresent to the public, because it did two things. One, it separated out a \$10 a month fixed charge which has always been part of a citizen's gas bill. It has always been part of the bill, but it has never been billed separately. So what has happened is that as of January 1, the gas company decided to bill \$10 a month on the gas bill and represent it as part of the cost of collecting overdue accounts. That was a total misrepresentation and, in fact, it got them into a lot of trouble in the end. It backfired a bit on them.

I guess the reason it backfired is because there was a heightened sense that, in fact, people did not necessarily have to pay their gas bill because the gas company could not do anything to cut off the gas. That is the first mistake, as I see it, that the gas company embarked on. They felt by bringing out this new billing system in January that they could accentuate the need for this legislation by suggesting that somehow it was going to be a \$90 charge on each gas bill per year to cover the cost of collection of overdue accounts.

People misunderstood, and people thought that this \$10 that had always been part of their gas bill was now part of this collection. No one multiplied the \$10 by 12 to get \$120. No one did that. They just assumed that \$10 fee was there. Calls came in as a result of it. I think that was bad form on the part of the gas company.

The second part, the objection I had to the gas company's conduct was when they appeared before the PUB, they were forced to admit under questioning by myself and the chairperson of the PUB that in fact the \$90 was incorrect, that in fact

there was not a \$90 charge on everybody's gas bill in a year levied against overdue accounts, that in fact the cost of overdue accounts was running at about \$35.

Certainly that is probably substantial enough, and I would not dispute that. It is one thing to represent that \$90 is your true cost when, in fact, it is \$35. What the gas company was getting away with was a bit of a misrepresentation through this process, and I guess they thought they were somewhat successful working hand in glove with the government, but it did not work out quite that way.

What happened essentially, what developed eventually, was tantamount to a run on the bank. That happens when our financial institution is in trouble, or any company is in trouble, and the word gets out there in the marketplace that company is in trouble. People refuse to do business with that company because of those rumours, and it forces the company down even faster. So that when you hear that bank "So-and-so" is in trouble, even though they may not be, you run out and take your money out of the bank. That forces a bank, a financial institution that might be solvent, may be having some cash flow problems but may essentially be basically solvent, to be forced into bankruptcy.

That is what happened with the gas company, I believe, because when people out there tuned into Peter Warren and the other shows, radio shows, and listened to the publicity that surrounded this issue, some of them came to the conclusion that they were not in any danger of being cut off if they did not pay their gas bill. The result is that the arrears grew and so the problem has snowballed, and now that is a major reason why the bill has to be passed. It has become even more severe than it was before. It has become more severe because of misrepresenting, and outright lying, outright misrepresenting on the part of the gas company. There are no other words to describe it, but we have to deal with reality, we have to deal with what is in front of us at this time, and the situation has deteriorated and action has to be taken.

Now, I want to deal with some of the other aspects of this process because anybody who is in business for any length of time knows that there are always customers who, for one reason or another, do not pay their bills. There is a remedy for that. That remedy has been around for hundreds of years; that remedy is to go to the court system.

Since I have been here in the last five years, we have passed, I believe, twice, amendments to the small debts court procedures allowing for higher limits to allow people to take their case, businesses and individuals, to take their cases to small debts court to avoid the cost of lawyers and going through higher courts for higher limits. In fact, we raised it, I believe, to \$3,000 at one time from \$1,000. Then we went further and increased it to \$5,000 so that a company could proceed through the small debts court and make action, get a judgment against a nonpaying client for up to \$5,000 through the small debts court system. That is what I thought the small debts were all about: collecting these debts.

Now, I ask you: What has the gas company been doing? I know that on consultation with the Business and Law digest that they have been processing claims at a very, very large rate since January. Could it be that may have been nothing more than a public relations ploy that they started this stream of lawsuits in January to indicate how massive the problem was? Where were they in the collection process in terms of taking people to court in 1988? Where were they in '89? Where were they in 1990?

I would like to be assured that the gas company has been making an honest effort to take their delinquent accounts to court through the small debts system over the last three or four years, or did they just let them pile up? Did they let the bills pile up to such an extent that it became a huge, onerous burden on them? This is a question that I do not have an answer to. I do not know whether they did or they did not, but certainly the management over there has to assume some responsibility for that buildup.

When a client was \$500 overdue, maybe that is the time they should have taken the client to court. Why did they let the restaurant on Sherbrook Street get up to \$9,000 when they took them to court? Why did they do that? That is what you should be asking the gas company. Why do you not ask the gas company that?

When I look in this book I expect to see small claims. I expect to see \$1,000, I expect to see \$1,400, because that is reasonable. When a person gets that far behind, that is the time you start taking action in small debts court. When I start seeing claims for Centra Gas of \$9,000 and \$15,000, I wonder who is asleep at the switch over there? Who makes the decision when these people

go to court, or did they just assume that, oh, well, let us just let it build up, Gary will take care of us as soon as he gets that big majority of his, you know, bingo, he has promised us legislation will come forward, we can let these bills go as high as possible, let them go to \$15,000.

Then when it became unclear that this majority was going to be able to pass this legislation, I think the gas company started to say, whoa, we cannot wait for these unreliable partners that we have here, because they have not kept their share of the bargain yet. We have been waiting on them, and they are unreliable and therefore, on that basis, we are going to start initiating action. That is why we see \$9,000 small debts claims here being taken against companies that in fact may never pay these debts.

\* (1620)

Why do I say that? Because I know of one right here in the book today, where the gas company is suing this particular company for \$1,700. Now that may not seem like a big amount of money, \$1,700, but what is material in this case is that in the same book the Royal Bank is suing this guy for \$45,000. What does that tell you? That tells you, because of the bad economy right now or bad management or whatever, this company is in big trouble, and they are not going to pay the gas company because they are not paying the Royal Bank, and they probably are not paying Visa, and they probably are not paying anybody. Right?

So you cannot make the assumption that somehow people have just somehow picked on the gas company. You know, there may be an element of that, but I think we have to look and address the underlying cause, which is the whole economy in general, the fact that people are suffering out there, businesses are suffering out there and people are trying to make do with an awful lot less, and they are trying to pay their bills. The income is not coming in, the business is not as vibrant as it was up until 1986-87. I know there are those of you on the opposite side who can attest to that, you know, that business is just not as good as it was three or four years ago.

Regardless of the causes, the recession and so on, the economy is just not there. People are having trouble paying their bills. The gas company should have embarked sooner with a plan to get the people processed in terms of small debts court and

sue them at smaller amounts, at \$500 rather than letting it get up to \$9,000. Nobody can tell me that restaurant on Sherbrook Street is going to be able to pay that \$9,000. They will be able to get all the judgments they want, but they are not going to be able to pay. If they have let it go this long, I would suggest to you that there are probably deeper problems. With other people, that may not be a big problem.

The question is, if the Small Claims Court system does not work, then why do we not revamp that system? After all, if that system does not work, then what else have we got? Is that what the gas company is telling us? Are they telling us that the small claims system does not work? Are they saying that they cannot file statements of claim, because they sure are doing that? Are they saying that they cannot get judgments? They have been getting judgments. They are getting lots of judgments, and surely that is causing people to pay their bills. Are they also saying they cannot collect the judgments, because if once they get the judgment, most people will pay? Even then, some of them will not pay, and they have to send out bailiffs and so on and garnishee wages and seize bank accounts and so on. Are they saying even when they go through that process, they cannot collect them? I find that very hard to believe.

Another element of this whole saga has to do with the fact that people do not like being sued to start with. First of all, a lot of people are bothered by bills and debt to begin with. They do not like owing anybody any money. I submit to you that most people are like that. Those people who do owe people money tend to come forward themselves and offer to make some kind of accommodations as to payment terms and so on. So we are dealing with diminishing amounts of people here.

There are fewer people yet who simply allow it to go further, and they still do not pay it. Before the Small Claims Court issues its paperwork and its writs, they will pay up because they do not want their names in this little book, because they know Peter Warren reads this little book. What does Peter Warren do with it? He sits there and spends hours reading the names of delinquent accounts out of it, because it is part of a public record. Once it gets to Peter Warren, it is open for everybody.

People, I am saying, are motivated by that. They are motivated to settle these claims before they get that far. Once they get to that stage and they get to

the claim procedure, then they can go to court and dispute it. After the dispute, what can happen is a judgment will be obtained by the company.

Once they get a judgment, people know that the next thing they have is a bailiff on their door. If they do not pay, they are going to have garnishee action against their wages, which means their employer is going to find out about this. They are going to have a bailiff at their door seizing property, in which case their neighbours are going to find out about it. They are going to have no end of trouble dealing with the bailiff. Now who would want to deal with that situation? Tell me.

I see what is happening here are people that just cannot pay these bills. That will be the largest group of people in this group of people that we are talking about.

I have said all along that we were supporting this legislation reluctantly and with amendments.

**An Honourable Member:** You are supporting this?

**Mr. Maloway:** That is right. We have several amendments that we are planning to introduce that we consider important, and we are hoping that the government will consider them -(interjection)- Well, you know, the minister of—I forget what he is in charge of now but the Minister of Housing—

**An Honourable Member:** You have never been in charge of anything.

**Mr. Maloway:** —is wanting to know what the amendments are about.

The amendments were announced in the press quite a while back, in fact I think it was on May 15. It was the same day that the government finally got around to introducing the bill that they sat on for the last three years. Finally, after May 15, three years after the fact, they introduced this bill and the next day, for the information of the member for Riel (Mr. Ducharme), I had already announced the amendments. The next day, so that is quick action by anybody's standards.

If you want to know what the amendments are, I guess I can tell you a bit about them now and others you will have to wait until the committee hearings. Certainly, we want some provision put in the bill to allow for people who dispute their bill. There is nothing in the bill or the regulations that I can see that allows for a—if there is a disagreement as to what the amount of the bill is because people will know that companies sometimes will bill for a

product or a service and there is a dispute as to what the amount of the bill will be. It may be just an error in the bill, that the bill may, in fact, be billed out for \$500 but it was only a \$300 service or a \$300 product.

**Mr. Speaker,** I am having a little bit of trouble hearing anything here because the minister of—

**An Honourable Member:** The minister responsible for Parking Spots.

**Mr. Maloway:** —the minister responsible for public services, and my parking spot, is prone to make a lot of noise. I do not know—I cannot understand any of it. All I know is that it is very distracting -(interjection)- now he says it is my former parking spot. At the price I pay for that parking spot he can have it back.

The minister asked me a question. He asked me what the amendments were. I am trying to tell him what the amendments are and ever since I have started to try to tell him, he has been making a real rucus over there. I do not think he has heard a word. I am running out of time so I do not know what to do. Does he want to hear or does he not want to hear?

\*(1630)

Anyway, I do have some questions here about the staff requirements that are going to be added to the bill. The minister has indicated she would check that out for me. My understanding is that the utility pays for the whole cost of the Public Utilities Board hearings. So if it is a Hydro hearing, Hydro picks up the cost. If it is a telephone hearing, they pick up the costs. So it would seem logical to me that if it is a gas company hearing, that the gas company would pick up the costs of the hearing, which I think would cover the costs of the two people who are going to be hired. I am trying to get the minister's attention but I am having some difficulty doing that. The minister was going to get back to me to tell whether or not the two new staff that were going to be hired were going to be paid for by the gas company or the ratepayers were going to pay for them. We did not want that to happen.

Can the minister confirm that the gas company will be paying for those two people? She has nodded her agreement with that. That meets with our approval on that score, then, that the gas company will pay for two people to adjudicate the appeal process, which is, in fact, part of the process here and is basically doing part of the gas company's job for them.

Another amendment that we were interested in broaching now that the minister has quieted down is a requirement that the Public Utilities Board act immediately in the case of a life-or-death situation, because it is open ended in the current regulations. There is no closed, definite period there, and we would like to put in an amendment that in a case of life-or-death situation that the board be required to act summarily, immediately, and that they be allowed no more than 30 days maximum. We would hope they could process them quicker than that, but at least no more than 30 days in all other cases, because currently it is open ended and we would not want to see them blaming the backlog on their taking three months or four months, and saying that, well, we cannot cut it down any less because we do not have enough staff. So we want them to be able to do these things within 30 days.

There is also a very large concern in our caucus about the position of disabled people, of homeless people, of blind people, of deaf people, people with any disabilities, because not everybody reads the papers, not everybody in this province is aware of what is going on. We would not want to see a situation—I know the minister claims that there are good procedures put in place, and the fact of the matter is that if all the procedures were in place, the space shuttle would not have blown up three or four years ago, too.

We have to guard against that call it one in a million if you will, but none of us want to have it on our heads, the fact that one person could die because there was no heat in the wintertime because the heat was cut off. So we want to make certain that the gas company goes to all ends, all efforts to convince the PUB that it has, in fact, gone to see the people to account for the fact that there are disabled people out there, there are blind people, there are deaf people, there are homeless people, and that no gas will be cut off unless the person is communicated with and they understand what it is that is happening to them. There you will be looking at a very, very small percentage of the total.

The vast majority of these claims will be taken care of in the normal process whereby the cancellation of the service will usher in a desire to solve the settlement of the dispute and the monies will be paid.

Mr. Speaker, I want to conclude—and our Whip has indicated that I have an unlimited time here, but

I would not want to get the minister to take away any more of my amenities. Now that my parking lot is history, goodness knows what else he has control over around here.

He certainly has not been able to do anything about lemon law in the last three years. As the opposition critic for Consumer and Corporate Affairs, it was embarrassing to listen to him make all two or three speeches in two years on lemon law, and when they got in government, they will not even recognize that he was the critic. They do not even recognize that he was the critic. They do not even want to remember that he was there. Who is he, they ask, lemon law, what is lemon law all about?

He obviously did not make a very good impression on them, but we are trying to correct that, Mr. Speaker, and since he could not force his government to bring in lemon law, we are hoping that we can do what he could not do. Because sometimes there are advantages to being over here as this government will soon find out.

#### Point of Order

**Hon. Gerald Ducharme (Minister of Government Services):** A point of order, Mr. Speaker, to the member across the way, yes, I did support a lemon law but I have sold my Audi since then.

**Mr. Speaker:** Order, please. The honourable minister does not have a point of order.

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**Mr. Maloway:** You had one, did you?

**Mr. Ducharme:** I sold it.

**Mr. Speaker:** Has the honourable member for Elmwood (Mr. Maloway) concluded his remarks?

**Mr. Maloway:** Yes.

**Hon. Linda McIntosh (Minister of Co-operative, Consumer and Corporate Affairs):** Mr. Speaker, I am delighted to be able to rise and close debate on second reading of Bill 44; and, no, to the member for Thompson (Mr. Ashton), I do not intend to filibuster this bill. I will attempt to make my comments brief and succinct and look forward to dialogue and questions and exchange of ideas during the committee stage.

I think, Mr. Speaker, that the opposition and the government are not so far apart on this bill as the debate so far would lead us to conclude. The assumption made by some of the members

opposite, indeed the assumption perhaps made by all of the members opposite, in speaking on this bill, that we are not concerned about the individual who may have a genuine inability to pay, who may be in dire circumstances, that we are not concerned about that individual is a fallacy because we are indeed very concerned about that individual.

That is why it took us three months to put the legislation together to revise, revise and revise again, to attempt to meet many of the concerns identified by members opposite in terms not only of fairness to those good-paying customers who pay their bills on time, but in terms of protection to those unfortunate individuals who may be having extreme difficulty trying to meet their bills and their debts.

So I think we are coming from a similar premise and do believe as well that many of the concerns that have been raised will be answered quite satisfactorily in committee, and that members opposite will feel a sense of relief that those concerns they have correctly identified as being valid have in fact been covered by the many aspects of this bill.

I would like to indicate in terms of the repeated comments about timing on the bill which I appreciate. I, too, would have loved to have had the bill in prior to May 15. The fact is, however, the bill was available for reading on May 15 and a personal invitation was extended to both critics to go through the bill clause by clause on May 17. One critic came and did that. Another felt that he knew the bill well enough to not have to do that. Presuming, of course, that he knew the bill well enough to not have to do that, I am puzzled that they required the amount of time they did to go through it.

Having said that, I would just like to make a few comments about the bill itself. There is one basic thing to remember about this legislation, Mr. Speaker. It is a fairly easy thing to remember. It is the basic principle and premise behind everything else in this bill, and that is this: When in doubt as to the safety of any individual, the gas will remain on or be turned back on if it is approaching the fall and over the course of the summer the individual has not been able to make satisfactory arrangements for repayment.

I think it is an important little phrase to remember: When in doubt, the gas will be left on or turned on. That decision, of course, will be made by the Public Utilities Board which, according to this act, will have

authority to order the gas company in terms of whether the gas be on or off.

I would like to thank the members who spoke on this bill for their thoughtful comments, and for those who made sincere efforts to ensure that the objectives of Bill 44 are carried out.

\* (1640)

**An Honourable Member:** I would not go that far.

**Mrs. McIntosh:** Well, I am thanking them for the thoughtful comments, not for the others.

I was concerned, Mr. Speaker, by a number of the comments made in the bill that seemed to cast some doubt on the ability of the Public Utilities Board. I would caution members opposite to be aware that when they criticize, for example the profitability of Centra Gas and things of that nature, that those matters have been fully reviewed by the Public Utilities Board and were approved by the Board as not being contrary to the public interest.

In criticizing those aspects that were criticized, the opposition may have thought they were having the sheer unmitigated pleasure of criticizing me or my government, but they were in fact criticizing the Public Utilities Board, which operates and has a history of operating in a fair and impartial manner to assure fair rates to both consumer and business and to concern themselves with security of supply at the same time.

With regard to Centra's cash flow, Mr. Speaker, it is important to realize that 96 percent of that revenue is required to cover the company's operating costs. The \$200 million, which is an awful lot of money, and while it is an awful lot of money, it is unfair to make it sound that because that is the level of their cash flow, the government is somehow giving them favourable treatment in relation to others in our society.

The member for Wellington (Ms. Barrett) had referred to this point quite vehemently in her address. I would like to point out to the member for Wellington that the net income of Centra Gas rose from \$3.6 million to \$8.9 million from 1987 to 1988 during the administration of her government. It fell from \$10.1 million to \$4.1 million between 1989 and 1990. If you are wanting to put a political spin on those numbers, which I do not think is a wise or responsible thing to do, but if you are wanting to put a political spin on them, then it would seem to me logical to put the spin on the side of the argument that would benefit your position most. The spin that

was put on by the member for Wellington (Ms. Barrett) makes it clearly the NDP who favoured Centra Gas, and that is not the case, they say.

The net income of Centra Gas is subject, firstly, to the control of the Public Utilities Board, not the party that happens to be in power. I am sure the NDP is very relieved about that when they look at a change in income from \$3 million to \$8 million during their tenure, the two years during their tenure, and a fall from \$10 million to \$4 million during two years of our tenure.

It is not just the Public Utilities Board, of course; it is also subject to the weather, cost factors and other things beyond the control of the company, the Public Utilities Board or the government for that matter. It is important for all members to realize that the Public Utilities Board controls the allowed equity return on rate base. Whether or not the company actually earns that return is an entirely different question.

For example, Mr. Speaker, from 1986 to 1990, during those years of NDP administration, the allowed return from the Public Utilities Board was as follows: 14.1 percent, 13.3 percent, 13.3 percent, 13.0 percent, and 13.0 percent, respectively; in contrast, the actual return equity was as follows: 9.5 percent, 6.1 percent, 13.1 percent, 12.6 percent and 4.6 percent, respectively.

I think members opposite should be very careful when they are discussing this topic to ensure they realize that the company may or may not achieve the rate of return allowed by the Public Utilities Board. There are many other points raised by the variety of speakers from the other side. I appreciate having heard them, and I look forward to discussing them in detail with great attention to specifics during our time in committee.

In short, Mr. Speaker, and in summing up, I would refer back to the point with which I started my speech this afternoon, and that is to indicate that this bill attempts to have two components: fairness and protection. Fairness to those good bill-paying customers who pay their bills on time, and protection for those unfortunate individuals who, through no fault of their own, are having great difficulty attempting to meet their debts.

That concludes my debate at this time. I recommend Bill 44 to committee and ask the members to support its passage. I look forward to

detailed discussion on the many topics raised during debate when we get into committee, Mr. Speaker.

**Mr. Speaker:** Is the House ready for the question? The question before the House, second reading of Bill 44, The Public Utilities Board Amendment Act; Loi modifiant la Loi sur la Régie des services publics. Is it the pleasure of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed and so ordered.

#### **Bill 40—The Education Administration Amendment Act**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, would you call Bill 40 at this time, please.

**Mr. Speaker:** On the proposed motion of the honourable Minister of Education (Mr. Derkach), Bill 40, 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). Stand?

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave that this matter remain standing? Leave? Agreed.

#### **Bill 41—The Public Schools Amendment Act (2)**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, would you call Bills 41 and 42.

**Mr. Speaker:** On the proposed motion of the honourable Minister of Education (Mr. Derkach), Bill 41, The Public Schools Amendment Act (2); Loi no 2 modifiant la Loi sur les écoles publiques, standing in the name of the honourable member for Thompson (Mr. Ashton). Stand?

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave that this matter remain standing? Leave? Agreed.

#### **Bill 42—The Public Schools Finance Board Amendment Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Education (Mr. Derkach), Bill 42, The Public Schools Finance Board Amendment Act; Loi modifiant la Loi sur la Commission des finances des écoles publiques, standing in the name

of the honourable member for Flin Flon (Mr. Storie).  
Stand?

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave that this matter remain standing? Leave? Agreed.

### **Bill 35—The City of Winnipeg Amendment Act**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, would you call Bill 35.

**Mr. Speaker:** On the proposed motion of the honourable Minister of Urban Affairs (Mr. Ernst), Bill 35, The City of Winnipeg Amendment Act; Loi modifiant la Loi sur la Ville de Winnipeg, standing in the name of the honourable member for Wolseley (Ms. Friesen). Stand?

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave that this matter remain standing? Leave? Agreed.

### **Bill 49—The Colleges and Consequential Amendments Act**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, would you call Bill 49.

**Mr. Speaker:** On the proposed motion of the honourable Minister of Education and Training (Mr. Derkach), Bill 49, The Colleges and Consequential Amendments Act; Loi sur les collèges et modifiant diverses dispositions législatives, standing in the name of the honourable member for Dauphin (Mr. Plohman). Stand?

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave that this matter remain standing? Leave? Agreed.

### **Bill 59—The Workers Compensation Amendment and Consequential Amendments Act**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, would you call Bill 59.

**Mr. Speaker:** On the proposed motion of the honourable Minister responsible for the Workers Compensation Act (Mr. Praznik), Bill 59, The Workers Compensation Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les accidents du travail et diverses dispositions législatives, standing in the name of the

honourable member for Thompson (Mr. Ashton).  
Stand?

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave that this matter remain standing? Leave? Agreed.

\* (1650)

### **Bill 70—The Public Sector Compensation Management Act**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, would you call Bill 70.

**Mr. Speaker:** On the proposed motion of the honourable Minister of Finance (Mr. Manness), Bill 70, The Public Sector Compensation Management Act; Loi sur la gestion des salaires du secteur public.

**Mr. Steve Ashton (Thompson):** I appreciate the opportunity—well, I notice the minister is talking about getting one's members in here. It would be interesting if he tries to pull another quorum call. It would be interesting to see him do it on this particular bill, thereby delaying it, assisting the opposition in fighting this unjust piece of legislation. Mr. Speaker, if the Minister of Northern Affairs (Mr. Downey) wants to use his extensive knowledge of parliamentary tactics to assist us in the opposition, we will work with him anytime.

Mr. Speaker, I really think the Minister of Northern Affairs and other members should recognize the importance of this particular bill and what has happened. What I fully anticipate will happen tomorrow, and I hope each and every member of the government caucus will take the time, particularly the Minister of Labour (Mr. Praznik), to attend a rally that has been organized and been announced publicly.

If members are not aware of it, all the public servants who have a few concerns to express about Bill 70—I invite members, and I invite particularly the Minister of Labour and other members of the government caucus, who not only have attempted to say this is wise public policy, which we dispute, we are now saying that it is also what is being called for and is in the best interests of people who are employed in the public sector.

(Mr. Ben Sveinson, Acting Speaker, in the Chair)

I want to say, Mr. Acting Speaker, to the Minister of Labour and others, I invite them to attend the demonstration that will be taking place tomorrow, the rally that will be taking place, and ask the public

servants of this province, the public sector, ask them directly. I will be interested to see who speaks representing the government, if anyone, because the government, I know in the case of some demonstrations at this building, in the case of the demonstrations of the university students, did not choose to do anything other than that particular case—send out the member for Lakeside (Mr. Enns) and then not deal with the issue.

Mr. Acting Speaker, while the Minister of Education (Mr. Derkach) did not address the rally, I was making reference to that, I would hope in this particular case that the Minister of Finance (Mr. Manness) as the person who has moved this bill or the Minister of Labour (Mr. Praznik) who has been running around enthusiastically supporting this attack on Manitoba workers, I would like to see one or both of them face the people, look them square in the eye—the people who are going to be affected by this particular bill—because, you know, one of the problems about this building is the bunker mentality that besets governments of all political stripes, the bunker mentality.

People get holed up in this building—and I notice the Minister of Education (Mr. Derkach) across the floor, to the member for Flin Flon (Mr. Storie), was saying, well, they will sit here as long as is necessary in the summer. They are here anyway. That is part of the problem. Part of the problem is that this government has lost track of what is happening beyond—I am surprised I thought it was just the perimeter highway—I think the perimeter for this government is the driveway around the building of this Legislature.

They quite seriously have not got a sense of what is happening on that. We saw that earlier in Question Period on a very important matter to residents of a number of northern communities in which the Northern Affairs minister indicated he was not aware of the situation. I was very surprised at that.

We are saying this in this particular case in that we have people making decisions purporting to speak for the public servants of this province and yet never have made the effort to do so. That is why I, in my last comments, challenged the Minister of Labour, and I will challenge the Minister of Finance, to debate with me. Since they feel they speak for public servants, we will invite the 48,000 Manitobans and their families who have been affected by this particular piece of legislation. We

can have a debate in the Convention Centre to make sure—I would say we would probably need the arena, Mr. Acting Speaker.

I am quite willing to put my case and the case of the New Democratic Party with its strong support of the collective bargaining process and fairness for Manitoba workers. I am quite willing to allow the ministers that I have mentioned to have the equal opportunity to put forward their case for Bill 70 that takes away those rights of collective bargaining. I am quite willing to listen to what the people that they say they speak for, the public sector workers, what they will respond to this government.

I say, Mr. Acting Speaker, it should not take much for anyone outside of this government, bunkered in this building as it is, to understand what is going on out there and just how upset people are. If they doubt that, they can talk not just to the civil servants, they can talk to people working with MTS and Hydro. They can talk—with the chaos they have created in many bargaining units where some people are covered and other people are not covered, if they would bother to get out of this building, they will see the difference.

I will predict that the warnings from this side, the constant prodding we make to this government, the constant reminder we give to this government that they are indeed becoming an arrogant government as we saw earlier in Question Period when they bring in reports. In this particular case, a report on the environment that was not tabled in this House first. It was brought in by way of a news release and was not available to members of this House until after Question Period.

They are doing the same thing with Bill 70, Mr. Acting Speaker, because they are not recognizing the reality of what they are doing. They are living in a fantasy world, the fantasy garden world you might say, given some of the revelations that have taken place in terms of political favouritism, it seems that those are well connected to the Conservative Party. Certain individuals benefit significantly, but that is the problem. They are living in a fantasy garden world. They do not understand what is going on outside of this building.

They do not understand the implications of Bill 70. Bill 70, as I pointed out when I last spoke—and I notice the Minister of Labour (Mr. Praznik) and the Minister of Finance (Mr. Manness) engaged in some discussion in this House, and I hope that they are

trying to explain to each other their differing interpretations of the bill.

Perhaps the Minister of Finance who drafted it, perhaps the Minister of Labour who said he was involved in the committee that did it, would explain to each other how we have received such conflicting statements from them in terms of the impact of the bill. The Minister of Finance who says this is going to be a one year freeze, period. The Minister of Labour who said, well we can bring in another extension if necessary. Well, that is not what the Minister of Finance said. He said it would require other legislation, and I notice they are engaged in some discussion, Mr. Acting Speaker.

I hope they will use their time in this House, they will use their time to explain their own contradictions, and I also hope they will use their time to develop some sort of strategy. They are the masters of media manipulation, Mr. Acting Speaker, to explain to the people of Manitoba why the bill says one thing, the Minister of Labour says another, the Minister of Finance says something altogether differently.

I say to you, Mr. Acting Speaker, if the intent of this bill is that is a one-year freeze and a one-year freeze only, let it say so clearly. Let the minister amend the bill, because that is not what it says if you read the various sections in this bill. The powers of this bill are very broad. It needs to be made absolutely clear. It cannot be made clear through a legal interpretation, which I do credit the minister for tabling in the House from E. W. Olson, a lawyer with Thompson Dorfman Sweatman, which dealt with that issue and also the question of the application to the private sector.

We need for the courts, not legal opinions from lawyers, we need proper legislation. The same thing applies in terms of the application of this bill to the private sector. For every legal opinion this minister can table in this House saying it does not apply to the private sector, there have been other legal opinions. I know I have talked to a number of the individuals who are involved very directly in bargaining, a number of representatives of different unions, they have legal opinions from their lawyers indicating that it could be applied to the private sector.

\* (1700)

If the minister would care to read this document which was tabled in the Legislature, Mr. Acting Speaker, I think he would see within the wording of

his own legal opinion, addressed to him dated June 14, 1991, the kind of vagueness, the kind of open-ended powers that the government has given itself as part of this bill. It says, and I want to specifically quote from this to give the minister some indication of the fact that this legal opinion does not suffice to give a clear assurance to Manitoba workers. This does not apply to the private sector, it could not go beyond that, and it says: The scope of the act is determined by the combined operation of the definitions applying to the collective agreement and employer. Those definitions, as well as other references, clearly confine the operation of the act to the public sector.

Well, I would point out, Mr. Acting Speaker, that the only time there is a reference to the public sector in the bill is in the form of the title. There may be indirect references later on but nowhere is the public sector clearly and concisely defined. It goes on to say in the act, the title of the act could be used to properly determine the scope intended and is self-evident, it includes the words "the public sector."

But the definition section does not, Mr. Acting Speaker. There is no definition. Other items are defined, but there is no definition in the bill for the concept of the public sector. It is addressed in terms of the rest of the body of this document that in the opinion of this drafter that this could not or would not be used. The bottom line is if one reads that or the section in terms of the one year, it takes a great deal of interpretation. There are five points listed by way of direct and indirect interpretation to say that this does not apply to the private sector.

Why does it not define what the private sector and the public sector are specifically? Not one of these rationales used in the legal opinion addresses the question of definition. It says, the title says this; it does not define what that is. I have received calls from people who are saying, what do you do about individuals who are involved with contracted out work, for example? Doing work that was previously done by public sector employees, are they involved? Are they receiving direct payment from the government? How do you deal with those kinds of inconsistencies?

I point again in terms of extension one year. I point once again, if one reads the rationale, the six points, indeed the government's lawyer is now saying, well, the intent is here, the intent is here. I say to the minister that intent is not good enough when it comes to drafting of legislation. I have seen

enough bills where the intent has been positive, Mr. Acting Speaker, where the actual effect of the bill within a session or two has been shown to be quite contrary to that.

This legal opinion does nothing to quash my fears or fears of others. This is very clear to my mind. I will just quote the kind of terminology because there is a specific quote here: "Any regulation passed pursuant to 9(1)(b) in the future, attempting to extend the scope of the Act into the private sector, would likely be beyond the policy and object of the statute." I want to quote very clearly what it says, "would likely be beyond the policy and object of the statute." Not would definitely, not would categorically, but would likely.

So, Mr. Acting Speaker, I do not think it is too much to ask that legislation, if the intent is clear in the minister's own mind and I am not sure if it is clear in this communication back and forth from the Minister of Labour (Mr. Praznik) and the Minister of Finance (Mr. Manness). If the intent is clear, why not put it in the legislation?

To the Minister of Finance: Why is he relying on a legal opinion that says, would likely be beyond the policy and object of the statute? Why not state clearly in the act that it is beyond the policy? Why rely on legal opinions when, in fact, there are contradictory legal opinions, and I have discussed this with a number of labour lawyers who have indicated to me they believe this act could be extended to the private sector. They believe it could be extended beyond the one-year period.

If that is the case, let us see some certainty and I look to the minister. I look to the opportunity when we do eventually get into second reading, Mr. Acting Speaker, to have some serious debate on amendments to this bill. I want to indicate my own concern that this government, which for the last couple of years had a minority status in the Legislature, were quite willing to deal with amendments. They had to. The opposition had the power to pass amendments. The opposition did pass amendments.

I have been quite concerned that on a number of bills in this session the ministers have said, before the public hearings, Bill 38 being an example, that they will not listen to any amendments. I ask the Minister of Finance (Mr. Manness) not to follow that course.

**An Honourable Member:** I wonder if the honourable member would submit to a question.

**Mr. Ashton:** I would be glad, at the end of my comments, to submit to a question, Mr. Acting Speaker. I am debating on unlimited time here, but I am sure that there will be leave available to allow the member to ask a question, as is the custom of the House.

I just want to indicate that I would not suggest the minister stay in his seat in anticipation of that happening in the immediate future. It may be a little bit longer than the minister might anticipate. I do appreciate the minister's question.

I was addressing a point in terms of amendments, and I was specifically referencing Bill 70 because I would like to see from this minister a clear commitment to an open mind in terms of amendments, to listening to members of the public, to listening to members of the opposition. I would like to see further than that, Mr. Acting Speaker, to specific amendments.

Regardless of what the principle of the bill is, and I do not agree with the principle of the bill. Our caucus does not agree with the principle of the bill. Even a bad bill in principle can be made substantially worse by poor drafting, by poor policy decisions made by a government. This is a horrendous bill. By amendment, this government could make it a disastrous bill. They could improve it by one category of destructive nature, but it would at least give some certainty. They have created a sense of chaos in terms of collective bargaining in this province, a sense of chaos.

I am receiving calls on almost a daily basis from individuals involved with collective bargaining. They are saying that they have no clear idea what this bill means. They have discussed it. They have discussed it with their lawyers. They have discussed it with their membership. They phone me as the opposition critic, and I have said even I do not know because I do not know what the government intent is in a lot of these areas. I do not know whether I should believe what I read. I do not know whether I should believe what I hear in the case of this government. I do not know if I should believe what I hear on one day or whether I should believe what I hear on the other day.

There is a whole sense of chaos out there with people not having a clear sense of what their position is. I mentioned this on Friday and I say this

to the Minister of Finance (Mr. Manness). It is these broader questions—the application to the private sector and the twelve-month bill, Mr. Acting Speaker. Indeed, we will get to committee, I am sure.

I will predict that when we get into committee, Mr. Acting Speaker, the minister might find that he will get a considerable amount of input from members of the public, and if the minister wants input in committee, I will say he is going to get it. I know many people who have phoned me to ask how they can register to indicate their own concerns about this particular bill. He should not attempt to short-circuit the very important process of debate on this bill.

What I found interesting is since I began this particular discourse on this bill—this, I believe, is the fourth day I have had the opportunity to speak on this particular bill—I have talked to some people who have followed the debate, Mr. Acting Speaker, and who have been asking about what the response of the government has been in terms of the questions we have raised in Question Period and during debate.

They have asked if I have found it difficult to speak on four—this is the fourth day—and I have indicated to them that I have no difficulty, Mr. Acting Speaker, in speaking on this bill because its implications are so significant for many Manitobans. I have addressed some of those already, and I will address, indeed, many more today.

It is also significant in terms of the course of development of labour legislation, developments that have taken 50 years, provisions of The Labour Relations Act that go back to the 1940s in most Canadian jurisdictions, provisions that are fundamental to the system of free collective bargaining in this country which includes the right of people to organize, the right of those organizations to collect dues on a democratic basis in the same way that the Minister of Finance (Mr. Manness) taxes Manitobans every budget, as does every Finance minister, and uses the argument that he received the majority of the support in the last election.

The same argument applies. That is one of the basic principles of labour legislation. We have seen that under attack with the MMA bill. We have seen some of the other provisions in this bill which go to similar things. What I find interesting, Mr. Acting Speaker, is this government likes to play number

games, but, you know, I did some calculations the other day, and this government was elected by probably not more, by my calculations, than 30 percent of the eligible voters in Manitoba—30 percent.

Well, the Minister of Labour (Mr. Praznik) says what other parties got. Indeed, no party in this Legislature, I believe, in probably a considerable period of time has had a majority, other than perhaps the coalition governments.

**An Honourable Member:** Sterling Lyon.

**Mr. Ashton:** Well, Sterling Lyon had, I believe, 47 percent of the -(interjection)- 48 percent of the actual vote, not of the eligible voters. He would have had a considerable amount less. I believe that you would have to go back to the coalition governments -(interjection)- well, the Minister of Labour still has not understood the point.

The point is that no government in this Legislature in the last 100-odd years, or very few, have had a majority of actual voters support them at the polls. They may have had some, although it is rare, support of a majority of those voters who voted on election day, which ranges between 70 and 80 percent. This government had in this last election about 30 percent of the support of the eligible voters. The actual number who voted, of course, they had a higher percentage, but still not a majority, 41-42 percent, I believe. I have not checked the exact figures in that sense. That is not a majority and yet they are still the democratically elected government. By our parliamentary system, they have actually a majority of seats in this House.

In terms of the labour movement, it is the same thing. That is one thing the Labour minister has not acknowledged in terms of this particular bill, and that is that the labour movement is built on the democratic principle of the right to organize and the democratic decision-making process, the democratic decision-making process that leads to election of people who speak on behalf of their members. If they do not speak on behalf of their members, in the same way the members of the Legislature face the electorate, they too face their own electorate. They too face their own electorate.

Indeed, the Minister of Labour (Mr. Praznik) talked about Mr. Peter Offert being up for election for the MGEA in the fall. I found it interesting that Mr. Offert responded that if the Minister of Labour was so concerned about government workers and though

he represented them, he should quit his seat and run for president of the MGEA. I noticed the Minister of Labour did not follow-up on that, Mr. Acting Speaker, because he knows he does not speak for the majority of government workers.

That democratic principle is fundamental to the labour movement, and that is what is under attack at this very point in time. The ability of people to organize, to represent their members, but it goes beyond that. What is at threat with this bill is the very collective bargaining process itself, because this bill does not set up an alternative to collective bargaining. This is not something that, for example, like the first contract legislation or final offer selection or arbitration which sets up an alternative, which is still fair and balanced, which applies to different circumstances.

\* (1710)

There is no alternative here. What has happened is the government went to the bargaining table. Under Manitoba Statute it lost two selector's decisions—currently is likely to lose the third. It then went around and said it was going to change the rules. Not only would there be no awards based on the selector's decisions, even every item, Mr. Acting Speaker, that was concluded at the bargaining table prior to a selector's decisions, including items of any nature regardless of their financial implications—and these are items I say that were agreed to by both sides.

This government, this heavy-handed government, with this Draconian piece of legislation, indeed—and I have used this word before and then I apply it indeed to this legislation and I hate to use terms such as this, Mr. Acting Speaker, and it has been used by other members of the public in Manitoba and people who have seen the impact of this. Indeed, it is fascist legislation because what it does is it goes and negates every last accomplishment that has taken place at the bargaining table, in many cases, between six and eight months worth of negotiations, thousands of dollars, hundreds of hours of the time and effort of both the management and the union representatives, and with one sweep of the pen, with Bill 70, the so-called Public Sector Compensation Management Act.

What terms do we have to mask what this bill really is? The Public Sector Compensation Management Act. Management? What

management is it when items can be agreed upon by the union, by the management, can be agreed upon by the membership of that union and this government comes along and says in sections of this bill that nothing that was agreed to before, nothing now applies. The Public Sector Compensation Management, Mr. Acting Speaker, or labour relations dictatorship?

That indeed is what this bill is. It dictates to not just the labour movement, but to public sector managers. Potentially, unless this bill is clarified to private sector managers, it says what they can negotiate. They cannot even negotiate a washroom break under this particular bill. They cannot negotiate shift changes. They cannot negotiate changes in terms of technological change. This is the classic approach to my mind of a Conservative ideology. This bill attempts to freeze us for one year, and it freezes everything. What it does is it destroys the whole process of collective bargaining, and the Minister of Finance (Mr. Manness) should talk to some of the people who have been involved in the process and find out what their views are about a government that will not even allow that to happen, and talk about what it does in terms of other principles.

How about the principle of agreement?

**Mr. Downey:** You are always talking about the NDP party and your position on this bill. You represent one group.

**Mr. Ashton:** Well, Mr. Acting Speaker, the Minister of Native Affairs (Mr. Downey) utters threats from his seat. I would suggest that he, instead of getting up with his political rhetoric from his seat, deal with his responsibilities as Minister of Northern Affairs (Mr. Downey) in regard to the concerns raised by the member for The Pas (Mr. Lathlin) earlier.

I digress, Mr. Acting Speaker, because my point with what this government has done is what it has done to the final offer selection process which I mentioned earlier. Final offer selection was brought in by the New Democratic Party. It was legislation that was new and innovative, a substitute for the strike mechanism; it did not take away the right to strike. What is important in this particular case is not final offer selection per se. I have debated that and I will debate it again because indeed final offer selection will, I am sure, be part of the political agenda in Manitoba for many years to come.

What is important is the fact that this government, when it was convenient for them, when they were in a minority—you may not recall this but those of us who were in the House previously will remember when the government said it was going to get rid of final offer selection.

Well, did it, Mr. Acting Speaker? Not for the session it was in. It delayed it. The second session, the government said they were going to get rid of final offer selection. Well, did they get rid of it? No. The Liberals changed their position, brought in some amendments that were not acceptable to our side in terms of the bill as it was amended, and the Conservatives, because it was convenient for them, supported us in voting down the bill.

I know the member for Inkster (Mr. Lamoureux) will remember that night very well. I know the members of the Liberal caucus remember it very well, and indeed I am sure the member for the Liberal caucus will acknowledge that in terms of what happened. For the government it was convenient at that time not to follow through on its words of getting rid of final offer selection for political reasons.

I believe in the subsequent election, they, more than the New Democratic Party, used this, particularly I know with some of the people, the business sector, to say that the Liberals had let down the business sector on final offer selection. I remember some of the specific rhetoric that took place. -(interjection)- The member says they did not let down the business sector. I am not arguing that, I am saying that was the line that was used by the Conservatives. I remember that night well, because that night it was convenient for the government not to defeat final offer selection and actually physically voted against the bill, as it was amended by the Liberals which would have killed final offer selection.

Mr. Acting Speaker, did they stop there? The government came in again with a majority. It did not have to rely on the Liberals and New Democrats in terms of what might happen in the Chamber. Again the government said it was going to get rid of final offer selection. What did they do?

Well, they brought in the bill. We said on our side that we did not support any repeal of final offer selection, any rollback of labour legislation. Our position was clear. The Liberals continued with their position of basically still wishing to see final offer selection repealed. The Conservatives had

the chance to continue sitting in this Legislature. We would have sat here for a considerable period of time, debating it. But there were negotiations that took place—it was no secret, it was publicly announced—and the individuals involved in the negotiations, myself, the government House leader and the Liberal House leader. What was the result of the negotiations? A piece of paper that said—

**Hon. Harry Enns (Minister of Natural Resources):** It was a meaningful exchange of ideas.

**Mr. Ashton:** Well, the Minister of Natural Resources says it was a meaningful exchange of ideas. Not only that, the exchange was so meaningful, we had a signed document by all three parties.

**Hon. James Downey (Minister of Northern Affairs):** No.

**Mr. Ashton:** Well, the Minister of Northern Affairs says no. Mr. Acting Speaker, it was not only signed by a member of the Conservative Party, it was signed by the government House leader. When I see what has transpired since—and I know the Liberals have expressed this concern as well because regardless of their position on final offer selection, they know what the agreement was. The Liberal House leader was there. He knows when the bill was supposed to expire, March 31. The Liberal House leader knew which contracts would be affected.

Indeed, I am sure he will verify that the Minister of Finance (Mr. Manness), the government House leader knew as well. He knew and I know the minister knows and he will not deny that. I am not trying to say anything that was in confidential discussions. We have a document that is signed by the minister saying the final offer selection will be in place. People took us at our word and we have lived up to our word, the two opposition parties; they took the government House leader at his word. We now have a bill that is brought in that says this applies to the collective agreement whether or not a final offer selection process, an arbitration process, has been commenced or concluded and whether or not a decision of a selected arbitration board has been rendered.

\* (1720)

Mr. Acting Speaker, I feel that this should be the—as far as the minister is concerned, he has become the Neville Chamberlain of labour relations.

It is labour peace in our time. We have the signature on the document here, labour peace in our time. Final offer selection will continue its course, people cannot negotiate, people cannot collectively bargain, and we will allow it to follow.

Labour peace in our time has turned into labour unrest in a very short period of time because this minister, after bungling the financial management of this province to the point that we are now on a daily basis finding that our economy is doing worse than many other economies, after now coming in with a budget that was a disaster for this province, now expects the people who were employed in the public sector to say, well, yes, my signature is on the paper. I am talking in the sense of the Finance minister but he expects them to say, well, it does not mean anything anymore, things have changed. Nothing has changed since we negotiated the proclamation date for the repeal of final offer selection. Nothing has changed, Mr. Acting Speaker.

The document that was signed came within a matter of days of the statement by the Finance minister to the public service about public sector compensation. The minister knew at that time, although he had not talked about a freeze, that this government was going to be expecting public sector workers to pay the price for their own economic mismanagement within days of signing that document.

On the last day of the session, I believe, with an agreement in hand with the other opposition parties to extend final offer selection, the minister knew nothing has changed since December other than the word of this government—nothing has changed. The public sector strategy was there. We have seen confirmation from the Premier (Mr. Filmon), but even the freeze which was not talked about in December was contemplated long before the bill was actually introduced, Bill 70.

I say, Mr. Acting Speaker, that indeed the word of this government can mean nothing if the signed word of the government House leader on behalf of his caucus in December on a bill which there has been extensive public debate going back to 1987, various different forms, if with full knowledge of the intent this government—in terms of public sector wages including discussion internally of a wage freeze that goes back a considerable period of time—I say to you, there can be no excuse for a government that will betray its word so

fundamentally to members of this House and to the public of Manitoba.

I am in the position that I have to ask myself, as opposition House leader, when I negotiate with the government, what am I supposed to believe anymore? What am I supposed to believe, if I cannot believe a signed document by the government House leader that says that something will take place? If I cannot take someone, a political party, at its word within a period of six months, what can we believe in? What can we follow? What can we trust?

Mr. Acting Speaker, one of the things that makes the parliamentary system work is not just the adversarial relationship we have in Question Period. It is not just the cut and thrust of debate. It is the ability at some point in time of all parties in the House to sit down and discuss and, indeed, negotiate the business of the House.

Mr. Acting Speaker, the role as House leader that I have been fortunate to have had in our caucus for the last period of time is very much—there are certain public elements of it. The Liberal House leader, who is here, will confirm that indeed much of it revolves around discussions with other House leaders about House business.

That has been the tradition at the House of Commons, has been the tradition in this House, and it is a necessary tradition, as the member says because without it, the public business—when I say the public business I am not talking about the government's agenda. I am talking about the balance of the public in terms of their best interest as defined by the government, yes, with its agenda, and opposition parties, indeed, where opposition parties have the role under our parliamentary system to provide criticism and constructive criticism as part of Her Majesty's loyal opposition. That is the role of the parliamentary system.

The best way of achieving that, Mr. Acting Speaker—from my tenure in this House, which is certainly nowhere near as extensive as the member for Lakeside (Mr. Enns) and others. Indeed, I know the member for Lakeside has seen many changes in his 25 years in the way the business of this House has been conducted.

I know, in talking to people who served with the member when he was first elected, the first thing they comment on is some of the breakdown of the informal contacts that took place, the

nonpartisanship that could take place, not on public issues. There were public issues of significance in those days that resulted in tremendous public debate—Autopac in 1969, Duff Roblin introducing the sales tax. The minister can correct me, but I believe that was 1967, when the Conservatives introduced the 5 percent sales tax. There was considerable public outcry at the time and considerable debate, but there was not the acrimony that has tended to develop over a period of time.

Mr. Acting Speaker, I believe the acrimony comes not from the partisanship of debate. That has always been there. I believe the acrimony comes from trust or lack thereof. In this particular case, how can we in the opposition trust in the word of this government?

Let us not forget the consequences to what has happened in the case of Bill 70 with final offer selection. The consequences have been that we in the opposition party, we in the New Democratic Party and in the case of the Liberal Party, we took the government at its word. We did not have the ability through votes—even if we had agreed on this bill which we did not—but even if we had agreed, we did not have the ability to block this particular bill. We would have not had the ability even in the case of final offer selection necessarily to do anything other than delay the passage of the bill, but we could have kept the debate going and given it extensive debate. We could have had a normal length of session.

We, through negotiation, ended up last session, in order to accommodate the public good and in order to get everything back on track, as the member for Inkster (Mr. Lamoureux) points out, budget-wise, we had the shortest session since the session in which the Sterling Lyon government was elected in 1972. We had one of the shortest sessions in the last 25 years, the last session. It was based on an agreement and a signed document that said that this government guaranteed that the proclamation date would take place in March for the bill to repeal final offer selection.

We took them at their word. What we did, Mr. Acting Speaker, is we gave up our one ability, in this particular case, to fight for fairness as we see it for Manitoba workers. Our ability to do nothing more than give that bill full and proper debate, as indeed, we are doing right now in terms of Bill 70. We gave up that in exchange for the agreement of the government to delay the implementation of that bill

until March. As soon as that document was signed, as soon as that session was over, but not before, this government started implementing its true agenda in terms of the public sector and it led to the announcement of this bill several weeks ago.

We found ourselves, Mr. Acting Speaker, having agreed to the extension of a bill in terms of final offer selection, having no remedy to be able to deal with it. Now with a bill that not only takes away the rights of the individuals who in good faith took the government at its word and applied for final offer selection, not only makes null and void the selector's decision in the case of the operating engineers who walked the picket line for 55 days to end up in the result that they did, not only in the case of the casino workers who were on strike last year and followed this government at its word, we see now in the case of IBEW which has applied for the people it represents at Hydro—and the minister will know this. Now Manitoba Hydro is going in and saying, we do not even need to go to final offer selection anymore, because it is null and void because of Bill 70. It has not even been passed yet, but they have made application to have the final offer selector put the proceedings aside and negate it.

Mr. Acting Speaker, if we feel betrayed by this government, what do those workers feel about the actions of this government? I speak again from the perspective, not just as Labour critic for the New Democratic Party, but as opposition House leader. How can I go back to our caucus next time the government says, well, you made a point, we will negotiate some changes, some action on a particular bill. How can I go back to the opposition caucus with a message from the government caucus? How can I sit down and say to our caucus the government has promised they will do this? How are they supposed to believe me? How are they supposed to believe the word of this government? How are they supposed to believe anything anymore when that very basis of trust breaks down?

Mr. Acting Speaker, to the Minister of Agriculture (Mr. Findlay), I asked him to look at the impact that has on the system and look in the perspective, not just of government member, but in terms of opposition. I know there are members who have had that opportunity to sit on both sides of the fence. I believe, it is probably the best education anyone can ever receive in terms of the process of

government. I believe it gives one a tremendous perspective.

I will go further to say that having served as a government backbencher and then sometimes been subjected to the taunts of people who seem to have had the idea that the only thing that really matters in this House is if one becomes a cabinet minister or not, I have seen statements to the effect that only the 18 or 20 individuals in cabinet represent the province, the rest of us do not matter. I have seen those debates over the years. I remember Pierre Trudeau years ago who had said that Members of Parliament were nobodies when they left the House of Commons. In actual fact, I have found it is quite the opposite, Mr. Acting Speaker. You can bring a perspective, as a government backbencher, as an opposition member, because you have the time, perhaps more than other members.

\* (1730)

I urge people on this bill, Bill 70, particularly some of the backbenchers, to put aside that sort of fixation that people have: the only thing that matters is if one is minister of this, or minister of that. You have as much to contribute. I say that to the backbenchers, those who have sat there in the last while and those recently elevated to the upper benches, I have never liked the term "backbench" myself, I believe that is a far more appropriate—

**An Honourable Member:** That is noble of you.

**Mr. Ashton:** Well, it is not a question of it being noble or not. I would say to the Minister of Education and Training (Mr. Derkach) that I believe that each and every one of us in this Chamber, all 57, in fact, they are quite the opposite of Pierre Trudeau. Most members of the Legislature tend to be seen as somebodies in their constituencies, the people they represent. That is why, Mr. Acting Speaker, I look to those individuals to make a clear position and stand on Bill 70.

**Mr. Jack Penner (Emerson):** Mr. Acting Speaker, would it be the will of the House to call it six o'clock?

**The Acting Speaker (Mr. Sveinsson):** Order, please.

**Mr. Ashton:** Mr. Acting Speaker, I would point to the member, and I know he may not attend caucus meetings anymore, but the government House leader had requested that we sit through private members' hour to facilitate debate on bills and the opposition has acceded to that request. So

perhaps if the member did not have the opportunity to discuss that in caucus, he might wish to check with the government House leader. It is an important bill, that is why we had no difficulty, and particularly since we lost the normal time for debating last week, thanks to the agreement of all three parties in the House to adjourn at four o'clock, I think that was only appropriate.

Mr. Acting Speaker, I am talking about the whole question of public policy here and the role of all members of this Chamber. I say this because I look to the upper benches of the government side. We have made our position clear. It is a clear question of principle for us, but I ask members over on the government side to listen to the committee hearings, do nothing more than that, to get out and talk to some of the public sector workers and see what they feel.

I am quite prepared, I have considerable documentation, if they do not have the time or concern about getting out of this bunker mentality of the building, I have considerable information here for them, to look at the kind of positions being put forward by the public sector workers, the Canadian Union of Public Employees, for example, Local 998, their presentation to management on what they feel is a fair wage. I think if they were to read this document, they would see that people are being quite reasonable in their positions in public sector negotiation. Submission Winnipeg School Division No. 1 by the Canadian Union of Public Employees—and I will get into some of the detail, Mr. Acting Speaker, if I have time on that. I feel that is an important area to deal with. I would point to other submissions I have, presentation of the Canadian Union of Public Employees Local 500, their position in terms of their members. They are concerned about the City of Winnipeg budget position.

I also have documentation, Mr. Acting Speaker, if members of this House wish to go in some detail, and I have dealt with it before on the position of the IBEW, Local No. 34, which has been directly affected by this bill, their views on the situation facing them. In the last eight out of 10 years, they have had an increase lower than the rate of inflation. The public sector unions have been quite forthcoming in their views. They have not shied away from making public documents they have made.

I challenge anyone on the government side to cite anything in these documents, and I have gone through them all, that suggest that public sector workers are being anything other than reasonable. What they are asking for is not an outrageous increase in many cases. In every single case that I have before me, they are asking for an increase that will probably be less than the rate of inflation. They will lose ground. In every final offer selector decision I am aware of that essentially is what has been put forward by the public sector unions. They are not asking for 10 percent increases or 20 percent increases or 30 percent increases. They are asking for rates of increase of less than the rate of inflation.

(Mr. Jack Penner, Acting Speaker, in the Chair)

Mr. Acting Speaker, not only that, when selectors' decisions have been made—and I have quoted extensively from the two that have been made, the case of the casino workers and the operating engineers, impartial selectors, and one has to understand the views of people, impartial observers have said that they support the views of the public sector unions and the workers they represent and, indeed, have said that those requests are reasonable. They are not asking for unreasonable increases.

In fact the two selectors' decisions, if one would care to look at it—what they do is they get into some detail about settlements in the private sector. They say that the application for increases in the public sector are in fact modest in comparison to the private sector.

I point to the Minister of Energy and Mines (Mr. Neufeld), if he would care to look at the most recent settlement with the United Steelworkers of America, Local 6166, in my own community of Thompson. Is the minister aware of the increase that took place in 6166? Is the minister aware of the recent contract signed in Sudbury, which is setting the stage? -(interjection)-

Mr. Acting Speaker, the minister says, what is the base? The base of employees in Thompson has been consistent. It has been eroded somewhat in recent years because of the increase in the cost of living that has taken place. The base in Thompson—we actually have the highest per capita income of any community in the province. That is based on—to the Minister of Agriculture (Mr. Findlay), the bonus that was there was the nickel

bonus, based on the price of nickel. It was a direct attempt to reflect the company's ability to pay.

It is a very innovative solution to the fluctuations in the marketplace and was certainly the result of a lot of hard work and bargaining on behalf of the members of that union and the negotiating committee and reflected, I think, the willingness of the two sides to sit down.

He says about the base—this is the minister responsible for Hydro. Is he aware of the comparative rates of Hydro employees for example with other jurisdictions, including the city of Winnipeg? If he will check the schedules, he will find that in many categories—and I have done this; I have gone through a detailed comparison—many of the individuals working for Manitoba Hydro at the current time earn less than the scale in other jurisdictions, including the city of Winnipeg. -(interjection)-

Mr. Acting Speaker, the member says, do not talk to the city of Winnipeg. Can he blame the IBEW members who are employed by Manitoba Hydro if they want to compare with the city of Winnipeg in their own province, individuals who are posted in many cases throughout the province who would love to have the amenities of city life, in many cases, who end up getting paid thousands of dollars less than the city of Winnipeg? These are not unreasonable wage increases.

**An Honourable Member:** Oh, yes, they are.

**Mr. Ashton:** Well, the minister responsible for Hydro says from his seat, yes, they are. Mr. Acting Speaker, in what way are the requests of Hydro employees unreasonable? Is he aware of the position put forward by IBEW, which is to ask, basically, for a less than cost-of-living increase? How much does he expect public sector workers to take in terms of an effective rollback? Is zero enough? -(interjection)- Well, he is talking about productivity. What has been the bottom line statement of Hydro this last year in terms of its ability? He knows it has done well. The same thing with MTS.

Mr. Acting Speaker, I ask the minister responsible for MTS (Mr. Findlay), rhetorically of course, and I understand that -(interjection)- well, I am saying that to the Minister of Health (Mr. Orchard) because I understand when one is speaking that it is unfair if someone does not want to be asked a question to put them in that spot. I am asking that minister

whether he considers the request of employees employed by the Manitoba Telephone System, which he is responsible for, to be unreasonable given the revenue situation, to be unreasonable given in terms of the recent reclassification of the position of C.O., with the hiring of the new  
 -(interjection)-

The minister is saying that their requests are unreasonable? -(interjection)- They have got to reduce their debts and fund upon the pension. Is the minister saying that they have not received a significant improvement in their bottom line in terms of MTS? -(interjection)-

Well, I think the minister is acknowledging, I mean, he is debating various other points with MTS, but he has to acknowledge that MTS's ability to pay is not in doubt whatever arguments are used by the public sector generally. It has had a significant increase in its bottom line because of rate increases, because of other matters, including for example the growth of the telecommunications industry that has benefited—well for example, even the fax machine revolution which has contributed to increased long distance revenue, the general growth in that area.

\* (1740)

I say that because one of the concerns of people in the public sector is—the Minister of Finance (Mr. Manness) uses the argument of the ability to pay, but I will dispute with anyone within the terms of MTS and Hydro, those arguments. I will dispute with anyone because—the ability to pay what? The ability to pay a cost-of-living increase? Rates have increased with Manitoba Telephone System, Manitoba Hydro. All the employees are asking for is a similar accounting for the cost of living. MTS has not frozen its rates, Hydro has not frozen its rates.

I would not doubt that, given their choice, senior management at Hydro and MTS would be willing to pay those types of increases. I say that from experience, having sat on the Hydro board and knowing the individuals there, and the very good working relationship in both of those Crown corporations, impeccable working relationship. It is not that there are not disputes, and I credit previous jurisdictions, current jurisdiction, there have not been serious disruptions between staff. I do not believe there has been a strike. There certainly has not been at Hydro. I think there has not been a strike at MTS for a considerable period of time, even

a walkout. It is an impeccable series of relations. That is what concerns me is what is going to happen is these reasonable requests are going to be denied and people are going to look at ways to vent their frustration.

What is going to happen? There may be walkouts. There may be people who attempt to use job action. I do not know, but when this has happened traditionally in the past—I look back to the anti-inflation policies of the 1970s—that is what happened. It happened in Thompson. We had a signed agreement between Inco and the steelworkers. The anti-inflation board said they would not follow through with it, and steelworkers walked out. That was the most bizarre strike I have ever seen, because the steelworkers had the full support of Inco. It took the intervention actually of the Premier at the time, Ed Schreyer, to get the anti-inflation board to follow through.

I believe that may happen in this particular case. There may be a significant increase in the level of labour unrest. I know that a lot of the Hydro employees I have talked to, who are extremely upset, were even more upset when they phoned the Minister of Labour's (Mr. Praznik) office and were told by staff in his office that they were lucky to have a job. This was somehow something they should be grateful for, and that they should just take their zero, take their lumps and that would be it.

But it will not go beyond that because this is one year of collective bargaining. When, if and when, we get back to normal in terms of collective bargaining, they are going to be further and further behind. Further and further behind Winnipeg Hydro in the case of Manitoba Hydro. Further and further behind other comparable workers in the private sector and indeed in terms of other jurisdictions across Canada, in terms of Manitoba Telephone System. That applies to each and every one of the Crown corporations and to the Civil Service generally.

I will predict, Mr. Acting Speaker, that this action of this government will lead to a significant increase in the level of labour unrest in this province. I would counterpoint that to the fact that we have had traditionally one of the lowest levels of strikes per capita of any province. Traditionally, we have been second lowest in terms of strikes. Only Prince Edward Island, which has far fewer unionized workers per capita, has a lower percentage than we have.

I credit that to the labour legislation that we have underpinning our labour relations in this province including legislation—some changes which were brought in by Liberal and Conservative governments, significant changes brought in in 1975 by the then New Democratic Party government, significant changes brought in again in the 1980s, first contract, final offer selection, some significant improvements in terms of The Labour Relations Act. It has been that legislative base, but above and beyond that it has been a certain basis of trust, a certain sense of fair play, a certain degree of labour harmony in this province.

I have said this before and I will say it again—and I sometimes choke when I say this, Mr. Acting Speaker—but the Sterling Lyon government, which I had many difficulties with in terms of public policy, the Sterling Lyon government that I ran against in 1981—I ran for a lot of things, and I can tell you in my constituency at that particular time that I did not have to mention what my platform was. So long as I was against the Sterling Lyon government, that was fine by them after what had happened in terms of northern Manitoba.

I choke when I say this because even Sterling Lyon as Premier for four years did not bring in the kind of drastic shift we are seeing in terms of labour legislation, the kind of antiworker policies. I will not say that there were not some things that were not done. The minisession called in 1977, one of the reasons that was brought in was to roll back time and three-quarter overtime to time and a half. That was brought in as part of a commitment at the time to the business community, but they did not touch a single section of The Labour Relations Act. They did not. Even though they cut back the Civil Service, they did not bludgeon it with the double jeopardy of a wage freeze at the same time.

In fact, Mr. Acting Speaker, in an attempt to stimulate the economy and deal with public sector wages, shortly before the election they negotiated one of the biggest settlements that had been known in the province up to that point in time. I remember those discussions well. Even the Sterling Lyon government did not bring in this type of legislation. What has happened to the Conservative Party that 10 years later, because it is exactly 10 years this year, 10 years from November 17 that the Sterling Lyon government was defeated, a one-term government defeated because of many reasons.

It was not defeated because of its record on labour legislation. I have talked to people in the labour movement who are still saying the same thing. They said the same thing at the time. They said, well, you know, they were pretty bad in a lot of ways, but when it came to labour legislation, whether it was dealing in terms of Ken MacMaster as Minister of Labour at the time, my predecessor in terms of Thompson, dealing with even Sterling Lyon, that government was committed to some form of harmony in labour relations and not to playing with The Labour Relations Act.

Mr. Acting Speaker, I thought it was bad enough—(interjection)—Well, the Minister of Energy and Mines (Mr. Neufeld) says it has become necessary. It has become necessary to do what, bludgeon public workers. The ministers who respond talk about living within your own means, the same rhetoric that Sterling Lyon used. Why was it good enough for Sterling Lyon not to tamper with the collective bargaining process, but this government deals with it?

You know what concerns me is they will not even admit to what they are doing. The Premier (Mr. Filmon) has done his best to duck this issue on a number of occasions when it has been raised. The Premier, perhaps advised by his media handlers—certainly, that is a major part of the government's activities over there—has tried to duck the issue. But the bottom line is, Bill 70 is the most fundamental change in terms of labour relations, both in terms of legislation and the labour relations climate, since 1919.

One would have to go back to 1919, the Winnipeg General Strike, the 1,000 citizens, the attempt to break the unions, which was successful, the jailing of many people and I do not have the time to get into all the history, but the parallels about what happened then are interesting when one looks at what is happening today. The attempt then to break the power of the labour movement, and indeed they did set back the labour movement, but they cannot and never will be able to destroy the power of working people in this province, Manitoba generally, but Winnipeg in particular. The north end of Winnipeg in particular being years ahead in terms of labour relations, pioneered in terms of the rights of workers to organize, pioneered in terms of development of trade unions, pioneered in terms of the rights of working people.

You have to go back to 1919 to find a parallel to Bill 70. As I said when I spoke last, there is another parallel to what happened in 1919, because then the labour movement was united, and in subsequent years there were many strains in the labour movement. First the AF of L affiliated unions and CIO, which later amalgamated in Canada in 1956. Other splits involving the Canadian Labour Congress and the Canadian Federation of Labour. There is the Canadian Confederation of Unions which represents a number of smaller unions which have significant membership in Manitoba, CAIMAW in particular is the key union in terms of that. There are many unaffiliated unions. There are organizations that are not technically unions, the Manitoba Teachers' Society, not technically a union, but which engages in collective bargaining. They have united each and every one of those organizations. There is not one representative of the labour movement in this province today that does not disagree fundamentally with what this government has done. Not one.

\* (1750)

Other bills, final offer selection, was debated within the labour movement, lesser towards the end.

The Minister of Energy and Mines (Mr. Neufeld), I ask him again to talk to some of his own employees in his capacity as Minister responsible for Manitoba Hydro, and he says: Oh, the majority of people in Manitoba, indeed we will raise our position with anyone; I have done this, I have discussed it with many people.

You know what I do in that particular case, I say to them, I say, to my own steelworkers in Thompson, compare their increase and ask them how they would feel if, after they had been negotiating for months, if not years, they had the government come in and say, you are getting nothing. -(interjection)- Well, the member for Flin Flon (Mr. Storie) will tell you, it was done in the 1970s, 1976. I was working at Inco at the time. I walked the picket line, and I know what the reaction was back then, and I will not repeat some of the more colourful comments that were made by people. But I can tell you, the steelworkers of Thompson said, no, no way. They were a bit more colourful as I said.

Why would it be any different in the case of the public sector? I have said that to people who at first say, well, sure, why not, let us save some money. I said, well, at whose expense and where is that

money going to come out of? By freezing their wages, what you are asking is for public sector workers and their families to subsidize Manitoba Hydro, subsidize the Manitoba Telephone System. Is that the way the minister feels that negotiations should take place?

(Mr. Speaker in the Chair)

If he wants to have a freeze this year, what does he want to do in upcoming years, reduce it? -(interjection)- The minister asks, are they underpaid? Is the minister saying they are overpaid? -(interjection)- The minister says they are overpaid. How much does he want to reduce them? How much are they overpaid?—5 percent, obviously, it must be at least that. Ten percent? -(interjection)- He says, compare it to the private sector.

The Minister of Education (Mr. Derkach), I hope he will listen because I know he has not learned the lesson on this particular bill yet. To the Minister of Energy and Mines (Mr. Neufeld), who says that Hydro workers are overpaid in comparison to the private sector. Compare it to what?—steelworkers in Thompson?

Well, Mr. Speaker, now he says you cannot compare it to the steelworkers in Thompson. Which private sector workers does he want to compare Hydro workers to in Winnipeg? Obviously, he does not want to refer to Winnipeg Hydro as another utility which pays considerably more. He is saying that and what is he comparing, electrician's rates? Well, he says they are all overpaid.

I ask the Minister of Energy and Mines if he feels they are overpaid—and they obviously feel they are underpaid—why Manitoba Hydro now under direction from the government is asking for the final offer selection process to be set aside based on a bill that has been introduced that has not yet been passed through this legislation, may not be passed for a considerable period of time? Why would he not let it go to final offer selection, have an independent selector make the decision?

Mr. Speaker, the minister says he has to make a decision. Under Bill 70, they can make decisions; they can make lots of decisions. The minister says they are difficult decisions. I ask, where does it stop? If he says they are overpaid now, where does it stop? The wage freeze, a 5 percent cut, a 10 percent cut, a 20 percent cut, a 30 percent cut and

the minister says, trust me. Well, he says, read my lips.

I remember the last time someone used that phrase—what we saw in the United States, how much that meant. The Minister of Finance (Mr. Manness) on this bill might as well have said, read my lips, we will proclaim the bill on FOS March 31 because this meant as much as the “read my lips, no more taxes” in the United States with George Bush. The minister now says read my lips.

I think it should go in the same category with the Premier's: What you see is what you get. More of the same. Wait a sec, there was one thing he said on election night and it sort of slipped out. I know that you will remember it, “a Tory is a Tory is a Tory.” That was quite a revelation to Manitobans who have been searching in vain for 35 days during the election to find the words “Tory Progressive Conservative” or anything.

It was always the Filmon Team, it was the Filmon Team. It was sort of, I am surprised they did not do it in invisible ink. They went and revealed on election night “a Tory is a Tory is a Tory” but there was something and I have been in this House for 10 years, I must have given one or two speeches where I referenced, the hidden agenda. The hidden agenda. I must have, a few times when we were in government, warned the people of Manitoba about the hidden agenda of this government if they were to get power.

Mr. Speaker, they have a minority and so only part of the hidden agenda came out, very little of it, but, ah ha, on election night “a majority is a majority is a majority.” It reminds me of the old television show which is still shown on reruns sometimes, Mission Impossible. Do you remember Mission Impossible, the beginning of the show the agent would receive his instructions on a tape recorder that after 30 seconds would self-destruct? I think that was what the policy of the Conservative government was: 35 days of tape messages from the Premier (Mr. Filmon) and immediately on election night, once they got the majority, it self-destructed. Now we have seen all the fine words go out the window, about labour relations, about social policy, economic policy; all of them go out the window. Now we see a desperate attempt on behalf of this government to try and make the Premier look like something else, somebody else, someone else. Yet it is not working.

During the election they ran around, they had their box of soap, Mr. Speaker, the new improved, the Filmon Team. They went around, it was to make polls whiter than white, brighter than bright. It was like the Tide commercials. Except afterwards, what happened to the product? It was not there. It was an empty box. What we have seen out of this, out of the box pops out the same old ideology. I look at the Minister of Health (Mr. Orchard) when I talk about the same old ideology and rhetoric. What we are seeing is those fine promises—they have self-destructed. Every time I look at these statements, and I have read them before, unless people have some difficulty in understanding these statements, what can be clearer than statements made by the Premier in terms of any further significant changes to Manitoba labour laws or The Civil Service Act would only be undertaken after consultations with the public business and labour. Who said that? The Premier said that during the election. It is amazing how that has been thrown out the window.

Let us talk about the bargaining table. “I will repeat that the free collective bargaining process ought to prevail and that they ought to go forward and attempt to resolve that at the bargaining table. That is the process that we as a Government support, . . .” October 16, 1990. Who said that? The Premier said that. November 5, “We have the same mechanism that every Government has had. It is called the free collective bargaining system.” “We have determined steadfastly that we would let the Crown corporations be operated at arm's length on business principles that would be set by policy of the Government, and the management decisions and ultimate determinations made under aegis of the boards of directors, by the management of the corporation.” The Premier said that on November 5, 1990.

I could continue. “The fact of the matter is . . . there is no club and there never will be from this Government. We will act in good faith at all times in the open free collective bargaining process with all the employees with whom we have to negotiate.” That was again the Premier on November 6, 1990. Mr. Speaker, those statements self-destructed as soon as they were made. They no longer apply, in the same way that the signature of the Minister of Finance (Mr. Manness) no longer applies.

Now we hear the Minister of Energy and Mines (Mr. Neufeld) saying, well, he thinks the Hydro

employees are paid too much. They are overpaid. Now we start seeing the heavy hand of this government interfering in those Crown corporations. We see the club, and it is called Bill 70, Mr. Speaker. We see the kind of intimidation tactics that we are seeing when public sector workers who have the right to express their views on this issue are told, you are lucky to have a job. Well, they indeed are lucky with this government, because many people have not had such luck.

The bottom line is, that heavy-handed approach the Premier (Mr. Filmon) rejected only a few months ago now is being put in place by this government,

and the word of this government on labour relations generally, the word of this government increasingly daily on issue after issue is being called suspect because it means nothing. I indeed will speak as long as it takes to get this government to understand the error of their ways.

**Mr. Speaker:** Order, please. This matter will remain standing in the name of the honourable member for Thompson (Mr. Ashton).

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, June 26, 1991

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>			
<b>Presenting Reports by Standing and Special Committees</b>		Northern Health Care Harper; Orchard	3910
Public Utilities and Natural Resources Sveinson	3901	Downtown Revitalization Program Wowchuk; Downey	3910
Committee of Supply Dacquay	3902	<b>Nonpolitical Statements</b>	
		Independence of Croatia and Slovenia Mitchelson	3911
<b>Tabling of Reports</b>		<b>ORDERS OF THE DAY</b>	
State of the Environment Report Cummings	3902	<b>Debate on Second Readings</b>	
<b>Oral Questions</b>		Bill 18, Municipal Amendment Act Lamoureux Carstairs	3912 3912
Hazardous Waste Doer; Cummings	3903	Bill 19, Local Authorities Election Amendment Act Wowchuk Carstairs Storie	3913 3914 3915
Child and Family Services Barrett; Gilleshammer; Alcock	3904	Bill 44, Public Utilities Board Amendment Act Ashton Penner Storie Maloway McIntosh	3918 3923 3925 3928 3933
Shoal Lake Cerilli; Cummings	3906	Bill 70, Public Sector Compensation Management Act Ashton	3936
Northern Flood Agreements Lathlin; Neufeld; Downey	3907		
Shoal Lake Edwards; Cummings	3908		
Manitoba Data Services L. Evans; Manness	3909		
Daryl Gionet Harper; Manness	3910		